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Mía Menéndez Motta

The Commentary on the Hippocratic Oath by Johann Heinrich Meibom

Medicine and Philology in the early 17th century

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Prof. Dr. Michele C. Ferrari und Prof. Dr. Rainer Trinczek

Mía Menéndez Motta

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Kontakt: Mía Menéndez Motta, Friedrich-Alexander-Universität Erlan-
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The Commentary on the Hippocratic Oath
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Medicine and Philology in the early 17th
century.

Der Kommentar zum hippokratischen Eid
von Johann Heinrich Meibom.
Medizin und Philologie im frühen 17. Jhdt.

zur Erlangung des Doktorgrades (Dr. phil.)

der Philosophischen Fakultät und dem Fachbereich Theologie
der Friedrich-Alexander-Universität Erlangen-Nürnberg

vorgelegt von
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A mi mamá, *in dulcissimam memoriam*

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Abstract

Johann Heinrich Meibom (1590-1655), a physician from Helmstedt, wrote a Commentary on the Hippocratic Oath (1643) which enclosed in itself the commentary tradition on such an important Hippocratic text. To understand better Meibom's text it was necessary to contextualise his life and work (Chapter 1).

Johann Heinrich Meibom was born into a very important family as a son of a well-respected Historian and Professor at the University of Helmstedt and his mother, the daughter of the ducal Surgeon of Wolfenbüttel. His early days as a scholar were filled with classical Greek and Latin authors as well as Theology. He decided to study Medicine to follow the steps of both parts of his family, become a Professor like his father and be a renowned physician like the male figures of his maternal side. He lived in revolutionary times, not only because of the international conflict of the Thirty Year's war and all the history-changing movements behind it, such as the Reformation; but also because of all the medical discoveries and publications that were made before, after and during his life time throughout Europe.

The war made him leave his natal Helmstedt in search of safety, ending up in Lübeck where he was offered a position as First Physician by Johann Friedrich of Schleswig-Holstein-Gottorf, bishop of Lübeck. He later became also his personal physician and so was able to support his wife, Elisabeth Oberberg, and his children, among whom were the latter discoverer of the tarsal glands (meibomian glands), Heinrich Meibom the Younger (1638-1700).

Johann Heinrich Meibom was a prolific author. We present here, for the very first time, the whole account of his works, as far as we could find in archives and libraries: eight prose productions, among them the Commentary on the Hippocratic Oath; five *disputationes*, seventeen poems and eleven handwritten non-published works besides twenty-seven other *disputationes*. His writing can be thus divided into two types: medical writings and poetry. The *disputationes* (published and unpublished) report his exercise as a Professor of Medicine, though he never ventured to write a treatise on any medical topic in vogue. His poetry seems more like a way to participate in society and pay his respects to acquaintances and friends.

The Hippocratic Oath, being one of the most popular Hippocratic texts even in our times, has a long and interesting history and textual tradition, which was necessary to present to the reader as a second chapter. Its history began in Hippocrates' times and continues even today. In this book, we focused especially on the Renaissance and early modern Latin commen-

taries which were directly quoted by Meibom in his Commentary, that is, those of Blaise Hollier (active from 1556 to 1572), Peter Memm (1531-1589), Theodor Zwinger (1533-1588), Johann Obsopaeus (1556-1593), Jan van Heurne (1543-1601), François Ranchin (1564-1601) and Franciscus de Franciscis (Isaac Casaubon (1559-1614)?).

In the third chapter, the main focus was made on Johann Heinrich Meibom's Commentary, analysing it with two different methodologies. First, the Commentary as an object, a book, needed the approach of the history of book methodology. Second, the Commentary as a text, its contents, had to be understood through philology and the history of medicine methodologies. From these two big parts in which the reader can see not only how the book was written, published and distributed but understand the complex references within the text; the attention was guided to chapter 15th of Meibom's Commentary by the finding in archives.

Chapter 15th of Meibom's Commentary was the only one that was preserved almost in its totality in three different stages, the draft text, the published text and a new revised version which never got published. These versions are here presented as a text with edition, translation and commentary. It deals with the Hippocratic Oath's clause known as the anti-abortion clause. Since this topic is still important in our society we confronted Meibom's teaching in his Commentary with modern approaches to the abortion problem. It gave us the idea of differentiating pregnant women into two types, the one who has (ἡ ἐν γαστρὶ ἔχουσα) and the one who receives or takes (ἡ ἐν γαστρὶ λαβοῦσα) and how this approach could slightly change the solution to some problems in this topic. A new reading of the Hippocratic Oath's anti-abortion clause was also pointed out so that the Hippocratic Oath does not prohibit the use of abortives but the harm to women's reproductive capacities in any way. The Hippocratic Oath's clause could be understood not as an anti-abortion clause but as an anti-gynaecological harm clause.

Extra materials, such as letters from and to Johann Heinrich and Heinrich Meibom the Younger, are presented at the end of the book. We hope this research will fill one of the many gaps still standing in the Latin commentary tradition on ancient Greek medical texts.

Kurzfassung

Johann Heinrich Meibom (1590-1655), ein Arzt aus Helmstedt, hat einen Kommentar zum hippokratischen Eid (1643) geschrieben, der die Kommentartradition dieses wichtigsten hippokratischen Textes umfasst. Um den Text von Meibom besser zu verstehen, war es notwendig sein Leben und Werk zu kontextualisieren (Kapitel 1).

Johann Heinrich Meibom wurde in eine sehr bekannte Familie geboren, als der Sohn eines respektierten Professors der Helmstedt Universität und einer Tochter des Leibarztes des Herzogs von Wolfenbüttel. In seinen ersten Tagen als Student studierte er sowohl die klassischen griechischen und lateinischen Autoren als auch Theologie. Er traf jedoch die Entscheidung, Medizin zu studieren, um der Familientradition entsprechend, so wie sein Vater ein Professor zu werden und, wie die männlichen Vertreter der mütterlichen Seite, ein Arzt. Johann Heinrich Meibom lebte in revolutionären Zeiten, nicht nur wegen des Dreißigjährigen Krieges und aller vorangegangenen historischen Bewegungen, wie der Reformation; sondern auch wegen der medizinischen Entdeckungen und Veröffentlichungen in Europa, vor und während seiner Lebzeiten.

Meibom ging nach Lübeck, um Sicherheit während des Krieges zu finden. Dort arbeitete er als Stadtarzt und später auch als Leibarzt von Johann Friedrich von Schleswig-Holstein-Gottorf, Bischof von Lübeck. Meibom wohnte mit seiner Frau, Elisabeth Obergberg, und vielen Kinder in Lübeck bis ans Ende seines Lebens. Das bekannteste seiner Kinder war Heinrich Meibom der Jüngere (1638-1700), bekannt wegen der Entdeckung der Talgdrüsen.

Johann Heinrich Meibom war ein überaus produktiver Autor. Wir präsentieren hier zunächst die komplette Liste seines Werkes: acht prosaische Werke, der Kommentar zum hippokratischen Eid inklusive, acht *Disputationes*, siebzehn Gedichte und elf handgeschriebene unveröffentlichte Werke neben siebenundzwanzig anderen *Disputationes*. Sein Schaffen kann deshalb in zwei Typen geteilt werden: die medizinischen Werke und die Gedichte. Die *Disputationes* (veröffentlichte und unveröffentlichte) spiegeln seine Zeit als Professor wider, obwohl er es nie wagte, eine Abhandlung über ein aktuelles medizinisches Thema zu schreiben. Die Gedichte schienen eher dem Zweck zu dienen an der Gesellschaft teilzuhaben und Bekannten und Freunden seinen Respekt zu erweisen.

Der hippokratische Eid, einer der bekanntesten hippokratischen Texte noch zu unseren Zeiten, verfügt über eine lange und interessante Geschichte und Texttradition, welche für den Leser vorausgesetzt werden und

welche man im 2. Kapitel vorfindet. Die Geschichte dieses Textes begann in der Zeit von Hippokrates und dauert bis heute fort. In diesem Buch haben wir uns besonders auf die lateinischen Kommentare von der Renaissance bis in die frühe Neuzeit konzentriert, die außerdem direkt in Meiboms Kommentar zitiert wurden, darunter jene von Blaise Hollier (aktiv von 1556 bis 1572), Peter Memm (1531-1589), Theodor Zwinger (1533-1588), Johann Obsopaeus (1556-1593), Jan van Heurne (1543-1601), François Ranchin (1564-1601) und Franciscus de Franciscis (Isaac Casaubon (1559-1614)?).

Im 3. Kapitel wurde der Schwerpunkt auf Johann Heinrich Meiboms Kommentar gelegt, der unter Heranziehung zweier verschiedener Methoden analysiert wurde. Zunächst einmal setzte der Kommentar als Objekt bzw. als Buch den Denkansatz der Buchgeschichte voraus. Der Kommentar als Text bzw. sein Inhalt mussten darüber hinaus zum besseren Verständnis unter Heranziehung der Methodologien der Philologie und der Medizingeschichte betrachtet werden. Von diesen beiden Hauptteilen der Forschungsarbeit ausgehend, in welchen der Leser nicht nur über die Geschichte der Verfassung, der Publikation und der Verbreitung des Buches, sondern auch über die komplexen Referenzen innerhalb des Textes unterrichtet wird, wurde die Aufmerksamkeit des Lesers anhand von archivalischen Quellen auf das 15. Kapitel von Meiboms Kommentar gelenkt.

Kapitel 15 des meibomischen Kommentars ist das einzige, das in drei verschiedenen Phasen fast ganz erhalten ist: es besteht aus dem Entwurfstext, der veröffentlichten Version und einer neuen Version, die nie publiziert wurde. Diese drei Phasen des Textes werden hier als eine Edition mit Übersetzung und Kommentar präsentiert, die den hippokratischen Eidssatz über den Schwangerschaftsabbruch zum Thema haben. Da dieses Thema innerhalb der Gesellschaft immer noch sehr wichtig ist, wurden Meiboms Ideen in dem Kommentar mit modernen Betrachtungsweisen verglichen. Der Vergleich führte uns zum Gedanken einer Einteilung schwangerer Frauen in zwei Typen, nämlich diejenigen, die „haben“ (ἡ ἐν γαστρὶ ἔχουσα), und diejenigen, die „bekommen“ oder „nehmen“ (ἡ ἐν γαστρὶ λαβοῦσα) und wie dieser Ansatz eine andere Lösung für einige der genannten Probleme herbeiführen kann. Eine neue Auslegung des hippokratischen Schwangerschaftsabbruch- Eidssatzes schlägt vor den Satz als ein Verbot nicht des Schwangerschaftsabbruches sondern der Herbeiführung eines Schadens an der weiblichen Reproduktionsfähigkeit zu verstehen. Der Eid könnte in diesem Sinne vielmehr als Satz gegen die Herbeiführung gynäkologischer Schäden anstelle eines Anti-Schwangerschaftsabbruchs-Satzes verstanden werden.

Zusätzliche Quellenmaterialien, wie z.B. Briefe von und an Johann Heinrich und Heinrich Meibom den Jüngeren, finden sich am Ende des Buches. Ich hoffe, dass diese Forschung eine von vielen Lücken innerhalb der lateinischen Kommentartradition zu altgriechischen medizinischen Texten füllen kann.

Abbreviations

ADB	Allgemeine Deutsche Biographie
BIU Santé	Bibliothèque Interuniversitaire de Santé
BnF	Bibliothèque Nationale de France
Dbio	Deutsche Biographie
DNB	Deutsche National Bibliothek
GW	Gesamtkatalog der Wiegendrucke: https://www.gesamtkatalogderwiegendrucke.de/
GWLH Hann	Gottfried Wilhelm Leibniz Bibliothek. Niedersächsische Landesbibliothek Hannover
JHM	Johann Heinrich Meibom
NDB	Neue Deutsche Biographie
NSUTB Gött	Niedersächsische Staats- und Universitätsbibliothek Göttingen
VD16	Das Verzeichnis der im deutschen Sprachbereich erschienenen Drucke des 16. Jahrhunderts. The number (Normnummer) is given for each book in the bibliography.
VD17	Das Verzeichnis der im deutschen Sprachbereich erschienenen Drucke des 17. Jahrhunderts. The number (Normnummer) is given for each book in the bibliography

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Introduction

This research aims to contextualise the Commentary on the Hippocratic Oath by Johann Heinrich Meibom and present the tight bond between Medicine and Philology in the early 17th century. To achieve these purposes, the research had to be divided into three main chapters, each one with its difficulties and methodology.

Chapter one will introduce the reader to the main character of this research: the German physician Johann Heinrich Meibom (1590-1655). This chapter is devoted to understand the author, his life, work, studies, medical context, preferences, etc. This part was especially difficult because of the sources. Some small biographies about Johann Heinrich Meibom were published little before I started this research, though they left much information aside because they were made for dictionaries (e.g. Ahrens) or museum's exhibitions (e.g. Sosnitza). The biography was more or less clear thanks to those publications, the work was almost unknown territory. Some books of Meibom were well known, but there has never been exhaustive research about his writings, until now. I present for the very first time a list of all his works organised by types (prose and poem) and year. The focus on the Commentary was maintained through the chapter because most of the times there was a link between his other works and the Commentary.

Chapter two will introduce the reader to the main text of this research the Commentary on the Hippocratic Oath; but to get to the commentary it was necessary to look at its source: the Hippocratic Oath. Because of the long history and textual tradition it has, this chapter begins with more general topics, what are a commentary and an oath. Then the reader must know what is the Hippocratic Oath and how did it get until Meibom's time. The text of the physician of Helmstedt was the heir of a long tradition, not only of the oath attributed to Hippocrates but of a series of commentaries that preceded his. This chapter will briefly cover all the history before Meibom's Commentary.

The third and longest chapter focuses on the Commentary on the Hippocratic Oath by Johann Heinrich Meibom. This chapter is divided into two main sections because there was no previous research to rely on. The two sections are called 'object' and 'subject matter'. In the former, there is a description of every aspect of the Commentary as an object. It begins with the description of the book and follows through the process of getting it printed and delivered to its author and readers. In the latter, the focus is

strictly on the texts and their contents to appreciate better what Meibom said, his intentions and teachings. This last part is mostly philologic.

As a result of chapter three, I decided to direct my full attention to Chapter 15th, which deals with the prohibition of abortion, for three main reasons: it is the longest chapter of the Commentary, it is one of the most controversial clauses in the history of the Hippocratic Oath and it is still an unresolved issue for our society. The archives gave us another reason, some documents show three phases of Chapter 15th: the writing process (NSUTB Gött Meibom 164), the printed book (1643) and many notes on the printed book to publish a second improved version of the Commentary (NSUTB Gött Meibom 4). With these three stages, we could trace to a degree the process of writing the Commentary and the changes Meibom made through time. All this information led to a textual edition of Chapter 15th which is presented in a final section ('Texts and Editions') together with other textual sources, translations and full versions of documents only partially presented in previous chapters.

The close consideration of textual changes produced enough material to present several remarks that are needed to understand Chapter 15th of Meibom's Commentary. Most of them has to do with the references and quotes he uses and how they affected the understanding of the text, both in the general case, that is, the Commentary and its purpose; and in the particular case, that is, the abortion problem. The detailed analysis of Meibom's translation of the Hippocratic Oath brought to light a problem with the interpretation of one word of the Greek text (φθόριον).

Every chapter above mentioned has its partial conclusion, but a general closure was needed to grasp the complex relationship between Medicine and Philology in the early 17th century. To write this research, I had to use methods of different fields such as philology (classic, German and Hebrew), history, history of book, medicine, philosophy and logic. I hope the reader enjoys these findings as much as I enjoyed discovering them

Chapter 1: Life and work of Johann Heinrich Meibom

1.1. Historical Context

Johann Heinrich Meibom lived in a troubled period. Europe came and continued in a century full of general and medical discoveries and paradigm questioning. It had been split due to religious beliefs and practices. At the same time, power more than ever began to be supported by the educational institutions, which besides of providing a way of living also prepared new allies in different fronts, whether religious, scientific, social or political. Johann Heinrich Meibom lived through the principal problem of his time, the Thirty year's war, and grew up in a prestigious educational institution: The University of Helmstedt. He was the in-between generation of physicians, just after the big discoveries but before the real changes took place.

The Thirty year's war affected Meibom's life at the beginning of his professional career; therefore, only some episodes of the war are considered here in between his biography. His *alma mater* and the medical context were more important, not only for him in forging his character but also for the Meibom family.

1.1.1 The University of Helmstedt

Julius of Brunswick-Lüneburg (1528-1589) converted to Protestantism and set his mind into spreading his beliefs by the opening of an educational centre. It started as the *Paedagogium Illustre* (1571) on the premises of the former Franciscan monastery in Gandersheim. It was later developed into the university thanks to Luther's alumni Melanchthon David Chyträeus (1531-1600)¹, Martin Chemnitz (1522-1586)² and the privilege of the Holy Roman Emperor Maximilian II (1527-1576).³ It was also convenient for Northern Germany that the *Paedagogium* became a University being thus the third after those in Rostock and Greifswald. This new university, the *Academia Julia*, named in honour of Julius of Brunswick-Lüneburg, was

¹ 'Chytraeus, David' in DBio, Online: <https://www.deutsche-biographie.de/pnd19009137.html#ndbcontent> (01.11.2022).

² 'Chemnitz, Martin', DBio, Online: <https://www.deutsche-biographie.de/pnd18829157.html#ndbcontent> (01.11.2022).

³ BRUNING, "Die Reformuniversität Helmstedt 1576-1810", p. 24-25.

founded on May 9th, 1575 following the Rostock University's statutes, though it opened its doors officially not until October 1576 with four Faculties: Philosophy, Theology, Law, and Medicine.⁴ In total there were more than fifteen *cathedrae*. In Medicine, there were only three: Physiology, Pathology, and Therapeutics. The chair in Physiology covered: a) Physics (in its relationship with medicine), anatomy, hygiene, and pharmacy, all of which were based on the works of Galen, Hippocrates, Dioscorides as well as Melanchthon's *Commentarius De Anima* (1540); b) Pathology comprised the knowledge of aetiology and semiotics to search for the causes and symptoms of diseases, respectively based on Galen and Hippocrates; c) Therapeutics, including surgery and the use of remedies, both in a theoretical (again with the texts of Galen and Hippocrates) and a practical way. Because the writings of Galen were numerous, the professor had to select which ones to use for teaching. Apart from the ancient classical medical authorities, Avicenna's and Rhazes' works were also included in the curricular texts.⁵

The university was like all other universities of its time a small society in itself.⁶ The ruling heads were: first the Duke, second the rector who always had a close relationship with the Duke and third the vice-rector, who did all the administrative work. The hierarchy continued at the level of faculties: Theology, Law, Medicine, and Philosophy, with the four deans (one for each faculty) representing the next level of power, which was followed by those of the ordinary and extraordinary professors. Salary and reputation were proportional to the position. The aim was, of course, the Theology faculty, though the way to it was not always through the same faculty, for also "wer in der philosophischen Fakultät startete, konnte es in seiner akademischen Karriere bis zum ersten Professor der Theologie".⁷ The promotions were not only based on academic performance but also experience.

The students had their hierarchy too. The lower scale were the ones who suffered the *pennalismus*,⁸ that is, they were humiliated and used as servants by other students, and though between 1600 and 1664 there were several regulations against this practice, it continued underground. The

⁴ BRUNING, "Die Reformuniversität Helmstedt 1576-1810", p. 26.

⁵ BAUMGART & PITZ, *Die Statuten der Universität Helmstedt*, p. 38.

⁶ GLEIXNER, "Der Professorenhaushalt," p. 130.

⁷ FÜSSEL, "Organisationsformen, Rituale und Rangstretigkeiten," p. 88.

⁸ Pennalismus: im 16. und 17. Jahrhundert Dienstverhältnis zwischen jüngeren und älteren Studierenden an deutschen Universitäten. <https://www.duden.de/node/109592/revision/1455396> (01.11.2022).

second level was occupied by ‘average’ students, the third by ‘first-class students’. The former used the city and university’s facilities to eat and live; the latter lived under the protection and roof of a distinguished professor.⁹

The relationship with the state was very close. At the beginning the university was founded to serve the state producing counsellors, theologians, physicians, and so on; but as time passed the interconnections were unavoidable since the professors and other workers of the university became more popular and quickly gained the same status as the people in governmental positions. Unions seemed extraordinarily convenient, and the marriages between scholars and government officials suited everyone establishing a sort of dynasty of scholar families (*Gelehrtendynastie*) in the power of the university and the state.¹⁰ This phenomenon was also a social stabiliser of the university’s system and of the ideology it proposed.¹¹ The relationships also helped to endure the not very high salaries. Most professors had a second job; for example, the theologians were also priests or consistory counsellors; physicians were hired as personal physicians by some dignitaries like dukes or bishops.¹²

The University was moved in 1597 to a new location, the *Juleum novum* in Helmstedt. The annual enrolment was around 500 students. Most of them came from all parts of Germany because of its popularity, placing the university among the three largest in Northern Germany. In the subsequent century, on the contrary, students came only from the duchy or surrounding areas. The enrolment decreased considerably around 1622 because of the Thirty Year’s War and even more in 1625 due to a pest epidemic.¹³ No enrolments at all were registered in 1626/1627.¹⁴ By 1628 figures of enrolment started to recover and increased year by year, so that in 1659 there were again around 549 inscriptions but only 200 in 1660. At the end of the 17th century, other universities were founded, and the Helmstedt University struggled to face the competition, for example, with Kiel (1665), Halle (1694) and, another forty years or so later, Göttingen (1737).¹⁵

A hundred years after its foundation, the university decayed. The great masters and professors who had earned it fame were gone. George Calixt

⁹ FÜSSEL, “Organisationsformen, Rituale und Rangstretigkeiten,” p. 89-90.

¹⁰ ASCHE, “Helmstedter Professorenprofile 1576 bis 1810”, p. 115-119, here p. 115. Gleixner, “Der Professorenhaushalt,” p. 134.

¹¹ ASCHE, “Helmstedter Professorenprofile 1576 bis 1810”, p. 115-116.

¹² ASCHE, “Helmstedter Professorenprofile 1576 bis 1810”, p. 117.

¹³ BRUNING, “Die Reformuniversität Helmstedt 1576-1810”, p. 28.

¹⁴ Chronology of the Helmstedt University, online: <http://uni-helmstedt.hab.de/?cPage=1&Page=chron> (01.11.2022).

¹⁵ BRUNING, “Die Reformuniversität Helmstedt 1576-1810”, p. 31.

(1586-1656), Johannes Caselius (1533-1613), Hermann Conring (1606-1683) and Duncan Liddel (1561-1613)¹⁶ marked the highest point of the intellectual strength of the university. During their time students were eager to sit, hear and discuss with the great theologians about the big problems of religion, faith, and practice. A second and smaller peak was achieved in early 1700 by the appointment of Gottlieb Samuel Treuer (1683 – 1743), Lorenz Heister (1683 – 1758) and Johann Lorenz von Mosheim (1694 – 1755), although Treuer and Mosheim ended up working at the Göttingen University.¹⁷

Little by little and in the course of two more centuries, the university confronted other problems, most of them of an economical and administrative nature: the vice-chancellor's office changed places between the houses of Lüneburg, Calenberg, and Wolfenbüttel during the ruling of the Duke August the Younger (1579-1666) due to the extinction of the Brunswick-Wolfenbüttel line (1635); non-financial strength; the maintenance cancellation by the electorate of Hannover (1745); the fusion with the *Collegium Carolinum*¹⁸ and the consequent change of place to Braunschweig (1754); the competition with five other universities in the region when Helmstedt University was no more than a provincial one; and so on. The University closed on May 01st, 1810.¹⁹

1.1.2 Medicine in Early Modern Europe

Earlier, even more than now, people had the chance to get medical care from different care givers such as physicians, Jewish physicians,²⁰ surgeons, wise-women, magicians, apothecaries, etc. The only thing deciding between one or the other was the personal preference and the money since not everybody could pay the fees of a physician and some others were more prone to search for magical cures.²¹

¹⁶ All of them were at the University in the period between 1589 and 1683. Chronology of the Helmstedt University, online: <http://uni-helmstedt.hab.de/?cPage=1&sPage=chron> (01. 11. 2022).

¹⁷ BRUNING, “Die Reformuniversität Helmstedt 1576-1810”, p. 33. Chronology of the Helmstedt University, online: <http://uni-helmstedt.hab.de/?cPage=1&sPage=chron> (01. 11. 2022).

¹⁸ Founded in 1745 by the Duke Karl I of Braunschweig-Wolfenbüttel.

¹⁹ BRUNING, “Die Reformuniversität Helmstedt 1576-1810”, p. 33-37.

²⁰ JÜTTE, *Ärzte, Heiler und Patienten*, p. 19. In Colone's archives Jewish doctors are named separately because they did not have an official university diploma but their art was better appreciated than that of the other “not-learned” healthcare givers. They were allowed to practice medicine but in a reduced number. Non Jewish physicians could not share their praxis with Jewish physicians.

²¹ WEAR, “Medicine in Early Modern Europe”, p. 240.

Times were difficult because death was very common²² and health providers could not do much against it. Even though Johann Heinrich Meibom's times were after big discoveries such as the New World and the publication of important medical works like Vesalius' *Fabrica*, "the changes in medical theory and therapeutics from which so much was hoped made no impression on the statistical picture".²³ Medicine remained almost the same in practice, that is, more similar to medieval medicine and mostly based on the canonical medical authorities such as Galen, Hippocrates, Avicenna, etc.

Meibom lived in the core time of medical changes, from an art based principally on textual authorities to a more practical one.²⁴ These changes took place slowly and sometimes with a lot of resistance. The main factors that enhanced the changes are:

1. The publication of new and reviewed ancient medical texts in Greek and their following new translations and commentaries.²⁵ Physicians had new and better sources which invited them to go over again their knowledge, teaching, and method.²⁶
2. The medical discoveries, especially in the fields of Anatomy and Surgery.²⁷ Although the texts followed the old argumentation based on classical sources, the discoveries proved that it was very necessary to reconsider the facts given in text and confront them with empirical research. Physicians had to become more critical, learn again to use the hands and respect those physicians who had the dexterity of surgeons. These two fac-

²² For example: death by Plague between 1609-1611 in Basle was of 61.9 %, in Derbyshire in 1666 of 40%. WEAR, "Medicine in Early Modern Europe", p. 221.

²³ WEAR, "Medicine in Early Modern Europe", p. 225.

²⁴ The book JÜTTE, *Ärzte, Heiler und Patienten*, gives a very good idea of how was Meibom's praxis and his everyday as a physician, however we must add to the description the problem of the war.

²⁵ See Chapter 2 for the specific case of the Hippocratic Oath. See also DURLING, "A Chronological Census...of Galen".

²⁶ One of the rediscovered texts was *The method of healing* from Galen which was translated (1519) and taught by T. Linacre (1460 - 1524) at least in Oxford and Cambridge. Other authors like Giambatista da Monte (1498-1552), Girolamo Capivaccio (†1589), Alessandro Massaria (1510-1598), Girolamo Fracastoro (c. 1478-1533) among others also contributed to restructure medical knowledge and improve its method. WEAR, "Medicine in Early Modern Europe", p. 255 ss.

²⁷ I am referring to the work of several physicians such as Andreas Vesalius (1514-1564), Ambroise Paré (1510-1590), Girolamo Fabrizi d'Acquapendente (1537-1619), closer to Meibom, Thomas Bartholin (1616-1680), and many others. See HAEGER, *The illustrated history of surgery*, p. 95 ss.

tors (point 1 and 2) gave as a result a better method, more accurate terminology, new causes of diseases and, of course, more precise anatomy.²⁸

3. The influence of Paracelsism.²⁹ “Paracelsus’ writings ... represent new medical tradition. In them not only were new medical theories and cures set out but their associated social and religious radicalism and the incorporation of contemporary medical and cosmological interest gave it a sense of relevance arguably lacking in a learned medicine based on ancient texts.”³⁰ He and his followers challenged Hippocratic and Galenic theories and even though it was not enough to change the paradigm, it helped to evaluate knowledge more severely.

4. The discovery of the New World. Besides the scientific revolution it meant in itself it gave European medicine new plants (hence new remedies)³¹ and the opportunity to ponder many philosophical categories like what made them human³² or what was the cause of sickness and health. With the new plants there was a great impulse to botany resulting in the construction of botanical gardens (first in Pisa and Padua in 1544/1545). The acquisition of recent plants and knowledge about them also increased the scientific networks “changing science from an individual to a group activity”.³³

5. The medical knowledge was more often available in vernacular languages.³⁴ It helped not only to spread knowledge faster and easier but to rescue knowledge outside the classical textual authorities like in the case of midwifery.³⁵

²⁸ WEAR, “Medicine in Early Modern Europe”, p. 273-297.

²⁹ WEAR, “Medicine in Early Modern Europe”, p. 316 - 323.

³⁰ WEAR, “Medicine in Early Modern Europe”, p. 316.

³¹ The better known physician who delivered the knowledge of new plants from the New World to the rest of Europe was Nicolás Monardes (1508-1588). García D’Orta (1501-1568) and Cristóbal Acosta (1515-1594) also described new plants from non European regions. WEAR, “Medicine in Early Modern Europe”, p. 301-310.

³² For many Europeans people of the New World were less than them, not only for being pagans but because they were thought either without a soul or with a child-like intelligence. See LÓPEZ AUSTIN, “Fray Bernardino de Sahagún frente a los mitos indígenas”, p. 8 ss.

³³ WEAR, “Medicine in Early Modern Europe”, p. 303.

³⁴ JÜTTE, *Ärzte, Heiler und Patienten*, p. 32.

³⁵ See for example the texts of the french midwife Louise Bourgeois (1563-1636). In her text to defend her art when the Princess Marie de Bourbon died it is obvious that she uses knowledge as her weapon while the physicians used mostly rhetoric and authorities to fight back pointing out that in the specific case of childbirth midwives in France had more experience than court physicians. ELMER & GRELL, “Health, disease and society in Europe 1500-1800”, p. 213-220.

Another important change was the replacement of Aristotelian Cosmos with mechanical philosophy which also resulted in a new medicine with mechanic and mathematical approaches (iatromathematics or Newtonian medicine) impulsed by the work of several scholars such as René Descartes (1596-1650), Robert Boyle (1627-1691), Isaac Newton (1642-1727) and Pierre Gassendi (1593-1655). Between 1660 and 1700 “European learned culture in large measure accepted the new philosophy, and its experimental and mathematical approaches to the study of nature”.³⁶ Experiments became something common since learned people associated the old learnings based on classical texts with worthless speculation, experience was set above all other source of knowledge.³⁷ Also associations were created to impulse science, like the *Académie Royale des Sciences* founded by King Louis XIV in 1666 where the French scientific elite made experiments to search for remedies for the king, they had a salary, an anatomical theatre and a laboratory at their disposal.³⁸

1.2 Life of Johann Heinrich Meibom

The story of Johann Heinrich Meibom’s life begins with a citizen of Osnabrück called Hermann who had a son, Eberhard. These simple names survive in an album of the University of Helmstedt³⁹ thanks to their great-grandson and grandson respectively, Heinrich Meibom, who was the first Meibom to become a professor at the *Academia Julia*. He began a sort of academic tradition that would last more than four generations and a strong relationship with the intellectual, political and most influential circles in Northern Germany. The so-called *Gelehrtendynastie* includes Heinrich the Older (1555-1625), Johann Heinrich (1590-1655), Heinrich the Younger (1638-1700), Daniel Heinrich (1670-1698), Herman Dietrich (1671-1745), Brandan (1678-1740), Heinrich III (1683-1745) and Heinrich Johann (1717-1773).⁴⁰

Heinrich the Older was the son of a Priest, Martin Meibom (†1556) and his wife Anna Dreier (†1556). Both parents died the same winter during a Pest attack when he was only 15 months old.⁴¹ He lived with other relatives and began to study in Lemgo where he first attended to the *Gymnasium*. Later on, he went to continue his studies to Minden. As he must have been

³⁶ WEAR, “Medicine in Early Modern Europe”, p. 342.

³⁷ WEAR, “Medicine in Early Modern Europe”, p. 353.

³⁸ WEAR, “Medicine in Early Modern Europe”, p. 342 ss.

³⁹ SOSNITZA, “Heinrich Meibom der Ältere. Historiker und kaiserlicher Poet“, p. 32, n. 8.

⁴⁰ SOSNITZA, “Die Meiboms. Eine Gelehrtenfamilie an der Academia Julia“, p. 21.

⁴¹ AHRENS, “Meibom (Meibaum, Meybaum) Heinrich, d. Ä“, p. 153.

a good student, he earned his living at the age of seventeen working as a teacher of Matin and Paul, sons of the theologist Martin Chemnitz, in Braunschweig. He registered at the newly founded University of Helmstedt on October 15th, 1576.⁴² He studied for four years the *Trivium* and *Quadrivium*⁴³ besides philosophy, philology and theology⁴⁴ until December 15th, 1580, when he presented his exam to become a *Magister Philosophiae*.⁴⁵ In 1583 he obtained the second chair of History⁴⁶ and the chair of Poetry.⁴⁷ Two years later he got married to the 19-years-old Sophie Böckel (1566-1625) daughter of the ducal Surgeon of Wolfenbüttel, David Böckel (1534-1614),⁴⁸ and niece of the Professor of Medicine in Helmstedt Johann Heinrich Böckel (1535-1605).⁴⁹ They had ten children, three daughters, and seven sons, of which only Johann Heinrich (1590-1655), David (1592-?) and Justus Heinrich (1597-?) survived until their adulthood.⁵⁰ The Holy Roman Emperor Rudolf II (1552-1612)⁵¹ made Heinrich the Older a *poeta laureatus* on July 9th, 1590 after he dedicated him his work *Carmen de Casaribus ex Austriaca familia oriundus*. He engaged himself later on with diplomatic missions and consultations for the court of the emperor.⁵²

Heinrich the Older has been recognised more as a poet than as a historian because he was the first to publish a parody of Horace's poetry and wrote several poems on occasion of marriages, birthdays and funerals.⁵³ As a historian, he gathered numerous sources for the history of the House of Welf and the Old Saxon times, and was one of the first German historians, together with Reiner Reineccius (1541-1595),⁵⁴ to include quotes in his historical works making them reliable.

⁴² SOSNITZA, "Heinrich Meibom der Ältere," p. 33.

⁴³ SOSNITZA, "Heinrich Meibom der Ältere," p. 39.

⁴⁴ AHRENS, "Meibom (Meibaum, Meybaum) Heinrich, d. Ä.", p.153.

⁴⁵ SOSNITZA, "Heinrich Meibom der Ältere," p. 40.

⁴⁶ Reiner Reineccius, a good acquaintance of the Meibom family, occupied the first chair. See AHRENS, "Reineccius (Reineke, Reyneke), Reiner(us) (Reinhard) the ", p. 185-186.

⁴⁷ SOSNITZA, "Heinrich Meibom der Ältere", p. 40.

⁴⁸ Böckel, David", DBio, online: <https://www.deutsche-biographie.de/gnd13691893X.html>

⁴⁹ See AHRENS, "Bökel (Boeckel Bokelius), Johann", p. 25-26.

⁵⁰ SOSNITZA, "Heinrich Meibom der Ältere ", p.34-36.

⁵¹ "Rudolf II", DBio, online: [https://www.deutsche-biographie.de/gnd118603701.html#ndbcontent \(01.11.2022\)](https://www.deutsche-biographie.de/gnd118603701.html#ndbcontent (01.11.2022)).

⁵² SOSNITZA, "Heinrich Meibom der Ältere", p. 153.

⁵³ AHRENS, "Meibom (Meibaum, Meybaum) Heinrich, d. Ä.", p. 154. Some of them also with their sons, see in this chapter 1. 3. 2.

⁵⁴ Heinrich Meibom also finished the third volume of Reineccius' *Historia Julia*. "Reineccius, Reiner", DBio, online: [https://www.deutsche-biographie.de/gnd119545950.html#adbcontent \(01. 11. 2022\)](https://www.deutsche-biographie.de/gnd119545950.html#adbcontent (01. 11. 2022)).

The time of Heinrich the Older or the beginning of the 17th century was marked by the development of critical thinking inherited from the revolutions in the scientific, political and religious thought of the previous century. One of the most influential events for the period of the first three Meiboms of the *Gelehrtdynastie* was the division of the Christian world in Catholics and Lutherans that began with the publication of Luther's *Disputatio pro declaratione virtutis indulgentiarum* (1517) better known as the Ninety-five theses. This division created problems between the believers and the ruler that should have been solved by the Augsburg settlement (1555), which established that everyone was free to believe and practice as Catholic (old religion) or as Lutheran (Augustan Confession). However, people were forced to follow their sovereign's beliefs; otherwise, they had to leave the territory except for those knights who could prove that they had been Protestants for a while (*declaratio ferdinandea*). The policy was well described by the phrase: *cuius regio, eius religio*.⁵⁵

In between that ambience, Johann Heinrich Meibom was born on August 15th, 1590. He began his studies with six years when he was enrolled at the University of Helmstedt together with his brother David for the semester of 1596/97.⁵⁶ He visited public lectures at the University when he was thirteen years old.⁵⁷ As mentioned before, he had the best status possible for a student, for his mother was the daughter of a well-respected physician and his father a professor.

He began his education in the philosophical areas with Johannes Potinius (1567-611)⁵⁸, Rudolph Diephold (1572-1626),⁵⁹ Johann Freitag (1581-1641),⁶⁰ the Aristotelian theologist Cornelius Martini (1568-1621)⁶¹ and Johann Caselius (1533-1613),⁶² his godfather and twice honoured *poeta laureatus*. Caselius was well-known for supporting the idea that philosophy

⁵⁵ BOGDAN, *La guerre de Trente Ans*, p. 13-26.

⁵⁶ *Album academiae Helmstadiensis*, p. 128. Online: <http://diglib.hab.de/drucke/f4f-211-1b/start.htm> (07.02.2019).

⁵⁷ The other register of his inscription at the University is from 1608/09. *Album academiae Helmstadiensis*, p. 203. Online: <http://diglib.hab.de/drucke/f4f-211-1b/start.htm> (07.02.2019). See also NEUCRANTZ, *Idea perfecti medici*, p. Cv.

⁵⁸ "Potinius, Johannes", DBio, online: <https://www.deutsche-biographie.de/pnd103084681.html> (01.11.2022).

⁵⁹ "Diephold, Rudolph", DBio, online: <https://www.deutsche-biographie.de/pnd101072252.html> (01.11.2022).

⁶⁰ "Freitag, Johann" DBio, online: <https://www.deutsche-biographie.de/pnd104267976.html#adbcontent> (01.11.2022). The relationship as Meibom's professor: NEUCRANTZ, *Idea perfecti medici*, p. Cv.

⁶¹ AHRENS, "Martini, Cornelius", p. 150-151.

⁶² AHRENS, "Casselius (Bracht, Bractus von Kessel, von Chessel, Chesselius), Johann", p.46-47.

together with theology was a source of knowledge including religious truth, an important matter discussed at the Helmstedt University in which Martini and many others were also involved. The Duque Heinrich Julius appointed Caselius as professor of Greek at the Helmstedt University where he was among other humanists like George Calixt (1586-1656)⁶³ and friends like Duncan Liddel (1561-1613).⁶⁴ These scholars also played an essential role in Johann Heinrich's educational life. Calixt, for instance, was not only his professor but also a friend for he lived in the Meibom's house when he was a student.⁶⁵ This friendship is also acknowledgeable thanks to the academic writings⁶⁶ and the letters between them.⁶⁷ Liddel was Meibom's professor of medicine together with Johannes Wolf (1580-1645). They set the perfect erudite environment for Johann Heinrich; Liddel, for example, was also a professor of Astronomy, Geometry, and Mathematics bringing the lectures by Tycho Brahe (1546-1601) to Helmstedt.⁶⁸ Johann Heinrich received a very bright and broad education and grew up intellectually surrounded by the most renown scholars of that time and region.

Around that period, the first conflicts that gave birth to the Thirty Year's War took place. I am referring to the incidents in Donauwörth and the succession problems of the Duke of Jürlich-Cleves-Berg, John William (1562-1609) and the emperor Mathias (1557-1619). The events in Donauwörth were two attacks, in 1605 and 1607, from Lutherans to Catholics. Donauwörth was ruled by a Lutheran majority but had an even population of Catholics and Lutherans. The Catholics organised and celebrated a procession for the Feast of Saint Mark on April 25th, 1605 that was misunderstood as a provocation by the Lutherans. The issue was taken to the emperor Rudolf II by a monk but, although the emperor sent two imperial commissioners to look after the same celebration that was going to take place two years afterwards; the attack occurred again, and the Catholic priests had to run away. Rudolf II then urged the Duke of Bavaria, Maximilian I (1573-1651), to restore the freedom of the Catholic cult. Maximilian I entered Donauwörth in December 1607.⁶⁹ As a result, the

⁶³ AHRENS, "Calixt (Kalissen), George", p. 41-44.

⁶⁴ AHRENS, "Meibom, Johann Heinrich" p. 157.

⁶⁵ KESSLER, "Johann Heinrich Meibom. Professor und Leibarzt zwischen Helmstedt und Lübeck", p. 55.

⁶⁶ Meibom's first disputation includes a Poem of Calixt who was also the presiding professor of his second disputation. See 1.3.1.10.

⁶⁷ For example at the NSTUB Gött 2 Cod Ms. Philos 110 I, p. 230 ss.

⁶⁸ AHRENS, "Liddel (Liddelius), Duncan", p. 145-146.

⁶⁹ BOGDAN, *La guerre de Trente Ans*, p. 29-32.

Protestant sovereigns (from now on called so to include other non-Catholic minorities that were also involved in the matters but that were not precisely Lutherans, e.g., Calvinists) formed a union in 1609 to secure their interests: the Evangelic Union (*Evangelische Union*). The Catholic counterpart also made alliances and established the Catholic League (*Katholische Liga*). It included Maximilian I Duke of Bavaria, Leopold V (1586-1632) Archduke of Austria, bishop of Passau and Strasbourg; and almost every other bishop of Southern Germany like those of Spire, Worms, latter on Bamberg, but not Salzburg until 1612 together with Eichstädt. This League also counted on the moral support of the King of Spain, Philip III (1578-1621), and the papacy.⁷⁰

At the same time, John William died without an heir leaving his territory to be disputed by his elder sisters, each one practitioner of a different religion. The succession problem escalated into a crisis since both parts sought support from different countries such as France, Spain, and the Netherlands. The conflict was solved by the treaty of Xanten on November 12th, 1614. The second succession problem began when Emperor Mathias (1557-1619) made Ferdinand II (1578-1637) his successor. Spain supported this decision with the plan of making him first king of Bohemia and later on, Holy Roman Emperor. But Bohemia was not a peaceful territory; it had religious conflicts since the 15th century. In consequence, Emperor Rudolph II tried to set a lasting peace and freedom of cult with the Letter of Majesty (July 9th, 1609) where he established the regulations to preserve such freedom and ensure the equality through teaching institutions from both creeds: the University of Prague (Protestants) and the *Academia Clementium* (Jesuits). But the religious tolerance was not respected, and the confrontations ended in the Defenestration of 1618⁷¹ which is considered the detonator of the Thirty Year's War.⁷²

⁷⁰ BOGDAN, *La guerre de Trente Ans*, p. 36-40.

⁷¹ Protestants wanted an answer on why the Letter of Majesty had been broken. They summoned four Catholic Lords Regents (Count Jaroslav Borzita of Martinice, Count Vilem Slavata of Chlum, Adam II von Sternberg and Matthew Leopold Popel Lobcowitz) to the Castle District (Hradčany) where after discussing the matter found Adam and Matthew non responsible and the other two, along with their secretary Philip Fabricius, accountable. As a punishment they were thrown through the window, falling from a height of 15 meters. They survived with no further injuries but contusions. In GOTTHARD, *Der dreissigjährige Krieg*, p. 74-75, it is said that the high of the fall was of 17 meters and that they survived because they inflated their coats and probably landed on some bushes or heap of plants. In BOGDAN, *La guerre de Trente Ans*, p. 59-60, the tale about their survival was a miracle given by the Virgin Mary, to whom they implored while falling of 15 meters. Of course a very suitable story for Catholic propaganda.

⁷² BOGDAN, *La guerre de Trente Ans*, p. 44-63.

But the war was only beginning and the conflicts were not near Johann Heinrich Meibom. After finishing with the classes in the field of Arts, as it was the custom, he turned to Medicine, first under Liddel at Helmstedt, then for two years at Wittenberg⁷³ where he studied under the famous physician and alchemist Daniel Sennert (1572-1637). Johann Heinrich got sick, and by recommendation of Sennert himself, he left Wittenberg for Leipzig to improve his health. Unfortunately, he was not able to recover there and returned to his hometown, where he finally got better.⁷⁴ He travelled then to Jena and Nuremberg. He wanted to go to Italy, but the conflicts above mentioned made his passing dangerous, so he decided to make a detour and went to Strasbourg where he met, among others, Rudolph Saltzmann (1573-1656),⁷⁵ Melchior Sebisch (1578-1674)⁷⁶ and Caspar Weckerlin, botanist.⁷⁷ Later on, he finally went to Italy (Bologna, Padua, Rome, Naples, Florence, Mailand)⁷⁸ to study with the best anatomists, surgeons and botanists such as Hieronymus Fabricius from Aquapendente (1537-1619), Adriaan van der Spiegel (1578-1625),⁷⁹ Giovanni Batista Selvatico (1550-1621),⁸⁰ Rodrigo de Fonseca (†1622)⁸¹ and Jean Prévost (1585-1631).⁸² On his way back he enrolled in 1618 at the Basel University where he became a Doctor of Medicine on January 13th, 1619⁸³ having been a scholar of Caspar Bauhin (1560-1624)⁸⁴, Thomas Platter (1574-1628)⁸⁵ and Emmanuel Stupanus (1587-1664).⁸⁶ They were "just as born with the seed of Hippocratism and practised their art with the everlasting memory of his

⁷³ *Album academiae Helmstadiensis*, p. 417. Online: <http://diglib.hab.de/drucke/f4f-211-1b/start.htm> (07.02.2019). See also 1.3.1.10. and 1.3.3.

⁷⁴ NEUCRANTZ, *Idea perfecti medici*, p. Dr.

⁷⁵ "Saltzmann, Johann Rudolf", DBio, online: <https://www.deutsche-biographie.de/pnd116777281.html> (08.02.2019).

⁷⁶ "Sebisch, Melchior", DNB: <http://d-nb.info/gnd/121514188> (01.11.2022).

⁷⁷ NEUCRANTZ, *Idea perfecti medici*, p. D2v.

⁷⁸ NEUCRANTZ, *Idea perfecti medici*, p. D4v -Er.

⁷⁹ DNB, <http://d-nb.info/gnd/121909859> (01.11.2022).

⁸⁰ DNB, <http://d-nb.info/gnd/100408346> (01.11.2022).

⁸¹ DNB, <http://d-nb.info/gnd/124555373> (01.11.2022).

⁸² DNB, <http://d-nb.info/gnd/104155957> (01.11.2022).

⁸³ KESSLER, "Johann Heinrich Meibom. Professor und Leibarzt zwischen Helmstedt und Lübeck", p 58.

⁸⁴ "Bauhin, Caspar" DBio, online: <https://www.deutsche-biographie.de/pnd11884962.X.html#ndbcontent> (01.11.2022).

⁸⁵ "Platter, Thomas" in *Historisches Lexikon der Schweiz*. Online: <http://www.hls-dhds.ch/textes/d/D12204.php> (01.11.2022).

⁸⁶ DNB, <http://d-nb.info/gnd/122061632> (01.11.2022).

name"⁸⁷, therefore undoubtedly an influence on Meibom's Hippocratism. All these physicians were the actors of the development of modern medicine, keeping up the progress through their teachings and writings, building thus a bridge between the Renaissance and the Early Modern Era.

Once again in Helmstedt, Johann Heinrich was appointed on June 15th, 1619 as a professor of Physiology and was accepted formally to the Faculty of Medicine of the *Academia Julia* on July 17th of the same year.⁸⁸ He taught in the summer of 1620 about the triple functions of the soul in the body with the unrestricted teaching of health, temperaments, spirits, and the vital heat.⁸⁹ In 1623 his teaching was about medical prognosis and privately about the *Institutiones Medicae*⁹⁰ of Duncan Liddel (1561-1613) because, according to Meibom, Liddel did a compendium of all arts but not very comprehensively.⁹¹ His last recorded lectures were in 1625 on Pathology and privately about purgatives.⁹² These topics are very similar to some unpublished work he left,⁹³ which shows us that he most probably dealt with them even before he was a Professor.

On October 13th, 1622⁹⁴ he got married to Elisabeth Oberberg with whom he had ten children: Johann Heinrich, Johann Gerhard, Dorothea Elisabeth, Sophia, Anna Sophia, Maria, Anna Rosina, Catharina, Heinrich, and Johann. Sadly, the first two and the last male children, as well as Anna Rosina, died in their infancy. Dorothea Elisabeth married Johann Werlhof with whom she had the later Medicine professor at the Helmstedt University Johann Werlhof (1660-1711)⁹⁵; Sophia married Gregorius Reichius (1598-1657),⁹⁶ physician of the bishop of the Lübeck, Johann X of Schles-

⁸⁷ MEJERUS, *Programma in funere... Johannis Henrici Meibomii*, p. C. Hippocratis semine quasi prognati; Bauhinus, Platerus, Stupanus, cum sempiterna nominis sui memoria artem Medicam exercebant.

⁸⁸ *Album academiae Helmstadiensis*, p. 417. Online: <http://diglib.hab.de/drucke/f4f-211-1b/start.htm> (01.11.2022).

⁸⁹ *Catalogus Lectionum futuri semestris in Academia Iulia, Helmstedt 1620*, p. A3v.

⁹⁰ Most probably: Liddel Duncan, *Universae medicae compendium quod nervosis aliquot disputationibus in illustri Julia quondam inlusit Duncanus Liddelius*, Helmstedt 1620.

⁹¹ *Catalogus Lectionum quas academiae Iuliae*, 1623, p. 47v.

⁹² *Catalogus Lectionum quas Academiae Iuliae*, 1625, p. 15v.

⁹³ See 1.3.3.

⁹⁴ I took the date of the marriage from NEUCRANTZ, *Idea perfecti medici*, p. E3v. Sabine Ahrens gives the date of October 6th. AHRENS, "Meibom, Johann Heinrich", p. 157. There are some disagreements in the acts of the Meibom's Family Archive. See Kessler, "Johann Heinrich Meibom. Professor und Leibarzt zwischen Helmstedt und Lübeck", p. 61, n. 52.

⁹⁵ AHRENS, "Werlhof(f), Johann", p. 248

⁹⁶ MATTHIAS, *Conspectus historiae medicorum*, § 791. Online: <https://books.google.es/books?id=kW9slRYvCrcC&vq=Reichius&hl=es&pg=PA594#v=onepage&q&f=false> (01.11.2022).

wig-Holstein-Gottorp. Heinrich Meibom (1638-1700) called 'the Younger' (in order not to be mistaken with his grandfather) also became a Professor of Medicine following his father's last will to return to Helmstedt to continue his education.⁹⁷

In the meantime, the war was getting closer. Ferdinand the II had entered Austria. The armies of Albrecht Wenzel Eusebius von Wallenstein (1583-1634) and Johann Tserclaes, Count of Tilly (1559-1632), gained control city by city in a movement from East to West and South to North. Of course, the contra-party did not stay passive and the commander of Frederick V, Ernst von Mansfeld (1580-1626), entered the war. The crucial battles that influenced the decisions of Scholars to stay or move from one territory to another, Meibom included, were: a) the Battle of White Mountain (November 9th, 1620) because Ferdinand II won Bohemia and changed its religious atmosphere forever;⁹⁸ and b) The battle of Wimpfen (May 6th, 1622) because Mansfeld and Frederick tried to hold the line with the hope of receiving on time help from the army of Christian of Brunswick-Wolfenbüttel (1599-1626). Sadly it came too late, and Protestants were defeated by Tilly and Gonzalo Andrés Domingo Fernández de Córdoba (1585-1645), one of the commanders of the Catholic League. The battles of Höchst and Stadtlohn followed this battle.⁹⁹ When the conflict arrived in Northern Germany, the king of Denmark and Norway, Christian IV (1577-1648), thought that without his intervention, his sovereignty could be put at risk.¹⁰⁰

The year of 1625 was full of significant changes in Johann Heinrich's life and Northern Germany. Both Meibom's parents died, Sophie Böckel on March 23rd and Heinrich the Older on September 20th. Johann Heinrich became the Pro-rector of the University of Helmstedt, adding this position to that as Ordinary Professor, from August 11th, 1625 to October 13th, 1628. However, he couldn't keep them due to the war¹⁰¹ so he asked for permission to Friedrich Ulrich, Duke of Brunswick-Lüneburg, to let him go to Schwerin to his father in law, counsellor and chancellor, Johann Oberberg (1633†), where he stayed for a year. In that period, the war kept going further and further. Wallenstein defeated Mansfeld in the battle of Dessau on April 25th, 1625, causing the Protestant Union to retreat. The territory

⁹⁷ NEUCRANTZ, *Idea perfecti medici*, p. E3v -E4r.

⁹⁸ BOGDAN, *La guerre de Trente Ans*, p. 64-88.

⁹⁹ BOGDAN, *La guerre de Trente Ans*, p. 92-98.

¹⁰⁰ GOTTHARD, *Der dreissigjährige Krieg*, p. 121-127.

¹⁰¹ *Album academiae Helmstadiensis*, p. 311. Online: <http://diglib.hab.de/drucke/f4f-211-1b/start.htm> (01.11.2022).

around Meibom's home was then under the control of the Catholic League. On August 27th, 1626 the army of the Danish King was defeated by Tilly in the battle of Lutter. The consequence was that no Protestant German Prince wanted to keep on supporting Christian IV except for Holstein and Mecklenburg; thus, he had to fly away and secure himself in Wolfenbüttel.¹⁰²

Schwering got also caught by war leaving no option for Johann Heinrich but to fly away to Lübeck, a wealthy city that paid for its neutrality to be respected and for the armies not to devastate it.¹⁰³ There, he was offered a job as First Physician by Johann Friedrich of Schleswig-Holstein-Gottorf, bishop of Lübeck, which he refused because he had pledged an oath to the *Academia Julia*, so he returned briefly to Helmstedt¹⁰⁴. Later on the state's physician of Lübeck, Dan Mollerus (1629†) died, and the job was offered to Johann Heinrich not only because of his expertise in pharmacology, his fair judgment and capacity to solve medical controversies and uncertain medical cases but also because he was considered a good moral example.¹⁰⁵ He took the job on July 12th, 1629 and in 1630 he also became the personal physician of the bishop of Lübeck. Johann Heinrich finally found a sheltered home since Lübeck was one of the safest cities during the war due to its high commercial activity and its economic power.¹⁰⁶

In the meantime, the war had reached a critical point (1628) with the imperial armies (Catholic) occupying Jutland. For a moment the region had a small period of peace, at least on paper. The Edict of Restitution was published on March 28th, 1629 to reorganise the religious matters in Northern Germany, though it was not a satisfactory agreement for everybody. Many German princes were affected and thus considered not to remain

¹⁰² BOGDAN, *La guerre de Trente Ans*, p. 114ss.

¹⁰³ BOGDAN, *La guerre de Trente Ans*, p. 134-135.

¹⁰⁴ NEUCRANTZ, *Idea perfecti medici*, p. E4v. To neglect the duties of a professor was punishable with a fine so any missing to his duties had to be reported and approved by the rector and the university's council. The oath says: "Ego N. iuro vobis domino rectori et consilio universitatis, quod volo omnia per maiorem sanioem et potioem partem consilii universaliter conclusa fideliter conscribere et celare, donec universitas decreverit huiusmodi cuique notificando patefacere neque contra universitatem officium meum exercere et deposito notariatus officio singula per me collectata protocollata et instrumentata cum annotatione partium anni loci mensis et diei apud universitatem relinquere realiter et cum effectu tradere, bona academiae mihi comissa fideliter tueri et de iis certioem facere academiam, quoties et quando postulatur, necnon alia facere et praestare, quae ad hoc officium pertinent et academiae senatus mihi iniunget. Sic me Deus adiuvet." BAUMGART & PITZ, *Die Statuten der Universitäts Helmstedt*, p. 189.

¹⁰⁵ NEUCRANTZ, *Idea perfecti medici*, p. F2r.

¹⁰⁶ See LINDBERG, "The rise of Hamburg", p. 641-662.

passive or neutral. A second agreement, now of peace, was signed in Lübeck on June 07th, 1629 which put an end to the Danish intervention, restored the territories to Christian IV but forced him to renounce to the German bishoprics he wanted for his son.¹⁰⁷ From this moment on, a second period of the war began. The Protestant army struck back with the intervention of Sweden and the economic support of France. However, this movement of the war, now from North to South, was not crucial for Meibom's life because the region where he stayed was, more or less, safe from war, though also suffering restricted economic affluence.

Some years thereafter Meibom was offered to work for the queen Christina of Sweden (1626-1689),¹⁰⁸ when Oxenstierna led Sweden; and also for Christian IV, occupying thus briefly the post of the physician Henning Arnisaeus (†1636). The salary was good, and Johann Heinrich would have chosen to stay but, as soon as he began his duties, people got jealous of him and calumniated him, put him to the test, and did not admit his opinion. The pressure was unbearable for him and he decided to leave.¹⁰⁹

He went back to serve for more than 20 years and without interruption the bishop of Lübeck, who grew very fond of Meibom as well as all the people who were near him. He was described as a man of good memory, clever in business, humble and not very affectionate to compliments; an excellent example of a follower of Hippocratic precepts of what a physician must be and do (for instance not give anything that threatens life, not to hurry into giving medicines, observe the symptoms and development of sickness, etc.), a caring physician, a lover of knowledge and a prolific writer especially as he grew older.¹¹⁰ He had an inquisitive and organised nature. He used to collect information, not only quotes in small pieces of paper but also all kinds of matters in something blunter, for example, he had a notebook with recipes to make medical preparations (NSUTB Gött Meibom 68) and a notebook with patients' medical records, including an index to find each case again (NSUTB Gött Meibom 86). Some of his published works were good known, as to be recalled at his funeral, distinctively the *Commentary on the Hippocratic Oath*, the *Life of Maecenas* and *About the use of flogging in venereal affairs*.¹¹¹ It is said that he raised his children studying privately the rules of God with the help of his wife and exercising

¹⁰⁷ BOGDAN, *La guerre de Trente Ans*, p. 118-120.

¹⁰⁸ AHRENS, "Meibom, Johann Heinrich", p. 157.

¹⁰⁹ NEUCRANTZ, *Idea perfecti medici*, p. F3.

¹¹⁰ NEUCRANTZ, *Idea perfecti medici*, p. G1 ss.

¹¹¹ NEUCRANTZ, *Idea perfecti medici*, p. G2. For these works, see 1.3.1.3, 1.3.1.5 and 1.3.1.2 respectively.

together a sincere cult at home.¹¹² He was called the Seneca of Lübeck because of his writing skills and moral and philosophical examples, for even on his death on May 16th, 1655 he died without sorrow nor sadness but with a steady, happy spirit. He arranged everything before his death and waited for the *novissima hora* when he found rest from life's distress.¹¹³ He got sick with *catharrhus ferinus* (most probably what was later called chin cough or whooping cough¹¹⁴ and now called *pertussis*) beginning with symptoms similar to those of a common cold but that by the week had become stronger with a hard and deep cough, head and chest pain, thick phlegm and several other discharges, abdominal pain, etc. Meibom never complained nor cursed and, at those times when he cried out against his will, he confessed about the atrocity of acute pains that he considered to suffer them and surrender to them not much as a Roman but as a Christian and prayed God to help him tolerate them.¹¹⁵

After Johann Heinrich's death, there were many funeral sermons (*Leichenpredigten*)¹¹⁶ and poems were written to praise him from his colleagues and friends published in the same year.¹¹⁷ His son, Heinrich Meibom the Younger (1638-1700), was undoubtedly the most representative promoter and editor¹¹⁸ of his work since he studied Medicine at the Helmstedt University and became professor of Medicine. These accomplishments put him in the right place with the proper knowledge and connections to prepare new editions of his father and grandfather's works. Heinrich's fame was greater than that of the Meiboms of the past and the ones that followed him. Besides of his work at the University and as a physician of the Duke August II (1579-1666), he was an excellent anatomist to whom we owe the identification of the glands on the eyelid (meibomian glands or *glandulae tarsalis*) and the blind hole of the tongue (*foramen caecum* or

¹¹² NEUCRANTZ, *Idea perfecti medici*, p. G3r-G3v.

¹¹³ NEUCRANTZ, *Idea perfecti medici*, p. G3v -G4v.

¹¹⁴ RAY, *Nomenclator classicus sive dictionariolum*, p. 49.

¹¹⁵ NEUCRANTZ, *Idea perfecti medici*, p. Hr ss. Although it is not mentioned here, we know that Johann Heinrich also suffered from arthritis. See 1.3.1.9.

¹¹⁶ All signatures are from Wolfenbüttel, Herzog August Bibliothek (HAB). From Jacob Stolterfoth (1600-1668) (508 Helmst. Dr. 1); from Heinrich Bangert (1910-1665), pro-rector of the school of Lübeck, and Justus Tribecchus (508 Helmst. Dr. 2); from Buchardus Musculus and Johannes Werke (508 Helmst. Dr. 3), from Georgius Reiche, his son-in-law (508 Helmst. Dr. 6), and from Sebastiano Mejero (1594-1664) (508 Helmst. Dr. 7).

¹¹⁷ NEUCRANTZ, *Idea perfecti medici*, p. H4v ss. Poems from George Calixt, Friedrich Ulrich Calixt (1622-1701), Heinrich Hanh (1605-1668) Hermann Conrig (1606-1681) and Valentin Heinrich Vogler (1622-1677).

¹¹⁸ See 1.3.1.6, 1.3.1.7, 1.3.1.8 and 1.3.1.9.

foramen meibomii). He also supported Harvey's theory of blood circulation.¹¹⁹

Heinrich Meibom the Younger farewell his father with the next poem, here only fragmentary. We also use it to give the reader a leap to the past, a taste of Meibom's time rhetoric, the way to express emotions and a proof of the high humanist education Heinrich the Younger received. This poem works for history as a preservation of the German phenomenon of writing *Trauergedichte*; for us as a closure on the subject of Johann Heinrich's life to move on to the legacy of his intellectual production:

Huc etiam vivi pervenimus! Optima proles	1
Asclepi, magnorum haud unquam indigna parentum,	
Et nostrae curaeque omnis, casusque levamen	
Occidit, et tristi sua lumina morte resignat.	
Poscimus officium: sed mens bene conscia luctus	5
Fastidit Musas, et quicquid vulnera sanat.	
Carmina proveniunt animo deducta sereno,	
Nostrum pectus habet luctus, maerorque coarctat.	
Heu quantum est carum terrae mandare Parentem!	
Heu quantum est blandos vultus amittere Patris!	10
Heu quantum est opera magni caruisse patroni!	
Hic dolo exossat, crudo hic bibit ore medullas.	
Ter conatus ego calamo supponere chartam,	
Ter tremulae cecidere manus: ter linquere coepi,	
Singultu medias interrumpente querellas.	15
Scilicet effabor? tantis ero luctibus impar.	
Vulnera dissimulem potius? Sed rumpit acerbus.	
Frena dolor, tristisque animo, quodcunque tacetur	
Acrius imprimitur, miserumque immitius angit.	
Ignosce, o Genitor, si truncae murmure vocis	20
Et gemitu infanti tantum tua funera plango.	
...	
Si me jam vestris quadrassent vota, severae	
Immitiesque Deae, non vultu tristis et expes	
MEIBOMIO nostro exequias et justa pararem,	115
MEIBOMIO insigni Medico, quo saepe solebam	
Uno me relinquo inter jactare sorores.	
Scilicet haud alia mortalia secula lege	

¹¹⁹ AHRENS, "Meibom, Heinrich d.J.," p. 154-155.

Vos regitis: nostrae mors ultima linea vitae.
 Viderat aegrotos servasse in limine fati, 120
 Et totiens victo duxisse Acheronte triumphos
 Morta ferox spissis caput endopedita tenebris,
 Et sibi laureolam quaesivit funere in isto.
 ...
 Nec mora longa fuit: postis ex ordine cippis 142
 Hunc tumulum et tumuli titulum posuere clienti
 Aonides Phoebusque suo, minioque notarunt:
 MEIBOMIUM HAEC TENET URNA, CUI SUA JULIA LUCEM
 MOX ETIAM LUB[E]CA DECUS, PRUDENTIA LAUDEM,
 VIRTUTES FAMAM DEDERUNT. IMITARE VIATOR,
 ET, NISI SI GRAVE SIC DIC: MOLLITER OSSA QUIESCANT!¹²⁰

Translation:

[1]To this point, we the living also arrive! The best descendant
 of Asclepius, not ever unworthy of the great ancestors;
 and for our care and that of all, consolation
 sets the death and annuls his lights.
 We are asked for a service: but the mind well aware of the mourning
 despises the Muses and heals any wounds soever.
 Poems appear accompanied by a calm spirit
 our chest has mourning and sorrow abridges:
 Oh, how terrible it is to entrust my beloved father to earth!
 Oh, how terrible to dismiss the agreeable features of my father!
 Oh, how terrible to be without the works of my great protector!
 This pain makes [me] helpless, this drinks [my] innermost part with
 [a cruel mouth.
 Thrice I attempted to set the paper under the pen,
 thrice my shaking hands fell down, thrice I began to quit
 interrupting sobbingly [my] moderate complains.
 Will I speak naturally? I will be no match for the mournings
 Do I dissimulate the wounds preferably? But the grievous pain breaks
 the bridles, and with sad spirit, somehow it is silenced.
 The more severe it is pressed, the more from the bottom it tortures [me]
 unfortunate.

¹²⁰ MEIBOM, H., *Epicedium in beatissimum obitum viri clarissimi doctissimi et experiensissimi Joannis Henrici Meibomi*, Lines 1-21, 113-123, 142-148. The full Latin text is in the 'Texts and Editions' section.

Forgive [me], oh father! if I lament your funerals so much
with a murmur of a shattered voice and a childish lamentation.

...

[113] If my prayers would have been fitted for you, severe
and harsh Goddesses, not hopeless and with a sad face
would I prepare the funeral rites and obsequies for our Meibom,
Meibom remarkable physician, with whom I frequently used to
discuss, me alone among the rest of my sisters.
Certainly, you do not reign at all mortal times with another
law: death is responsible in the last border of our life,
to have taken care of the sick ones at the end of destiny,
and have conducted triumphs for the victorious Acheron so many times;
the intricate Morta obtained with dense darkness
the head and a victory in this funeral.

...

[142] And the delay was not long, being put the tombstones in a row
the followers put this tumulus and the title of the tumulus,
and for his Phoebus Aonid annotated in red:
THIS URN HAS MEIBOM, FOR WHOM HONOUR GAVE HIM LIGHT AT
HIS JULIA,
AFTERWARDS, ALSO IN LÜBECK, PRUDENCE GAVE HIM GLORY,
THE VIRTUES FAME. OH TRAVELLER! IMITATE THIS
AND IF IT IS NOT BURDENSOME, SAY: MAY [HIS] BONES REST
[PLEASANTLY!]

1.3 Work

This section aims to give a review of Meibom's work to set the Commentary on the Hippocratic Oath in its rightful place and context of writing; hence the descriptions have the particular focus of relating the works to the Commentary when possible. They are organised in types and then by chronological order.

1.3.1 Prose

1.3.1.1 *Programma, Ad Litterarum, Et Virtutum studiosos, de emendandis moribus. Helmaestadi[i], Lucius, 1628.*

It is a very brief text of only eight pages in quarto published in 1628. It has no dedicatory, but it is addressed unspecified to the studious pro-rector and senator of the *Academia Julia*. Meibom wrote the text on October 30th, 1628 as a reflection about Moral. More than being a very theoretical text as

the rest of his work, it seems to have an antecedent of a specific problem at the university that most surely questioned its customs and traditions, probably due to the Thirty Years' War. Meibom assures that *nec dubitandum est, hoc pietatis studio quamplurimas ad virtutes Christianis dignas proficere*.¹²¹ He says that the state has been vexed during the last two years and that it is necessary not to bind themselves to the customs of others but their own and of the university.¹²² He continues writing about other character flaws and misbehaviour like arrogance.¹²³ He tries to call up all figures of authority to their duty as watchers of thieves, ravishers, and criminals alike,¹²⁴ and warns the young people to take care and stay away from the seed of barbarity and the opportunity and attraction to vices.¹²⁵ This text was a reflection of the hard situation in Northern Germany due to the war, for it is precisely the year of the religious reorganisation made by Ferdinand II and shortly before the publication of the Edict of Restitution. The text has no mention of the Commentary on the Hippocratic Oath nor any reference to the moral problems in the medical field. There are no other editions.

1.3.1.2 De Flagrorum Usu in re Veneria, & lumborum renumque officio. Epistola Ad V. C. Christianum Cassium, Episcopi Lubecensis & Holsatiæ Ducis Consiliarium. Lugduni Batavorum, Elsevir, 1643

The earliest edition available is from 1643 although the text was written in 1639¹²⁶ according to the date at the end of it. With a total amount of forty-eight pages in quarto, Johann Heinrich Meibom wrote for Christian Cassius (1609-1676), chancellor director and private counsellor of the Bishop of Lübeck in Eutin,¹²⁷ a letter about the use of flogging to cure some ailments for it was believed that the black bile was strongly and permanently heated by whipping and was finally dissipated by movement.¹²⁸ Meibom's text has been thoroughly analysed by Hans Rudolf Schwartz¹²⁹ and Boris Klein.¹³⁰

¹²¹ JHM, De emendandis moribus, p. [1]. It should not be doubted that with this study of piety we advance towards the virtues very much worthy for Christians.

¹²² JHM, De emendandis moribus, p. 1-2.

¹²³ JHM, De emendandis moribus, p. 4.

¹²⁴ JHM, De emendandis moribus, p. 5.

¹²⁵ JHM, De emendandis moribus, p. 6.

¹²⁶ JHM, De flagrorum usu, p. 48.

¹²⁷ "Cassius, Christian", DBio, Online: <https://www.deutsche-biographie.de/gnd116471212.html> (01. 11. 2022).

¹²⁸ JHM, De flagrorum usu, p.5.

¹²⁹ SCHWARZ, Die medizinische Flagellation unter besonderer Berücksichtigung von Meibom, Bartholin und Paullini, Zürich, Juris-Verl., 1963.

The former reviewed the classical sources, the theory of the use of flogging as therapy and its development in later authors. The latter is the most recent study about this work, and it includes a summary of the author, the text, its later tradition and three very useful annexes with a recapitulation of the most important editions,¹³¹ a note on the French edition of 1795 and the French text itself.¹³²

To briefly recount the most important editions, it is necessary to clarify that there is another Latin edition in catalogues dated 1639.¹³³ However, the date comes from the text itself and not from the cover since there is no printing date on it and it announces the version as a second edition, therefore this edition can only be later than 1643. The next edition was made by Thomas Bartholin (1616-1680)¹³⁴ in 1669 to which we will come back later due to its importance. The edition is:

De Usu Flagrorum In Re Medica & Veneria, Lumborumque & Renum officio. Francofurti: Paulli, 1669.

There are many other versions, but the ones that acknowledge the authorship of Johann Heinrich Meibom are the following, here presented in chronological order:

a) an English translation:

A Treatise of the use of flogging in venereal affairs, also of the office of the loins and reins, written to the famous Christianus Cassius, Bishop of Lubeck and Privy-Councillor to the Duke of the Holstein by John Henry Meibomius, made English from the Latin original by a physician. London: St. Martin's-Lane, 1761.

b) In Latin in 1770 and 1784:

De flagrorum usu in re veneria et lumborum renumque officio, ad virum clarissimum Christianum Cassium, Episcopi Lubecensis et Holsatiae Ducis

¹³⁰ KLEIN, Boris, D' un usage curieux en médecine. Réflexions sur De l'utilité de la flagellation de J.-H. Meibom, Paris 2016.

¹³¹ KLEIN, D' un usage curieux en médecine, p. 89-111. He lists editions to the following years: 1629, 1639, 1643, 1655, 1669/70, 1718, 1757, 1761, 1770, 1792, 1795, 1800, 1801, 1847, 1879, 1909, 1955 and 2002.

¹³² KLEIN, D' un usage curieux en médecine, p. 112 ss.

¹³³ JHM, De flagrorum usu in re veneria... Editio Secunda. Online: https://reader.digitale-sammlungen.de/de/fs1/object/display/bsb10781434_00003.html (01.11.2022).

¹³⁴ "Bartholin, Thomas", DBio, Online: <https://www.deutsche-biographie.de/gnd118652850.html> (01.11.2022).

Consiliarium. Rarioris argumenti libellus, Londini, unknown printer, 1770.
De flagrorum usu in re veneria et lumborum renumque officio. Ad V. Cl.
Christianum Cassium episcopi lubecensis & holsatiae ducis consiliarum.
Rarioris argumenti libellus, Londini, unknown printer, 1784.¹³⁵

c) 1792 in Latin but edited by Claude Mercier (1763-1800)¹³⁶ with notes about the other versions for it seems that there were many inaccurate versions of the text back then. This edition has been so popular that it has been recently republished as a facsimile (Nîmes):

De flagrorum usu in re veneria et lumborum renumque officio, Parisiis, Sumptibus Jac. Girouard, 1792: 2002 (Facsimile).

d) 1792 a French translation with a small introductory note that invites the reader to go through the text as an excuse to discover the necessity of the translation.

De flagrorum usu in re veneria et lumborum renumque officio, Parisiis, Sumptibus Jac. Girouard, 1792.¹³⁷

d') In 1801 there was a reprint of the same version but without the introductory note:

De l'utilité de la flagellation dans la médecine et dans les plaisirs du mariage et des fonctions des lombes et des reins: Ouvrage singulier, Londres, Bibliophile Montmartrois, 1801.¹³⁸

e) And in 1874 a German translation from the edition of Mercier:

Von der Nützlichkeit der Geißelhiebe in medizinischer und physischer Beziehung, und von den Verrichtungen der Lenden und Nieren: Aus dem Lateinischen übersetzt Von J. H. Meibomius, Zum Druck befördert von Claude Mercier, Stuttgart, Scheible, 1847

The edition of 1669 was made by Bartholin thanks to the popularity of the text. He wrote his own opinion on the topic in a letter addressed to

¹³⁵ Online: <https://books.google.de/books?id=jYcUPOpW3EoC>. (01.11.2022).

¹³⁶ BnF: http://data.bnf.fr/12133003/claude-francois-xavier_mercier_de_compiagne/#other-pages-databnf (01.11.2022).

¹³⁷ Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10781435-0> (01.11.2022).

¹³⁸ Online: <https://books.google.de/books?id=ViGeMUJdy7wC> (01.11.2022).

Heinrich Meibom the Younger, whom he praises as a worthy son of his father, a great expert in literature and classical antiquity,¹³⁹ and assures him that his father's work, the commentary on the Hippocratic Oath and the life of Maecenas, are already a testimony of his greatness.¹⁴⁰ The letter is 32 pages long and is dated October 24th, 1669. Afterwards, the text of Johann Heinrich Meibom was printed without changes,¹⁴¹ followed by the answer of Heinrich Meibom to Bartholin's letter, giving not only a polite thanks but also some details about the editions. He disclosed, for example, that his reply was sent with Christian Pauli (†1679),¹⁴² son of the great Simon Pauli (1603-1680).¹⁴³ More important for us to understand Heinrich the Younger's role in publishing Johann Heinrich's work is his justification about the lack of an earlier second edition. He said that the first edition was released after his father's death in a small print run because it was only meant to be distributed among friends and family and not for massive circulation. Although many others have been asking for a copy, he did not have the boldness to publish a second edition, partly because he could not take care of it properly and partly because of the probable criticism that it might produce towards him especially then, when he was starting to gain some fame.¹⁴⁴ This gives us the impression as if the text was somehow something to be ashamed of. He also explains that Johann Heinrich Meibom formulated the hypothesis, after consulting several textual sources, that flogging worked as therapy only if it was given in members, kidneys and the parts used for the generation of the seed and venereal affairs¹⁴⁵ and thus, he decided to write a short text. Heinrich Meibom the Younger went further with the hypothesis and proved a relevant part of it in the last pages of the letter, that is if those anatomical parts influence the generation of the seed. His text is dated August 31st, 1669.¹⁴⁶ To finish the book Bartholin added, following the topics already addressed, the brief works *De usu renum*¹⁴⁷ of Joachim Oelhaf (1570-1620)¹⁴⁸ and Ole Worm (1588-1654).¹⁴⁹ There are no other mentions to the Commentary on the Hippocratic Oath.

¹³⁹ BARTHOLIN & JHM, *De usu flagrorum*, p. 3-4.

¹⁴⁰ BARTHOLIN & JHM, *De usu flagrorum*, p.4. "Edita parentis monumenta *De Jurejurando Hippocratis, et De Vita Maecenatis* testantur quantus fuerit pater."

¹⁴¹ BARTHOLIN & JHM, *De usu flagrorum*, p. 32-96.

¹⁴² DNB, <http://d-nb.info/gnd/124759238> (01.11.2022).

¹⁴³ BARTHOLIN & JHM, *De usu flagrorum*, p. 97. DNB, <http://d-nb.info/gnd/124150993> (11.11.2018).

¹⁴⁴ BARTHOLIN & JHM, *De usu flagrorum*, p. 98-99.

¹⁴⁵ BARTHOLIN & JHM, *De usu flagrorum*, p. 101-104.

¹⁴⁶ BARTHOLIN & JHM, *De usu flagrorum*, p.105-112.

¹⁴⁷ BARTHOLIN & JHM, *De usu flagrorum*, p. 109-138 & 139- 144 respectively.

1.3.1.3 Hippocratis Magni OPKOC Sive Jusjurandum. Lugduni Batavorum, ex officina Iacobi Lauwiickii, 1643

This work published in 1643 in quarto is by far the most extensive work of Meibom with 247 pages. Meibom analysed each part of the Hippocratic Oath and commented it in a philologic and historical way, that is, giving the etymologies of the words, their uses, their equivalents in other languages, the authors that used them, and so on. Sometimes he explained different contexts in which the same term or word was used, and gathered all possible knowledge related to the topic as if it were a small encyclopedia, even though it sometimes drove away the attention from the principal meaning of the Oath. A full analysis of this work, its dedicatory, importance, objective and significance are described in the next chapter. There was not another printed edition, and it is not known to us that there was more than one Commentary, despite the plural used by Heinrich the Younger in the preface to the work *Formula Comitum Archiatrorum* (1. 3. 1. 7).¹⁵⁰

1.3.1.4 De mithridatio et Theriaca discursus, Quum utraque Antidotus in praesentia Dominorum Praesidum et Praefectorum Officinae Pharmaceuticae, atque omnium Medicinae Doctorum dispensaretur. Lubecae, Hakelmannus, 1652

Published for the first time in 1652¹⁵¹ in quarto, this work has only sixteen pages. The second edition is a reprint from 1659, four years after Meibom's death, at expenses of Augustus Johannes Becker. The text was dedicated to Meibom's Maecenas Christophorus Gehrdes,¹⁵² Antonius Colerus (1585-1657)¹⁵³, Johannes Marquardus (1610-1668),¹⁵⁴ and Gotthard von Höveln (1603-1671)¹⁵⁵. The Commentary on the Hippocratic Oath was also dedicated to the first two. This time there was no formal dedicatory letter but a simple page quoting their names and profession. There is also no letter to

¹⁴⁸ "Oelhaf, Joachim" DBio, online: <https://www.deutsche-biographie.de/gnd120157101.html#adbcontent> (01.11.2022).

¹⁴⁹ "Worm, Ole", DBio, online: <https://www.deutsche-biographie.de/gnd119009749.html> (01.11.2022).

¹⁵⁰ See n. 193.

¹⁵¹ <http://digital.slub-dresden.de/werkansicht/dlf/89625/1/> (11.11.2018).

¹⁵² DNB, <http://d-nb.info/gnd/132039796> (01.11.2022).

¹⁵³ DNB, <http://d-nb.info/gnd/100729282> (01.11.2022).

¹⁵⁴ "Marquard, Johann", DBio, online: <https://www.deutsche-biographie.de/gnd104234555.html#ndbcontent> (01.11.2022).

¹⁵⁵ "Höveln, Gotthard von", DBio, online: <https://www.deutsche-biographie.de/gnd137594941.html#ndbcontent> (01.11.2022).

the reader. The text has no subdivisions nor chapters and explains how does the medicament known as Mithridate obtained its name, the story of Mithridates, the antidotes described by Galen that were still useful;¹⁵⁶ the word *Theriaca* and the understanding of it as 'against animals' (against all animal venoms); the multiple *theriaca* there are and the history behind each one,¹⁵⁷ some examples of the uses of *theriaca*, their explanations, and some preparations.¹⁵⁸ Meibom finishes the discourse with a kind of pray to the glorious God giver of health.¹⁵⁹

With this work, it is clear that Meibom was very careful to choose the type of text he was writing for each specific topic because this *discursus* is very light to read in comparison to the Commentary. He goes smoothly from one topic to the other. It is an excellent resume of theoretical pharmacology of his time. The work presents a change of typographical size almost at the end of it,¹⁶⁰ having per page thirty-eight lines instead of thirty-three as in the rest of the book. There is no other relationship to the Commentary on the Hippocratic Oath.

1.3.1.5 Mæcenas, Sive De C. Cilnii Mæcenatis vita, moribus & rebus gestis, Liber Singularis. Accesit C. Pedonis Albinovani Maecenati scriptum Epicedium, Notis illustratum. Lugduni Batavorum, Elsevier, 1653

Published in 1653 in quarto this work is 224 pages long, of which the first hundred and ninety-six are about the life of Maecenas, including the dedicatory, a letter to the reader and before the beginning of the life of Maecenas, three poems for Meibom¹⁶¹ by Caspar Barthius (1586-1658)¹⁶², Kaspar Hofmann (1572-1643)¹⁶³ and Paul Neucrantz (1605-1671).¹⁶⁴ The last

¹⁵⁶ JHM, De mithridatio et Theriaca discursus, p. A2r-A3r.

¹⁵⁷ JHM, De mithridatio et Theriaca discursus, p. A3r-A3v.

¹⁵⁸ JHM, De mithridatio et Theriaca discursus, p. A4r- B4r.

¹⁵⁹ JHM, De mithridatio et Theriaca discursus, p. B4v: "Deus gloriosus, qui medicamente ex terra procreavit, Medicinaeque auctor est, et sanitatis optimus maximus dispensator, medicamentis his gratia sua bendicat, tu multis utilia et salutaria esse queant. Idem vos, Patre patriae, bono publico, vos Naturae Medicinaeque consultos multorum saluti, fii sospites superstitesque esse velit ac jubet."

¹⁶⁰ JHM, De mithridatio et Theriaca discursus, p. B3v.

¹⁶¹ JHM, Maecenas, p. [11-12].

¹⁶² "Barth, Caspar von", DBio, online: <https://www.deutsche-biographie.de/gnd118657380.html#ndbcontent> (01. 11. 2022).

¹⁶³ "Hofmann, Kaspar", DBio, online: <https://www.deutsche-biographie.de/gnd116951753.html#adbcontent> (01. 11. 2022).

twenty-eight pages include a dedicatory to his friend Christianus Cassus (1609-1676), a new letter to the reader, and the elegies from Pedro Albinovanus (end first cent. BC – beginning first cent. AD)¹⁶⁵ reviewed and annotated by Johann Heinrich.

The book opens with a quote of Lucian¹⁶⁶ to honour the dead. Then there is the dedicatory to Johann X (1606-1655)¹⁶⁷ where Meibom compares him to Maecenas,¹⁶⁸ thanks him for all the years of patronage and asks him not to reject his work in exile as he is his first and best client if judged by affection.¹⁶⁹ The dedicatory has the date of December 13th, 1652. According to the first letter to the reader, Meibom knew about Maecenas in his adolescence when his father made him study the Lyric Poets, and since then he began to gather information. He also presents this commentary just as another one of many: *dedimus tibi, amice Lector, ante annos aliquot Commentarium nostrum in Iusjurandum Hippocratis, et quaedam alia, a multis, quantum intelligi datur, non inique accepta.*¹⁷⁰

The book has 29 chapters. It gathers all information about Maecenas, his origins, family, education, youth, his relationship with the Roman emperors, his private and public life, his friends, family, wife, health, among other things. The elegies of Albinovanus are not commented in the same manner as the life of Maecenas or the Commentary on the Hippocratic Oath but placing notes at the inferior part of the sheet, like footnotes, whether to offer an alternative reading or to give extra information.

The Commentary on the Hippocratic Oath is mentioned twice, once the above-quoted passage and then briefly in the poem of Hofmann: *Dum Iusjurandum Coi Senis arte recenset: / Dum Maecenatis concinit eulogium.*¹⁷¹ This work is also good for this research as a reference to compare the dedicatory letters; the first one, to Johann X, is much more formal and

¹⁶⁴ The information comes from the article about the family in DBio, online: <http://daten.digital-sammlungen.de/~db/bsb00008381/images/index.html?id=00008381&seite=481&fip=193.174.98.30&nativeno=%2F&groesser=150%25> (01.11.2022).

¹⁶⁵ BnF: <http://catalogue.bnf.fr/ark:/12148/cb10581463x> (01.11.2022).

¹⁶⁶ Lucianus, *Tox.*, I, 11-15. JHM, *Maecenas*, p. [2].

¹⁶⁷ "Johann" DBio, online: <https://www.deutsche-biographie.de/gnd118712292.html> (01. 11. 2022).

¹⁶⁸ JHM, *Maecenas*, p. [4].

¹⁶⁹ JHM, *Maecenas*, p.[6].

¹⁷⁰ JHM, *Maecenas*, p.[7]. We gave you, oh friend reader!, some years ago our Commentary on the Hippocratic Oath and some others, that were not unfavourably received by many as much as it is given to be known.

¹⁷¹ JHM, *Maecenas*, p. [12]. He artfully reviews the Oath of Hippocrates / while he celebrates the honour of Maecenas.

impersonal, almost only rhetoric;¹⁷² the second one, to Cassius, although it also has all the formalities, shows some dexterity of writing,¹⁷³ revealing the comfort of Johann Heinrich Meibom while addressing a closer acquaintance.

1.3.1.6 De Κυνοφορία Seu Canis Portatione Ignominiosa Epistola. Helmestadii, Müllerus, 1661.

This work was published for the first time in 1661 with a brief letter to the reader by Heinrich Meibom the Younger explaining that his father initially made the text for Johann Marquardus (1610-1668),¹⁷⁴ formerly Senator of the Republic of Lübeck and, by the time of the publication, Consul.¹⁷⁵ The work is of a historical and legal nature since it explains the tradition of carrying a dog as punishment. Marquardus read something about this tradition in the work of Theodor Reinkigk (†1664)¹⁷⁶ and probably asked Meibom about it. However, Johann Heinrich did not read it nor included it in his work.¹⁷⁷ The text gathers briefly different sources of the history of Germany that had some reference to the practice mentioned above, its origin in the Greek culture,¹⁷⁸ its use among Franks, Suevians, Saxon, Bohemians, etcetera.¹⁷⁹ It also collects different meanings given to dogs through history to explain why is the punishment shameful and where do the contemptuous terms found in different languages come from, all of them sharing a common origin in the Latin word for dog, *canis*, like *canaille* in French or *canaglia* in Italian.¹⁸⁰ As a conclusion, Meibom explains similar punishments in which the person must carry a chair or a plough (*sellae portatio*) instead of a dog. He annotates the preference of the jurist and

¹⁷² To be noticed for example in all the *formulae* and the recount of the noble family. Compare with JHM, Maecenas, p. [3-6].

¹⁷³ For example in narrating the encounter among them, the handshaking and the friendship that since then began. The speech is not to gain the favor of him but to offer a sincere gift. He even uses phrases of other authors without quoting them, e.g., Verg. *Aen.* IV, 335. Compare with JHM, Maecenas, p. [199-200].

¹⁷⁴ "Marquard, Johann" DBio, online: <https://www.deutsche-biographie.de/gnd104234555.html#ndbcontent> (01.11.2022).

¹⁷⁵ JHM, De Κυνοφορία, p. A1v.

¹⁷⁶ "Reinking, Dietrich von" DBio, online: <https://www.deutsche-biographie.de/gnd118788272.html#ndbcontent> (01.11.2022).

¹⁷⁷ JHM, De Κυνοφορία, p. A2.

¹⁷⁸ JHM, De Κυνοφορία, p. B2v ss.

¹⁷⁹ JHM, De Κυνοφορία, p. B ss.

¹⁸⁰ JHM, De Κυνοφορία, p. B3v ss.

philologist Christoph Colerus,¹⁸¹ who understood better the punishment as “carrying a cat” (*feles*)¹⁸² because of the animal’s attributes as well as of the different pejorative names originated from this punishment such as *sellularii* or *sedentarii*, that is, those men that remain seated and therefore are lazy and vile. Afterwards, Meibom considers the matter finished and explained back to its origins. The work is dated February 23rd, 1643,¹⁸³ the same year of the publication of the Commentary on the Hippocratic Oath.

This work was reprinted in 1685 together with *Libellus de canibus britannicus* of John Caius (1510- 1573)¹⁸⁴ and *Cynographia curiosa seu canis descriptio*¹⁸⁵ of the physician and historian Christian Franz Paullin (1643-1712).¹⁸⁶ Meibom’s text was reproduced without changes¹⁸⁷ but with marginal titles and without the letter to the reader written by Heinrich Meibom the Younger. A second reprint of the original version of 1661 appeared in 1749.¹⁸⁸ All editions were published in quarto. The number of folia goes between eight (1749) and ten (1661, 1685). There is no mention to the Commentary.

1.3.1.7 Magni Aurelii Cassiodori, V.C. Formula Comitum Archiatrorum Commentario illustrata. Helmestadi[i], Mullerus, 1668

A work in quarto published posthumously in 1668 of ninety-two pages, including a letter to the reader and a dedicatory from Heinrich Meibom the Younger to Martinus Weisius (1605-1693),¹⁸⁹ personal physician of three duchies of Brandenburg.

The dedicatory begins, as usual, establishing the friendship between writer and addressee, in this case, Heinrich says he is not worthy of being counted among Weisius’ friends as he had stated it many times.¹⁹⁰ Later on

¹⁸¹ “Colerus, Christoph”, DBio, Online: <https://www.deutsche-biographie.de/gnd117692344.html> (01.11.2022).

¹⁸² By making the reference to it, Meibom wrongly writes *fellem*; however, the word is later on written correctly *felem*, which points out that the alternative reading with the orthographic mistake was from the jurist Colerus.

¹⁸³ JHM, De Κυνοφορία, p. C1v.

¹⁸⁴ “Caius, John” DBio, Online: <https://www.deutsche-biographie.de/gnd118869876.html> (07.02.2019).

¹⁸⁵ PAULLIN, *Cynographia curiosa seu canis descriptio*., Norimbergae, Endterus, 1685.

¹⁸⁶ DNB, <http://d-nb.info/gnd/118739581> (01.11.2022).

¹⁸⁷ PAULLIN, *Cynographia curiosa*, p. 244-252.

¹⁸⁸ JHM, De Κυνοφορία seu canis portatione ignominiosa epistola. Online: <http://www.-mdz-nbn-resolving.de/urn/resolver.pl?urn=urn:nbn:de:bvb:12-bsb11051424-6> (01.11.2022).

¹⁸⁹ “Weise, Martin”, DBio, online: <https://www.deutsche-biographie.de/gnd12454827X.html#adbcontent> (01.11.2022).

¹⁹⁰ JHM, *Formula comitis archiatrorum*, p. [3].

and for our fortune, Heinrich explains that the text was written and so structured by his father, a vigorous defender, who *aegre ferebat, quod propter paucorum vitia Medica Ars aut clam aut palam traduceretur: aegerrime vero, quod saepe medici ipsi calumniandi occasiones non tam aliis eriperent, quam largiter suppeditarent, honoris paricidae sui*.¹⁹¹ He goes on complaining about many other things that were wrong in the medical art, like a sort of physician recently emerged who does not deserve the honour of being called so because of his ignorance, lack of skill, and his habit of being moved by greed; and the councils of physicians who talk badly about the absent ones and discuss nothing about the problems they were meant to address, being so ignorant not what damages physicians the most but the venom among them. Because of all of this, Johann Heinrich Meibom wrote the text when he was in Lübeck, where he was always teaching either by speech or, most frequently, by texts about the honour of being a Physician, and how to deserve honours like the ones he had as a chief physician.¹⁹² *Posterius quidem luculentis in Hippocratis Iusjurandum commentariis ab ipso praestitum dudum: utrumque vero hoc etiam Commentariolo docere aggresus est. Quem quidem ego latere diutius nolui, cum in eo quaedam contineantur, quae vulgo ignorantur, sciri tamen publice interest*.¹⁹³ The dedicatory letter ends with praises to Weisius and the apparent use of this text to him as an exemplary practitioner. It is dated May 14th, 1668.

In the letter to the reader Heinrich Meibom the Younger explains that the text is from the Epistles to Theodoricus introduced by Cassiodorus on his *Variarum Libri XII*. The letter *Formula comitis archiatrorum* comes from the sixth book as chapter 19th.¹⁹⁴ He says to finish the letter in a very provocative way that he found the commentary among the unpublished works of his father and, if the reader likes it, he will be encouraged to publish his other missing texts, certainly the work *De vitis medicorum*, which not long ago became the talk of scholars.¹⁹⁵

¹⁹¹ JHM, *Formula comitis archiatrorum*, p. [4]. had a hard time because the Art of Medicine was dishonoured, either openly or secretly, due to the vices of a few; and indeed had the hardest time because the same physicians, traitors of their office, frequently snatched the opportunity to depreciate not so other things as were largely at hand.

¹⁹² JHM, *Formula comitis archiatrorum*, p. [3].

¹⁹³ JHM, *Formula comitis archiatrorum*, p. [3] He began to teach later indeed with the excellent commentaries on the Hippocratic Oath, a little time ago offered by himself, and also in fact with this small commentary, which I indeed did not want to hide longer, since certain things are contained in it that are ignored by people, yet of public interest.

¹⁹⁴ The place is still correct for modern editions, CCL 96, p. 248.

¹⁹⁵ JHM, *Formula comitis archiatrorum*, p. [6].

The text itself begins with the short text of Cassiodorus with small numbers within as to mark the commentary that will come next. Johann Heinrich Meibom analyses part by part and supports every idea with quotes of renowned authors, whether from antiquity or contemporary.

The commentary is eighty-six pages long. It is not marked that the section with the number 2 (*Archiatrorum*)¹⁹⁶ was probably not written by Johann Heinrich but by his son as it could be seen in the Manuscript Meibom 5¹⁹⁷ preserved in the Niedersächsische Staats- und Universitätsbibliothek Göttingen. Some corrections to the original text were not considered for the printed version¹⁹⁸ though typographical corrections were made before the final printing.¹⁹⁹ It is also relevant to point out that the printer made a common mistake by copying and mixing some lines,²⁰⁰ some pages were also not included in the final version.²⁰¹ Although the edition was not very carefully made nor was the full version of Johann Heinrich, the philologic quality is as much as to be expected. He let us know at least his opinion on who had the power over whom, the physician or the patient.²⁰² No further mentions of the Commentary on the Hippocratic Oath are made. This text could be considered as part of Johann Heinrich Meibom's teaching on medical ethics.

¹⁹⁶ JHM, *Formula comitis archiatrorum*, p. 13.

¹⁹⁷ The manuscript has two different handwritings, pages 1 to 11, and 22 to 80 are undoubtedly from Johann Heinrich Meibom, the pages in between (12- 21) are in another ink, in a separate booklet and according to the catalogue Heinrich Meibom wrote those pages. *Die Handschriften in Göttingen*, p. 159.

¹⁹⁸ NSTUB Gött Meibom 5. For example, on page 1, it says *Inter utilissimas* the correction says *utillimas* and page 2 number 10 it says *Causarum periti palmates* the correction *palmares*. Corrections agree indeed with the original text of Cassiodorus.

¹⁹⁹ The manuscript booklets (NSTUB Gött Meibom 5) are enclosed by a folio page of the print test with the pages 9-16, and many typo-mistakes were corrected with black ink.

²⁰⁰ NSTUB Gött Meibom 5. "Interim isti omnes, quocumque etiam ordine censerentur, expeditionum et peregrinationum Principis erant Comites, sed pro amicitiae gradu ex praerogativa, alij primae, alij secunda, alii etiam inferioris classis." Compare with the end of page 7 and the beginning of page 8 of the printed version.

²⁰¹ The printed and manuscript versions are the same until page 32 of the printed version (20v of the manuscript), there are no printer's marks between pages 26v and 33v and the text between them is not in the printed version (around 15 manuscript pages).

²⁰² JHM, *Formula comitis archiatrorum*, p. 85-86. He ends the text implying that they are in something like a symbiotic relationship; the patient has some power over the physician, but the physician also has a soft and paternal power over the patients because of his art.

1.3.1.8 De Cervisiis potibusque & ebriaminibus extra vinum aliis Commentarius. Helmestadii, Heitmullerus, 1668

This work was published posthumously in 1668 by Heinrich Meibom the Younger. The work is introduced by the dedicatory of Heinrich to Henricus Langerbecius²⁰³ this time without any information concerning the Commentary nor his father and merely praising and declaring gratitude that was to be acknowledged by this work.²⁰⁴ The letter to the reader, also by Heinrich, explains the content of the book and that his father wrote it but he assumes all the blame for publishing it, since *non enim vitium est scribere, quae scripta non placeant, sed emittere: nec fama scribentis agitur in eo, quod scribit, sed quod publicat.*²⁰⁵

The work in quarto is 192 pages long of which thirty three contain an edition of the treatise *On wine*²⁰⁶ by Adrien Turnèbe (1512-1565)²⁰⁷ and the last eleven the index. The text has twenty-seven chapters. It begins with the life of men in relation to warmth and humidity like food and drinks. Afterwards, he explained a lot of different beverages, made from milk, fruits, honey, sugar, different types of grains; drinks from Egypt, Spain, Germany, France; the quest for drunkenness in herbs and smokes, how to prepare beer, among others. All these topics were linked one to the other either by the explanation of language, that is he analysed the foreign words and tried to discover their etymologies; or by the knitting of textual sources by quotes or simple references. At the end of the text, Johann Heinrich quoted verses²⁰⁸ of Hugo Grotius (1583-1645)²⁰⁹ *On Beer* and of his father,²¹⁰ Heinrich Meibom the Older, to Friedrich Ulrich (1591-1634) Duke of Braunschweig-Lüneburg because the local beer was mentioned there.

²⁰³ Besides the information in the text, that is, that he was a Jurisconsult, counselor and secretary of the Duke of Braunschweig and Lüneburg Johann Friedrich (1625-1679), nothing else could be found. JHM, *De cervisiis*, p. 3.

²⁰⁴ JHM, *De cervisiis*, p. 3-5. One of the most important praises is that Heinrich compares Langerbecius with Pliny the Older.

²⁰⁵ JHM, *De cervisiis*, p. 6. Indeed it is not a defect to write those texts that will not please but to publish them, nor the fame of the writer is delivered in what he writes but in what he publishes.

²⁰⁶ TURNÈBE, Adriani Turnebi libelli De vino, calore et methodo, nunc primum editi, Parisiis, Morel, 1600.

²⁰⁷ <http://catalogue.bnf.fr/ark:/12148/cb122407089> (01.11.2022).

²⁰⁸ JHM, *De cervisiis*, p. 144-145.

²⁰⁹ "Grotius, Hugo", DBio, online: <https://www.deutsche-biographie.de/gnd118542702.html#adbcontent> (01.11.2022).

²¹⁰ JHM, *De cervisiis*, p. 146-148.

There are two reprints, one in 1671 from the same printer and the book looks the same but with a different date on the cover; and in 1701 in which the text suffered no changes except for an index of chapters introduced between the letter to the reader and the main text. The latter is of better quality and legibility because it is an anthology²¹¹ with many other related texts. There are no more changes.

The only relation to the Commentary is the similarity of structure and style of writing, though with less formal rigidity because Meibom did not explain the quotes and derived themes until the last instance.

1.3.1.9 De vitis medicorum (?)

This entry must be carefully considered. I decided to include it because there are many mentions about it in the letters and other works of the Meibom family, though the work itself has not been found and it has been considered lost.

This is a work supposedly written by Johann Heinrich Meibom but never published, neither by him nor others. His son, Heinrich the Younger, was supposed to make the final arrangements and print it, just as many other works above mentioned. Several rumours about its existence are preserved in some letters between scholars and the Meibom Family, and Johann Heinrich's work.²¹² A member of the Meibom family of our time, Hanspeter von Meibom, produced a sort of index of the Meibom family's works. He says about this work:

Johann Heinrich Meibom ist durch seine verschollene, aber über weite Strecken in Entwurf bereits ausgeführte Ärzte-Geschichte beinahe berühmter geworden als durch die veröffentlichten kleineren Schriften. Das Verlangen nach Vollendung dieses Werkes beschäftigte zwei Generationen von Gelehrten "De vitis medicorum" nannte der Stralsunder Rektor Benedikt Bahr das mit Spannung [sic] erwartete Werk 1647. Unter dem gleichen Titel mahnte Daniel Listorp es 1652 an, im selben Jahr Nicolaus Brüggermann als "Syntagma Medicorum". 1661, nach dem Tode Johann Heinrichs, heisst es bei seinem Sohne Heinrich "Syntagma de scriptoribus medicis" 1693 und 1694 erkundigte sich Theodor Janson von Ameloveen bei Heinrich Meibom nach der "historia veterum medicorum" Diese und viele andere Zeugnisse des Briefnachlasses, die in der Niedersächsischen Landesbib-

²¹¹ GRONOVIVS, Thesaurus graecarum antiquitatum..., Lugduni Batavorum, apud Petrum van der Aa, 1701. The text of Meibom, p.537- 620. The text of Adrien TURNÈBE, p. 517-536.

²¹² For other examples besides the already mentioned in this chapter, see 3.1.2, Content and Grammar changes, 3.1.2.3. in the letters of Guy Patin and GWLB Hann Ms. XLII 1892, p. 256-257.

liothek liegen und von Dr. Kausch gesichert und bearbeitet worden sind, betreffen das Schicksal eine vierbändigen geplanten Werkes, das möglicherweise wegen daran geknüpften Erwartungen schliesslich untergegangen ist.²¹³

The information, about the mentioned plans of the work and why did Johann Heinrich Meibom never finish it, is to be found in a published letter from Heinrich the Younger to Georg Hieronymus Welsch (1624-1677).²¹⁴ *De medicorum historia scribenda epistola* (1669) tells us that Johann Heinrich began to write it 40 years ago (around 1629), but the task was big, and he moved to Lübeck where he had plenty of work. However, he tried to continue writing, using the times he could not leave home due to his arthritis pains and relying almost entirely on his well-stored library because he had no help from other libraries.²¹⁵ He bequeathed Heinrich as his only male heir to finish and publish the work when he was mature enough in his age and judgment.²¹⁶ The book was planned in five parts as follows:

Initio Introductionem quandam praemisit, in qua et de vasto Medicinae ambitu, et de Medicorum Sectis Ordinibusque ex Antiquitate omni pluribus agit. Dein libri primo eos, qui ab Orbe Condito ad usque Urbem Conditam. Secundo, qui ab Urbe condita usque ad natum Christum. Tertio qui a nato Christo usque ad seculi decimi quinti medium vixerunt. Quarto denique omnes, quorum in incerto aetas est, ordine Alphabetico enumerat.²¹⁷

²¹³ VON MEIBOM, 400 Jahre, Teil 3: Johann Heinrich Meibom, p. [3].

²¹⁴ "Welsch, Georg Hieronymus" DBio, online: <https://www.deutsche-biographie.de/pnd104194995.html#adbcontent> (01.11.2022).

²¹⁵ MEIBOM, H., *De medicorum historia*, p. Bv -B2r: "Equidem quadraginta jam et quod excurrit anni sunt, ex quo primum Parens meus illi operae menum admovit, sed lente admodum processit negotium. Obstabant enim in ampla decumbentium occupationes quotidianae...Non parum vero etiam turbabant morbi, et dolore arthritici, quibuscum quotannis ei conflictandum erat, qui tamen ipsi aliquando, quod domo egredi prohiberent, tempus commodum his studiis suppeditabant. Praeterea vivebat in loco, ubi pauca ex aliorum bibliothecis subsidia habebat, propriaque fere contentus esse cogebatur, unde in multis locis non poterat non haerere. Accedebat operis ipsius varietas, difficultasque."

²¹⁶ MEIBOM, H., *De medicorum historia*, p. B2r.: "Cum vero quinquagesimo quinto hujus seculi curis, laboribus, morbisque confectus moreretur, mihi unico haeredi masculo cedere id opus voluit, ea lege, ut matura aetate maturoque aliquando judicio recenserem, recensitumque publicarem."

²¹⁷ MEIBOM, H., *De medicorum historia*, p. A4v. At the beginning he presented some introduction, in which he deals with the vast field of Medicine and the many sects and orders of Physicians from all antiquity. Then he enumerated in alphabetical order in the first book those who lived from the establishment of the world until the foundation of Rome; in the second book those who lived from the foundation of Rome until the birth of

Though this research gave some information about this work there is still the need for deeper research. Heinrich never finished the work but we know now that the draft was a kind of index of physicians sorted by historical periods and, according to the letter of Heinrich, also by geography. It is still possible that those pages are somewhere either in NSTUB Gött or GWLB Hann where the Meibom *Nachlass* is preserved. The material is so vast that it was beyond the time of this research to go through every single part of the archive. I believe that *De vitis medicorum* could be found there because it also happened like that with other material like the drafts of the Commentary on the Hippocratic Oath.²¹⁸ The catalogues lack of accurate and punctilious descriptions in some entries and many others are wrongly described.

1.3.1.10 Disputationes

- Disputationum Physicarum Secunda, De Natura Et Caussis cuius theres auspice Deo Optimo Maximo, praeside M. Ioanne Kunen goslariense, Respondente Ioanne Henrico Meibomio, in illustri Iulia, Postridie kalendas quintilis examinabuntur. Helmaestadi[i], Lucius, 1608.

Meibom's first disputation was published in 1608 and held at the *Academia Julia* on July 02nd when he was only eighteen years old. M. Johannes Kune presided it. It is fifteen pages long of which the last two contain a poem from George Calixt to Johann Heinrich. It was dedicated to the abbot of Riddagshausen Peter Wiendruve (1551-1614)²¹⁹ and to the counsellor of the prince of Brunswick-Wolfenbüttel Heinrich Julius, Sebastian Treschow (†1615)²²⁰, both of them patrons of Johann Heinrich. It has only one thesis divided into fifty-nine numbered paragraphs to expose the question of which principles do the natural things carry and produce and how does nature apply the same principles to things through motion. The text is Aristotelian since Meibom follows the philosopher's ideas, mentions at least the works *Physica*, *Methaphysica*, *De anima* and brings up some examples from his biological works.

Christ; in the third book those from Christ's birth until 15th century, and then in the fourth book all those of which the time is uncertain.

²¹⁸ See Chapter 3. That is under the name of Heinrich the Younger and without any reference to the Commentary in catalogues. Some parts of the Archives have not been touched in more than a hundred years.

²¹⁹ DNB, <http://d-nb.info/gnd/122522427> (01.11.2022).

²²⁰ DNB, <http://d-nb.info/gnd/121202135> ((01.11.2022).

- Disputationum Logicarum Decima, De methodis cuius theses auspice deo optimo maximo sub praesidio M. Georgii Calixti Holsati in illustri Academia Iulia defendet Ioannes Henricus Meibomius, fiet σύν θεῷ disputationis initium VI Kalendas Novembres hora septima matutina in Auditorio maiore. Helmaestadi[i], Lucius, 1610.

Presented on October 26th, 1610 this *disputatio* was presided by the good friend of Meibom George Calixt at the *Academia Iulia*. It was dedicated to the Duke of Brunswick-Lüneburg Frederick Ulrich (1591-1634).²²¹ The text is printed in quarto and is twenty pages long. It has only one thesis divided into ninety paragraphs or small chapters, and it is by far the most philosophical text of Meibom. He explains the way of reasoning, beginning with a simple explanation of what is a method, that is, a way to go from one thing to another.²²² He describes the mental process and how is it better to divide things to know them well. From that point, some other topics are addressed such as the logical inference (*illatio*),²²³ the order (*ordo*)²²⁴, syllogism,²²⁵ knowledge (*cognitio*)²²⁶, and their types. Contrarily to what could be expected, there are no quotes to Aristotle, just mentions of him, of Epicurus and Galen.²²⁷ The only direct quote is to Francesco Piccolomini's *Universa philosophia de moribus*.²²⁸ There is no mention to Hippocrates, his Oath nor the Commentary.

- Quod Bene Vortat. Disputationem hanc de Medicina et medico in genere sub praesidio Clarissimi Viri Domini Joannis Wolfi, philosophiae et medicinae doctoris et professoris, in illustria Iulia, ante diem VII eidus Sextilibus, publicae disquisitioni subjicio, Ioann Henricus Meibomius. Helmaestadi, Lucius, 1613

This disputation presented on August 7th, 1613 at the University of Helmstedt had as presiding professor the physician Johann Wolf (1537-

²²¹"Friedrich Ulrich", DBio, online: [https://www.deutsche-biographie.de/gnd102017433.html](https://www.deutsche-biographie.de/gnd102017433.html#ndbcontent) (01. 11. 2022).

²²² JHM, De methodis, § 2.

²²³ JHM, De methodis, § 6 ss.

²²⁴ JHM, De methodis, § 33-56.

²²⁵ JHM, De methodis, § 9 ss.

²²⁶ JHM, De methodis, § 56 ss

²²⁷ JHM, De methodis, § 11, 81 and 84 respectively.

²²⁸ JHM, De methodis, § 82.

1616).²²⁹ The text is only sixteen pages long and published in quarto the same year. It was dedicated to Meibom's Maecenas and patron Heinrich Albert Mysinger from Frundeck (1564-1613).²³⁰ The text has seventy-three numbered paragraphs and, as the title says, it deals shortly with the definitions of Medicine and Physician. The topics are structured in a very analytic way, first giving main definitions that include parts and then clarifying each section until the issue is finished or intertwined with the next one. It begins with the notion of a perfect physician,²³¹ then he explains the types of arts and to which one does Medicine belong to²³²; later he defines Medicine and subdivides it accordingly,²³³ finally, he comes around to deal again with the physician.²³⁴ A fascinating definition for this research is the concept of a perfect physician, that is, someone who must have an exact knowledge of the art and aids that will make easier for him to obtain knowledge, to work happier and to engage himself properly.²³⁵ This seems to be achieved, according to Aristotle, also in any other arts by nature, instruction, and experience.²³⁶ For Meibom a perfect definition of Medicine was given by Averroes: *Quod sit ars effectiva sanitatem in corpore humano praesentem conservandi et amissam restituendi, sive quod idem est, morbum sanabilem depelendi*.²³⁷ He says almost at the end with the help of Hippocrates²³⁸ that to deserve to be called 'physician' is indeed a privilege since no practitioner of the art is perfect and makes no mistakes.²³⁹ No reference was made to the Commentary on the Hippocratic Oath despite the possible common ground of the topics.

²²⁹ "Wolf, Johann", DBio, online: <https://www.deutsche-biographie.de/gnd119874202.html#adbcontent> (01.11.2022).

²³⁰ "Mysinger von Frundeck, Heinrich Albert" DBio, Online: <https://www.deutsche-biographie.de/gnd120303795.html> (01.11.2022).

²³¹ JHM, De medicina et medico in genere, § I-XII.

²³² JHM, De medicina et medico in genere, § XIII-XXXIV.

²³³ JHM, De medicina et medico in genere, § XXXV-XLVI.

²³⁴ JHM, De medicina et medico in genere, § XLVII-LXXIII.

²³⁵ JHM, De medicina et medico in genere, § XI.

²³⁶ JHM, De medicina et medico in genere, § XLVII.

²³⁷ JHM, De medicina et medico in genere, § XXXII. the effective art of preserving health present in the human body and of recovering the lost one, or which is the same, of removing the curable sickness.

²³⁸ Hipp. VM, IX, 15. κἂν ἐγὼ τοῦτον τὸν ἱητρὸν ἰσχυρῶς ἐπαινέοιμι τὸν σμικρὰ ἁμαρτάνοντα. Τὸ δ' ἄκριβες ὀλιγάκις ἐστὶ κατιδεῖν. And I would strongly praise the physician whose mistakes are small. Precision is seldom to be seen.

²³⁹ JHM, De medicina et medico in genere, § LXXII.

- Quod bene vortat, sub praesidio, clarissimi et excellentissimi viri Domini Danielis Sennerti, philosophi et medicinae doctoris et professoris, disputationem hanc, de Arthritide publicae disquisitione ante diem VI kalendas Februarias, in illustri academia Wittebergensi subijcio Ioann Henricus Meibomius. Wittebergae, Gormann, 1615.

This disputation was presented on January 27th, 1615 and published in the same year. It was presided by the physician professor Daniel Sennertus (1527-1637)²⁴⁰ at the University of Wittenberg. The text was dedicated to Werner Koning (*cancellarius*), Wilhelm Böckel (activity's year 1621-1631)²⁴¹ and Johann Peparinus (1573-1623)²⁴², all of them entitled as Meibom's Maecenas and patrons. As the title says, the work speaks about arthritis, its definition, causes, symptoms, other sickness related to it (like kidney stones or uterus problems),²⁴³ the types of arthritis and their names according to the affected part, prognostic and treatment for each case. There are seventy-six short thesis in total and three addenda at the end, in which Meibom says very interestingly that Dioscorides liked to cure the hip-gout with music; he prefers, on the contrary, the holy scriptures for that matter. He also mentions that Petrus Severinus (Peder Sorensen 1542-1602)²⁴⁴ and Quercetanus (Joseph Duchesne 1544-1609)²⁴⁵ do not admit humours as the cause of sicknesses.²⁴⁶ Although Hippocrates is the most common quoted authority, there is no mention of the Oath nor of the Commentary.

- Positiones Hasce Medicas De Phthisi amplissimi et celeberrimi Collegii Medici In Academia Basileensi Iussu Scituque pro summis in Medicina honoribus consequendis Publicae Disquisitioni in auditorio Medico a.d. VII. Eid. Ianuar. subiicit Joan. Henricus Meibomius Helmaestadiensis Saxo. Basileae, Genathius, 1619

This *disputatio* was published in quarto in 1619 and presented on January 11th of the same year at the *Academia Basileensis*. It was dedicated to

²⁴⁰ "Sennert, Daniel", DBio, Online: <https://www.deutsche-biographie.de/pnd117478091.html#ndbcontent> (01.11.2022).

²⁴¹ DNB, <http://d-nb.info/gnd/128427787> (01.11.2022).

²⁴² "Peparinus, Johann", DBio, online: <https://www.deutsche-biographie.de/gnd124989675.html> (01.11.2022).

²⁴³ JHM, De arthritide, p. A2v

²⁴⁴ DNB, <http://d-nb.info/gnd/128402091> (01.11.2022).

²⁴⁵ DNB; <http://d-nb.info/gnd/124523072> (01.11.2022).

²⁴⁶ JHM, De arthritide, p. B4r.

Christian the Elder, Duke of Brunswick-Lüneburg (1566–1633)²⁴⁷. The work is twenty-seven pages long including seventy-two paragraphs and two short poems from Georg Rem (1561-1625)²⁴⁸ and Georg Nößlerus (1591-1650)²⁴⁹ to Meibom on the occasion of his obtaining the Physician's degree. He gives a general description of Phthisis, their types, a sickness' explanation, and how to classify it by its symptoms. He continues to describe the affected parts (lungs, thorax, and the space within like heart and liver),²⁵⁰ causes, what to do to avoid propagation,²⁵¹ the most common years to get sick²⁵², what to expect once the sickness has been confirmed, the process of illness,²⁵³ how to heal the different types, which medicament to use,²⁵⁴ and so on. There are no direct quotes but multiple mentions to authors like Hippocrates, Galen, Aristotle, Rhazes, Avicenna, Gabriele Falloppio (1523-1562), Guy de Chauliac (1298-1368), among others. There is no mention of the Oath nor the Commentary.

1.3.1.11 Discourses for the course opening at the Academia Julia

- *Medicinae studiosis* (Göttingen USTB Meibom 167)

This discourse is not a proper publication, but a folio page found at the Niedersächsische Staats- und Universitätsbibliothek Göttingen as the first page of the manuscript Meibom 167, a binding of several disputations and other handwritings from Johann Heinrich Meibom. It was pronounced on August 01st, 1619 as a short speech. It praises first, medicine as one of the most dignifying arts, and second, the ways of getting to know the parts of the human body, that is, through sense, dissection and reason or Philosophy. All these topics were comprised under the subject of Physiology. He finally says that he will propose the medical doctrine according to Hippocrates, Galen and all other authors of philosophy and medicine as well as from his studies. He will begin his teaching next Thursday at the second hour in the medical auditorium. There is no mention of the

²⁴⁷ "Christian" DBio, online: <https://www.deutsche-biographie.de/pnd128744405.html#adb-content> (01.11.2022).

²⁴⁸ "Rem, Georg" DBio, online: <https://www.deutsche-biographie.de/pnd100318347.html> (01.11.2022).

²⁴⁹ DNB, <http://d-nb.info/gnd/117039063> (01.11.2022).

²⁵⁰ JHM, *De Phthisi*, § I- XIII.

²⁵¹ JHM, *De Phthisi*, § XIV ss.

²⁵² JHM, *De Phthisi*, § XX.

²⁵³ JHM, *De Phthisi*, § XXI ss.

²⁵⁴ JHM, *De Phthisi*, § XL ss.

Hippocratic Oath thought it might have seemed like the perfect opportunity.

- Programma ad lectissimos Iuvenes, artis medicae studiosos, perscriptum a Ioanne Henrico Meibomio, Medicinae Doctore, et in illustri Academia Julia Professore publico. IV Kalendas Martias. Helmaestadi, Typis heredum Iacobi Luci, 1621.

This discourse was delivered on 27th February 1621 and published the same year in quarto with a total of seven pages. Although there is no mention of the Hippocratic Oath, we can annotate that Meibom says that Medicine is undoubtedly among the most ancient Arts that either preserve the amended and sheltered soundness of the body or support the soul of men with happiness and felicity in this life.²⁵⁵ He also invokes the young scholars to study the different parts of medicine like Physiology, Pathology, Prognostics (for the more experienced) and to distinguish the components of the body and its temperament. These things can be learned in Galen's work *ars parva*.²⁵⁶ This speech has the same spirit of the previous discourse, though a little longer, the thematic is the same.

1.3.2 Poems

All the poetic composition of Johann Heinrich Meibom is panegyric either on happy occasions like the celebration of a marriage or a disputation or on more unfortunate events like the death of friends and family. The analysis of Meibom's poems and the net of relationships within it would require another research because his poems appeared very often with those of his father, brother, friends, and colleagues. On account of the primary focus of this research, I simply enlisted the works where Meibom's contribution can be found. I consigned the page number or any other possible way to identify the exact place where the participation of Johann Heinrich Meibom is, if any. I also noted any other relevant information.

a) Amplissimis, clarissimis, consultissimisque viris domino Erico Clacio et domino Iulio Reichardo, potentissimi Brunsvicensium et Lunaeburgensium Ducis in aula Wolfenbutensi Consiliariis, supremam in untroque lure lauream adeptis, gratulantur Meibomii, IV Eidibus Januariis. Helmaestadi, Iacobus Lucius, 1611.

The participant Meiboms were Heinrich the Older and Johann Heinrich.

²⁵⁵ JHM, Programma ad lectissimos, p. A2r.

²⁵⁶ JHM, Programma ad lectissimos, p. A2v - A3v.

Inc. *Quacumque et luminis penetramus.*

b) Clarissimo, consultissimo, amplissimoque viro domino Semastiano Treschivio, I.V.D. et consiliario guelfio, De consulari dignitate in Republica Hildesiensi nuper auspicato et tributa gratulantur amici. Helmaestadi, ex officina typographica Iacobi Lucij, 1612, p. 3-4.

Inc. *Quis ille rumor insuetus et novus.*

b') In the same book there is another series of poems with the title "Memoriae Henningi treschovii, sebastiani icti filii, magna spei summaeque exspectationis adolescentuli", where more than one Meibom contributed, that is, Heinrich the Older, Johann Heinrich and his brother David (1592). Both Heinrichs wrote in Latin, David in Greek. The poem of Johann Heinrich was signed on Wittenberg, November 30th, 1614.

Inc. *Magna Viri mani soboles, innata paternae.*

c) In obitum praematurum Foeminae ut genere nobilissimae, ita omnium virtutum laude maxime conspicuae Godilae von der Schulenbugk, post primum suum 7. Februarii natum, denantum filiolum, 14. eiusdem placide in Christo obdormientis: cui maritus desideratissimus viduus nunc mestissimus nobilissimus vir Busso von der Asseburg, hereditarius Domini Neindorff, Falckenstein et Pesikendorff. 10. Martii Neindorfii. Exequias summo cum luctu facil. Helmaestadi, ex officina typographica Iacobi Lucii, 1614, p. C1v- C2r.

Inc. *Quae nuper patriae Patris miserabile fatum.*

d) Orationes, epicedia et programmata memoriae ac honori incomparabilis Herois Domini Henrici-Julii, postulati episcopi Halberstadensis, Ducis Brunsvicensis et Lunaeburgensis, etc. diversis in locis consecrata, Dignum laude virum musa vetat mori. Helmaestadi, typis Jacobi Lucii, impensis Samuelis Brehm, 1614, p. [Nn4 -Nn4v].

Inc. *Qualis erat nuper luctus, quum cardine firmo.*

e) Nuptijs secundis, viri reverendi et amplissimi, Domini Petri Windruvii abbatid Riddagshusani, et lectissime foemina Annae vom Horn, Domini Gerhardi Abbatis Regiae Lothariae piae memoriae relictae viduae, Gratulantur Meibomii Pater et Filius. Helmaestadi, ex typographia Iacobi Lucii, 1615.

Inc. *Non male prudenti veterum sermine iubetur.*

f) Exequiae honori et memoriae admodum reverendi, amplissimi, doctissimique viri, domini Petri Windruvi, illustris et antiqui coenobij Riddagshusani abbatis dignissimi, in illustri Iulia academia die Concordiae et Constantiae (qui Windruvij natalis) solenniter peractae ab Henrico Meibomio, Poëta et Historico. Addita sunt et alia diversorum auctorum scripta funebria, Helmaestadi, e typographo Iacobi Luci, 1615, p. E4r- E4v.
Inc. *Vera loquar, quotiens miranti lumine vultum.*

g) Auspice Deo Optimo Maximo De Colico Dolore, theses medicas, quae sequuntur ex decreto amplissimae facultatis medicae. Decano viro clarissimo et excelentissimo Adamo Luchtenio, Philosophiae et medicinae Doctore et professore Publico Episcoporum Osnabrug. Et Halberst. Nec non Ducum Brunsvic. Et Lun. Archiatro, Physico Halbestad. Praeside et promotore Henningo Arnisaao, Philosophiae et medicae Doctore Et professore Publico Regis Daniae Archiatro, pro impetrando Gradu Doctoris Publica Disputationi et Examini subjectas vult, In illustri Academia Iulia, Ioachimus Findschovius pritzwald. Marchicus. In Iuleo novo maiore, die 22 [20] Aprilis anno M DC XX, Helmaestadi, Iacobus Lucius, 1620, p. [19-20]. Inc. *Ergo igitur nunc supremo te accinge labori.*

h) Leichpredigt bey dem Begrebnüs Weyland des Woledlen gestrengen und Desten Erichen von Rehden. Fürstl. Br. Alten Hoffmarschaln zu Wulffenbüttel. Drost zu Pattensen erbgesessen zu Rheden und Ahlem. Welcher den 26. Januarii, morgens früe zwischen vier und fünff Uhren zu Ahlem sanfft und sel glich entschlaffen und folgens am 7. Marij alhier zu Pattensen in der Kirchen mit gewöhnlichen und Christlichen Caeremonien zur Erden bestetiget. Gethan und auff begehren in den Truck gegebe Durch Albertum Lüders Predigern und Superintendenten zu Pattesen. Helmstedt, Gedruckt durch Jacobi Luciji Erben, 1621, p. 17-19.

Inc. *Quae lance justa singula ponderat.*

i) Orationes Funebres quatuor quas in memoriam viri clarissimi Cornelii Martini Andwerpii, philosophi celeberrimi et professoris in Academia Julia primarii, qui diem suum pie placideque obiit ano CIO IO CXXI A.D. XVI. Kal. Ianuar. Collegae eius habuerunt. Accesserunt carmina nonnulla, quibus optimi viri manibus parentatum fuit. Helmaestadi, typis heredum Iacobi Luci, 1621, p. N4r.

Inc. *Diva, tuo quondam felix Martinide, amarus.*

j) Leich Predigt. Getan bey der Begäbniß Des Ehrwürdigen, Andechtigen, Großachtbarn und Wolgelarten Herrn. Heinrichi, Abten des Closters Riddagshausen. Welcher am 14. October: dieses 1622. Jahrs selig endschlaffen und am 21. desselben Christlich zur Erden bestattet worden. Gethan durch M. Petrum Tückerman Hoffprediger zu Wolffenbüttel, Gedruckt zu Wolffenbüttel durch Eliam Hollwein Fürstl: Brauns: Buchdrucker, 1622, p. E3r-Erv.

Inc. *Ergo timenda falce fatorum jacet.*

k) Epicedia super obitu Clarissimi et cosultissimi viri domini Johannis Peparini IC eximii, serenissimi ducis brunsvicensis consiliarii quodam praecipui et iudicii provincialis adsectoris, scripta ab amicis in Academia Julia. Helmaestadi, Typis heredum Iacobi Luci, 1623, p. A4r-A4v.

Inc. *Ut semper atra Mors vetat diurnare.*

l) Disputatui Inauguralis De scorbuto quam auxiliante trinuno ex consensu et decreo amplissimi senatus asclepiadei, in illustri Academia Julia sub praesidio magnifici clarissimi et excellentissimi viri domini Ioannis Henrici Meibomii, Medici Doctoris et Professoris P. et p.t. Prorrectoris, Colegiique Medici Decani spectatissimi. Pro summis in Arte Medica Honoribus consequendis in Acroaterio Majori ad diem 6. Octobris Publicis exponit duscursibus Wendelinus Siebelist Hala-Saxo, Helmaestadi, typis heredum Iacobi Luci, 1625.

Inc. *Non ego curas subsequuntur praemia.*

m) Nuptiis Auspicatis Lectissimi Sponsorum Paris, Viri Magnifici et consultissimi Christophori Gerdesii, Jurisconstulti reipublicae Lubecos, et spectatissimae Virginis, Margaritae Ivngiae, gratulantur, Joannes Henricus Meibomius Doctor et M. Bernhardus Worgerus, Lubecae, Typis Valentini Schmalherzi, 1638, p. A2r- A3r.

n) Viris Magnificis, amplissimis et cosnultissimis Johanni stuckio, et Joanni Wisselio Jurisconsultis et oratoribus in Aula Guelphica Hannoverana Clarissimis, Dominis et amicis veteribus, de Conjugio Liebrorum auspicatissimo, Friederici Ulrici Wisselii, Jurisconsulti et Joannae Dorotheae Stuckiae, gratulatur Joannes Henricus Meibomius, D. Reipublicae Lübecensis Medicus Ordinarius, Hannover, typis excipsit Joh. Friedericus Glaserus, 25. Aprilis Anno CIO IDC XLIIX, 1648.

Inc. *Si superaret adhuc, et vitae carperet auras.*

ñ) Epicedia in honorem et memoriam Plurimum Reverendi et Clarissimi viri Domini M. Johannis Reichii, Pastoris Ecclesiae Lubecae ad D. Aegid. Vigilantissimi, et optime meriti, nunc pie et clacide in Christo Jesu defuncti, XXVI Decembris Hora 8, matutina, A.C. CIO IDC XLIIX aetatis LXI, συμπαθείας καὶ εὐνόιας ἕνεκα scripta ab Amicis. Lubecae: Ex officina typographica Gothofredi Jegeri, 1648, p. A2r.

o) Carmen Panegyricum, in exequiis funebribus Reverendissimo et Celsissimo Principi ac Domino DN. Johanni, Lubecensium nuper antistiti, norwegiae haeredi, sleswici Holsatiaeque duci et cetera Adornatis, conscriptum ab Johanne Henrico Meibomio, reipublicae lubecensis archiatro, Lubecae, typis Gothofredi Jaegeri, 1655.

Inc. *Ver rediit, ver purpureum, quod frigore longo.*

1.3.3 Unpublished handwritten works

I simply give a list to mark the broad interests of Johann Heinrich Meibom and point out how prolific he was although he published only a few works and even less have catch scholarly attention. Here are not included any notes, letters, nor quotes compilations. The signature in parenthesis cor-

respond to the Niedersächsische Staats- und Universitätsbibliothek Göttingen where all these works are held:

- Eurici Cordi Poetae et Medici (Meibom 3).
- Die Bedeutung von 'Natura' (Meibom 28).
- (Meibom 57): small booklets of only 6 pages about plants.
- De medicamentis purgantibus (Meibom 58).
- De morbo gallico (Meibom 92).
- De partu humano (Meibom 112).
- Johannis Slezari archiatri electoralis Brandenburgici consilia medica (Meibom 144).
- Consilia Medica (Meibom 147): medical cases and letters from Johann Heinrich Meibom and Heinrich the Younger.
- Index in consilia et observationes medicas, variorum auctorum. Qui casus practicos conscripserunt et evulgarunt (Meibom 149).
- Consilia Medica (Meibom 156) – Index of diseases at the end.
- Disquisitionum medicarum de utero gerentibus (81 theses); De medicamentis φθορίους, abortivis, an dare liceat?; Leges de medicis et archiatri ex digestis et codici Theodosiano (Meibom 164).
- Lectiones et disputationes academicae (Meibom 167):
 1. Medicae artis universae liber I de physiologia.
 2. Tractatus semeioticus de signis solum corporis humani secundum et praeter naturam constituti indicantibus.
 3. De signis diagnosticis sive de cognoscendis in corpore aegro partibus adfectis morbis morborumque causis.
 4. De signis prognosticis sive de praedicendis eventibus et mutationibus morborum in corpore humano.
 5. Disputatio prima de Cephalalgia. Habita XI KL. Januar Anno CI IO CXXI [1621] Respondente Georgio Froböseii.
 6. Disputatio segunda de Phrenitide. Habita Prid. Non. Jan. Anno CIO IO CXXII [1622] Respondente Jo. Mullero.
 7. Disputatio tertia de Melancholia. Habita V Eid. Jan Respondente Salomone Gerlischusio.
 8. Disputatio quarta de Melancholia hypochondriaca. Habita prid, eid. Jan. Respondente Simone Hettling.
 9. Disputatio quinta De Mania. Habita XVII KL. Febr. Respondente Arnolfo Brewitz.
 10. Disputatio sexta De apoplexia. Habita XIV KL. Febr. Respondente Hernico Corvino.

11. Disputatio Septima De epilepsia. Habita III Kal. Febr.
Respondente Georgio Bulmanno.
12. Disputatio Octava De Catarrho. Habita Nonis. Februar.
Respondente Simone Hettling.
13. Disputatio Novena De phtisi. Habita V Eid. Februar.
Respondente Henrico Weber. Haec typis excusa fuit.
14. Disputatio Decima De Pleuritide. Habita XIV KL. Mart.
Respondente Georgio Froböseii.
15. Disputatio undecima. De Dysenteria. Habita X. Kal Martias.
Respondente Joanne Mullero.
16. Disputatio Duodecima de Syncope. Habita VII Kal Martias.
Respondente Henrico Corvino.
17. Disputatio Decimotertia De Cordis palpitatione. Habita
proprid. Kl. Martias. Respondente Salomone Gerlinckhusio.
18. Disputatio Decimoquarta De Cholera. Habita poprid. Eid.
Martias Respondente Simone Hattling.
19. Disputatio decimaquincta De dysenteria. Habita XIII Kal.
Aprilis. Respondente Henricus Corvinus.
20. Disputatio Decima sexta De colica. Habita XVIII Kal.
Aprilis. Respondente Georgio Bolmanno. Haec typis
excusa fuit.
21. Disputatio decimaseptima De Ietero. Habita prosprid Kal. April.
Respondente Georgio Froböseii.
22. Disputatio decima octava. De hydrope. Habita XV Kal. Majas.
Respondente Joanne Mullero.
23. Disputatio decima nona. De Lue Veneria. Habita prid. Nonas.
Majas. Respondente Henrico Cornino.
24. Disputatio vigesima De Calculo. Habita V Eidus Majas.
Respondente M. Christiano Wolbertj.
25. Disputatio vigesima prima De Arthritide. Habita Eidus Majis.
Respondente Salomone Gerlinedhusio.
26. Secta Paraselsicae Delineatio et examinatio. Postrid. Kal. Januar.
Anno Christi Salutoris CIO IO XXIII [1623].
27. Duncani Liddellii σκιαγράφία secta paracelsiaca brevj
comentario illustrata.

1.4 Conclusion

Johann Heinrich's life and work can be divided into two main periods. I called them the safety and the search-for-safety. The safety period includes his time as a student, his trips to discover the world and his time as a professor at Helmstedt. Universities were, in a way, his safety; he enjoyed the most nourishing environment. The search-for-safety period began with his leaving the University due to the war, those brief trips to visit his father-in-law, the job offers at the court of the queen of Sweden and the king of Denmark, and finally, his staying in Lübeck.

In the safety period, his writing is characterised by two main things: medical writings and poetry. In the *disputationes* he dealt with all ordinary matters of academic medicine as if he wanted to exercise himself leaving a testimony of him being acquainted with all principal issues, though he did not venture to write a sizeable treatise on any purely medical topic nor he recalls any of the new medical discoveries. The panegyric poetry seems more like a way to participate in society and most probably a token of friendship for he had done it since his childhood when he learned to write in Latin in such format; besides, his recipients were always some direct acquaintance or, later, a patron. Let us not forget that he always enjoyed one of the best social status available, first as the son of a professor, then as a professor himself and the husband of a counsellor's daughter.

The first stage was the most nourishing, considering the significant influence of his father, his friends, and colleagues, the trip to the European capitals of knowledge and his beginning to teach. Some of his students presented *disputationes* with the same topics as those Johann Heinrich wrote but never published, which means, perhaps, that to preside the *disputatio* would have been very easy for him and that probably he also suggested the topic. No deep reflection on medical problems, discoveries nor about the art of being a physician can be read. His literary creation was very standard and what was expected of him and the education of those times.

His fleeing due to the war entirely determines the second period. Thanks to it, his writing became something else. All his non-medical prose gained another spirit, either of critic and reflection (*De emendandis moribus*, *Formula comitis archiatrorum*); encyclopaedic knowledge not to leave anything unexplained, unreachable or that could be lost (*In Hippocratis Jusjurandum* and *Maecenas*); or of enlightenment, wanting to explain some topics to others (*De usu flagrorum in re veneria*, *De Κυνοφορία* and *De Cervisiis*), most probably to his companions at Lübeck who questioned him about them. It seems as if he was trying to hold on to things

lost or in danger and at the same time to fulfil petitions to explain matters almost as entertainment. These works gained him fame and reputation that in the course of history might have played against him because some have thought of him as a pervert or doubtful physician due to the treatise *De usu flagrorum in re veneria*, others only as a philologist and a prolific writer of commentaries.

I hope this overview of Meibom's life and work has helped to recognise him as a physician with two great abilities correctly trained, those of an educated physician, praised by his colleagues, friends, and patrons; and those of a scholar in love with Greek culture. The eloquence he achieved can be easily recognised because he was able to include both of his worlds with great ease and management of language.

Chapter 2: Text typology and textual tradition of the Hippocratic Oath

This chapter aims to answer the most basic and primary questions about the Hippocratic Oath and its history until Meibom's Commentary. These answers will hopefully give the reader all the basic necessary information to understand Meibom's Commentary and the complexity of all the other texts involved.

The first question was about which type of text is Meibom's Commentary. It might sound redundant because of the use of the word 'commentary', but the more the reader goes deep into Meibom's text, the more specificities he will find about it. There are seven other 'commentaries' on the Hippocratic Oath, all of them with their unique way of commenting, are they all the same? Are they all commentaries?

The second question was more a personal need to set boundaries and give a flexible answer to some old questions about the Hippocratic Oath. What is an oath? Can an oath be also a promise? Or a contract? Are they related?

The third question was a need to understand where the Hippocratic Oath began and how it came to Meibom's times. This last part left us with the necessity to outline a history of the textual tradition, which is not exhaustive but focuses in the authors, sources or traditions used and known by Meibom and a couple of extra remarks to fill in the time gaps for the reader. For a fuller more detailed history, we recommend the introduction of Jacques Jouanna to the Hippocratic Oath.²⁵⁷

2.1 Commentary, commentaries and anatomy

The word *commentarius* has in its roots (*comminiscor*) the idea of deliberate, to thinking thoroughly or consider something. If the result of this process is expressed, then we have a commentary. In the particular case of the written commentaries, the products usually are tables, collections or summaries that will remain either in a private sphere or go out to the public use. Commentaries serve a specific purpose, to explain a matter, forming thus the exposition of an art, a teaching, a text, etc.²⁵⁸ The commentary is in its most basic form an explanatory text.

²⁵⁷ JOUANNA, "Notice" in: Hippocrate: Le Serment, p. I – CLXXXII.

²⁵⁸ TLL, 'Commentarius', p. 1856-1862.

There are some other types of explanatory texts which cannot be considered a commentary, mostly because of their length. The commentary explains a whole text and not only some parts of it. It also tends to have a considerable extent and is generally subdivided into sections or chapters. Other types of explanatory texts such as *scholia* and glosses deal either only with difficult passages or simply offer insight to problems of understanding the language through synonyms or translations of difficult words.

My generalisation might give the impression that all the types are clearly defined and that they are used separately, but it is not the case. A commentary can also contain *scholia* and glosses, and vice versa. History shows that it is almost always the case. On the one hand, *scholia* that might consider only the difficult passages may end up as a complete paraphrase and interpretation looking more like a commentary; on the other hand, commentaries might also use glosses at some point or go deep while explaining difficult passages.²⁵⁹ Meibom's commentary belongs to the latter.

Other two explanatory texts are always mentioned together with commentaries: exegesis and *catena*. Both are used as a particular type of commentary which is almost of no relevance for us because they are used only for a specific text: the Bible. An Exegesis is a commentary of particular verses of the Bible, normally by a note near the passage or calling the Bible fragment by chapter and versicle. Meibom was influenced most probably by this type of commentary, though only by its tradition. The *Catena* is a *chained* production of an explanatory text.

In a non-biblical commentary, the calling of the original text is made through *lemmata*, word or phrases copied to point out that the commentary is about that specific passage or again, by some numerical system.

All general forms of commentaries are known to us since Antiquity, continued through the Middle Ages and until, at least, Meibom's times. First with the passing of cultural writing from Greek into Latin, the rise of Christianity, and later on with the development of vernacular languages it was necessary to make another type of commentary that played with more than one language, that is, the commentaries on translations.²⁶⁰ For these types of commentaries, the use of glosses and *scholia* were especially useful, thus further developed.

Meibom's commentary is a text between all the types mentioned above. He separates the text of the Hippocratic Oath in *lemmata* and explains each part of it. Before beginning the commentary he also gave 'different readings' of the Greek text, i.e. a glossary, besides the part called 'Glossary'

²⁵⁹ For the two paragraphs: Lexikon des Mittelalters V, 'Kommentar', p. 1279-1280.

²⁶⁰ Lexikon des Mittelalters V, 'Kommentar', p. 1280-1282.

taken from Heurnius' Commentary.²⁶¹ He sometimes explains the multiple meanings of Greek words, their Latin equivalent and even the possible readings of the Greek text.²⁶² That is why Meibom's commentary is at the same time a lemmatic commentary, a glossary, and at some points also a commentary on translation as it will be explained in the next chapters.

There are some other annotations that are worthy of keeping in mind while reading Meibom's Commentary, and perhaps all others. Every commentary is a reading, an interpretation of the text. The reader is, indeed, who sees the problem and aims to solve it with his new creation.²⁶³ The author of the commentary is not alone in this "problem solving", and while commenting, he is inscribing his work in the tradition of the text. Meibom had, for example, the lasting tradition of commentaries on Hippocratic texts since Antiquity and more specifically the seven previous commentaries on the Hippocratic Oath contemporary to his time, as we will address later. This tradition often shapes not only the commentary and the topics to be discussed, but also the way the commentator is present in his work, "the louder the commentator's voice, the more it may be judged obtrusive or overbearing, and the more it attracts parody and criticism."²⁶⁴

The tradition of the text already decided a lot for the commentator; however, it leaves him one of the most important and determining actions to understand the text: to break it, separating it in *lemmata*. This division is, up to a certain point, arbitrary but might change the understanding of the main text entirely, its survival and the commentary. It has, nonetheless, the advantage of focusing on the problems the commentator must solve. Tradition also reaches the *lemmata*, since they "are also passed down from scholar to scholar, with the result that readers- including subsequent commentators- may come to regard other parts of the text as less important because lacking an exegetical tradition."²⁶⁵ Meibom, for example, again chooses an approach in between, partially following tradition, partially breaking the phrases into smaller *lemmata*, which will give us a clue of his intention, education, judgment of the text, preconceptions, etc.

The main body of a commentary is a strange mixture "between the need to be useful and find answers to discrete problems, and the tendency to

²⁶¹ See JHM, *jusjurandum*, p. † †4r - † †4v. See chapter 3.

²⁶² See for example Chapters 7, 9, 13 and 20, where there is even a part called *lectio in textu varia /diversa / gemina*. JHM, *jusjurandum*, p. 66, 75, 111, 193. Almost every chapter has the Greek-Latin explanation of words.

²⁶³ SHUTTLEWORTH, "Reading commentaries /Commentaries as reading", p. 4.

²⁶⁴ SHUTTLEWORTH, "Reading commentaries /Commentaries as reading", p. 5.

²⁶⁵ SHUTTLEWORTH, "Reading commentaries /Commentaries as reading", p. 11.

complicate rather than simplify the voices of a text”.²⁶⁶ With this spirit, the reader might sometimes be able to follow the discourse of the commentary without going to the apparatus nor seeking every reference; some other time the apparatus becomes scholarly unmanageable and loses its explanatory objective becoming a kind of exhibition of professional knowledge.²⁶⁷ In this second types of commentaries, we can find the so-called ‘Anatomies’, after Robert Burton’s *Anatomy of Melancholy*. It goes beyond *scholia* and *lemmata* up to all possibilities of almost every topic surrounding the principal matter. Meibom’s Commentary has an overwhelming apparatus and many digressions as Burton’s *Anatomy*. Both books seem to have too many topics making them “the most useful book ‘to a man who wishes to acquire a reputation of being well read, with the least trouble’”.²⁶⁸ Burton gave this service to every man who wanted to talk about Melancholy; Meibom about the Hippocratic Oath, as it will be later shown.

2.2 Oath, contract and promise

Today an oath is understood as a calling upon God(s) or any other authority (institution, people or nation) to witness to the truth one says or the sincere intention to do something that one says.²⁶⁹ It is also considered as an “attestation of the truth or inviolability of one’s words”.²⁷⁰ But this modern definition leaves aside an essential meaning of oath as Hippocrates and Meibom probably understood it.

An *iuramentum* from the verb *iuro* was used sometimes as a synonym of *sacramentum* because “iura divina sunt; ideoque et ius iurandum dicitur, id es sacramentum in deo”²⁷¹ An oath is in its most basic form a declaration or affirmation. In Latin, *ius iurandum* is a law that is to be affirmed. The other Latin word here mentioned, *sacramentum*, was used in the same way because of the sum that was disposed to bind two persons when solving a suit, the amount lost by one of them was stored in a sacred place or used for religious purposes.²⁷² We have in the definition an objective of the affirmation; to bind two or more parties together. How and why it happens

²⁶⁶ SHUTTLEWORTH, “Reading commentaries /Commentaries as reading”, p. 20.

²⁶⁷ SHUTTLEWORTH, “Reading commentaries /Commentaries as reading”, p. 21.

²⁶⁸ Words from Byron to Moore about The anatomy of Melancholy. BURTON, The anatomy of melancholy, p. xiv.

²⁶⁹ THUDICHUM, Geschichte des Eides, p.1-3. The whole book is a very good reading about the history of oath in western culture.

²⁷⁰ For the whole paragraph: Merriam -Webster Dictionary Online, ‘Oath’. <https://www.merriam-webster.com/dictionary/oath> (01.11.2022).

²⁷¹ Isid. *Diff.* 1, 338 in TLL, p. 663, 54 ss. ‘iuramentum’.

²⁷² Lewis & Short Latin Dictionary, ‘sacramentum’.

will show us the difference between a simple promise, an oath and a contract.

A promise is something expressed almost as a foretelling, a prophecy or an expectation (*promitto*). When this utterance is used to give confidence about something that happened, or that will happen, it becomes more similar to an oath. The oath uses more strict mechanisms than a simple promise because it involves an affirmation supported by an external guarantee. The guarantor in an oath goes beyond the same person that utters the promise. It usually is, and with its roots in the *sacramentum* tradition, something sacred, mostly God(s). The oath binds the swearer to something or someone, either situation, person or organism. Depending on the binding is the nature of the guarantor that will act as judge, warrant, guarantee and sometimes witness. This guarantor has as a consequence the most emblematic part of the oath and another difference with a promise: the curse or effect of perjury (*perjurium*), which will be according to the specific type of oath.

Oaths can be classified accordingly to their function, if to assure the honour, beliefs or legal responsibilities; or to the geographic and time frame, among others.²⁷³ I consider that it is simpler to classify them depending on the sphere they are sworn: daily life (customary), civic life (legal) and sacred life (religious). The customary oath has as guarantor other persons, neighbours or common significant things or memories. Let us think about the saying of a child “I swear it on my mom” or the widow “I swear it on my husband’s memory”. It implicitly means that if the child is lying, something might happen to the mother and at the same time that the fact that the mother is safe and sound means that he is telling the truth. In this research, however, the other two types are more important. The religious oath, such as the Hippocratic Oath, has as guarantor and witness God(s), to whom the penalty is also trusted in case of perjury. The legal oath is inscribed in an already normative society and may include something more than just a promise but a written document with more than one guarantor such as other persons, an institution or a monetary fine. The legal oath has also been supported by more than one swearer, who will help the main swearer not to make his statement more reliable, not more truthful but more believable.²⁷⁴ All these three types of oaths have implicit a consequence in case of not fulfilling the oath or perjury. Most of the times the consequence is put expressly at the end of the oath, especially in the legal and religious oaths. For the customary oath, the consequence is

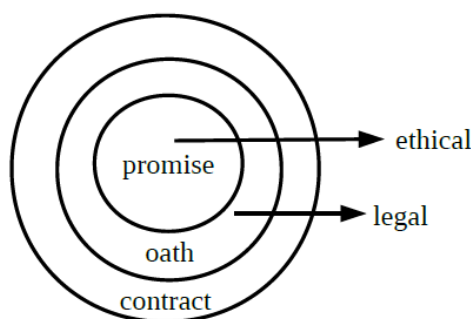
²⁷³ Lexikon des Mittelalters III, ‘Eid’, p. 1673-1692.

²⁷⁴ Lexikon des Mittelalters III, ‘Eid’, p. 1680. For example in the Scandinavian oaths.

dishonour and social shame.²⁷⁵ For the legal and religious is the previously agreed punishment; for the former usually fines, lashes, property's cession, etc.; for the latter the fall from God(s)'s grace and any other punishment ascribed to the specific doctrine set.

Since the oath has consequences, the specificities of what is being sworn are crucial, so that the swearer deserves the consequences, good or bad. Because of this, oaths are brief oral or written compositions, which were fixed in their formulation and sometimes changed to suit better the times and context in which they were used. The formulation expresses the guarantor, witness and consequences of the oath, mostly through conditional sentences and in a language as clear as possible. Legal oaths are determined specifically by its clarity because they are inscribed in a broader *corpus* of norms, which supports and forms the oath, being thus a written oath almost the same as a contract. The contract, which relies practically always upon its written form, is an agreement between two or more parties and both promise (or swear) to fulfil their commitments. Like the oath, the consequences of failing are previously given.

The three concepts (promise, oath and contract) are intertwined in a concentric relationship. It seems that they evolved from one to the other as humanity grew, and a simple oral promise was not enough to assure the



truth about the past or secure the best intentions about the future. Then the oath rose the formality of a verbal promise and, either by other swearers or by the calling on authorities, made the promise more reliable. When this was not sufficient, the contract was established to avoid the uncertainty of the

power of the called authority.²⁷⁶ I find this evolution is a consequence of an ethic devaluation of a promise, that had to become an oath to secure its power. The ultimate and less ethical declaration is a contract because the ethical component plays no enforcement role in the fulfilment of the agreement but in its acceptance. The promise totally relies on ethics for its

²⁷⁵ For well documented historical example of different oaths, the relationship between promise and oath, and the process of the oath becoming secular: BOTERO, Jurar, gobernar y juzgar. See especially chapter 2, p. 106-279.

²⁷⁶ This is a deduction from reading the different types of oaths through history in different societies. Lexikon des Mittelalters III, 'Eid', p. 1673-1692.

fulfilment since there is no external authority that might force the person to stay true to his word. The oath relies partially on ethics but might also have an external authority that forces the swearer to his oaths, such as civil law or labour or religious-union norms.

The Hippocratic Oath is a religious type of oath. Because of its history, it could also be thought of as a customary or legal oath. It is a perfect example of how the ethical component plays an essential role in the fulfillment of the oath but let us learn more about this exciting and specific type of oath.

2.3 The Hippocratic Oath

The Hippocratic Oath is one of many texts surviving in a collection identified with the teachings and theories of Hippocrates (ca 460 BC – 375/ 351 BC), the great physician of Cos, who has been known as the father of Medicine. These texts, about sixty medical writings, were gathered in a collection known as the *Corpus Hippocraticum*. Although these treatises are not homogeneous, they represent the “stem from the rational spirit of a medicine freed from all traces of magic.”²⁷⁷ Every treatise has its own history of preservation, circulation and use.

This part of the chapter aims to briefly review the particular case of the text known as the *Oath* until Meibom’s time, not only to show the reader the changes of the source text but to point out all the problems addressed before Meibom’s Commentary, which are included in many of his topics and propositions.

2.3.1 Finding the Hippocratic Oath – Quotations and references

If we go back on time, the first traces of the text called *Oath* are not contemporary of Hippocrates, but they instead appear as late as the first century AD. According to Scribonius Largus (ca. first half of 1st century AD), the court physician of the Roman emperor Claudius, Hippocrates, the founding father of the medical profession, taught the first principles of medicine beginning with the *Oath* that included, among other things, not giving abortive drugs to women. Erotian (second half of 1st century AD) already mentioned the *Oath* (Ὁρκος) as a Hippocratic writing grouped with *Law*, *On the Art*, and *On Ancient Medicine*, i.e. a text found among those which refer to the teaching of the art of medicine.²⁷⁸ Soranus from

²⁷⁷ JOUANNA, Hippocrates, p. 56.

²⁷⁸ Scrib. Larg. Comp. Ep. Ded. 5. “Hippocrates, conditor nostrae professionis, initia disciplinae ab iureiurando tradit, in quo sanctum est, ut ne praegnantem quidem medicamentum,

Ephesus (1st/2nd century AD) also made a remark about Hippocrates and how he had taught medicine to those suitable along with all things belonging to the *Oath* while keeping himself free of any envy.²⁷⁹

We arrive at the time of the other great medical figure of Greek medicine, Galen. However, of the seventeen extant commentaries that Galen wrote on Hippocratic treatises, none deals with the *Oath* nor is found in his whole work a self-reference to it. It would appear reasonable to think, as later authors will also question, that the most important commentator of Hippocrates would have left his saying about a work that has traditionally been singled out as the first introduction to the art of medicine. The Arabic tradition offers us some clues to fill this gap,²⁸⁰ which was not known to Meibom. Ḥunayn Ibn Isḥāq († 873 AD) in his *Risālah* states:

“[Galen’s] *Commentary on the Book of the Covenant* (‘*ahd*) of Hippocrates: This work consists of one book (*maqālah*). I translated it into Syriac, adding a commentary of my own in passages considered difficult. Ḥubaysh translated it into Arabic for Abū l-Ḥasan Aḥmad b. Mūsā. It was also translated by ‘Īsā b. Yaḥyā.”²⁸¹

These translations have the particular problem of dealing with opinions of three different authorities, and sometimes it is difficult to differentiate the quotes assumed to be of Hippocrates, the ones from Galen’s commentary and the explanations of Ḥunayn on both when it is not explicitly stated.²⁸² This problem and other testimonies preserved by the Arabic tradition of the *Oath* will be addressed later. None of these problems was known to Meibom, who speaks about the purely Greek-Latin tradition his *Commentary* is inscribed.

The next body of evidence date from the 3rd century AD. The first one is the only a fragment of the text preserved on papyrus and now published as the P. Oxy XXXI, 2547.²⁸³ The content cannot be reconstructed because of the irregularities in the sizes of the letters, the shoddy orthography and the fact that it differs from the most spread version of the text or *textus*

quo conceptum excutitur, aut detur aut demonstretur a quoquam medico, longe praeformans animos discentium ad humanitatem” Erot. 36, 19: τῶν δ’ εἰς τὸν περὶ τέχνης τεινόντων λόγον. Ὅρκος, Νόμος, Περὶ τέχνης, Περὶ ἀρχαίας ἰατρικῆς.

²⁷⁹ *Vita Hipp. Sec. Sor* 10 (176, 11 – 177, 4 CMG IV Ilberg) ἀφθόνως δὲ τοὺς ἐπιτηδεῖους ἐδίδασκε τὴν τέχνην μετὰ τοῦ προσήκοντος Ὅρκου. From ANASTASSIOU & IRMER, *Testimonien zum Corpus Hippocraticum. Teil I* p. 196.

²⁸⁰ JOUANNA, “Notice” in: Hippocrate: Le Serment, p.CXXII-CLIV.

²⁸¹ ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p. 54.

²⁸² ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p. 81-82.

²⁸³ BARNES et al. (Ed.), *The Oxyrhynchus Papyri*, XXXI, p. 64.

receptus.²⁸⁴ However, these changes support the theory that the *Oath* was a widely circulated text.²⁸⁵ The second one is *Quaestiones Medicinales*, a work falsely attributed to Soranus of Ephesus. It shows that the *Oath* represented a reminder and guide for the physicians to obtain glory by remaining silent about the things seen and heard at the patients' house, by abstaining themselves from the sexual and corruptible act and by having an elegant and soft way of touching.²⁸⁶

The *Oath* was still later a reference for physicians since Basil of Caesarea († 379 AD), and Gregory of Nazianzus († 390 AD) left a similar phrase while talking about the deceased brother of Gregorius, the physician Caesarius, saying that no one required an officer who administers the *Oath* of Hippocrates.²⁸⁷

From the end of the 4th until half of the 10th century AD many authors²⁸⁸ transmitted in a free adaptation whether in Latin or Greek the most famous parts of the *Oath*, i.e. the constraining precepts: not to give

²⁸⁴ See 2.3.2.

²⁸⁵ BARNES et al. (Ed.), *The Oxyrhynchus Papyri*, XXXI, p. 62-64.

²⁸⁶ Ps. Sor. *Quaest. Med.* 2, 245, 15-22 Rose: "Memor etiam sit iuramenti Hippocratis ut ab omni culpa se abstineat et maxime a uenereo et corruptibili actu. Ea quae in dominus aguntur uel dicuntur tanquam mysteria celanda existimet. sic enim sibi et arti ampliorem laudem acquirat. habeat autem digitorum subtilitatem et elegantium, ut suavis omnibus uideatur et in tangendo subtilior appareat. haec enim et ipse Hippocrates dixit." From: ANASTASSIOU & IRMER, *Testimonien zum Corpus Hippocraticum*. Teil I, p. 291.

²⁸⁷ Basilus PG 36, 1189 C Καὶ οὐδὲν Ἱπποκράτους ὀρκιστοῦ προσδεόμενος. Gregorius Nazianzenus PG 35, 786 A Καὶ μηδὲν Ἱπποκράτους ὀρκιστοῦ προσδεόμενος.

²⁸⁸ Marcellus, *De medicamentis*, *Epis.* Corn. Celsi 5 (CML 38, 15-19). The fragment is the same as that of Scribonius Largus. See n. 278. Theod. Prisc., *Euporiston*, 3,23 (p. 240, 4-6 Rose): "Abortiuum dare nulli umquam fas est. ut enim Hippocratis attestatur oratio, tam duri reatus conscientia medicorum innocens officium non decet maculari." Hieronymus, *Epistula* LII, PL 22, 539: "Hippocrates adiurat discipulos, antequam doceat, et in verba sua iurare compellit: extorquet sacramento silentium, sermonem, incessum, habitum, moresque describit". Olym., *In Grg.* 57, 6-7 9, 1, 10-12 ἐπειδὴ καὶ ὄρκος προτέτακται τῶν ἱατρικῶν ὁ κελεύων φθόρια μὴ δίδοσθαι. Io. Alex., *Comm. in Hipp. Nat. Puer.* 146, 18 (CMG XI 1,4 Bell et al.) εἰωθασί ἀπορεῖν ἐνταῦθα, ὅτι αὐτός ἐστιν ὁ λέγων ἐν τῷ Ὀρκῳ· οὐ δώσω φθόριον. The most complete paraphrasis of the *Oath* can be found in a medical compendium from the early middle ages called *Ars medicinae*, 421, 1-7 Laux: "Tale etiam consitutus coniurat Hippocratis medicinale sacramentum secundum eius praeceptum ut quamcumque domum introierit ingrediatur sine omni voluntaria laesione vel corruptione. non etiam dandum medicamentum mortale. nec a mulieribus persuasus abortiuum dandum neque interesse tali consilio, sed immaculate et sancta perseuerare. oportet a veneriosis operibus, ab ancillis et liberis, a mirtatis et uirginibus abstinere. quicquid audierit aut viderit in cura quae non oportet indicari extimet secretum esse." All taken from ANASTASSIOU & IRMER, *Testimonien zum Corpus Hippocraticum*. Teil III, p. 269 -271. Also found with more commentary about each fragment, see JOUANNA, "Notice" in: Hippocrate: Le Serment, p. XI -XXI.

abortive medicaments to women, nor lethal medicaments to anybody, not to reveal what is seen or heard and not to be involved in praxis-related intercourses. With these references, the title of the text was still mentioned as the first phase of medical education.²⁸⁹

As we have seen, the Hippocratic Oath survived in Greek and Latin cultures. With the political changes and the new centres of study, the *Oath* faced the same consequences as the rest of the written knowledge. During the fifth or sixth century AD, six other Hippocratic treatises were translated into Latin. The *Oath*, however, was usually not included into the list of the treatises worthy of translation until it came to pass together with the texts of Galen, translated within the projects of the famous House of Wisdom (*Bayt al-Hikmah*) in Bagdad, where Ḥunayn Ibn Iṣḥāq translated many Galenic works as well as his commentaries on Hippocratic treatises, first into Syriac and then into Arabic.²⁹⁰ Thus, the transmission of Hippocrates was somehow unintentional for Ḥunayn and with some particular problems for the textual tradition:

“Indeed, he was responsible for a rather curious circumstance. It will be recalled that these commentaries consisted of alternating sections, the “words of Hippocrates” (to use Hunayn’s terminology) being followed by Galen’s commentary on these words. In the Arab tradition, however, the Hippocratic treatises were recomposed by removing the “words of Hippocrates” from Galen’s commentaries. As a result of this remarkable surgery, Hippocrates was reborn, now springing forth fully armed from the head of Galen. Both Galen and Hippocrates were to exercise a profound influence on Arab medicine through these translations, but it was chiefly in the form of what might be called Galenic Hippocratism that Arab commentators came to know the Hippocratic Collection. This, in turn, gave rise to a Galeno-Arab Hippocratism.”²⁹¹

Along with Ḥunayn’s efforts, we can find other authors that included similar references to the *Oath*, most of them quoting or listing the title among other Hippocratic treatises.²⁹² One good example is ‘Alī ibn Riḍwān

²⁸⁹ Stephanus, *Comm. in. Hipp. Aph.* I-II 30, 25-26 CMG XI 1, 3, 1 καλὸν δὲ τοῖς εἰσαγομένοις εἰς τὴν Ἱπποκράτους ἰατρικὴν πρὸ παντὸς τὸν Ὅρκον καὶ τὸν Νόμον ἐκμανθάνειν. Suidas I 564 πρώτη μὲν οὖν βίβλος ἡ τὸν ὅρκον περιέχουσα.

²⁹⁰ JOUANNA, Hippocrates, p. 361 ss.

²⁹¹ JOUANNA, Hippocrates, p. 361-362.

²⁹² IBN AN-NADīm, *Fihrist*, Tr. Taḡaddud, p. 347,10-23 (Ed. Flugel, I, p. 288 or Übers. Dodge II, p. 679-680). ALī IBN RIDWĀN, *Über den Weg zu Glückseligkeit*, ed. tr. Dietrich, p. 16, 76 26, 288. RHĀZES, *Liber continens* IX, cap.5, fol. 200^b 1; XVV, cap. 9, fol. 514^v 46. ĀR-RUHĀWī, *Adab at-Ṭabīb*, Ed. Levey, 8b (21b 37.39), 60b (p.56b 11.24), 78a (p. 70b 20-21), 90a (p.79 a 40.42.43), 90a (p.79b 6-7.22), 90b (p. 79 b 22). IBN ḠULḠUL, *Les Générations des Médecins et*

(ca. 988/998 – ca. 1061/1068 AD) who has two mentions to the *Oath*. The first one is found in a list of works by Hippocrates that Galen mentioned as the recommended readings for studying medicine. However, 'Alī ibn Riḍwān did not have direct access to these works and asked his colleague Yahyā ibn Sa'īd about them. Ibn Sa'īd in return gave Ibn Riḍwān a list translated from Greek into Arabic with no specific order,²⁹³ where the *Oath* comes in third place just after *Law* and *Testament*.²⁹⁴ The second one tells the story of how medicine was only transmitted continuously from father to son, medicine thus being a family trade. Hippocrates was afraid that the medical art could disappear, so he set some requirements to open up the teaching of medicine to anybody. Those requirements were described in *Laws*, *Testament* and *Oath*, which bound like family the teacher and his student.²⁹⁵

The treatise *Testament* is also known as *How a medicine disciple ought to be*. It was well known in the Arabic tradition and believed to be authentic. It appeared for the first time in the Greek tradition in eleventh century in Alexandria. Today it is no longer included in modern editions of the *Corpus Hippocraticum* despite being part of the deontological tradition since it lists the ethical, moral, intellectual and physical qualities a physician must observe at any rate and, together with the *Oath* and *Laws*, it constituted the base of the medical deontology of Islamic medicine.²⁹⁶

A much more precious testimony can be found in *The Practical Ethics of a Physician (Adab al-Ṭabīb)*, a work by Al-Ruhāwī (9th c. AD) which systematically relies on and recalls the authority of Hippocrates:

“Before deciding on the drug treatment, it is essential that you read the book of Hippocrates in regard to his oaths to carry out his word. You must adhere to his oaths and go along with his beliefs from which the oaths are

des Sages, p.17 Sayyid in O. Overwien. Ibn Abī Uṣaibi'a, I, 32, 23 ss. Müller. IBN AL-QIFṬĪ, Ta'rīḥ al-ḥukamā, p. 94, 10-95, 7 Lippert. And from Syriac Barhebraeus, Ad. Duwal, p. 85. All from ANASTASSIOU & IRMER, Testimonien zum Corpus Hippocraticum. Teil III, p. 267. See also p. 268-271 and 454-457.

²⁹³ 'ALĪ IBN RIḌWĀN, Über den Weg zur Glückseligkeit, ed.tr. Dietrich, p. 14, 62-16,76.

²⁹⁴ 'ALĪ IBN RIḌWĀN, Über den Weg zur Glückseligkeit, ed.tr. Dietrich, p. 17, 48.

مقالة (١) كتاب الناموس مقالة (٢) كتاب الوصية مقالة (٣) كتاب العهد مقالة p.16, 75. (1) Der Nomos, ein Kapitel; (2) Das Testament, ein Kapitel; (3) Der Eid, Ein Kapitel. All Arabic transcriptions I owe them to my friend and colleague MA Jesús de Prado who without complain dealt with my technical incompetence to write Arabic in the computer.

²⁹⁵ 'ALĪ IBN RIḌWĀN, Über den Weg zur Glückseligkeit, ed.tr. Dietrich, p. 24, 222- 226, 228.

²⁹⁶ JOUANNA, Hippocrates, p. 415. See JOUANNA, “Hippocrate et la collection Hippocratique...” p. 95- 111.

derived since these belong to the art of medicine. These must be observed under all conditions.”²⁹⁷

He also mentions the *Commentary* on the Hippocratic Oath attributed to Galen while making a point about the importance of medicine, whether to be considered as a divine art or just a gift from God.²⁹⁸ Other fragments from Eutycius (877-940), Al Mas’ûdi († 965/57), Al Bîrûnî (973-1048), Al Maṭrân († 1191), al-Qiftî (1172-1248)²⁹⁹ and Ibn Abî Uṣaybi’ah (1203-1270)³⁰⁰ reveal that the *Commentary* attributed to Galen consisted of an explanation for the physicians, not only about the expected ethical behaviour but also about the cult of Asclepius and its relationship with the birth of medicine, among other topics.³⁰¹ All of those authors seemed to have made independent use of this *Commentary* and, although they all assumed it to be a text genuinely penned by Galen, there is still some doubt about it.³⁰² It can only be noted that the fragments of the *Commentary* did have some Christian influence even though it is “strictly pagan in spirit”³⁰³ and that it was composed most likely between the second and the sixth century AD.³⁰⁴

²⁹⁷ LEVEY, “...Al-Ruhâwî’s ‘Practical Ethics of the physician’”, p. 56.

²⁹⁸ LEVEY, “...Al-Ruhâwî’s ‘Practical Ethics of the physician’”, p. 22, 70.

²⁹⁹ ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p. 81.

³⁰⁰ I find the fragment by Abî Uṣaybi’ah is most interesting: although it brings almost the same information as the other authors, it seems as if Hippocrates had gone against the divine law by opening up the teaching of medicine. I owe the identification of the Arabic text to my dear friend and colleague MA Jesús de Prado Plumed. Ibn-Abî-Uṣaybi’a, Aḥmad Ibn-al-Qāsim, ed. A. Müller, p. 32. كتاب العهد ويعرف أيضا بكتاب الايمان وضعه أبقراط للمتعلمين ولمن يعلمونه. أيضا ليقْتدوا به Translation by L. Kopf available at http://www.tertullian.org/fathers/ibn_abi_usaibia_01.htm#HIPPOCRATES (01.11.2022). “The Covenant,” also known as “The Book of Oaths.” Hippocrates wrote this for his pupils and also for those they would treat, in order that they might be guided by it and not offend against the stipulation he therein imposed on them and in order to dispel by his statements the odium he incurred for transferring this art from hereditary transmission to free dissemination.”

³⁰¹ LEVEY, “...Al-Ruhâwî’s ‘Practical Ethics of the physician’”, p.11. “In regard to the Hippocratic Oath, according to Al-Ruhâwî, Galen wrote that it is meant to preserve the sound body and the virtuous soul; second to take account of the possibility of harm and benefits which are in medicine; at last, to prevent the teaching of the art to unworthy children of physicians. It is of importance that, throughout the Adab al-Ṭabib, at no point is there any hint which may be considered as opposed to the Hippocratic Oath as it is known today. To the contrary, Al-Ruhâwî takes great pains to develop what may be construed as an expansion of the oath as a truly workable medical deontology. He leaves no doubt that the oath and God are basic to his deontology.”

³⁰² See JOUANNA, “Notice” in: Hippocrate: Le Serment, p. CXXXVII – CLIV.

³⁰³ ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p. 85.

³⁰⁴ ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p.52-87.

Until today it “remains the most serious and well-informed work on the mythological history of medicine down to the time of Hippocrates”.³⁰⁵

Between the tenth and twelfth century AD the text of the *Oath* circulated in Greek, Latin and Arabic. Ibn Abî Uşaybi'ah left in his *Uyûn al-anbâ' fî ṭabaqât al-aṭibbâ'* (*Life of the Physicians*) a translation of the Hippocratic Oath that might have been done first into Syriac and then into Arabic from a Greek manuscript no longer preserved; it is known as *The text of the Covenant laid down by Hippocrates*³⁰⁶ and its content does not differ much from some of the Greek manuscripts preserved from around the same time.

2.3.2 Manuscripts, Editions, Translations

Based on today preserved texts, the manuscripts containing the Oath can be classified into three main groups according to the different textual traditions:³⁰⁷

a) *Textus receptus*: also known as Pagan Oath. There are more than 38 extant manuscripts, and it represents the most often quoted text.³⁰⁸ From this textual tradition translations into Latin were made mostly during the Renaissance and transmitted as manuscripts or incunabula. There are four in total, the first one by Niccolò da Reggio (1280-1350) extant in four manuscripts, the second by Niccolò Perotti (1429/30-80) with twenty-seven manuscripts, the third is a versified version by Franciscus Lombardus from Naples who did it first in hexameters and later in iambic senarii and iambic diameters. The final fourth was made by Andrea Brenta (1454-84).³⁰⁹ There is another Greek-Latin version made by François Tissard (ca.1490- 1508),³¹⁰ which has a better philologic quality in comparison to those by Brenta and Perotti.³¹¹

b) Hexametrical Oath: Also called the Christian Oath in verse. It has eleven lines in hexameters and thus a much shorter text that briefly in-

³⁰⁵ ROSENTHAL, “An Ancient Commentary on the Hippocratic Oath”, p 87.

³⁰⁶ JONES, *The Doctor's Oath*, p. 29-33. An on-line full translation of the work of Ibn Abî Uşaybi'ah with some variations in the translation of the covenant is also available, see n. 300.

³⁰⁷ Consult: JOUANNA, “Notice” in: *Hippocrate: Le Serment*, p. I-CXCVI, 53-63, 95-129. RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 456-483. JONES, *The Doctor's Oath*.

³⁰⁸ At least 38 from the Greek textual tradition plus many more from the Latin tradition. JOUANNA, “Notice” in: *Hippocrate: Le Serment*, p. XLVII-LXII and XCII-CXVII.

³⁰⁹ RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 460-463.

³¹⁰ BnF Data Online: https://data.bnf.fr/en/12000180/francois_tissard/ (01.11.2022).

³¹¹ JOUANNA, “Notice” in: *Hippocrate: Le Serment*, p. CXVI-CXVII.

cludes the binding of the physician to God in a very Christian way.³¹² It has general lines prohibiting to harm, but it is not as punctual as the *textus receptus*. Ten manuscripts survive from this version.³¹³

c) ‘Christian’ Oath: in the four remaining manuscripts³¹⁴ there is a modified version, close in meaning to the *textus receptus* except for some changes in the invocation to the gods that was conveniently changed for a prayer to the Holy Father of Jesus Christ, a detail on the ‘abortive clause’ including a description of the possible methods (ἄνωθέν τε ἢ κάτωθεν) and that it does not have the lithotomy clause. The manuscript *Vatican, Biblioteca Apostolica Vaticana, Urbinas graecus 64* is the most famous manuscript of this tradition because the *Oath* is in a cross shape.³¹⁵ The shape is so popular that it is often reproduced not only in books but in open spaces such as in the Medicine Faculty of the National Autonomous University of Mexico (UNAM) where it was reproduced on a plaque under the bust of Hippocrates placed outside the main auditorium. The text is presented in the cross form though the text is a Spanish translation of the *textus receptus*, as it could be seen in the picture (image 1).

d) From the manuscripts of the *textus receptus*, two preserve an alternative reading corresponding to the words in the papyrus mentioned above (POxy XXXI, 2547). They represent the oldest vestige of the text.³¹⁶

Some manuscripts have helped us to gain a little insight into the history of the textual tradition. The oldest one dates from the tenth or eleventh century AD. It is the above mentioned *Urbinas graecus 64* preserved in the Vatican Library. Among other Hippocratic treatises, it contains the ‘Christian’ Oath. Jouanna proved that the *Milan, Biblioteca Ambrosiana, graecus 134 (B 113 Sup)* from the fourteenth century AD is partly identical to *Urbinas graecus 64* and partly different, containing the treatises *How a medicine disciple ought to be, Law and Oath* and, by virtue of it forming a deontological triad, it stresses the idea that this part of the manuscript should be a descendant of the Greek and Arabic text tradition. *El Escorial Real Biblioteca de San Lorenzo del Escorial, graecus 301 (Y.I.8)* (16th AD) also has

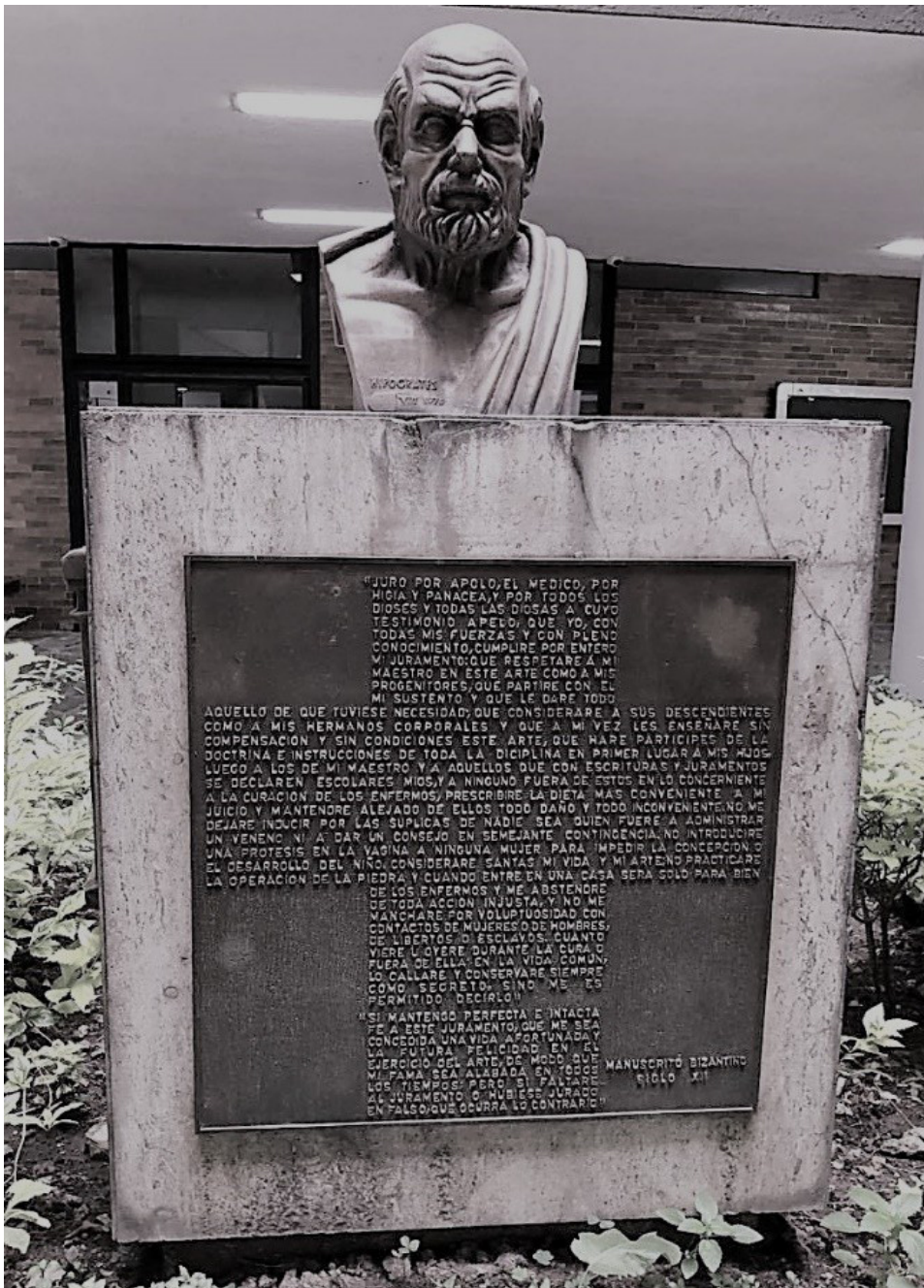
³¹² *Jusjurandum metricum*, 1, 8. Αὐτὸν ἐν ἀχράντοις μέγα θεὸν αἰὲν ἔοντα (ὄμνυμι)... ἀλλ’ ὁσίας μὲν χεῖρας ἐς αἰθέρα λαμπρὸν αἵρων. I swear by the great God always existing in immaculate things...but raising the holy hands into the radiant heaven. Compare 1 Tim 2:8.

³¹³ JOUANNA, “Notice” in: Hippocrate: Le Serment, p. 121-123.

³¹⁴ JOUANNA, “Notice” in: Hippocrate: Le Serment, p. 63.

³¹⁵ A reproduction of it can be seen in RÜTTEN, Hippokrates im Gespräch, image 37.

³¹⁶ RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 460. Quotes *Ambrosianus Graecus 134 (B 113 Sup.)* and *Escorialensis 301 (Y.I.8)* which are classified as manuscripts of the *textus receptus* in JOUANNA, “Notice” in: Hippocrate: Le Serment, p. XLVIII and LXI.



1. Hippocratic Oath, UNAM. Picture: Beatriz Vitela

the triad at the beginning of the manuscript, and from it until the folio 159 it is a copy of the *Ambrosianus graecus* 134 (*B 113 Sup*).³¹⁷ The versions of the Oath preserved in *Escorialensis graecus* 301 and *Ambrosianus graecus* 134 have the wording of the Papyrus form the 3rd century AD.³¹⁸ The next two oldest manuscripts following *Urbinas graecus* 64 are *Venice, Biblioteca Nazionale Marciana*, 289 (M) from the 11th century and *Vatican, Biblioteca Apostolica Romana, graecus* 276 (V) from the 13th century AD. Together with the manuscript from the 14th century AD, *Vatican, Biblioteca Apostolica Vaticana, graecus* 277 (R), represent the best readings of the text. R is commonly put in the same status of M and V because it contains several annotations and emendations which have given us more insight into the textual history. Most of the preserved manuscripts are related to M, others to V, like *Paris, Bibliothèque Nationale de France, graecus* 2146 (16th century), fewer to R (for example *Florence, Biblioteca Medicea Laurenziana, graecus* 74) and some others are mixtures of M and R related to other V-manuscripts as is the case of *Paris, Bibliothèque Nationale de France, graecus* 2140. Other two manuscripts, *El Escorial, Real Biblioteca de San Lorenzo del Escorial, graecus* 85 (Σ .II.5) and *Vienna, Österreichische Nationalbibliothek, Philologici et Philosophici graeci* 219, have variants in their text which could explain questionable passages of the Latin translation of Niccolò da Reggio.³¹⁹

To summarise up to here, it can be said on safe grounds that the oldest manuscripts belong to the *textus receptus* tradition, followed quite closely by those transmitting the Christian prose version. Additionally, most of the Greek manuscripts date from the 15th century and, if put together with those of the Latin translation by Niccolò Perroti that date from the same time and tradition, they make up more than forty manuscripts belonging to the *textus receptus* tradition, that had been in use during this time. It is hence logical to think that the *textus receptus* became the preferred version by humanists during the Renaissance period. Later, it became widely spread due to the new printed editions, translations into Latin, vernacular languages and by adaptations and commentaries. Jacques Jouanna presents a partial *stemma* of the *textus receptus* and all other Greek texts³²⁰, he considers all the manuscripts here mentioned and many more. A Latin text tradition family has not been done yet since the Oath

³¹⁷ JOUANNA, "Un témoin méconnu de la tradition hippocratique...", p. 253-272.

³¹⁸ RÜTTEN, "Receptions of the Hippocratic 'Oath' in the Renaissance", p. 460.

³¹⁹ JONES, The Doctor's Oath, p. 4-14.

³²⁰ JOUANNA, "Notice" in: Hippocrate: Le Serment, for the *textus receptus* p. CLXXXII, Christian version in prose p. 64, Hexametrical or Christian version in verse p. 130.

reached the wide dissemination of printed texts, and more research is needed to gather all sources.

So far, the phenomenon of the textual tradition has been mostly narrated by non-direct quotations and different fixed texts in the manuscripts. By the 16th century, Hippocrates was considered as the ultimate goal of medicine in a renewal of knowledge that intended to reconstruct the glories of ancient medicine and therefore differentiate them from the scholastic and Arabic world of medicine. Hippocrates became the high representation of authority whether by being a peak in an imaginary circle of historical recurrence or the only zenith in a history of eternal degeneration. Therefore, a series of analogies were constructed around him, including the *Christus-Medicus*, since he received the knowledge of medicine in a sort of revelation according to some stories. “The Hippocratic writings acquired the character of gospel for physicians, and were occasionally considered to be infallible canonical texts; the *Oath* became analogous to the Decalogue.”³²¹

But Hippocrates owes this renewal to a complex history of editions, translations and publications. All of them were, mostly, of the *textus receptus*, which I would like to present as it stands in Jouanna’s newest edition.³²² I divided it in the most common way and as it still appears in modern translations³²³ to identify its parts as it will be useful for further references in this research. I also put in brackets the division used by Jouanna.

³²¹ RÜTTEN, “Hippocrates and the construction...”, p. 43. For the whole paragraph, p. 41 ss.

³²² HIPPOCRATE: *Le Serment*, Tr. ed. Jouanna, p. 2-5.

³²³ See for example: HIPPOKRATES, *Ausgewählte Schriften*, p. 8-10. HIPÓCRATES, *Tratados*, Gredos, p. 35-41.

Opening

[1] Calling to the Gods

(1a) Ὁμνυμι Ἀπόλλωνα ἱητρὸν, καὶ Ἀσκληπιὸν, καὶ Ὑγίαν, καὶ Πανάκειαν, καὶ θεοὺς πάντας τε καὶ πάσας, ἵστορας ποιεύμενος, ἐπιτελέα ποιήσιν κατὰ δύναμιν καὶ κρίσιν ἐμήν ὅρκον τόνδε καὶ συγγραφὴν τήνδε·

Positive promises

[2] Teaching

(1b) ἡγήσασθαι τε τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἐμοῖσι, καὶ βίου κοινώσασθαι, καὶ χρεῶν χρητίζοντι μετάδοσιν ποιήσασθαι· καὶ γένος τὸ ἐξ αὐτοῦ ἀδελφεοῖς | ἴσον ἐπικρινέειν ἄρρεσι·

(1c) καὶ διδάξειν τὴν τέχνην ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ συγγραφῆς, παραγγελίης τε καὶ ἀκροήσιος καὶ τῆς λοιπῆς ἀπάσης μαθήσιος μετάδοσιν ποιήσασθαι υἱοῖσί τε ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, καὶ μαθητῆσι συγγεγραμμένοις τε καὶ ὠρκισμένοις νόμῳ ἱητρικῷ, ἄλλω δὲ οὐδενί.

[3] Dietetics

(2) Διαιτήμασί τε πᾶσι χρήσομαι ἐπ' ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ κρίσιν ἐμήν· ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἵρξειν κατὰ γνώμην ἐμήν.³²⁴

Negative promises

[4] Pharmacology (Lethal drugs, abortion) Conduct

(3) Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ αἰτηθεὶς θανάσιμον, οὐδὲ ὑφηγήσομαι ξυμβουλίην τοιήνδε· ὁμοίως δὲ οὐδὲ γυναιξὶ πεσσὸν φθόριον δώσω.

(4) Ἀγνῶς δὲ καὶ ὁσίως διατηρήσω βίον τὸν ἐμὸν καὶ τέχνην τὴν ἐμήν.

[5] Surgery (Lithotomy)

(5) Οὐ τεμέω δὲ οὐδὲ μὴν λιθιδώντας, ἐκχωρήσω δὲ ἐργάτησιν ἀνδράσι πρήξιος τῆσδε.

[6] Sexual restrain

(6) Ἐς οἰκίας δὲ ὁκόσας ἂν ἐσίω, ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων ἐκτὸς ἐὼν πάσης ἀδικίης ἐκ-

³²⁴ The phrase κατὰ γνώμην ἐμήν appears for the first time as a part of the Hippocratic Oath in Jouanna's edition, therefore it will not be found in the Greek text of any commentary, including that of Meibom. This phrase changes slightly the interpretation of the passage. See JOUANNA, "Hippocrate Serment. Commentaire critique" in: Hippocrate: Le Serment, p. 25-26.

ουσίης καὶ φθορῆς, τῆς τε ἄλλης καὶ ἀφροδισίων
ἔργων ἐπὶ τε γυναικείων σωμάτων καὶ ἀνδρείων,
ἐλευθέρων τε καὶ δούλων.

[7] 'Seal of
consultation'³²⁵

(7) Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω ἢ ἀκούσω ἢ καὶ ἄνευ
θεραπείης κατὰ βίον ἀνθρώπων, ἃ μὴ χρή ποτε ἐκ-
λαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα ἡγεύμενος | εἶναι
τὰ τοιαῦτα.

Closure

[8] Curse in case of
perjury

(8) Ὅρκον μὲν οὖν μοι τόνδε ἐπιτελέα ποιέοντι καὶ μὴ
ξυγχεόντι εἴη ἐπαύρασθαι καὶ βίου καὶ τέχνης δοξα-
ζομένῳ παρὰ πᾶσιν ἀνθρώποις ἐς τὸν αἰεὶ χρόνον·
παρβαίνοντι δὲ καὶ ἐπιορκοῦντι, τάναντία τουτέων.

Translation:

Opening

[1] Calling to the
Gods

(1a) I swear by Apollo the healer, and Asclepius, and
Health, and Panacea, and all the gods and god-
desses, making them witness that I will carry out,
according to my capacity and judgment, this oath
and this written contract.

Positive promises

[2] Teaching

(1b) To hold my teacher of this art equal to my
parents; to make him a partner in livelihood; when
he is in need of things to give him a sharing. To
consider his descendants as my brothers,
(1c) and to teach them this art, if they want to learn
it, without fee or contract; to impart the precept,
oral lecture, and all the rest of the instruction to my
sons, the sons of my teacher, and to pupils who
signed and sworn on the medical law, but to nobody
else.

[3] Dietetics

(2) I will use all dietetic [treatments] for the assist-
ance of the sick ones, according to my ability and
judgment. I will keep them from injury and injus-

³²⁵ In analogy to the Seal of Confession of the Catholic Church.

tice according to my knowledge.

Negative promises

- | | |
|--|---|
| [4] Pharmacology
(Lethal drugs,
abortion)
Conduct | (3) I will not give any lethal drug to anybody when asked to, nor will I indicate such a prescription. Equally I will not give a destructive pessary to women.
(4) Pure and holy I will keep my life and my art |
| [5] Surgery
(Lithotomy) | (5) I will not cut, not even the ones who suffer from stone, but I will give place to men practitioners of this operation. |
| [6] Sexual restrain | (6) To whatsoever houses I may enter; I will go in for the assistance of the sick ones, being away from all voluntary injustice and harm, and also of the sexual acts upon the bodies of women and men, free or slaves. |
| [7] 'Seal of
consultation' | (7) And what I shall see or hear during the treatment or outside of it about the life of men, which it is not necessary to be called out, I will keep it secret, considering such things not to be divulged. |
| Closure | |
| [8] Curse in case
of perjury | (8) If I do this oath completely and do not violate it, may I be held in honour among all men forever to enjoy this life and art, but if I transgress it and forswear, may the opposite of these things [happen]. |

Constantinus Africanus (1020-1087 AD) did the oldest translation into Latin of the *Oath*. This version was included at the end of the 15th century AD in compilations of Greek and Arab authors; also it was “presumably introduced to northern Italy by Petrus Hispanus (Pope John XXI) who died in 1277.”³²⁶ Humanists, like Erasmus and Melanchthon, played an important role in giving the *Oath* a new impulse by including in their works not only praises to the *Art of Medicine* but also short mentions to the *Oath*. It is clear that many other influential thinkers of early modern Humanism

³²⁶ RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 466.

knew the contents of the text,³²⁷ and that the places, where the teaching of medicine had been institutionalised, used a somehow freely adapted version of the *Oath*. In this vein, at the medical school of Salerno, for example, a different oath began to be sworn in the 13th century, similarly to the Hippocratic *Oath* including the promise not to prescribe abortives nor any lethal drug. Discipline-wise, it was admonished that obedience to the teaching authorities was expected but different altogether from being conveyed in the manner of a father and son bond (teaching clause). Students at the end of the studies were sworn in with this oath to fulfil the final requirement to be awarded their grade as physicians that would allow them to teach and practice medicine.³²⁸ A more important adaptation is the oath of the *Academia Basiliensis*, founded in 1460 since Theodor Zwinger created it, a physician, great student and commentator of Hippocrates' work including the *Oath*.³²⁹ This version (1570) preserved the calling to the gods. Still, instead of Apollo and Asclepius, it mentions the Holy Trinity as the father of Hygiene and Panacea, followed by a reminder of the ascription of the student to the institution and how important it was to belong to the *Academia*, to the order of the Asclepiads and to carry the medical insignia. The moral obligation here relies on the sense of Christian duty and leads to perform the art of medicine with a rational mind and expertise assured by experience. The curse clause is also stated.³³⁰ The Oath was used furthermore in other European Universities:

“At Heidelberg in 1558 the dean of medicine had to affirm it publicly within one month of taking office; at Jena, from 1558 until the 19th century, graduates had to agree to do everything that Hippocrates has demanded in the oath and in his *On the Physician*. At Leiden in the 17th century, and at Edinburgh between 1705 and 1731, assent was made to a Latin version of the oath, which was thereafter replaced by a briefer and much vaguer redaction.”³³¹

Translations and editions reinforced the circulation of the Hippocratic *Oath* in one or more languages (Greek, Latin or sometimes both) that were

³²⁷ RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 466-447.

³²⁸ DEICHGRÄBER, *Der hippokratische Eid*, p. 68-70.

³²⁹ DEICHGRÄBER, *Der hippokratische Eid*, p. 71-72, 85.

³³⁰ I believe it to be a full analysis of the rhetoric and means of sacralising the oath, medicine and the swearing itself is a desideratum at present since Zwinger had such delicacy in combining the most sacred mystic image of Christianity with the heavy and meaningful tradition of the cult of Asclepius and the bearing of the power of the institutionalised knowledge and its social and economic consequences.

³³¹ GRAFTON; MOST; SETTI, (ed.), *The classical tradition*, p. 440. See also GOLDER, *Hippokrates und das Corpus Hippocraticum*, p.185. SCHUBERT, *Der hippokratische Eid*, p. 82 ss.

common in the 16th and 17th century.³³² Marco Fabio Calvo made a Latin version of the whole Hippocratic *corpus*, finished presumably in 1515³³³ but only published until 1525. The famous Aldus Manutius published the Greek edition by Franciscus Asulanus in 1526. In 1538 another Greek edition by the physician and philologist Janus Cornarius was published by Froben in Basel,³³⁴ featuring the same content and order of works and, more important for our purposes, almost the same version of the *Oath* as the Aldine edition.³³⁵ Another Greek edition was made by Thoron and published in 1536. It is perhaps worth mentioning an aspect of the disposition of the text in both Aldine and Froben editions. The *Oath* appears as the first Hippocratic work in the index, but it comes only after the *Life of Hippocrates According to Soranus*. In both versions the foliation begins after the *Oath* as if the knowledge of medicine started with the next text, *On the Art*, and the *Oath* were not considered a work on medicine properly speaking but an introduction; of course, further analysis of all the editions of the works of Hippocrates must be done to examine this hypothesis.

Two more editions are important at the end of the 16th century because of their circulation and influence. One was published in Venice in 1588 edited by Hieronymus Mercurialis³³⁶, the other in 1595/96 by Anuntius Foesius.³³⁷ Both have Greek and Latin parallel texts and follow the order established by Erotian, i.e. divided into sections according to the nature of

³³² RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p. 467- 468.

³³³ Dizionario Biografico degli Italiani, vol. 43, 1993, ‘Favio Calvo, Marco’ Online: [http://www.treccani.it/enciclopedia/marco-fabio-calvo_\(Dizionario_Biografico\)/](http://www.treccani.it/enciclopedia/marco-fabio-calvo_(Dizionario_Biografico)/) (01.11.2022). “Il 1510 è la data più alta cui si può risalire con sicurezza; il 3 aprile di quell'anno, infatti, F. intraprendeva la traduzione del *Corpus Hippocraticum*, che avrebbe portato a termine l'8 luglio 1515”

³³⁴ RÜTTEN, “Receptions of the Hippocratic ‘Oath’ in the Renaissance”, p.464 ss.

³³⁵ Differences of both editions are also considered by JOUANNA, “Notice” in: Hippocrate: Le Serment, p. XLII ss.

³³⁶ Hippocratis Coi Opera quae exstant Graece et Latine veterum codicum collatione restituta, novo ordine in quattor classes digesta interpretationis Latinae emendatione et scholiis illustrata, ed. Hieronymus MERCURIALIS Foroliviensis, Venetiis, Industria ac sumptibus Juntarum, 1588.

³³⁷ Τοῦ μεγάλου Ἱπποκράτους Πάντων τῶν Ἱατρῶν Κορθφαίου τὰ Εὐρισκόμενα. Magni Hippocratis(...) opera omnia quae exstant in VIII sectiones ex Erotiani mente distributa. Nunc recens Latina interpretatione et annotationibus illustrata, Anutio Foesio medicomatrixico medico autore (...), ed. Anuntius FOESIUS, Francfurti, Apud Andreae Wecheli heredes, Claud. Marnium et Joan. Aubrium, 1595. For more information about Foesius and Janus Cornarius and the role they played in the renewal of Hippocratic knowledge. See RÜTTEN, Hippokrates im Gespräch.

the treatise.³³⁸ Another later edition by Johannes Antonides van der Linden (1609-1664) was published posthumously in 1665 relying on those former editions.³³⁹

2.3.3 Commentaries: direct antecedents to Meibom's commentary.³⁴⁰

All previous mentioned editions brought as a consequence many questions about the Hippocratic texts, not only concerning their authenticity but also about their teachings. Many authors took the task to review the texts and address some of those questions through commentaries.

During the 16th and 17th centuries, the most commented works of Hippocrates were precisely those not reviewed by the physician of Pergamon,³⁴¹ the *Oath* included. For this part of the history of the textual tradition, there is a problem; some commentaries have just begun to be studied and, besides the reference in the bibliographies, little can be found. Thomas Rütten directed the attention to some commentators,³⁴² but further research is still needed to tell the full story of the commentaries on Hippocratic texts.

I summarised here the commentaries of those authors mentioned by Meibom at the beginning of his Commentary. They represented a direct antecedent and were known by him. I decided to put the translation and Greek version (when given) of the Hippocratic Oath of each commentator divided in the same way as each commentator published it with the single purpose to mark the tradition of the *lemmata*, and be able to compare it with Meibom's division of the text. I also added some other information worthy for this research. I arranged the commentaries in chronological order according to their year of publication.

³³⁸ See n. 277. Magni Hippocratis(...)opera, Ed. FOESIUS, f. a4.

³³⁹ Magni Hippocratis Coi Opera Omnia graece et latine edita, et ad amnes alias editiones accommodata, ed. Johannes Antonides van der LINDEN, Lugduni Batavorum, Apud Danielelem, Abrahamum et Adrianum a Gaasbeeck, 1665.

³⁴⁰ This section was partially published in Spanish and with other objective: Actes de la XV Jornada sobre la Història de la Ciència i l'Ensenyament, p. 129-134. Online: doi: 10.2436/10.2006.03.16 (01.11.2022).

³⁴¹ RÜTTEN, "Hippokrateskommentare im 16. Jahrhundert...", p. 560.

³⁴² RÜTTEN, "Receptions of the Hippocratic 'Oath' in the Renaissance", p. 468. Besides these references there are more than thirty works quoted in the Bibliography to the Hippocratic *Oath* by Littré, some of them coincide with the authors here recalled, the others are still waiting to be placed in the great puzzle of the Hippocratic *Oath* tradition. Consult: "Serment" in Oeuvres complètes D' Hippocrate, Tr. Emile Littré, IV, p. 610-633.

2.3.3.1 Blaise Hollier

☞ Blasii Hollerii Vivariensis Doctoris Medici in Hippocratis Iusiurandum Commentarius, Basileae, Per Ioanem Oporinum, 1558.³⁴³

The period of activity of the French physician from Vivarais goes from 1556 to 1572.³⁴⁴ Among his preserved works are a brief book for physicians and surgeons to learn how to cure diseases,³⁴⁵ two books about the theory of medicine,³⁴⁶ a commentary on the Hippocratic treatise *On the nature of man*,³⁴⁷ and the commentary on the Hippocratic Oath. We also have notice that he wrote a commentary on *Aphorisms*³⁴⁸ now presumably lost since it does not appear in any catalogue. All his covers include a quote of Homer's Iliad "a physician is a man worth as much as a great number of others."³⁴⁹

The commentary on the Hippocratic Oath is a very brief book of only eight folia, of which only thirteen pages are written. In the dedicatory letter to the famous Swiss jurist and humanist also rector of the University of Basel and friend of Erasmus of Rotterdam, Bonifacius Amerbach (1495-1562), Hollier says:

Superest iam, ut pro tuo singulari iudicio Bonifaci doctissime, hoc a nobis in tuam gratiam (cui me meus animus totum addicavit) Hippocratis Iusiurandum, medicinam facientibus initio propositum, cum nostra interpretatione sub preclari nominis tui auspicio, apparere boni consulas. Ab eo siquidem sumpto in arte principio, primum periculum facere volui: quod in Medicorum academiis statim sanctione veluti quadam proponi soleat. Et ut iudices varia hominum ingenia expertos, sic cum plurimis sanis simul ac aegrotantibus medicos conversatos esse debere, Plato censuit. Nam qui corpore morbofo feruntur, suae valetudinis custodes medicos habent: sicuti et Iurisprudentiae viros, quibus res in controversiam decedit.³⁵⁰

³⁴³ <http://dx.doi.org/10.3931/e-rara-1396> (01. 11. 2022).

³⁴⁴ CERL Thesaurus: <http://thesaurus.cerl.org/record/cnp01124780> (01. 11. 2022).

³⁴⁵ HOLLIER, *Morborum curandorum brevis institutio: medicis & chirurgis utilissima; iuxta Galeni potissimum sententiam nec hactenus visa*, Basilea, Per Nicolaum Brilingerum, 1556.

³⁴⁶ HOLLIER, *Medice artis Theorica: Libris Dvobvs Svccinctae comprehensa, atque medicinae studiosis apprimè necessaria*, Straßburg, Josias Rihel & Theososius Rihel, 1565.

³⁴⁷ HOLLIER, *Hippocratis Coi, Medicorum principis, de Natura hominis, Liber: Graecè & Latinè : Accesserunt Blasii Hollerii Viuariensis, Philosophi ac Medici Commentaria*, Basilea, Johannem Oporinum, 1561.

³⁴⁸ HOLLIER, in *Hippocratis Iusiurandum Commentarius*, p. [3- 4]: "Ab hoc interea paucillo labore, comentaria in praeclaras Hippocratis sententias (quae Aphorismi dicuntur) edidimus."

³⁴⁹ Hom. *Il.* XI, 514.

³⁵⁰ HOLLIER, in *Hippocratis Iusiurandum Commentarius*, p.7-8: Now this Hippocratic Oath, said at the beginning by practitioners of medicine, is left with our interpretation for your

The Latin version of the Hippocratic *Oath* is quite short and more like a paraphrase. Hollier divided the Oath into several parts, though they are not the same as the ones presented here before. He has nine parts instead of eight because he separated the last phrase of the pharmacology clause (conduct) which is also a quite problematic fragment of the Hippocratic Oath.³⁵¹ I considered useful for further researches to copy here the Latin version with a summary of the already brief commentary:

Latin version	Summary of the commentary
[p. 9] Apollinem medicum, et Aesculapium Hygiamque ac Panaceam, divos divasque omnes testor, me hoc lusiurandum et huius religiosae affirmationis contestationem, pro viribus et iudicio integer observaturum.	He explains that the Romans believed in all those gods in another time and they invented them a specific use and relation to the body according to the god's character or attributes, such as Mars to the chest because he is the prince of war, Venus to the liver because she is the fornicatress, etc. The body is also under the influence of other celestial bodies, the humours under Saturn, the soul under the Sun, the blood under Mars, and so on. The Christians received it in the same way, since they also had specific deities for water, fire, etc., and they predicted all kinds of plagues and diseases. In the end, after recognizing that there are

special judgment, most instructed Bonifacius, from us to your grace (to which my soul bounds me wholly) in order that you may consider under the protection of your honourable name that it seems of value. Since indeed in the art it was taken from the beginning, I wanted to make a first essay of what is accustomed to be exposed in academies of physicians regularly as by certain decree. Thus also in order that you judge the experts in the many inclinations of men just as Plato estimated that physicians must be kept in company with many healthy as well as sick people. They, who are driven by a diseased body, have the physicians as guardians of their health and also as men of jurisprudence, for which the matter falls in controversy.

³⁵¹ See the canonical commentary about this passage: VON STADEN, "In a pure and holy way'...",p. 404-437.

Latin version

[p. 10-11] Praeceptorem sane qui me artem medicam edocuit, tanquam parentem colam, et vtam cum eo conferam: et si quae illi opus esse intellexero, pro viribus administrabo: ipsiusque natis, tanquam fratribus meis, favebo: atque horum, si quis artem hanc discere voluerit, eum absque mercede et pacto instream. Praecepta itidem tum meis, tum praeceptoris mei filijs, caeterisque discipulis, qui sese medicae artis legibus astrinxerint, et secundum hoc iusiurandum fuerint addicti, libere et fideliter tradam. Ab ipsis vero nemini.

[p. 11-12] In aegrotantium cura, primo victus rationem necessariam pro iudicio iuxta earum facultates instituiam: et quicquid obesse cognovero, prohibebo.

Summary of the commentary

darkness and ignorance of the true God, he states that “God is one for us, by whom the entrance to the harbour of peacefulness is made.”³⁵²

Instead of speaking about the relationship between teacher and student, he remembers that the Persians did not have any punishment against ingratitude. He also states that there was still no sanction established by the Republic to it except for dishonour; therefore, Hippocrates recommendation is to return the kindness or favours received from the teachers.

“First, it is advised to instruct the sick ones about the proper way of life, contrary to their affections, and to prohibit every habit that they might cherish that goes against it. They cannot properly fulfil the aid but by that part of the art of medicine called by the Greeks ‘dietetics’ which many physicians overlook, and others talk idly.”³⁵³

³⁵² “Sed unus nobis Deus est, per quem ad tranquillitatis portum fit accessus.”

³⁵³ “Principio victus rationem commodam, hoc est affectui contrariam, aegrotantibus instituendam monet: prohibendumque quicquid adversam valetudinem possit fovere. Neque enim possunt decenter reliqua praesidia suos affectus perficere, nisi praesideat ea medicae artis pars, quae Graecis διαίτητική nuncupata est: in qua plures admodum nostri temporis medici conuiuent, nonnulli quoque hallucinantur.”

Latin version

Summary of the commentary

[p. 12] Neque preces cuiquam apud me valebunt, ut venenum pro remedio aut propinem, aut consulam. Similiter gravidæ mulieri non quiquam indicabo, quod ad internecionem foetus vim habeat.

“Who uses the art in that manner is not a physician but an impostor and a deceitful man and forever unworthy of good things when he rejoices of the bad things of others. Therefore, it is necessary that we consider what turns away from righteousness and rectitude, and not to do it by request or any other way, but to do everything as it is proper.”³⁵⁴

[p. 12] Pure præterea et sancta vitam artemque meam conservabo.

Although this is a passage very well studied nowadays, Hollier binds it entirely to the religious sphere: “he keeps the life in a pure way, who works according to the commandments of God.”³⁵⁵ Every done evil will be atoned for.

[p. 13] Calculo laborantibus, excisione operam non adhibebo: sed Chirurgiæ operarij hac in re cedam.

Hippocrates was not ignorant of the necessary knowledge to cut out the stone, but he judged that the natural doctor was not suitable enough and those who assume to be able to do it were just acting, like in theatre.

[p. 13] Quamcunque domum ingressus fuero, aegrotis ut subveniam operam sabo: et ab omni iniuria et corrumpione, præsertim venereorum, abstinebo: cuiuscunque generis fuerint quibus opem et auxilium si mallaturus.

The physicians of ancient times where naturally prudent and well trained, however, Hollier made it clear that somehow the conduct of the physicians got worse, since they became lazy and only fluent with the tongue and thus the people are deceived and love them. These bad

³⁵⁴ “Qui arte quovis modo abutitur, non artifex, sed impostor, ac fraudulentus est, et indignus cui unquam bene sit, quando malis gaudet alienis. Ideo non precibus, vel alio quovis modo, ab aequitate et rectitudine deflectendum, sed omnia ut decet, faciamus et consulamus necesse est.”

³⁵⁵ “Pure ille vitam conservat, qui iuxta mandata Dei operatur.”

Latin version

[p. 14] Quaecunque inter
curandum videro, ver audiero, vel
etiam ad medicinam faciendam
non adhibitus, in communi
hominum vita celanda,
subticendaque cognovero, nemini
aperiam: sed apud me tanquam
Arcanum quoddam retinebo.
[p. 14-15] Hoc igitur lusiurandum
mihi integre servanti, et non
confudenti, omnia tum in vita,
tum arte foelicia succedant: sic
apud homines quoscunque in
perpetuum gloria mea poterit
celebrari. transgredienti vero atque
peieranti, his contraria eveniant.

Summary of the commentary

physicians also confuse
medicaments with the true
knowledge of medicine and lost the
objective of medicine that is “the
possession of health”³⁵⁶, however,
he and the good physicians follow a
method and therefore are immune
to any reprehension.

“It is of a prudent physician not to
reveal secrets, on the contrary about
those things he was asked, he will
pretend indeed while observing³⁵⁷
that he observes nothing. Since
many are indeed trusted to the
physician, they wish the others to be
ignorant of their sickness.”³⁵⁸

Hollier recalls the already stated
fate of the physician who follows
the *Oath*. He will not only enjoy a
happy life and art with public
recognition but “must be exempt of
all function and civil or public
duties”.³⁵⁹ According to the law of
the emperor Constantine they are
not to be conducted to trial nor
suffer any wrongdoing, he also
orders that “the wages and salaries
(as they call them) are to be
restored and thus the physicians

³⁵⁶ “Qui est sanitatis possessio.”

³⁵⁷ These two words, ‘observing’ and ‘observe’ fall too short to describe the meaning of the Latin verb and since the passage commented here narrates all sensory ways of acquiring knowledge any of the other meanings of *intellego* would have been also suitable for the translation. The important thing is that no matter the way of knowing information about the patient, the physician is not allowed to disclose it.

³⁵⁸ “Prudentis medici est, arcana non detegere: imo de his interrogatus, faciet nae intel-
ligendo, nihil ut intelligat. Plurimi siquidem medico committuntur, qui suae aegritudinis
alios ignaros esse desiderant.”

³⁵⁹ “Ab omni functione et muneribus civilibus seu publicis immunes esse debent.”

Latin version

Summary of the commentary

can heal more easily and freely and
take care of the health of mortal
men.”³⁶⁰

2.3.3.2 Peter Memm (1531-1589)

⚙ Hippocratis coi iusjurandum commentario recente illustratum, cui accessit altera pars, qua ratione Medicorum vita et ars sancte conservetur declarans. Autore Petro Memmio, Rostochi, Typis Augustini Ferberi, 1577³⁶¹

The commentary of the physician from Herentals was dedicated to Ulrich III, Duke of Mecklenburg, and has only a Latin translation of the *Oath*. The structure is very similar to the other commentaries since it has a life of Hippocrates before the commentary, though without title, and then each part of the *Oath* printed in capital letters as to divide it into sections followed by a brief explanation. Since this is the only commentary that has been appropriately analysed and contextualised,³⁶² I will only state a few remarks. The style of the author is very light to read. The calling to the gods tells the story of Apollo, Aesculapius and his descendants more than stressing the importance of the holiness of the gods. About the relationship between teacher and student, they are bounded by a specific bond of love;³⁶³ ingratitude, on the other hand, is the seed of the cruellest hate,³⁶⁴ therefore it is to be avoided in every possible way. About the famous prohibition of cutting the stone, Memm traditionally says that the actions of a physician should always be more towards honesty than to profit. Nonetheless, if the stone is to be removed, the procedures have a lot of considerations like the instruments to expand the conducts, the nature of the stone, its softness, if it is only one or more and if, after removing them, some others remained, or if it could give troubles to the kidneys. An interesting annotation in comparison to other commentaries is that Memm

³⁶⁰ “Mercedes et salaria (ut vocant) reddi paecipit, quo facilius et liberalius medeantur, moraliumque saluti invigilent.”

³⁶¹ http://purl.uni-rostock.de/rosdok/ppn861_504348 (01.11.2022).

³⁶² See RÜTTEN, “Hippokrateskommentare im 16. Jahrhundert...”, p. 557-610.

³⁶³ MEMMIUS, In Hippocratis iusjurandum commentario, f. [C7r] “Praeceptor igitur et discipulus singularis amoris vinculo coniunguntur.”

³⁶⁴ MEMMIUS, In Hippocratis iusjurandum commentario, f. [C8v] “Semen est odii inter homines truculentissimi ingratitude.”

points out the area between the scrotum and the anus as the best area to reach the stone.

In the commentary, Memm does not give the complete text of each part of the Hippocratic Oath, but since he already gave it at the beginning of the book (f. Br – B2r), I completed it here for the table. Let us see how he divided the Oath into twelve instead of eight parts, breaking the calling to the gods in two, the teaching clause in two, and the pharmacology clause in its three parts (lethal drugs, abortion and conduct):

[C4v] Apollinem Medicum, et Aesculapium, Hygieamque ac Panaceam iuro,

[C6v] deosque omnes itemque deas testes facio, me hoc iusiurandum, et hanc contestationem conscriptam, pro viribus et iudicio meo integre servaturum esse.

[C7r] Praeceptorem sane qui me hanc edocuit artem, parentum loco habiturum, vitam communicaturum, eaque quibus opus habuerit imperititurum:

[D3v] eos item, qui ex eo nati sunt, pro fratribus masculis iudicaturum, artemque hanc si discere voluerint, absque mercede et pacto edocturum: praeceptionum, ac auditionum, reliquaeque totius disciplinae participes facturum, tum meos, tum praeceptoris mei filios, imo et discipulos, qui mihi scripto caverint, et medico jureiurando addicti fuerint, alii vero praeter hos nulli.

[D6r] Caeterum quod ad aegros attinet sanandos, dietam ipsis constituam pro facultate et iudicio meo commodam, omneque detrimentum et iniuriam ab eius prohibebo.

[E2v] Neque vero ullius praeces apud me adeo validae fuerint, ut cupiam venenum sim propinaturus, neque etiam ad hanc rem consilium dabo.

[E4r] Similiter autem neque mulieri talum vulvae subdititium, ad corrumpendum conceptum vel foetum, dabo.

[E6r] Porro praeterea et sancte vitam et artem meam conservabo.

[E7r] Nec vero calculo laborantes secabo, sed viris chirurgiae operarius eius rei faciendae locum dabo.

[E8v] In quascunque autem domos ingrediar, ob utilitatem aegrotantium intrabo: ab omnique iniuria voluntaria inferenda, et corruptione, quum alia, tum praesertim operum venereorum, abstinebo: sive muliebria, sive virilia, liberorumve hominum aut servorum corpora mihi contigerint curanda.

[F4r] Quaecunque vero audiero aut inter curandum videro,³⁶⁵ imo etiam ad medicandum non adhibitus, in communi hominum vita cognovero, ea, si quidem efferre non contulerit, tacebo, et tanquam arcana apud me continebo.

[F6r] Hoc igitur jusiurandum mihi integre servanti, et non confudenti, contigat et vita et arte feliciter frui, et apud omnes homines in perpetuum gloriam meam celebrari. Transgredienti autem et pejerant, his contraria eveniant.

2.3.3.3 Theodor Zwinger (1533 – 1588)

☞ Hippocratis Coi Asclepiadeae gentis sacrae coryphaei viginti duo commentarii tabulis illustrati, Basileae, Episcoporum opera atque impresa, 1579, p. 56-59.³⁶⁶

The physician and scholar from Basel studied in the university of his hometown and in Padua.³⁶⁷ He does not need more introduction since some of his work has been very well studied. He is especially important for this research because he was an active supporter of Hippocratic medicine. Just as he did in his *Theatrum vitae humanae*³⁶⁸ where he explained the contents of the book with a summary table, he presents his commentary on the Hippocratic Oath³⁶⁹ as if he were about to explain a more extensive work. He puts first the Greek and Latin text in two confronted columns

³⁶⁵ In the full version of the Hippocratic Oath at the beginning of the book it says: “Quaecunque vero inter curandum videro aut audiero”.

³⁶⁶ <https://books.google.de/books?id=roBUAAAACAAJ&hl=es&pg=PA56#v=onepage&q&f=false> (01.11.2022).

³⁶⁷ Historisches Lexikon der Schweiz. Online: <http://www.hls-dhs-dss.ch/textes/d/D14707.php> (01.11.2022).

³⁶⁸ *Theatrum vitae humanae*, omnium fere eorum, quae in hominem cadere possunt, bonorum atque malorum exempla historica, ethicae philosophiae praeceptis accomodata, et in XIX. libros digesta, comprehendens: ut non immerito historiae promptuarium, vitaeque humanae speculum nuncupari possit. A Conrado Lycosthene Rubeaquense [...] inchoatum [...]. Cum gemino indice, Basel, Froben, 1565.

³⁶⁹ ZWINGER, Hippocratis...viginti duo commentarii tabulis illustrati, p. 56-59.

with small numbers between the words as if they were to call a footnote so that the reader can easily find the correspondence between both versions and follow the referred passage commented in the scheme marked by letter “n” and the number. The Greek text is the version of Froben; the Latin one seems to be his translation.

He starts dividing the text into two main parts: the title (*inscriptio*) and the text itself (*scriptum ipsum*). In the former, he made two explanations, one about Hippocrates, to be considered as the man itself or his followers; and the other about the *Oath*. Practical law is taught before theoretical law so that students know what is going to be learned and what to be expected. In the latter, more divisions were needed, the proposition (*propositio*), exposition (*enarratio*) and conclusion (*conclusio*).

The proposition has form (*forma*) or way, how the swearer confirms the veracity of his will; and matter (*materia*), the reason of the swearer to say the *Oath*, which is that he “explains his will, however not in an absolute way but reminding his humanity; he adds ‘according to my capacity and judgement.’³⁷⁰ The form is subdivided in two, the pure things among the particular ones for physicians, that is, Apollo, Aesculapius and his daughters; and the pure things for the ordinary people, that is, all the others.

The exposition has at first view just a line, saying what is to be sought in the Physician. However, a note binds the few lines to the next two pages of the scheme that will be exposed later.

The conclusion says that it predicts all possibilities, whether he fulfils the *Oath* or not. It is further divided into two parts corresponding to those possibilities, the opposition between a glorious life and an infamous one.

The exposition continues on the next page³⁷¹ with what is publicly professed: about the acquisitions or what is taken from other’s hand, hence the gratitude towards the teacher; the use or employment in communicating the art, whether through teachings or examples. Teachings must always be in good faith, transmitting the universal precepts and a few examples to demonstrate the facts.

In my opinion, this scheme commentary is quite useful while thinking the oath as a closed and symmetrical composition since the sacred appears at the beginning and at the end, enclosing the human in between. The calling to the gods finishes by putting them as an insurance of the already known full of flaws humanity. The description of the promises to be ful-

³⁷⁰ ZWINGER, Hippocratis...viginti duo commentarii tabulis illustrati, p. 57. “Voluntatem suam explicat, non absolute tamen, sed humanitatis suae memor, κατά δύναμιν καὶ κρίσιν addit.”

³⁷¹ ZWINGER, Hippocratis...viginti duo commentarii tabulis illustrati, p. 58.

filled is clearly stated as a list of things to do while growing as a human being into a physician, first as a respectful student who will become someday a teacher and then by escalating the problems of the art and making the student to acknowledge the power he is about to acquire.

The text division is not as clear as in previous commentaries because Zwinger uses the number to the notes to separate the *lemmata* and introduce them again in the scheme only at the end of the passage. I copied the Latin text nonetheless and preserved the numbers to mark the divisions³⁷² and see how the eight parts can be subdivided into thirty-six. The number in square brackets marks our eight-division system in this and all the Greek texts to follow. I took Zwinger text as the main one because it is the oldest one of the Commentaries here analysed:

[1] Ὀμνυμι 1 Ἀπόλλωνα ἱητρὸν, 2 καὶ Ἀσκληπιὸν, 3 καὶ Ὑγίαν, 4 καὶ Πανάκειαν, 5 καὶ θεοὺς πάντας¹ καὶ πάσας, ἱστορας ποιεύμενος, 6 ἐπιτελέα ποιήσιν, κατὰ δύναμιν καὶ κρίσιν ἐμὴν, ὄρκον τόνδε καὶ ξυγγραφὴν τήνδε· [2] 7 ἡγήσασθαι² μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἐμοῖσιν,³ 8 καὶ βίου κοινώσασθαι, 9 καὶ χρεῶν χρητίζοντι μετάδοσιν ποιήσασθαι· 10 καὶ γένος τὸ ἐξ ἐωυτέου ἀδελφοῖς⁴ ἴσον ἐπικρινέειν ἄρρεσι·¹¹ καὶ διδάξειν τὴν τέχνην ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ ξυγγραφῆς, 12 παραγγελίης·⁺ 13 καὶ ἀκροήσιος 14 καὶ τῆς λοιπῆς ἀπάσης μαθήσιος μετάδοσιν ποιήσασθαι 15 υἱοῖσι τε ἐμοῖσι, 16 καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, 17 καὶ μαθηταῖσι⁵ 18 συγγεγραμμένοις⁶ τε, καὶ ὥρκισμένοισι νόμῳ ἱητρικῷ,⁷ ἄλλῳ δὲ οὐδενί.¹⁹ [3] Διαιτήμασί τε⁸ χρήσομαι· ἐπ' ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ κρίσιν ἐμὴν· 20 ἐπὶ

[1] Apollinem 1 Medicum 2 et Aesculapium, 3 Hygeamque ac 4 Panaceam iuro, 5 deosque item deasque omnes testes voco, 6 me hoc iusiurandum, et hanc stipulationem, pro viribus et iudicio meo, integre servaturum. [2] 7 Praeceptorem, qui me hanc artem docuit, parentum loco habiturum, 8 victum communicaturum, 9 eaque quibus opus habuerit grato animo impertiturum: 10 eos item, qui ex eo nati sunt, pro fratribus masculis habiturum, artemque hanc si discere voluerint, absque mercede et pacto edocturum. 12 Praeceptionis, 13 auditionis, 14, reliquaeque totius disciplinae participes facturum 15 et meos, 16 et praeceptoris mei filios, 17 et discipulos reliquos, 18 si prius scripto caverint, medioque iureiurando adstricti fuerint: nullos praeterea alios.¹⁹ [3] Victus

³⁷² ZWINGER, Hippocratis...viginti duo commentarii tabulis illustrati, p. 56.

δηλήσει δὲ καὶ 21 ἀδικίῃ εἴρξειν.⁹ 22
[4] Οὐ δώσω δὲ οὐδὲ φάρμακον
οὐδενὶ αἰτηθεὶς θανάσιμον, 23 οὐδὲ
ὑφηγήσομαι ξυμβουλὴν τοιήνδε· 24
ὁμοίως δὲ οὐδὲ γυναικὶ¹⁰ πεσσὸν
φθόριον δώσω. 25 Ἀγνῶς δὲ καὶ 26
ὁσίως διατηρήσω βίον τὸν ἐμὸν καὶ
τέχνην τὴν ἐμήν. 27 [5] Οὐ τεμέω δὲ
οὐδὲ μὴν λιθιῶντας, 28 ἐκχωρήσω δὲ
ἐργάτησιν ἀνδράσι πρήξιος τῆσδε. 29
[6] Εἰς¹¹ οἰκίας δὲ ὁκόσας ἂν ἐσίω,
ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων
30 ἐκτὸς ἐὼν πάσης ἀδικίης
ἐκουσίης καὶ φθορίης,¹² τῆς τε ἄλλης
31 καὶ ἀφροδισίων ἔργων 32 ἐπὶ τε
γυναικείων σωμαίων καὶ ἀνδρῶν,^{*13+}
33 ἐλευθέρων τε καὶ δούλων. 34 [7]
Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω ἢ ἀκούσω,
ἢ καὶ ἄνευ θεραπήϊς κατὰ βίον
ἀνθρώπων, ἃ μὴ χρή ποτε
ἐκκλαέεσθαι ἔξω, σιγήσομαι, ἄρρητα
ἡγεύμενος εἶναι τὰ τοιαῦτα. [8] 35
Ὅρκον μὲν οὖν μοι τόνδε ἐπιτελέα
ποιέοντι καὶ μὴ ξυγγέοντι, εἴη
ἐπαύρασθαι καὶ βίου καὶ τέχνης,
δοξαζομένω¹⁴ παρὰ πᾶσιν
ἀνθρώποις, εἰς¹⁵ τὸν αἰεὶ χρόνον· 36
παραβαίνοντι δὲ καὶ ἐπιорκοῦντι,
τάναντία τουτέων.

—
Marginalia: παρακλήσεως,
χρήσασθαι, ἀνδρείων.

In Jouanna's edition these forms
appear as:

1 πάντας τε καὶ 2 ἡγήσασθαι τε
3 ἐμοῖσι 4 αὐτέου ἀδελφεοῖς
5 μαθητῆσι 6 συγγεγραμμένοις
7 νόμῳ ἱητρικῷ 8 τε πᾶσι 9 εἴρξειν
κατὰ γνώμην ἐμήν 10 γυναιξὶ 11 Ἐς
12 φθορῆς 13 ἀνδρείων

rationem aegros praescribam pro
facultate et iudicio meo
commodam: 20 ab omni noxa et
21 iniuria alienam 22. [4] Meque
vero ullius intercessione cuiquam
venenum propinabo, 23 neque
eiusce rei consilium
subministrabo. 24 Neque mulieri
pessum corrumpendi foetus ergo
subjiciam. 25 Caste denique 26 et
sancte vitam reliquam, artemque
meam institutam et excolam. 27 [5]
Nec vero calculo laborantes
secabo, 28 sed artificibus hancce
artem profitentibus concedam. 29
[6] In quascunque autem domos
ingrediar, ob utilitatem
aegrotantium intrabo; 30 ab
omnique iniuria voluntaria
inferenda, et corruptione, quum
alia tum praesertim 31
venereorum, abstinebo: 32 sive
muliebria, sive virilia, 33
liberorumve hominum aut
servorum corpora mihi
contigerint curanda. 34 [7]
Quaecunque vero inter curandum
videro audierove, aut etiam ad
medendum non adhibitus in com-
muni hominum vita cognovero, si
quidem ea non efferre praestet,
tacebo, et tanquam arcana apud
me continebo. [8] 35 Hocce
iusiurandum integre servanti, et
non confundenti, contingat mihi
vita et arte feliciter frui, et apud
omnes homines in perpetuum
gloriam meam celebrari. 36
Transgredienti autem et pejeranti,
his contraria eveniant.

14 δοξαζομένῳ 15 ἐς
 *this is the only form not consigned
 in Jouannas edition, there is
 ἀνδρῶν (Amb^a) but not with the
 two omegas contracted as here. The
 first two words of the marginalia are
 not in Jouanna's edition; the third
 one is a better reading.

All different Greek forms of Zwinger are also in manuscript M (Marcianus graecus 269).³⁷³

2.3.3.4 Johann Opsopaeus (1556-1593)

⚙ Hippocratis coi, medicorum principis, Iusiurandum, Aphorismorum sectiones VIII, Prognostica, Porrheticorum [sic] libri II, Coaca praesagia, graecus et latinus contextus accurate renovates, lectionum varietate et Cornelii Celsi versione calci subdita: studio Ioannis Opsopoei Brettani, Francofurdi, Apud haeredes Andreae Wecheli Claudium Marnium et Joannem Aubrium, 1587, p. 33-36.

Johann Opsopaeus was a German physician and philologist born in Bretten and a professor of medicine, physics and botanic at the University of Heidelberg, where he died.³⁷⁴

His commentary on the Hippocratic *Oath* is included in a small format book (16^e) among the section VIII of the *Aphorisms*, *Prognostics*, *Prorrhetic* and *Coan Prognosis*. The book has 836 pages in total, of which only 833 are foliated. It presents, on one hand, two columns of text, the original Greek and the Latin version; on the other hand, the commentaries or notes to the texts. The Hippocratic *Oath* occupies only three pages (33-36). The Greek text is almost the same as the Aldine Edition³⁷⁵ and as a consequence, the commentary of Opsopaeus is only notes about the differences of the Greek text more than an actual analysis of the meaning and importance of the text. The book was dedicated to Johann Posth (1537-1597),³⁷⁶ a German

³⁷³ Compare to Jouanna's edition. Hippocrate: Le Serment, Tr. ed. Jouanna, p. 2-5.

³⁷⁴ ADB, 24, 1887, p. 407.

³⁷⁵ Aldine, v. 3 ηγήσασθαι, v.6 κοινώσασθαι, v.7 ποιήσασθαι. OPSOPAEUS, Hippocratis... Iusiurandum, p. 33, v. 14. ηξήσεσαι, v. 18 κοινώσεθαι, v. 20 ποιήσεθαι.

³⁷⁶ OPSOPAEUS, Hippocratis...Iusiurandum, p. 3. Ioannis Posthii, illustrissimorum principum palatinorum archiatro.

physician, poet and humanist who studied Medicine and Philosophy in Heidelberg and Valence. He worked as physician of the Prince-Bishop of Würzburg and in the court of the electorate of Friedrich IV.³⁷⁷ Opsopaeus states that his compilation is a manual for physicians:

Interea, Posthi doctissime, hoc Coi senis enchiridion, hoc est, Iusiurandum, Aphorismos, Prognostica, Prorrheticum utrumque, et Coaca presagia,³⁷⁸ multo quam ante hac fuerant puriora, nitidiora, sinceriora, et integriora depromo, et tuae Excellentiae hoc quaecunque meae, quae adhuc in herba est, messis praemetium offero dico, dedicoque.³⁷⁹

In the letter to the reader,³⁸⁰ he made a summary of the Hippocratic textual tradition problems, that is, how his teachings were well known by his predecessors and how the content of his works has been changed accordingly to time, translator, scholar tradition, etc. being those made by Greek scholiasts the worst of all because they fixed and unfixed the words at their own will.³⁸¹ Galen is described as the only preserver of the Hippocratic doctrines and restorer of the art of medicine,³⁸² after which Hippocrates had the same fate as other good authors, fell into the century of the barbarians, and thus was also taken by darkness.³⁸³ But later on, says Johann Opsopaeus, the books of Hippocrates came out again in many different versions and words, some of them even rephrased by common doctors to make more understandable the Ionic dialect.³⁸⁴ In the end, he states that he found such different versions of the text while comparing manuscripts

³⁷⁷ DNB online <http://d-nb.info/gnd/119006464> (01.11.2022).

³⁷⁸ The treatise *Coan Praenotions* has close similarities to the other aphoristic Hippocratic treatises such as *Prorrhetic*, *Prognostic* and *Aphorisms*. Although it was not considered under the semiotic works by Erotian it was later on connected to these treatises by Galen. POTTER, "Introduction to Coan Praenotions" in HIPPOCRATES, *Coan Praenotions*, tr. Paul Potter, LOEB 508, p. 104-105. See JONES, "Prognostic and the aphoristic books" in HIPPOCRATES, *Prognostics*..., tr. W.H.S. Jones, LOEB 148, p. 20-29.

³⁷⁹ OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 9. In the Meantime, most instructed Posthi, I draw up this manual of the old man of Cos, that is the Oath, Aphorisms, Prognostic, Prorrhetic and the other Coan Praenotions; more than before had these been purer, clearer, more sincere and more complete, and I say and dedicate it to your Excellency and I offer whatever firstfruits of my harvest that so far are in green stalks.

³⁸⁰ OPSOPAEUS, *Hippocratis...Iusiurandum*, p.12-30.

³⁸¹ OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 13: "Corruptelae maiorem ansam dederunt Graeci scholiastae, quorum unusquisque fere verba pro suo arbitrio fixit atque refixit."

³⁸² OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 14: "Hos subsecutus est Galenus unicus Hippocrates dictrinae conservator et medicae artis instaurator."

³⁸³ OPSOPAEUS, *Hippocratis...Iusiurandum*, p.14: "Tandem infortunatus noster senex incidit in barbarum ilud seculum quo profundis tenebris omnes boni auctores involuti tenebantur."

³⁸⁴ OPSOPAEUS, *Hippocratis...Iusiurandum*, p.15 – 17.

and printed editions that not even Proteus could have transformed himself into so many forms, and so was also the Ionic dialect neglected because there was almost nobody who knew the dialect of Hippocrates.

While writing his book, Opsopaeus collected the Greek text from the exemplar of Basel, the commentaries of Galen and a manuscript owned by Mauritius Cordaeus,³⁸⁵ a French physician of the 16th century and translator of Hippocratic works into Latin.³⁸⁶ According to Opsopaeus, the Latin versions of the treatises were in part new translations, in part corrections or a better choice of vocabulary. For the *Aphorisms*, *Prognostic* and *Prorrhetic* Celsus was considered as the best and more truthful translator, although the references to the mentioned Hippocratic treatises are dispersed in his work.³⁸⁷

About the Hippocratic *Oath* and its doubtless ascription to the real writings of Hippocrates, he recalls that nobody said the opposite and it had always been so accepted. The sources he uses are the same we already reviewed in this chapter, such as Suidas, Soranus, Hieronymus, Scribonius Largus, Erotian, etc.³⁸⁸ He continues to describe the problems and contents of other Hippocratic treatises. His commentary goes as follows:

³⁸⁵ OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 22: "Ac primum quidem Graecum contextum cum Basiliensi exemplari, Galeni comentariis, et manuscripto codice a clarissimo et humanissimo viro Domino Mauricio Cordaeo suppeditato exacte contuli."

³⁸⁶ Maurice de la Corde (Mauritius Cordaeus), DNB online: <http://d-nb.info/gnd/10425517X> (01.11.2022). His remaining works are about gynaecology, which manuscript Opsopaeus meant is still unknown.

³⁸⁷ OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 22-23: "Tum e Celso optimo et fidissimo Hippocratis interprete quaecunque sparsim in suos libros ex aphorismis, prognosticis et prorrheticis retulerat..."

³⁸⁸ He also ascribes a passage by Aristotle that could be related to the Hippocratic Oath by conjecture, but it has already been explained by Mauritius Cordaeus in the preface of his commentary on the Hippocratic work *On Women*. OPSOPAEUS, *Hippocratis...Iusiurandum*, p. 25-26. For the quote directly from Cordaeus: CORDEAEUS, *Hippocratis... Liber prior de morbis mulierum*, 1585, f. c ij: "Atque eam quidem ab auditorum munere, quae audition sive auscultatio est, perplacuit illi ἀκρομαντικήν nuncupari. Quasi eos demum vindicaret ipse sibi tum, qui, quod nomen dedissent, soli ad ἀκρόασιν admittebantur. Opinatus est enim quae tum explicabat et ἀκρομαντικά κατ'ἐξοχήν dicta sunt, ἃ μὴ χρήποτε ἐκλαλέεσθαι ἔξω, ut loquebatur Hippocrates suo horco [sic], quod evulgari ea non oportebat, sed ἄρρητα εἶναι τὰ τοιαῦτα, quod ea potius tanquam arcana debebant retineri et occulta. Quae nimirum εἰσώθεν (unde haec eadem etiam iure εἰσωτερικά quispiam appellet) intus Aristoteles in conclavi nempe et claustris scholarum penitus conclusis percurrerebat dicendo docendoque; quibus etiam pari ratione opponantur verissime, quae mox dicuntur ἐξωτερικά. Sic multitudinem auditorium, assiduitatem et frequentiam magnam eorum collegit Aristoteles, conciliavitque sibi eorundem gratiam aucupio hoc docendi novo."

In iuramentum Hippocratis, ubi numerus prior paginam posterior versum Graecum non Latinum significat. Pag. 33, ver. 6. Ionica dialectus, qua Hippocrates usus est, postulat Υγίαν dempto ε. quo pacto scriptum est apud Pausan. in. Attic. pag. 21.³⁸⁹ Wech. edit.³⁹⁰ cum ait, τοῦ δε Διῖτρεφούς πλησίον θεῶν ἄγαλμά ἐστιν Υγίας τε, ἣν Ἀσκληπιοῦ παῖδα εἶναι λέγουσιν, καὶ Ἀθηνᾶς ἐπὶ κλησιν καὶ ταύτης Υγείας V.14, vulgata exemplaria Hipp. habent ἡγήσασθαι et 18 κοινώσασθαι, et 20 ποιήσασθαι, aorista pro futuris. P. 34, 2 ἦν pro ἣν plerique Interpretes legerunt. V. 5 Zwingerus unus inter omnes medicos optime de Hippocrate nostro meritis, in sua editione notat etiam παρακλήσεως legi pro παραγγελίης: et mox v. 16: χρήσασθαι pro χρήσομαι. ubi omnino aut χρέσεσθαι legendum; aut χρέσομαι retento, εἶρξειν quod est ver. 20 sequente, in εἶρξω commutandum, quo sibi mutuo respondeant. P. 35, 15 Gorraeus haec ad hunc locum annotat: in Aldino et Germano codice scribitur καὶ τῆς φθορίης τῆς τε ἄλλης geminato λ. quam quidem scio tolerare posse, sed malim legere simplici λ, hoc est τῆς πελάνης, ut interpretatur Hesychius. πελάνη autem, ut idem vult Hesych. significat ἀπατήν, fraudem seu errorem. Atque ita vertit Gorraeus integram hanc sententiam; in cuamcunque domum ingressum fuero, consulam agrotantium salutis, extra omnem sceleris, corrumpendi foetus, fraudis, reique venerae cupiditatem tum in mulieribus virisque, tum in liberis et servis. Porro videntur aliqui φθορίης legisse pro φθορίης: sed hoc illo rectius. V. 19, pro ἀνδρῶν in Zwingeri edit. ἀνδρῶν legitur, in marine vero ἀνδρείων, quemadmodum etiam habet manuscriptus codex Dn. Mauricij Cordaei, Medici Regij, viri praeter summam doctrinae eruditionem erga externos humanissimi.³⁹¹

³⁸⁹ Paus. I, 24, 4.

³⁹⁰ Pausaniou tis ellados periegesis. Hoc est, Pausaniae accurata Graeciae descriptio, Frankfurt, apud haeredes Andreae Wechelii, 1583.

³⁹¹ OPSOPAEUS, Hippocratis...Iusiurandum, p. 527-528. On the Oath of Hippocrates, where the former number means the page and the latter the verse in Greek and not in Latin. Page 33, verse 6, the ionic dialect, which was used by Hippocrates, claims Υγίαν without ε, by agreement it was written by Pausanias about Attica, page 21, edition of Wechel when he says: "near the statue of Diitrefes there are figures of gods, of Health, of whom it is said that she was the daughter of Asclepius, and of Athena surnamed Health". Verse 14. The common copies of Hippocrates have ἡγήσασθαι, verse 18 κοινώσασθαι, and verse 20 ποιήσασθαι, aorist instead of future. Page 34, verse 2. Most of the translators read ἦν instead of ἣν. Verse 5 Zwinger, the only one among all physicians deserving of our great Hippocrates, in his edition also annotates that is read παρακλήσεως instead of παραγγελίης: and afterwards, verse 16: χρήσασθαι instead χρήσομαι, where at all or χρέσεσθαι should be read or χρέσομαι kept; εἶρξειν that is in the following verse 20 should be changed for εἶρξω in order for them to correspond to each other. Page 35, verse 15 Gorraeus notes this things to this place: "in the Aldine and German codex it is written καὶ τῆς φθορίης τῆς τε ἄλλους with geminating λ which indeed I know I can bare but to choose better to read with a simple λ, that is τῆς πελάνης as Hesychius interpretes, πελάνη, so as Hesychius wants it, means ἀπατήν, fraud or error." And in this manner translated Gorraeus the whole phrase: "in whatever house I'll

No divisions can be made because he is not doing a lemmatic commentary *per se*, but more like glosses, still, I give here both his versions of the Hippocratic Oath.³⁹²

[1] Ὁμνυμι Απόλλωνα ἱητρὸν, καὶ Ἀσκληπιὸν, καὶ Ὑγίαν, καὶ Πανάκειαν, καὶ θεοὺς πάντας καὶ πάσας, ἵστορας ποιεύμενος, ἐπιτελέα ποιήσιν, κατὰ δύναμιν καὶ κρίσιν ἐμήν, ὅρκον τόνδε καὶ συγγραφὴν τήνδε· [2] Ἥγησέσθαι μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἐμοῖσιν, καὶ βίου κοινώσασθαι, καὶ χρεῶν χρητίζοντι μετάδοσιν ποιήσασθαι, καὶ γένος τὸ ἐξ ἐωυτέου, ἀδελφοῖς ἴσον ἐπικρινέειν ἄρρεσι, καὶ διδάξειν τὴν τέχνην ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ συγγραφῆς. Παραγγελίης τε καὶ ἀκροήσιος καὶ τῆς λοιπῆς ἀπάσης μαθήσιος, μετάδοσιν ποιήσασθαι υἱοῖσι τε ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, καὶ μαθηταῖσι συγγεγραμμένοις τε, καὶ ὠρκισμένοις² νόμῳ ἱητρικῷ,² ἄλλῳ δὲ οὐδενί. [3] Διαιτήμασί τε χρήσομαι ἐπ' ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ κρίσιν ἐμήν, ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἴρξειν. [4] Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ αἰτηθεὶς θανάσιμον, οὐδὲ

[1] Apollinem medicum et Aesculapium, Hygiamque et Panaceam iuro, deos deasque omnes testes citans, me, pro viribus et iudicio meo hoc iusiurandum et hanc stipulationem plene praestaturum. [2] Illum nempe parentum meorum loco habiturum spondeo: qui me artem istam docuit, eique alimenta impertiturum, et quibuscunque opus habuerit, suppeditaturum: Ab eo prognatos pro germanis fratribus reputaturum: [p. 34] Artem hanc medicam si addiscere desideraverint, absque mercede et cautione edocturum: Praeceptionum, narrationum, cunctaeque reliquae disciplinae cum meos et praeceptoris mei liberos, tum caeteros discipulos qui scripto caverint et in legem medicam iuraverint, participes facturum, aliorum vero neminem. [3] Victus etiam rationem pro virili et ingenio meo aegris salutarem praescripturum, a

enter, I will take care of the health of the sick ones, except from everything of an evil deed, of a miscarriage of the foetus, of a fraud and except from the desire of venereal things either with men or women, free men or slaves." Farther on they seem to read φθορῆς instead of φθορίης but this is more correct than that one. Verse 19, instead of ἀνδρῶν in the edition of Zwinger it is read ἀνδρῶν, in [the vocabulary] belonging to the sea, indeed ἀνδρείων, in this way has it also the codex manuscript of Mr. Maurice de la Corde, royal physician, a very humanist man beyond the top instruction of knowledge in respect to foreigners.

³⁹²OPSOPAEUS, Hippocratis...Iusiurandum, p. 33-36.

ὕφηνήσομαι ξυμβουλὴν τοιήνδε·
 ὁμοίως δὲ οὐδὲ γυναικὶ πεσσὸν
 φθόριον δώσω, ἀγνῶς δὲ καὶ ὀσίως
 διατηρήσω βίον τὸν ἐμὸν καὶ τέχνην
 τὴν ἐμήν. [5] Οὐ τεμέω δὲ οὐδὲ μὴν
 λιθιῶντας, ἐκχωρήσω δὲ ἐργάτησιν
 ἀνδράσι πρήξιος τῆςδε.³ [6] Εἰς
 οἰκίας δὲ ὁκόσας ἂν ἐσίω,
 ἐσελεύσομαι ἐπ' ὠφελείῃ
 καμνόντων, ἐκτὸς ἐὼν ἀσῆς ἀδικίης
 ἐκουσίης καὶ φθορίης, τῆς τε ἄλλης
 καὶ ἀφροδισίων ἔργων ἐπὶ τε
 γυναικείων σωμαίων καὶ ἀνδρῶν,⁴
 ἐλευθέρων τε καὶ δούλων. [7] Ἄ δ' ἂν
 ἐν θεραπείῃ ἢ ἴδω, ἢ ἀκούσω, ἢ καὶ
 ἄνευ θεραπείης κατὰ βίον
 ἀνθρώπων, ἃ μὴ χρή ποτε
 ἐκλαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα
 ἡγεύμενος εἶναι τὰ τοιαῦτα. [8]
 Ὅρκον μὲν οὖν μοι τόνδε ἐπιτελέα
 ποιέοντι καὶ μὴ ξυγχέοντι, εἴη
 ἐπαύρασθαι καὶ βίου καὶ τέχνης,
 δοξαζομένω παρὰ πᾶσιν
 ἀνθρώποισιν, εἰς τὸν αἰεὶ χρόνον·
 παραβαίνοντι δὲ καὶ ἐπιорκοῦντι,
 τάναντία τουτέων.

1 Zwinger and Jouanna ἡγήσασθαι

2 Zwinger ὠρκισμένοισι

3 The words are together but it has a final sigma in the middle of the word, probably typo mistake.

4 Zwinger: ἀνδρῶν Jouanna: ἀνδρείων

perniciosa vero
 et improba eosdem prohibiturum.
 [4] Nullius praeterea precibus
 adductus mortiferum
 medicamentum cuiquam
 propinabo, neque huius rei [p. 35]
 consilium dabo. Pariter neque
 praegnantī mulieri pessum
 subiiciam foetus corrumpendi
 gratia. Sed caste et sancte colam et
 vitam et artem meam. [5] Imo
 [sic] ne quidem calculo laborantes
 incidam verum hoc muneris
 peritis eius artis magistris
 permittam. [6] In quascunque
 porro aedes pedem intulero, ad
 aegrotantium salutem ingrediar,
 alienus ab omni iniuria voluntaria,
 et corruptela tum alia, tum
 praesertim rebus venereis, in
 muliebribus aequae ac virilibus,
 liberorum item ac servorum
 corporis tractandis. [7]
 Quacunque vero in vita
 hominum, sive medicinam
 factitans, sive non, vel videro, vel
 audivero, [p. 36] quae in vulgus
 effere non decet, ea reticebo non
 secus atque arcana fidei meae
 commissae. [8] Quod si igitur
 hocce iusiurandum fideliter
 servem, neque violem, contingat
 ut prospero successu tam in vita
 quam in arte mea fruam, et gloriam
 immortalem ubivis gentium
 consequar. Sin autem id
 transgrediar, et peierem, contraria
 hisce mihi eveniant.

2.3.3.5 Jan van Heurne (1543-1601)

☞ Hippocratis Coi Prolegomena et prognosticorum libri tres: cum paraphrastica versione et breuibis commentariis, Ludguni Batavorum, Ex officina plantiniana apud Franciscum Pahelengium, 1597.

The physician von Utrecht wrote a commentary on the Hippocratic Oath in a book that announces in the cover page a commentary on the three books of *Prognostics* and some other introductory works. Among them are, besides the *Oath*, *About the physician*, *Law*, *About the art*, *On Ancient Medicine*, *About elegance*, *Precepts*, *On Flesh* and *About the purgative remedies*. The book in total has 304 pages and was dedicated to the Counsellors of the Belgic Province.

Jan van Heurne begins his commentary with a brief introduction or 'Argument', interpreting the *Oath* as a form of piety, and accordingly to the Bible,³⁹³ piety is wisdom. The *Oath* is also a religious affirmation, the best bond to unite the reliance, for it is an invocation to God, whom they asked to be their protector against an impious action and to serve as a true witness of their courage not wanting to swear falsely.³⁹⁴

The question about the text, if it was written by Hippocrates or not, is stated and answered with reference to the commentaries of Opsopaeus and Zwinger and the authority of the authors here previously mentioned, like Scribonius Largus, Erotian and Hieronymus.³⁹⁵ The commentary is very well organised, quoting first the Greek text, then its Latin version in italics, both with small numbers within the body of the text that are used to mark the different parts that he addresses in the interpretation, cleanly printed in Roman typography and two columns. Each section always has its title (*Hippocratis textus*, *Heurnii Commentarius*).³⁹⁶

The first part of the commentary is about the gods sworn by, not describing each one but remembering that these gods limited by faith the acts of the initiated. Several other examples of the relationship between God and health in sacred environments, like temples, are also mentioned. Heurne recalls very briefly that Apollo taught medicine to humankind, to the Asclepiads and within them, to Hippocrates. He reminds the com-

³⁹³ Job 28:28 ἡ θεοσέβειά ἐστιν σοφία.

³⁹⁴ HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 1: "Est enim Iusiurandum affirmatio religiosa, qua nullum est ad constringendam fidem vinculum arctius. Nam est invocatio dei, qua petimus ut deus scelerum vindex et verax sit testis de nostro animo, quo asserveramus nos fallere nolle."

³⁹⁵ HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 1.

³⁹⁶ HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 2-7.

mentaries of Opsopaeus and Zwinger as well as some passages of Plato and Pindar regarding the goddess Health.³⁹⁷

The next part is about the relationship between teacher and student. Jan brings up an analogy used by Hesiod and the field, the more you sow, the more you will harvest. According to Plautus, it is a bad person that who knows how to take benefits but does not know how to return them.³⁹⁸ Other quotes of Cicero and Pindar are mentioned.

The next analysed paragraph is about instruction and the precepts about the treatment to the patient, the diet, and not to give mortal medicaments nor to prescribe them. Medicine was given from father to son. They used to call themselves servants of the art of medicine, its instruction, therefore, is something to be taken care especially, not in a vague manner but firmly and not to share it to whoever wishes it. The diet is a powerful therapy for it could disturb health or help to gain it, it could also be mortal if given, for example, in the vigour of acute diseases. About the uses of remedies, “to cause dead with medicine is not an expiable bad thing”.³⁹⁹ Heurne believes that good things can come from the use of medicaments if done correctly in order not to harm but help, because of that this part of the *Oath* is most important.

The next part has all the negative promises, not to cause abortion, not to cut out the stone, not to reveal secrets, not to incur in sexual relationships and to live in a pure and holy way. About the abortion clause, he begins with a few lines about the seed (*semine*) and how there is in it the substance of existence, and thus, an animal is formed from the seed as it has always been but not with the same form as an “animal”. The next notes about abortives recall the case of Hippocrates in his *On nature of the child* where there was the case when he gave a dancer an abortive salt. The author refers to the commentaries of Zwinger and Mercurialis for further explanation but says that the salts were prescribed so that the seed wouldn’t form into life and they believed the salts did not prevent the formation of the foetus. Tertullian said that to prohibit not to be born is the hurry of a homicide. To end with this section, the Greek word φθόρια is explained as medicaments that throw out the foetus, whether alive or dead. To live in a pure and holy way for Heurne is not to be moved by the love for the richness and not to treat the sickness of anyone maliciously, nor give

³⁹⁷HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 2-3

³⁹⁸HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 4: “Improbis est homo, qui beneficium scit sumere, reddere nescit.”

³⁹⁹HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 5: “Non piabile scelus est, mortem pro medicina propinare.”

remedies falsely in exchange of gems or any other kind of wealth but to practice medicine guided by justice and innocence. About the cutting of the stone, he critically says that in this cases to rush into cutting is the common practice but it is cruel, a butchery, and there is a lot to consider for the extraction of the stone like age, sickness, time, strength, etc. The precept against the cutting of the stone exists because there is no other remedy, but still, it is not a solution. For the other negative precepts, he summarises them in seven lines saying that it means not to injure, to avoid the crime of greed and robbery and to be foreign to all desires.⁴⁰⁰

The last part of the commentary involves the ‘seal of consultation’ clause and the curse. About the ‘seal of consultation,’ Heurne quotes Cicero saying “a good man is one who reports about things he can, harming no one however.”⁴⁰¹ About fulfilling the *Oath*, he brings up Herodotus saying “The future of the man, true to and servant of the oath, will be happier”⁴⁰² and remembers, without details, that Pausanias gave examples in history of all the calamities that happened to those who despised oaths and promises. As extra information and at the end of the commentary he puts some notes about the understanding of some words passed on by Joseph Justus Scaliger (1540-1609) who found them on a very ancient manuscript of the queen of France. These glosses are reproduced in the commentary of Johann Heinrich Meibom, and that is why I considered useful to transcribe them here:⁴⁰³

Breviter quaedam repeto, ut lucem dem Graecae literaturae. Haec mihi communicavit Nobilissimus clarissimusque vir Iosephus Scaliger, Excepta ab eo ex antiquissimis Reginae Galliae codicibus, ubi ait Hipp[ocrates] ἴστορας, intellige μάρτυρας. ἐπιτελέα hoc est, ἐντελῆ, ἀψουδῆ. Ξυγγραφῆν, hoc est, συνφωνίαν. Μετάδοσιν, id est, κοινωνίαν. Εἴρξειν, hoc est, ἐμποδίσσειν. εἰσίω, εἰσελθῶ. Φθορίης, βλάβης. Ξυγχέοντι, hoc est, παραβαίνοντι. Ἐπαύρεσθαι, id est, ἐπαπολαῦσαι. Ubi ait, ἴσα καὶ γηνέτησιν, hoc est, γηνεῦσιν vel συγγενέσιν. οὕτως Ἀττικῶς λεγόντων· ὥς καὶ Φιλῆβων ἐν κολακίῃ φησιν· ἀλλ’ οὐδὲ γηνητὴν δύναμαι οὐρεῖν οὐδένα τῶν τοσοῦτων, καὶ ἀπείλημμαι μόνος· καὶ Ρίνθος ἐν τῷ περὶ τῆς Ἀττικῆς συνηθείας φησιν, Οἱ μ[εν] οὖν ἕκ τῆς αὐτῆς φυλῆς, φυλέ[ος] λέγυν[ος]· οἱ ἦν ἕκ τῆς αὐτῆς φρατρίας, φράτορες· οἱ ἦν ἕκ τοῦ αὐτοῦ γένους, γηνος.

⁴⁰⁰HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 6.

⁴⁰¹HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 7. “Vir bonus est qui prodest quibus potest, nocet autem nemini.”

⁴⁰²HEURNE, Hippocratis Prolegomena...breuibis commentariis, p.7.

⁴⁰³HEURNE, Hippocratis Prolegomena...breuibis commentariis, p. 7

His divisions of the Oath are only five. The numbers in between work in his commentary as a smaller division, like sub-lemmata. He is dividing in two the part of the teaching and putting the last part with the clause of dietetics and lethal drugs, forming perhaps a unity of proper teaching and use of medicine. He is also binding together the abortion, lithotomy and sexual restrain clauses and later on the 'seal of consultation' with the curse clause. These unions make me think that perhaps for Heurne to preserve the life of a physician holy and pure has to do with three specific actions that could put the patient in greater risk. These actions are different from the others preserved in the negative promises clause. To make an abortion, a lithotomy and have sex with any patient is worse than to use lethal drugs, which could be useful if managed properly as above stated; or than to be imprudent and reveal information acquired during the consultation, since the latter might even save the patient or a whole population in case of epidemics.

[1] 1 Ὁμνυμι 2 Ἀπόλλωνα ἱητρὸν, καὶ
3 Ἀσκληπιὸν, καὶ 4 Ὑγίαν, καὶ
Πανάκειαν, καὶ θεοὺς πάντας καὶ
πάσας, ἱστορας ποιεύμενος,
ἐπιτελέα ποιήσῃς, κατὰ 5 δύναμιν
καὶ κρίσιν ἐμήν, ὄρκον τόνδε καὶ
ξυγγραφὴν τήνδε·

[2] 1 ἡγήσεσθαι¹ μὲν τὸν διδάξαντά
με τὴν τέχνην ταύτην, ἴσα γενέτησιν
ἐμοῖσιν, καὶ βίου κοινώσασθαι, καὶ
χρεῶν χρητίζοντι μετάδοσιν
ποιήσασθαι· καὶ γένος 2 τὸ ἐξ
ἐωυτέου ἀδελφοῖς ἴσον ἐπικρινέειν
ἄρρεσι· καὶ διδάξειν τὴν τέχνην
ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ
3 μισθοῦ καὶ ξυγγραφῆς,

1 Zwinger and Jouanna: ἡγήσασθαι

1 *παραγγελίης τε καὶ 2 ἀκροήσιος,
καὶ τῆς λοιπῆς 3 ἀπάσης μαθήσιος
μετάδοσιν ποιήσασθαι 4 υἱοῖσί τε
ἐμοῖσι, καὶ τοῖσι τοῦ ἐμῆ διδάξαντος,

[p. 5] *Iuramento 1 affirmo teste 2*
Appoline Medicorum praesidem et
3 Aesculapio, 4 Hygea ac Panacea,
deabus diisque omnibus, me
quantum 5 viribus et iudicio
assequi possum, inviolatum hoc
iusiurandum hancque
stipulationem praestaturum.

[p. 6] 1 *Sancte itaque promitto, me*
loco perentum habiturum hinc, qui
me hanc artem docuit,
nutriciumque me ei praestiturum,
et quibus eget benigne
impertiturum. 2 Progeniem eius
germanorum loco reputaturum. Et
hanc artem si discere eius posterum
voluerint, sine mercede et absque 3
stipulatione me illos docturum.

[p.7] 1 *Praecetorum et 2*
narrationum, et reliquae 3
universa artis benigne et fideliter
participes facturum 4 meos, et

καὶ μαθηταῖσι 5 συγγεγραμμένοις τε,
καὶ ὥρκισμένοισι νόμῳ ἱητρικῷ,
ἄλλω¹ δὲ οὐδενί. 6 [3] Διαιτήμασί τε
* χρήσομαι ἐπ' ὠφελείῃ καμνόντων,
κατὰ δύναμιν καὶ κρίσιν ἐμήν, ἐπὶ 7
δηλήσει δὲ καὶ 8 ἀδικίῃ εἵρξιν. [4]
Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ
αἰτηθεὶς θανάσιμον, οὐδὲ
ὕφηνήσομαι 10 συμβουλίῃν τοιήνδε·

—
Marginalia: *Opsop. Παρακλήσεως,
ποιήσεσθαι. *Osop. [sic] χρήσασθαι,
retento εἵρξιν vel χρήσομαι retento
εἵρξω: nam ita sibi mutuo
respondent.

Again the forms Παρακλήσεως and
χρήσασθαι are not in Jouanna's
edition.

1 both without iota subscript in
Zwinger.

ὁμοίως δὲ οὐδὲ γυναικὶ πεσσὸν
φθόριον 1 δώσω. 2 Ἀγνῶς δὲ καὶ
ὁσίως διατηρήσω βίον τὸν ἐμὸν καὶ
τέχνην τὴν ἐμήν. [5] 3 Οὐ τεμέω δὲ
οὐδὲ μὴν λιθιῶντας, ἐκχωρήσω δὲ
ἐργάτησιν ἀνδράσι πρήξιος τῆς δε.¹
[6] Εἰς οἰκίας δὲ ὁκόσας ἂν ἐσίω,
ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων
ἐκτὸς ἐὼν πάσης ἀδικίης 4 ἐκουσίης
καὶ 5* φθορίης, τῆς τε ἄλλης καὶ 6
ἀφροδισίων ἔργων, ἐπὶ τε γυναικείων
σωμάτων καὶ +ἀνδρῶν,²
ἐλευθήρων τε καὶ δούλων.

—
Marginalia: *Opsop. Πλάνης
Gorrae. Id es, fraude, errore. d.
Hesych. v. 3, quidam φθορῆς
legisse, sed aliud melius. + Ἀνδρῶν
Zwing. et in marg. Ἀνδρείων

*praeceptoris mei liberos, imo et
reliquos qui 5 scripto stipulati
fuere, ac ex lege medica
iusiurandum interposuere: alim
praeter hos nullum. Caeterum in
tractandis aegris, 6 diaeta,
quantum viribus et ingeni
assequar, ex aegrorum commodo
utar: a 7 veneno autem imbuta, et
sanitati 8 injuria illos arcebo. Nec
unquam aut prece aut praemio
victus, 9 pharmacum calamitosum
probinabo cuiquam, nec nefarii
huius 10 consilii auctor ero
unquam.*

[p.8] *Ita nusquam ingravidate
mulieri pessum 1 abortiferum
porrigam. 2 Vitam artemque
meam caste et sancte ducam. 3
Nec unquam ex calculo laborantes
ipse secabo: sed his qui se totos
huic operi dicarunt, hoc officium
permittam. Quascumque ingredior
aedes, in hic aegrorum commodis
studebo, studioseque ulla 4
inujuria a me ne prudenter eveniat
cavebo, et ab omni 5 corruptela,
cum alia, tum maxime 6 venerea
me continebo, sive corporibus
foemineis, masculis, liberis aut
servilibus medicinam fecero.*

1 in Zwinger τῆσδε 2 in Zwinger
ἀνδρῶν

[7] Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω ἢ
ἀκούσω, ἢ καὶ ἄνευ θεραπείης¹ κατὰ
βίον ἀνθρώπων, ἃ μὴ χρή ποτε
ἐκλαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα
ἡγεύμενος εἶναι τὰ τοιαῦτα. [8] 2
Ὅρκον μὲν οὖν μοι τόνδε ἐπιτελέα
ποιέοντι, καὶ μὴ ξυγγέοντι, εἴη,
ἐπαύρασθαι καὶ βίου καὶ τέχνης,
δοξαζομένω παρὰ πᾶσιν
ἀνθρώποισιν,² εἰς τὸν αἰεὶ χρόνον· 3
παραβαίνοντι δὲ καὶ ἐπιорκοῦντι,
τάναντία τουτέων.

¹ Zwinger: θεραπήϊς. The form
used by Heurne is the better
reading (Jouanna).

² Zwinger: ἀνθρώποις which is the
better reading (Jouanna).

[p.8] 1 *Quae autem inter
curandum visu aut auditu
notavero, vel extra medendi
arenam in communi hominum vita
percepero, quae non decet
enunciare, silentio involvam, et
tanquam arcana illa estimabo. 2
Itaque inviolata integritate, sancte
si hoc iusiurandum praestitero,
nec fallo, eveniat mihi foeliciter
vita et haec ars, atque perpetuo
gloria mea toto spendeat orbe. 3
Sin periurus fefellerō fidem, his
votis adversa eveniant omnia.*

The Greek text of Heurne is very similar to that of Zwinger, except in the already annotated words. It also has some marginalia with readings offered as marginalia either by Zwinger or by Opsopaeus, however they are not in Jouanna's edition, such as Παρακλήσεως and χρήσασθαι. Opsopaeus in his commentary quotes Zwinger and explains the different readings that are not the best reading. The question that remains is about Zwinger's sources.

2.3.3.6 François Ranchin (1564-1601)

☞ *Opuscula Medica, utili, iocundaque rerum varietate referta, Lugduni, apud Petrum Ravavd, 1627.*

The French physician born in Montpellier, professor of medicine at the Royal College and chancellor of the University of Montpellier wrote in 1627 a commentary on the Hippocratic *Oath* as part of a book of summarised, critical and useful medical knowledge. The introductory letters are from

Henri Gras, a physician at Montpellier and practitioner in Lyon,⁴⁰⁴ to Ranchin, followed by the index and a short story of the University of Montpellier with a list of illustrious physicians and inscriptions found in the university. The book also has pathology treatises, *Pathologia universalis*, *De morbis puerorum*, *De morbis virginum*, *De senum conservatione et senilium morborum curatione*, *De crutationione morborum qui purgationem comitantur aut consequuntur*, and a very different treatise *De consultandi ratione seu de collegiandi modo*. It has 786 pages in total of which only 731 are foliated. Since this commentary is one of the longest, the summary is also longer and more complicated than the others. Ranchin added more questions and subdivisions than the usually found in the *Oath* as it will be explained.

In the preface to the commentary, Ranchin explains that he begins with the *Oath* because he is merely following the example of Aristotle who used to lecture the more secret and heavy knowledge during the morning walks since they were lighter then than in the evening.⁴⁰⁵ Later on, the Greek text with its Latin translation is presented in a two-column confronted version, after which follows a brief explanation on how the commentary is arranged, for “Plato did not call beings the not ordered beings”:⁴⁰⁶ François explains that first, comes the title and the content of the books, second that the book was divided into two parts and third that every part is explained. In the first page or title page two other things are explained, the fame of the author and the nature of the *Oath* as well as why it is necessary to be learned, taught and exercised.⁴⁰⁷ Thus he divided his commentary into very well defined sections.

The section *About Hippocrates* recalls his origin and fame shortly: “our Hippocrates was also from Cos, a man, if anyone ever of the mortal men, who made the faith according to the ancient saying, ‘man is God to man.’ Antiquity called him the holiest, divine man, not because he healed men with art or diligence but by the favour of the divine will.”⁴⁰⁸ The importance

⁴⁰⁴ Besides the information from the same text of Ranchin, little can be known about H. Gras but that he took care of the publication of other physicians like Antonius Saporta and Jean de Varanda (1564? - 1617). BnF: <https://catalogue.bnf.fr/ark:/12148/cb31543228v> and <https://catalogue.bnf.fr/ark:/12148/cb31297851h> respectively. (01.11.2022).

⁴⁰⁵ RANCHIN, *Opuscula Medica*, p. 16.

⁴⁰⁶ RANCHIN, *Opuscula Medica*, p. 19: “ut Entia non ordinata, non Entia appellarit Plato.”

⁴⁰⁷ RANCHIN, *Opuscula Medica*, p. 19.

⁴⁰⁸ RANCHIN, *Opuscula Medica*, p. 19: “Cous etiam Hippocrates noster, qui vir, si quis unquam mortalium, veteri dicto fidem fecit, Homo Homini Deus. Antiquitas ιερώτατον, divinum virum appellabat, quod non arte atque industria homines sanaret, sed favore numinis.”

of his figure as the father of medicine and writer of the uttermost knowledge of the art of healing is also presented in a very delightful and rhetorical way:

Illius scripta aurea tanquam coelo delapsa cum honore et religione omnes Medici tractare solent: ideoque pium erat olim in Hippocratis verba iurare, cum sua fretus μεγαλοψυχία nec fallere, nec falli unquam potuerit. Tanti viri divinitatem illius monumenta testantur; quae ac si a Divino promanassent ore ab omnibus Medicis, et Philosophis celebrantur. Nihil temere aut perperam scripsit, sed omnia cum brevitate, gravitate, et veritate. Quot syllabae, tot verba, tot oracula. Solus ille Medicinam nostram non tantum oppressam, sed fere suppressam, quasi redivivam excoluit, illustravit, et in Artem redegit. Offeramus ei thura tanquam tutelari Medicinae Deo, et gallum tanquam novo Aesculapio sacrificemus: Eique iam in Iurisiurandi declaratione et observatione, nomen et fidem dare non vereamur.⁴⁰⁹

In *De iusiurandi Hippocratici vitalitate, et necessitate, in Medicina ediscenda, edocenda, et exercenda* (About the usefulness and necessity of the Hippocratic Oath to be learned, taught and exercised in Medicine) the act of swearing the *Oath* is compared to the tradition of soldiers to swear fidelity to the ruler and to protect the people. In the same way, Hippocrates, being the chieftain of physicians or, better on, as an ambassador of Apollo and Aesculapius, gathered all students to swear by the name and believe in the *Oath*. Ranchin comments how other authors like Gregorius of Nazianz, Hieronymus, Erotian and Scribonius Largus praised Hippocrates and the *Oath* as a way to prepare the disposition or sensibility (*praeformet animos*) and manners of the students towards humanity and to preserve the art of medicine; because of this, the *Oath* is very useful and necessary.⁴¹⁰

To answer the question of the next section: *an Hippocratis iusiurandum sit iustum et legitimum, et an medici Christiani ad illius abservationem*

⁴⁰⁹ RANCHIN, *Opuscula Medica*, p. 20. All physicians use to handle the golden writings of him with honour and reverence as if fallen from heaven and because of this it was dutiful some time ago to swear by the words of Hippocrates, with his greatness of soul, the reliance could not deceive not be deceived. Monuments are witness of the divinity of such man, which emanate as if from the Divine mouth and is celebrated by all physicians and philosophers. He wrote nothing by chance or by mistake but all things with brevity, seriousness and truth. How many syllables, many words, and many oracles. Only he explained our medicine not so much oppressed but almost suppressed, as if he cultivated it alive again and brought it back to the art. Let us offer him incense as a tutelary god of Medicine and let us sacrifice a rooster as to the new Asclepius: and let us not be afraid now to grant him name and faith in the declaration and observation of the Oath.

⁴¹⁰ RANCHIN, *Opuscula Medica*, p. 20-21.

teneantur? (is the Oath of Hippocrates just and legal and do the Christian Physicians are restrained to keep it?), Ranchin divides his argument into four points that seem to overthrow the faith and truth of the Hippocratic Oath, then he gives two fundamentals, a conclusion and a solution to these problems:

The first point to be considered is the doubtful authorship of the writing since it could not be proved to belong to Hippocrates itself or his school, as Hieronymus Mercurialis said in his book where he values the books of Hippocrates.⁴¹¹ Second, for idolatry reasons since it is forbidden for the Christians to swear on false gods and the Oath swears on all gods and goddesses and not on the living God. Third because of the principles of the lawyers, since the Oath is private and simple and was made without authority of the Magistrate, it cannot be assumed as public. It was created by Hippocrates, or by someone in the private sphere of society and therefore it could not be imposed on academics, students nor doctors. Fourth, because if the Oath would have been written by Hippocrates there is a contradiction between its teachings and the book *About the nature of the child* where the miscarriage is provoked under some circumstances.

After overthrowing every point Ranchin gets to the conclusion that the Oath of Hippocrates is just and legitimate and should also be followed by Christian physicians. He offers four solutions to each problem already mentioned: although the text might not be from Hippocrates most of the other renown physicians in history accepted it as Hippocratic, also Suidas; for the Christians, Augustine had a solution since 'it is less bad to swear truly on false gods than to swear falsely on the true God'⁴¹²; the physician should follow the Oath not only to pay obedience to it but because of fear of the punishment, also it is not proposed to be followed in Academies; lastly, for the problem about abortion the topic will be discussed later.⁴¹³

Divisio iurisiurandi (Division of the Oath): once the necessity and usefulness were proven, Ranchin divides the Oath according to his judgement in three main parts: the *adjuratoria* or the swearing to the gods and goddesses, the *legalis* or medical constitutions that are further divided into eight sections and thoroughly explained; and the *excecratoria* or the curse clause.⁴¹⁴

⁴¹¹ The title of the book is not specifically given in the text but surely Ranchin means Hieronymi Mercurialis censura et disposition operum Hippocrates, Frankfurt, Wechelus, 1585.

⁴¹² AUGUSTINUS, *Epistulae*, 47.

⁴¹³ RANCHIN, *Opuscula Medica*, p. 21-22.

⁴¹⁴ RANCHIN, *Opuscula Medica*, p. 23-25.

- *Prima pars iurisiurandi Hippocratici. Quae adiurationem et promissionem continet* (First part of the Oath of Hippocrates, which contains the swearing and promising)

The fragment of the Greek and Latin text was printed again at the beginning. Ranching says that this part of the *Oath* was already explained, that the swearing on Apollo, Aesculapius, his daughters and all gods and goddesses is made, just as Hippocrates did, “so that future physicians did not doubt about the necessity of the precept and the truthfulness of the promises because of the summoned authority of Gods and Goddesses.”⁴¹⁵

Another small section is called *Quid per Apollinem, Aesculapium, Hygiaeam, et Panaceam audiendum sit* (what is to be understood by Apollo, Aesculapius, Health and Panacea) where mythological significance and interpretation are stated, being thus Apollo the sun, Aesculapius the air, Health the wellness and Panacea the medicaments.⁴¹⁶ This passage has a lot of points to be interpreted since it sets a relationship between popular mythological knowledge and analytic reasoning that searches for logical thinking.

- *Secunda pars Iurisiurandi, quae Leges et Regulas Apollinares continet* (Second Part of the Oath, which contains the Apollonian laws and rules)

All the rules and laws that Hippocrates considered necessary and worthy of being taught learned and practised. Every law comes with the given passage in Greek and Latin reproduced. Here I only translated the title of each law and gave the most important and useful points for this research.

- *Prima lex: De discipulorum erga praeceptores observantia et gratitudine* (First law: About the gratitude and respect of the disciples towards the teachers). Teachers of medicine have more glory and more comfort than a regular teacher because their doing have a direct effect on public health. Examples of ancient times are also mentioned.⁴¹⁷

⁴¹⁵ RANCHIN, *Opuscula Medica*, p. 23: “ut posteritas Medicorum propter interiectam Deorum, Dearumque auctoritatem, de necessitate legum, et veritate promissorum non dubitaret.”

⁴¹⁶ RANCHIN, *Opuscula Medica*, p. 24.

⁴¹⁷ RANCHIN, *Opuscula Medica*, p. 25-26.

- *Secunda lex: De officio Praeceptorum erga discipulos* (Second law: About the obligation of the teachers towards the disciples). Ranchin remembers how medicine was not always a knowledge for the ordinary people but was among the secret arts, the cabalistic doctrines, only suitable for priests and Magians among Egyptians, Persians and Chaldeans and even the writings were obscure. The *Oath* is, therefore, the perfect manner to open the knowledge to all people but with a strong reminder of the secrecy of the art.⁴¹⁸
- *Tertia lex: De officio Medicorum in praescribenda victus ratione* (Third law: About the obligation of the physicians by prescribing a way of life.) The physician should give the sick one a useful and convenient diet. Hippocrates already explained much about diet and the specifics of it, like time, nature, age, region, etc. However, Ranchin asks why he had not mentioned anything about surgery and the use of medicaments in that law of the *Oath*, he answers that Hippocrates tried to cure first with diet, then with drugs, and surgery was always the last choice.⁴¹⁹
- *Quarta lex: De Venenorum et Venenatorum usu, et abusu* (Fourth law: About venoms and the use and abuse of venoms and venomous animals). Three things prove this law: first, the objective of Medicine is health; the work of physicians is to defeat the most hostile enemy of humans, that is sickness, and third, the divine law of society prohibits homicide and keeps off the harm from people. After going through the common problems of the question if the physician is allowed to prescribe lethal drugs Ranchin concludes that the best Medicine is not to use medicaments; still, many venoms are prescribed daily because they are necessary, which answers part of the question: the physician can prescribe lethal drugs. To elucidate this part better Ranchin has three fundamentals: first, the physician should have every knowledge about poisoning minerals, plants and animals since they are also a threat to common people's life. Second, some of the lethal medicaments are also used as a treatment, so the physician must know precisely how to use them and be aware of their nature; third it is not permitted to give venom not even to enemies since medicine does not judge

⁴¹⁸RANCHIN, *Opuscula Medica*, p. 26-27.

⁴¹⁹RANCHIN, *Opuscula Medica*, p. 27-28.

men nor their fortune; but it is legal and allowed to give it to convicted men to gain experience and for the life and health of the convicted if the administered antidote works. As an answer to these three fundamentals, he explains that the only examples about deliberately poisoning to harm someone come from barbarians and non-Christian people and therefore are not to be considered. The prescription of lethal drugs as purgatives is allowed because its end is to cure the sick; hence the knowledge and nature of venoms are most required. At last, he says about giving poison to convicted men that it is not permitted, not even to lighten the humiliation for the sentence for it is precisely a punishment; however, he adds immediately that the physician can give venoms to the convicted if he obtains licence and permission from another authority.⁴²⁰ All this waving of thinking about the convicted man seems to point out that it was a common practice but was naturally a problem for Ranchin's understanding of the *Oath* and the medical ethics.

- *Quinta lex: De abortivis ad corruptionem foetus, et de Vitae Artisque Castitate* (Fifth law: About abortives for the destruction of the foetus and about the life and purity of the art).⁴²¹ The promise is not to give a pessary that will cause the destruction of the foetus and the abortion but to preserve the art and life pure (*pura*) and honourable (*integra*). There are three main reasons for this promise. First that the foetus is innocent in the uterus, thus to extinguish the alive, animated, tender and not yet perfect foetus inside the viscera of the mother is a cruel crime as St. Augustine said.⁴²² Second because of the mother, since she suffers when she thinks about her bearing, also because abortion usually is more dangerous than natural birth as experience proves, violent things are more dangerous than natural ones. "Through abortion, the acetabula of the uterus are more torn apart than in mature birth, this with the whole concussion of the entire body and the indescribable agitation

⁴²⁰RANCHIN, *Opuscula Medica*, p. 28-31.

⁴²¹RANCHIN, *Opuscula Medica*, p. 31-38.

⁴²² RANCHIN, *Opuscula Medica*, p. 32 crudele si quidem est facinus, ut loquitur D. Augustinus, tenellum foetum animatim et viventem aut nondum perfectum intra viscera matris extinguere. There is no exact quote of Augustinus to this passage however the way Ranchin explains it is surely related to the biblical passage Ex 21:22-25.

of humours.”⁴²³ Third, because the civil and canonical law also contains this regulation, thus whoever causes the abortion, whether by poison, medicament or imposing hard work on a pregnant woman is to be judged for homicide. Now there are several inquiries to be asked, here only present by the title of each section:

- *An liceat Medicis foetum corrumpere, et abortum provocare?* (Is it permitted for physicians to destroy the foetus and produce the abortion?) This question has a lot to consider since it embraces the honour of medicine, the integrity of physicians and the life and death of men and women.
- *An liceat Medicis conceptionem impedire, et sterilitatem inferre?* (Is it permitted for physicians to prevent conception and cause infertility?) According to physicians and philosophers, there are three ways of preventing conception: before, during and after coitus.
 - *Sexta Lex: De Calculosorum sectione* (Sixth law: About the cutting of calculi).⁴²⁴ In this part of the *Oath*, Hippocrates swears that he will not cut the calculus but let the specialist or workers (*operatores*) do it. It seems that in the times of Hippocrates, there were these workers who practised several surgical operations. There are two reasons for this law, one to avoid false accusations since the operation of the bladder is dangerous and wounds on it are lethal, second to preserve the physician's dignity because the operation of this matter seems stupid and unworthy for the hand of physicians. Therefore, they give the faculty to the workers to deal with these cases when necessary. But then, many wonder why it is not also sworn about the Caesarean section, the paracentesis, the burning in empyema and such other procedures? Because these are operations for surgeons (*chirurgus*); on the contrary, the workers are more

⁴²³ RANCHIN, *Opuscula Medica*, p. 32. Per abortum uteri acetabula magis dilacerantur, quam in maturo partu, idque cum summa totius corporis concussionem, et humorum indicibili agitatione. In ancient times and also during the renaissance it was believed that the human uterus had round pea like structures that fixed the placenta and other membranes to the uterus. These structures, today known as cotyledons, are observed in other animals like pigs and deers but not in humans, however even the great Andreas Vesalius still wrote a chapter about them in his *Fabrica*. VESALIUS, Andreas, *De humani corporis fabrica libri septem*, Venice, Franciscum Franciscum Senensem & Ioannem Criegher Germanum, 1543, p. 539-540.

⁴²⁴ RANCHIN, *Opuscula Medica*, p. 38-39.

concerned with the cut of calculus, hernia and cataract. Hippocrates also did these operations. Ranchin explains it further with the question *An liceat Calculo laborantes secare, secundum Hippocratis consilium?* (Is it permitted to cut the ones suffering from calculus according to the advice of Hippocrates?)

- *Septima Lex: De puritate et Castitate medicorum* (Seventh law: About purity and chastity of physicians).⁴²⁵ In this law Hippocrates proposes what had already been said in the third and fifth law: to preserve a life pure and holy, away from every evil deed, to avoid uncleanness of the body and the soul and to protect the sick from every wrongdoing. He also recommends not to be drawn into venereal or lustful actions with women, which is natural, or men, which is abominable and against nature, because it is impious. Ranchin remembers Dianas' chastity as a reason for Hippocrates to have put this law.
 - *Octava lex: De Prudentia Medicorum in revelandis, aut occultandis Arcanis* (Eight law: About prudence of physicians revealing or concealing secrets). The last law of Hippocrates' *Oath* commends to physicians never to reveal the secrets, just as a Priest that hears a confession who cannot communicate under any circumstances what he heard, the physician must have the same delicacy so that the privacy and good fame of his patients are not harmed. Prudence is a companion of silence. In other times physicians used to go around with the finger in the mouth as to remember always to keep quiet.⁴²⁶
- *Tertia Iurisiurandi pars, quae Execratoria est* (Third part of the Oath, which is the cursing).

This part needs no more comments since what Ranchin himself said is only an explanation on how other oaths have a similar cursing clause when swearing as it could be found in the words of the Apostle Paulus or the Holy Scripture.⁴²⁷ Lastly, he reminded that by following the *Oath*, the physician obtains the best reputation among people, all happiness and prosperity and the most productive fruit of the art, that is, wealth.⁴²⁸

⁴²⁵ RANCHIN, *Opuscula Medica*, p. 40.

⁴²⁶ RANCHIN, *Opuscula Medica*, p. 40-41.

⁴²⁷ 2 Cor 1:23 Deum invoco in animam meam. Ruth 1:17 haec mihi faciat Deus et haec addat.

⁴²⁸ RANCHIN, *Opuscula Medica*, p.41-42.

We saw that Ranchin divided the Oath into three main parts, the calling to the Gods and the curse clauses remained the same. The central section was further divided, in a way similar to Memm's Commentary, but with much more detail.

Prima pars- Adjuratio et promissio

[1] Ὁμνυμι Ἀπόλλωνα ἱητρὸν, καὶ Ἀσκληπιὸν, καὶ Ὑγίαν, καὶ Πανάκειαν, καὶ θεοὺς πάντας καὶ πάσας, ἵστορας ποιεύμενος, ἐπιτελέα ποιήσῃν, κατὰ δύναντα καὶ κρίσιν ἐμὴν, ὅρκον τόνδε καὶ συγγραφὴν τήνδε·

Per Apollinem medicum, et Aesculapium, Hygaeamque, ac Panaceam iuro: et Deos, Deasque omnes testor, me quantum viribus et iudicio valuerō, quod ex scripto spondeo, plane observatum.

Secunda Pars – Leges et regulas Apollinares (each number a law)

[2] ἡγήσασθαι μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἐμοῖσιν, καὶ βίου κοινώσασθαι, καὶ χρεῶν χρητίζοντι μετάδοσιν ποιήσασθαι, καὶ γένος τὸ ἐξ ἐωυτέου, ἀδελφοῖς ἴσον ἐπικρινέειν¹ ἄρρεσι, καὶ διδάξειν τὴν τέχνην ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ συγγραφῆς.

1) Praeceptorem quidem, qui me hanc Artem edocuit, Parentum loco habiturum, eique cum ad victum, tum etiam ad usum necessaria, grato animo communicaturum, et suppeditaturum. Eiusque posteros apud me eodem loco quo germanos fratres fore, eosque si hanc Artem ediscere volent, absque mercede et syngrapha edocturum.

¹ Zwinger, all the previous commentaries and Jouanna: ἐπικρίνειν. The reading of Ranchis is given by Amabrosianus graecus 134 (B 112 sup.) (Amb^a)

Παραγγελίης τε καὶ ἀκροήσιος καὶ
τῆς λοιπῆς ἀπάσης μαθήσιος,
μετάδοσιν ποιήσασθαι υἱοῖσί τε
ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος,
καὶ μαθηταῖσι συγγεγραμμένοις τε,
καὶ ὠρκισμένοις¹ νόμῳ ἱητρικῷ,²
ἄλλῳ δὲ οὐδενί.

¹ Zwinger, Heurne and Jouanna:
ὠρκισμένοισι. Ranchin's reading is
in Marcianus graecus 269,
emendatio scribae ipsius (M¹)

² Zwinger: νόμῳ ἱητρικῷ.

[3] Διαιτήμασί τε χρήσομαι ἐπ'
ὠφελείῃ καμνόντων κατὰ δύναμιν
καὶ κρίσιν ἐμήν, ἐπὶ δηλήσει δὲ καὶ
ἀδικίῃ εἵρξειν.

[4] Οὐ δώσω δὲ οὐδὲ φάρμακον
οὐδενὶ αἰτηθεὶς θανάσιμον, οὐδὲ
ὕφηγῆσομαι ξυμβουλίην τοιήνδε·

ὁμοίως δὲ οὐδὲ γυναικὶ πεσσὸν
φθόριον δώσω, ἀγνῶς δὲ καὶ ὁσίως
διατηρήσω βίον τὸν ἐμὸν καὶ τέχνην
τὴν ἐμήν.

[5] Οὐ τεμέω δὲ οὐδὲ μὴν λιθιῶντας,
ἐκχωρήσω δὲ ἐργάτησιν ἀνδράσι
πρήξιος τῆς δε.¹

¹ Zwinger and Jouanna τῆσδε.
Ranchin's form is the same in
Heurne.

2) Praeceptionum quoque et
auditionum, totiusque reliquae
disciplinae, cum meos, et eius qui
me edocuit liberos, tum discipulos,
qui Medico Iureiurando nomen
fidemque dederint participes
facturum, aliorum praeterea
neminem.

3) Victus quoque rationem,
quantum facultate et iudicio
consequi potero, aegris utilem me
praescripturum: eosque ab omni
noxa et iniuria vindicaturum.

4) Neque cuiquam precibus
adductus, alicui lethale
medicamentum propinabo, neque
huius rei author ero.

5) Neque simili ratione mulieri
pessum subdititium ad foetum
corrumpendum exhibebo: sed
castam et ab omni scelere puram,
tum vitam, tum Artem meam
perpetuo praestabo.

6) Neque vero Calculo laborantes
secabo, sed magistris eius Artis
peritis id muneris concedam.

[6] Εἰς οἰκίας δὲ ὁκόσας ἂν ἐσίω,
ἐσελεύσομαι ἐπ' ὠφελείῃ
καμνόντων, ἐκτὸς ἐὼν πάσης ἀδικίης
ἐκουσίης καὶ φθορίης, τῆς τε ἄλλης
καὶ ἀφροδισίων ἔργων ἐπὶ τε
γυναικείων σωμαίων καὶ ἀνδρώων,¹
ἐλευθέρων τε καὶ δούλων.

1 Zwinger: ἀνδρῶν. The form of
Ranchin is in Ambrosianus graecus
134 (B 113 sup)

[7] Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω, ἢ
ἀκούσω, ἢ καὶ ἄνευ θεραπείης¹ κατὰ
βίον ἀνθρώπων, ἃ μὴ χρή ποτε
ἐκλαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα
ἡγεύμενος εἶναι τὰ τοιαῦτα.

1 in Zwinger: θεραπῆτης. Ranchin's
form is the same in Heurne,
Opsopaeus and Jouanna.

Tertia pars - execratoria

[8] Ὅρκον μὲν οὖν μοι τόνδε
ἐπιτελέα ποιέοντι καὶ μὴ ξυγχείοντι,
εἴη ἐπαύρασθαι καὶ βίου καὶ τέχνης,
δοξαζομένω παρὰ πᾶσιν
ἀνθρώποισιν,¹ εἰς τὸν αἰεὶ χρόνον·
παραβαίνοντι δὲ καὶ ἐπιορκοῦντι,
τάναντία τουτέων.

1 Zwinger: ἀνθρώποις. Ranchin's
form is the same in Heurne.

7) In quamcunque autem domum
ingressus fuero, ad aegrotantium
Salutem ingrediar, omnem
injuriae inferenda et corruptelae
suspicionem procul fugiens, tum
vel maxime rerum venerearum
erga mulieres iuxta et viros, tum
ingenuos tum servos.

8) Quae vero inter curandum, aut
etiam Medicinam minime faciens,
in omni hominum vita vel videro,
vel audiero, quae minime in vulgus
efferri oporteat, ea arcana esse
ratus, silebo

Hoc Igitur Iusiurandum si
religiose observavero, ac minime
irritum fecero, mihi liceat cum
summa apud omnes existimatione
perpetuo vitam foelicem degere,
et Artis uberrimum fructum
percipere. Quod si illud violavero,
et peieravero, contraria mihi
contingat

Thanks to the different readings, we can say that Ranchin's Greek text is more similar to Heurne's version than to that of Zwinger.

2.3.3.7 [Ps. Franciscus de Franciscis]

✠ Franciscus de Franciscis, Praelectionum Monspelienisium Tomus primus.
In quo continentur Commentarius in Hippocratis Jusjurandum: Pathologia

universalis absoluta: et Tractatus de Crisibus, Genevae, apud Jacobum Stoer, 1618.

At the beginning of this research, this commentary was not found in any catalogue. The search started only with the information available from Meibom's Commentary, that is, that there was a commentary on the Hippocratic Oath by a Franciscus de Franciscis. Other part of this research led us to a catalogue of Johannes Antonides van der Linden, a Dutch physician contemporary to Johann Heinrich Meibom: *De scriptis medicis libro duo*, Nurnberg, Impensis Johannis Georgii Endteri, 1686. In its page 286, the commentary of Franciscus de Franciscis was stated as it is declared above. The work appears in modern catalogues⁴²⁹ as the commentary on the Hippocratic Oath by François Ranchin, already analysed, and a second shorter commentary by Isaac Casaubon brought to press by the same Henri Gras who wrote the introductory letters to Ranchin's commentary. The actual commentary is:

✚ RANCHIN, François & CASAUBON, Isaac: Fr[ancisci] Ranchini regis consilarii medici consultissimi, celeberrimaeque Monspeliensis Universitatis Professoris acutissimi, & Cancelarii Amplissimi, Praelectionum Monspeliensium Tomus Primus. In quo continentur, Commentarius in Hippocratis jusjurandum, cum Is[aaci] Casauboni Notis. Pathologia universalis absoluta, cum Controversiis in utramque partem agitatis & decisis. Tractatus de crisisibus, cum Quaestionum itidem circa eam materiam motarum, enodatione. Monspeli, Ex typographia Joannis Gileti, 1618.

This book is an older version of Ranchin's text, here previously mentioned, and does not appear with the other pathology treatises. As stated in the title of this first volume, there were supposed to be another volume with treatises on Pathology and On Crises, but it never got published, or at least not in the same format. Since we do not know which other treatises the second volume was planned to contain, we cannot assure that the later edition of Ranchin's commentary is that second volume, but because it has treatises on Pathology, it is reasonable to think that the second volume got partially published.

⁴²⁹ It is only available in two libraries, the BIU Santé in Paris <https://www.biusante.parisdescartes.fr/histmed/medica/cote?90958x547x02> and the Library of the Universiteit Leiden http://catalogue.leidenuniv.nl/UBL_V1:Local:UBL_ALMA21166708630002711 (01. 11. 2022).

Why did Meibom name this commentary as of Franciscus de Franciscis, it is still a mystery. Since he mentioned Ranchin's Commentary literally we can assume that the other commentary must be that of Isaac Casaubon (1559-1614), a well-known French classical scholar, editor of many Greek texts and professor at the Universities of Geneva and Montpellier.⁴³⁰

Casaubon's commentary (p. 71-85) begins: "in idem Hippocratis iusiurandum, D. Isaaci Casauboni notae, ante annos viginti quinque in hac celeberrima Universitate, publice praelecta Quas cum in authoris memoria, et studiosorum gratiam publicas faciat, Asclepiadeae proli acceptae ut sint obnixè rogat Henricus Grassus."⁴³¹

Casaubon begins with the warning that, according to the doctrine of Pythagoreans there are three mistakes in oaths, that is, to swear on trivial things, to adorn the speech while swearing, and to add the oath to secure the reliance of discourse.⁴³² He uses very short *lemmata* and in Greek. He does not offer a translation.

He divided the Hippocratic Oath into three main parts, just like us. The first goes from the beginning and until ἡγήσασθαι,⁴³³ that is the calling to the Gods; the second part or of the precepts finishes before Ὅρκον μὲν οὖν, which is the introductory phrase of the curse clause, and the third part of the *Oath*. His commentary is an elaborated glossary, with not that long nor in-depth explanations but sharp annotations about Greek language and culture. It is evident that he had read a lot and in detail, many classical authors and not only from summaries because his references go beyond the common places or passages usually quoted.

When analysing the name of Apollo, he says that people used to attribute things to Gods when they did not know who cause them. Some Greeks swore with a hot iron in their hand and put it into the water, to represent how they will also fade out if they committed perjury. Aesculapius is mentioned just because he had many followers, and it is believed

⁴³⁰ There is a lot of information about him, but this project of his correspondence is one of the newest revisions of Casaubon's life and work. University of Warwick, Centre for the Study of the Renaissance. Online: <https://warwick.ac.uk/fac/arts/ren/researchcurrent/casaubon> (01.11.2022).

⁴³¹ CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 71.

⁴³² CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 72: "Tria sunt iurisiurandi peccata ex doctrina Pythagoreorum, ut ait Hierocles. Primum, cum iuratur in rebus levibus: Secundum cum iuramos ut oratioem ornemus, εἰς ἀναγλᾶσιν τοῦ λόγου, Tertium, cum adhibetur Iusiurandum ad narrationes fidem."

⁴³³ Note that Casaubon is using the infinitive future instead of infinitive aorist. About this problem see. JOUANNA, "Commentaire Critique" in: *Hippocrate: Le Serment*, p. 17-18.

that Hippocrates was his descendant. Goddesses Health and Panacea are not mentioned.⁴³⁴

The calling to all the Gods and Goddesses in general is just a matter of tradition of oaths according to Isaac since Greeks were not restrained just by one God and started to call all of them. For the word ἵστορας he only gives equivalents in Latin: “*testis, iudex, arbiter, qui videt qui interest rei.*”⁴³⁵

The next lemma is ὄρκον τὸν καὶ συγγραφήν, but Casaubon only speaks about συγγραφήν, as a type of written contract. Since it is a central point of discussion even today, I think it is fair to read the commentary directly from its author:

Συγγραφή est scriptum inter duos aut plures, quod continet pacta apud Grecos, qui cum pactum inter se inibant, plura exempla faciebant, quae deponebant in templa, vel apud amicos, atqui ex eo dari poterat actio, idque faciebant cum non haberent usum eorum quos vocamus Tabelliones, sive Notarios humanae actiones duo habent principia, posse et velle, alii addunt scribere, sed male, et ut in voluntate, et in re posita gratitudo Sen. Ita in Dei cultu haec duo requiruntur.⁴³⁶

The second part of the Oath begins with the consideration of the teacher and the disciples. He thinks of it as plates in a balance, as much as one considers another person, it is how much he will consider his teacher as his parents, without one part being heavier than the other. About the art and life, the former is the instrument with which things are to be done; the latter is life and sustenance (*vita et victus*). Let us not forget that the Oath is talking about what the physician will share with his teachers. It is sometimes difficult to follow the commentary if the whole text of the Hippocratic Oath is not at hand or already memorised. He will also give “*quicquid ad usum est necessarium*”. However, Casaubon says that the analysis of the whole lemma (καὶ χρεῶν χρηίζοντι μετάδοσιν) means beyond the necessary things or money, but actually what a person wants or wishes according to his inclination so it must be assumed as the Latin verb *volō*.⁴³⁷

In Casaubon’s commentary the brothers are such because they grew up in the same uterus (from δελφός [sic - δελφύς]). The explanation about συγγραφῆς recalls the above stated but mentioning that this written document is to protect the teacher and the disciple in matters of salary or

⁴³⁴CASAUBON Commentarius in Hippocratis iusiurandum, p. 72-73.

⁴³⁵CASAUBON, Commentarius in Hippocratis iusiurandum, p. 73.

⁴³⁶CASAUBON, Commentarius in Hippocratis iusiurandum, p. 74.

⁴³⁷CASAUBON, Commentarius in Hippocratis iusiurandum, p. 74.

fee for teaching.⁴³⁸ The ἀκροήσιος are the most accurate way of teaching. They are oral lessons or recitations about serious matters.⁴³⁹ To finish with the teaching clause, it was missing the part of the new students together as a community. For Isaac, the people enrolled are inscribed together as soldiers or the συγγεγραμμένοι in the medical law. Isaac mentions a sentence about this law “*In νόμῳ Hippocratis ponitur character veri Medici...*”⁴⁴⁰ and then after a comma, he briefly tells the story of Menecrates, the physician of Philip of Macedon. The father of Alexander the Great wished for a mind as sound as that of Menecrates after hearing from the same “*tu quidem omnes Lacedaemonas occidere potes, ego mortuos in vitam reducere possum.*”⁴⁴¹

About dietetics, he points out that to follow a diet is to follow rules of living, that it goes beyond nourishment. Casaubon uses different words to express if the physician prescribes it or if the patient follows it. Another meaning of the word diet is to inquire about the causes or a place where ‘a diet’ was celebrated, it means, where there was a good meeting point.⁴⁴²

The next three analysed words seem to be taken from a standard glossary as if Casaubon would not have written it having the text of the Hippocratic Oath in mind. They are useful but do not go deep into the Oath’s specific meaning:

Κρίσιν: Κρίσις proprie iudicium, sumitur tamen interdum pro voluntate quae nunquam sine iudicio.

Δηλήσι: Δηλος est insula, quod repente medio mari emergat: δήλομαι in Apophteg. Lacedaemoniorum est volo apud Plutarch. δηλος. Delos a verbo δηλόω manifesto.

Ἀδικίην: Αδικία injustitia, ἄδικος proprie est quo in vendendo fallit in mensura. Generaliter est iniustus.⁴⁴³

For the next phrase about lethal drugs, one with an important commentary tradition, Casaubon only points out the double meaning of the word φάρμακον, translated as *venenum* in Latin and adds other words in Greek and Latin as examples of the positive and negative meaning in a single word like ὕμνος – *carmen*, which could be at the same time laudatory or of-

⁴³⁸CASAUBON, Commentarius in Hippocratis iusiurandum, p. 73-74.

⁴³⁹CASAUBON, Commentarius in Hippocratis iusiurandum, p. 76.

⁴⁴⁰CASAUBON, Commentarius in Hippocratis iusiurandum, p. 77.

⁴⁴¹CASAUBON, Commentarius in Hippocratis iusiurandum, p. 77.

⁴⁴²CASAUBON, Commentarius in Hippocratis iusiurandum, p. 77-78.

⁴⁴³CASAUBON, Commentarius in Hippocratis iusiurandum, p. 78.

fensive poem.⁴⁴⁴ For the other famous phrase about abortion, Isaac makes a quick summary about how in ancient Greece, it was allowed to expose the deform newborns. He mentions that the Roman law considered it as homicide and that Hippocrates allowed it as long as it was still an embryo. The most exciting lines about this topic are “Πέσσοις *in re ludicra est talus: apud Medicos est genus medicamenti, quo Medici quandoque uti consuevere.* Φθορὰ *opponitur* γενέσει.”⁴⁴⁵ No deeper analysis was made.

The next commentary is on the word Ἀγνῶς, which Casaubon understands as chaste, or pure relating to sexual matters. He also mentions that there is a bush called like that because of its properties of extinguishing sexual appetite in men and women. Afterwards, he speaks about the classification of physicians, not because of their moral properties but with respect to his field of study, as they use to do it in Egypt.⁴⁴⁶

About the ones who suffer from calculi, he barely says that they must have the stone in the bladder and not elsewhere. About the clause of sexual restraint, he focuses only in part mentioning to enter ‘a house’ and his commentary does not address the sexual conduct of the physician but the fact that in other times it was not normal for a person to enter the house of another one without proper permission. Isaac shortly mentions the case of slaves. If they suffered any wrongdoing, it must be declared as such by the master, or it would not even be considered.⁴⁴⁷

About therapy, Isaac gives an etymology as the servant of God (θεράπων ὁ θεός ράπων), because in other times physicians did not provide the services of a surgeon nor a pharmacologist. The word θεραπῶ means ‘physician’ in Syriac.⁴⁴⁸ About the silence, it is mentioned as a big part of virtue.⁴⁴⁹ To finish the second part of the Oath’s commentary, he says about ἄρρητα that it means ‘what is not said’, making a small difference with ‘silence’. The word was used for the things pronounced in Eleusian Mysteries or Bacchanalia that should not be repeated publicly. Another example comes from Jews; they cannot say the name Iehova but must substitute it for ‘the Lord’. So the name is not a secret but still must not be pronounced.⁴⁵⁰

⁴⁴⁴CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 78.

⁴⁴⁵CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 79.

⁴⁴⁶CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 80.

⁴⁴⁷CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 81-82.

⁴⁴⁸CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 82.

⁴⁴⁹CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 82- 83.

⁴⁵⁰CASAUBON, *Commentarius in Hippocratis iusiurandum*, p. 83.

Casaubon divided the curse clause into six smaller parts. It is called as “*sanctissima totius Legis pars*”.⁴⁵¹ *Ευγχεόντι* could be either molten metal or to break a pact, an oath, a treaty. *Ἐπαύρασθαι* is to receive the fruit of something, either good or bad, according to Herodotus.⁴⁵² *Ἀνθρωπος* refers to a mortal man, and it reminds him to look upwards (to the Gods) as if making him conscious of his own place.⁴⁵³ Finally, about the word *ἐπι-ορκοῦντι* Isaac tells us that it means to do above or against a contract or an oath; it is to commit perjury.⁴⁵⁴

This commentary certainly gives a quite different idea of the meaning of the Greek words but, in my opinion, is sometimes too alienated from the Hippocratic Oath. It gave me the impression that Casaubon did not write it on purpose, but that was more of a compilation of Gras as if he would have taken the glosses from another work. It is, of course, only a hypothesis and first impression, further research is still necessary.

Another critical annotation is that no complete Greek text is presented. I put here the *lemmata* he used dividing them with slashes. I decided to put the original Greek text and mark commented *lemmata* in bold to give the reader an idea of how much Casaubon left without commentary; hence, it would be more proper to call it a glossary:

Ὅμνυμι / Απόλλωνα ἱητρὸν / καὶ Ἀσκληπιὸν / καὶ Ὑγίαν καὶ Πανάκειαν καὶ θεοὺς πάντας τε καὶ πάσας, / **Ἱστορας** ποιεύμενος, ἐπιτελέα ποιήσῃν κατὰ δύναμιν καὶ κρίσιν ἐμήν / **ὄρκον τόν** [sic, recte> τόνδε] **καὶ συγγραφὴν** τήνδε·

Ἥγησεσθαι¹ τε τὸν διδάξαντά με τὴν / **τέχνην** ταύτην ἴσα γενέτησιν ἑμοῖσι καὶ / **βίος** [sic, recte: βίου] κοινώσασθαι καὶ / **χρεῶν χρητίζοντι μετάδοσιν** ποιήσασθαι· καὶ γένος τὸ ἐξ ωυτέου / **ἀδελφοῖς**² ἴσον ἐπικρινέειν ἄρρεσι· καὶ διδάξῃν τὴν τέχνην ταύτην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ / **ξυγγραφῆς**, παραγγελίης τε καὶ / **ἀκροήσιος** καὶ τῆς λοιπῆς ἀπάσης μαθήσιος μετάδοσιν ποιήσασθαι υἱοῖσί τε ἑμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, καὶ / **μαθηταῖσι συγγεγραμμένοις**³ τε καὶ ὠρκισμένοισι / **νόμῳ** ἱητρικῷ, ἄλλῳ δὲ οὐδενί· / **Διαιτήμασι** τε πᾶσι χρῆσθαι ἐπ' ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ / **κρίσιν** ἐμήν· ἐπὶ / **δηλήσει** δὲ καὶ / **ἀδικίῃ** [sic, recte: ἀδικίῃ] εἴρξειν κατὰ γνώμην ἐμήν. Οὐ δώσω δὲ οὐδὲ / **φάρμακον** οὐδενὶ αἰτηθεὶς **θανάσιμον**, οὐδὲ ὑφηγήσομαι ξυμβουλίην τοιγόνδε· ὁμοίως

⁴⁵¹CASAUBON, Commentarius in Hippocratis iusiurandum, p.83.

⁴⁵²CASAUBON, Commentarius in Hippocratis iusiurandum, p. 84.

⁴⁵³CASAUBON, Commentarius in Hippocratis iusiurandum, p.84-85.

⁴⁵⁴CASAUBON, Commentarius in Hippocratis iusiurandum, p.85.

δὲ οὐδὲ γυναιξὶ / **πessὸν φθόριον** δώσω. / **Ἀγνώs** δὲ καὶ ὁσίως διατηρήσω
 βίον ἐμὸν καὶ τέχνην ἐμήν. Οὐ τεμέω δὲ οὐδὲ μὴν / **λιθιώντας**, ἐκχωρήσω δὲ
 ἐργάτησιν ἀνδράσι πρήξιος τῆσδε. / **Ἐis⁴ οἰκίας** δὲ ὁκόσας ἂν ἐσίω,
 ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων ἐκτὸς ἐὼν πάσης ἀδικίης ἐκουσίης καὶ
 φθορῆς τε τῆς ἄλλης καὶ ἀφροδισίων ἔργων ἐπὶ τε γυναικείων σωμαίων καὶ
 ἀνδρείων ἐλευθέρων τε καὶ δούλων. Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω ἢ ἀκούσω, ἢ
 καὶ ἄνευ / **θεραπειῆς** κατὰ βίον ἀνθρώπων ἃ μὴ χρή ποτε ἐκλαλέεσθαι ἔξω
 / **σιγήσομαι**, / **ἄρρήτα** ἡγούμενος εἶναι τὰ τοιαῦτα.

1 Jouanna: Ἠγήσασθαί 2 Jouanna: ἀδελφεοῖς 3 Jouanna: συγγεγραμμένοις 4
 Jouanna: Ἐς

Ὅρκον μὲν οὖν μοι τόνδε / **ἐπιτελέα ποιέοντι**, καὶ μὴ / **ξυγχεόντι**, εἴη
 / **ἐπαύρασθαι** καὶ βίου καὶ τέχνης δοξαζομένῳ παρὰ πᾶσιν / **ἀνθρώποις** ἐς
 τὸν αἰεὶ χρόνον, παραβαίνοντι δὲ καὶ / **ἐπιορκοῦντι** τὰναντία τούτων.

Words marked with a number mean that they have a different form in comparison to Jouanna's edition as marked in the notes to each section, however the forms used by Cassaubon are given in the apparatus. The forms marked with [sic] are unknown and thus probably mistakes. Since Casaubon only gave the Greek text in *lemmata* and not in a complete form, it is not possible to judge his edition.

2.3.3.8 Johann Heinrich Meibom (1590-1655)

✠ Hippocratis magni ORKOC sive Jusjurandum. Recensitum, et libro commentario illustratum a Joanne Henrico Meibomio, Lugduni Batavorum, Ex Officina Iacobi Lauwiickii. 1643.

All information about Meibom's Commentary is in chapter 3. It is included here to mark his place in the commentary tradition on the Hippocratic Oath since all the commentaries here briefly treated were taken by Meibom as an example and a true basis to construct his commentary. Greek and Latin versions in Meibom's Commentary were also added here to continue with the *lemmata* and texts' comparison. The slashes represent the division of his chapters which correspond to his *lemmata*. Meibom's Greek text is more similar to Ranchin's, which was taken as main text here; however, there are some notes to mark the differences.

[1] Ὅμνυμι Ἀπόλλωνα / ἱητρὸν / καὶ [1] Per Apollinem Medicum, et

Ἀσκληπιὸν· / καὶ Ὑγίαν· καὶ
 Πανάκειαν· / καὶ θεοὺς πάντας καὶ
 πάσας, ἱστορας ποιεύμενος, / ἐπιτελέα
 ποιήσιν, κατὰ δύνανιν καὶ κρίσιν
 ἐμήν, ὄρκον τόνδε καὶ συγγραφὴν
 τήνδε· / [2] ἡγήσασθαι μὲν τὸν
 διδάξαντά με τὴν τέχνην ταύτην ἴσα
 γενέτησιν ἐμοῖσιν, καὶ βίου
 κοινώσασθαι,· καὶ χρεῶν χρητίζοντι
 μετάδοσιν ποιήσασθαι· / καὶ γένος τὸ
 ἐξ ἐωυτέου, ἀδελφοῖς ἴσον ἐπικρινεῖν
 ἄρρεσι· καὶ διδάξειν τὴν τέχνην ταύτην,
 ἣν χρητίζουσι μανθάνειν, ἄνευ μισθοῦ
 καὶ συγγραφῆς. / Παραγγελίης τε καὶ
 ἀκροήσιος, καὶ τῆς λοιπῆς ἀπάσης
 μαθήσιος, μετάδοσιν ποιήσασθαι, /
 υἱοῖσί τε ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ
 διδάξαντος, καὶ μαθηταῖσι
 συγγεγραμμένοις τε, καὶ ὥρκισμένοις
 νόμῳ ἱερτικῷ,¹ ἄλλῳ δὲ οὐδενί. /
 [3] Διαιτήμασί τε χρῆσθαι ἐπ' ὠφελείῃ
 καμνόντων κατὰ δύνανιν καὶ κρίσιν
 ἐμήν· ἐπὶ ἡλήσει² δὲ καὶ ἀδικίῃ εἵρξειν. /
 [4] Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ
 αἰτηθεὶς θανάσιμον. οὐδὲ ὑφηγήσομαι
 συμβουλίην τοιήνδε· / ὁμοίως δὲ οὐδὲ
 γυναικὶ πεσσὸν φθόριον δώσω. ἀγνῶς
 δὲ καὶ ὁσίως διατηρήσω βίον τὸν ἐμὸν
 καὶ τέχνην τὴν ἐμήν. / [5] Οὐ τεμέω δὲ
 οὐδὲ μὴν λιθιῶντας, ἐκχωρήσω δὲ
 ἐργάτησιν ἀνδράσι πρήξιος τῆς δε. / [6]
 Εἰς οἰκίας δὲ ὁκόσας ἂν ἐσίω,
 ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων,
 ἐκτὸς ἐὼν πάσης ἀδικίης ἐκουσίης καὶ
 φθορίης, τῆς τε ἄλλης καὶ ἀφροδισίων
 ἔργων, / ἐπὶ τε γυναικείων σωμαίων,
 καὶ ἀνδρῶν, ἐλευθέρων τε καὶ
 δούλων. / [7] Ἄ δ' ἂν ἐν θεραπείῃ ἦ
 ἴδω, ἢ ἀκούσω, ἢ καὶ ἄνευ θεραπείης
 κατὰ βίον ἀνθρώπων, ἃ μὴ χρή ποτε

Aesculapium, Hygeiamque et
 Panaceiam, et Deos Deasque
 omnes jurejurando adfirmo, in
 testimonium eos citans, me,
 quantum judicio et viribus
 valuerō, jusjurandum hoc, atque
 hanc ex scripto sponsionem,
 plene observaturum. [2]
 Praeceptorem quidem, qui me
 hanc artem edocuit, Parentum
 loco habiturum, eique alimenta
 impertiturum; et ad usum
 necessaria subministraturum;
 ejusque posteros pro germanis
 fratribus reputaturum. Eosdem
 insuper, si hanc artem addiscere
 volent, absque mercede [p.] et
 syngrapha edocturum.
 Praeceptionum quoque, et
 auditionum, totiusque reliquae
 disciplinae, cum meos, et ejus,
 qui me edocuit, liberos
 participes facturum, quique
 praeterea, nomen suum
 professi, in legem medicam
 jurarint: aliorum vero neminem.
 [3] Victus quoque rationem,
 quantum viribus et judicio
 valuerō, salutarem
 praescripturum: ab omni vero
 noxa et injuria vindicaturum. [4]
 Neque precibus adductus,
 cuiquam medicamentum
 mortiferum propinabo; neque
 ejus rei auctor ero. Pariter neque
 mulieri pessum ad foetus
 corruptionem subijciam. Sed
 castam et ab omni scelere
 puram, tum artem, tum vitam
 meam praestabo. [5] Neque vero

ἐκκαλέεσθαι³ ἔξω, σιγήσομαι, ἄρρητα
ἡγεύμενος εἶναι τὰ τοιαῦτα. / [8]
Ὅρκον⁴ οὖν μοι τόνδε ἐπιτελέα
ποιέοντι, καὶ μὴ ξυγγέοντι, εἴη
ἐπαύρασθαι καὶ βίου, καὶ τέχνης,
δοξαζομένω παρὰ πᾶσιν ἀνθρώποις,⁵
εἰς τὸν αἰεὶ χρόνον / παραβαίνοντι δὲ
καὶ ἐπιόρκουσι, τάναντία τουτέων.

1 All including Jouanna νόμος ἱερικῶ
but Zwinger, who has the same as
Meibom.

2 All including Jouanna δηλήσει

3 All including Jouanna ἐκκαλέεσθαι.
Meibom's form is found as a mistake
in *Vaticanus Urbinas graecus* 68 and
Parisinus graecus 2255.

4 Ὅρκον μὲν 5 Same form as in
Zwinger and Jouanna. In all the
Others ἀνθρώποιςιν

calculo laborantes secabo, sed
magistris, ejus rei peritis, id
muneris permittam. [6] In
quascunque autem aedes
ingressus fuero, ad
aegrotantium ingrediar salutem,
alienus ab omni injuria
voluntaria, et corruptela, cum
alia, tum praesertim rei
veneriae, in corporibus
mulierum, aut virorum, sive
liberorum, sive servorum. [7]
Quae vero inter curandum, aut
etiam medicinam minime
faciens, in communi hominum
vita, vel videro, vel audiero, quae
in vulgus efferri non decet, ea
arcana esse ratus, silebo. [8] Hoc
igitur jusjurandum [p.] si
religiose observem, nec violem,
prospero successu tam in arte,
quam vita mea fruar, et gloriam
immortalem ubivis gentium
consequar. Quod si idem
transgrediar, et peierem, istis
contraria mihi obveniant.

2.4 Conclusion

The history of the *Oath* and its commentaries is far more complicated than what has been briefly drawn here thanks to fragments, indirect references, and commentaries. This chapter was only an attempt to give the necessary information to sketch the main points of the text tradition of Meibom's commentary and to show how much work still needs to be done in the history of the reception of the Hippocratic Oath.

We saw here how the commentaries could be divided in many ways. We proposed at the beginning an eight sections division, which marks the general contents of the Hippocratic Oath. We also marked the divisions made by the commentators to observe that:

- Zwinger's commentary has more divisions. With a total of 36 sections included in three more general parts, he analysed

more than just phrase by phrase. His commentary shows more clearly the literary structure.

- Heurnes' commentary has 26 sections included in five more general parts. The 26 divisions do not raise many questions because they correspond to grammatical phrases or fragments traditionally broken for their understanding. What is remarkable is that he includes the last part of the teaching, dietetics and lethal drugs clause together, then a second group that goes from the abortion to sexual restraint clause, and lastly, the seal of consultation until the curse clause. This division breaks the standard order of analysis, why is he not separating the parts in positive and negative promises? Why did he separate the lethal drug and the abortion clauses? Why is the 'seal of consultation' together with the curse clause? These and many other questions remain for further research.
- Ranchin and Hollier have almost the same division of *lemmata*, only subdividing the part of Pharmacology differently. Ranchin, Zwinger and Meibom have the general division in three parts.
- Ranchin is the only one who established that the main content of the Oath is similar to laws and treated each as such, hence multiplying the possible subdivisions by content and not by a philologic explanation like Zwinger or Meibom.
- The section with fewer subdivisions is the seal of consultation, the lithotomy and then the dietetics clause. The most problematic and thus most divided section is the Pharmacology clause.

Besides the full analysis of these affirmations, there is another complex work waiting to be done: a comparison or edition of all Latin versions of the Hippocratic Oath, including the commentaries. Both things will help us to understand the Latin textual tradition of the Hippocratic Oath. Since so far, there is no Latin edition that considers the text in the Commentaries, I only offered notes to the Greek text.⁴⁵⁵

Another problem comes to light while reading these commentaries, that is, why the Hippocratic *Oath* became an essential text not only for physicians but also for people outside the profession if it never really work-

⁴⁵⁵ A detailed comparison of some of the Latin texts is in Chapter 3. I think that some textual tradition has been lost in the textual history from the Renaissance on because the later authors editors and readers stopped comparing the texts and searching for more manuscripts. A similar case to the *Flores epytaphii sanctorum* of Thiofrid. See. FERRARI, Mutare non lubit.

ed as a fundamental law for medical ethics even though it has always been considered so from the outside?⁴⁵⁶ All the commentaries except for that of Ranchin are dedicated to non-physicians, thus we can assume that the teachings of the Hippocratic *Oath* were also valid for people outside the profession and that the exercise of writing a commentary was a way of stating how erudite or well versed they were in classical medical authorities. Hollier's commentary, for example, was dedicated to a Jurist (Bonifacius Amerbach), could it mean that it was supposed to be an interpretation of the *Oath* for people outside the profession because its general teachings and legal guidelines were considered useful? Or was it just a gesture of friendship and the text itself was irrelevant? The fact that none of the authors focused their commentaries on medical topics (like the exact procedure of cutting the stone or gynaecological procedures) supports the idea that physicians did not think of the *Oath* as a text only for physicians.

The problem with the Hippocratic *Oath* is that, even in our days, it is considered as if it were the basis for medical ethics or it would have been the beginnings of it. However if we look at the commentaries it is clear that the *Oath* was just a memory, a kind of commemoration of the glorious past, of the myth of how medicine was of divine origin and it belonged only to the few chosen ones to defy death, thus forming the very exclusive and sectarian body of physicians for whom the *Oath* was the necessary initiation rite. This rite also established the conduct that was expected after receiving the honour of learning the art and so it was taken as the golden example from the glorious past of how a physician must behave.

The commentaries here analysed are better understood if considered as a part of the movement from the Renaissance which was in search of the "better reading" of the medical texts as some authors also did with other Hippocratic texts (e.g. Zwinger, Ranchin). Every author, more or less directly, establishes that the *Oath* is a behaviour ideal of the "perfect physician", that must be kept in mind but that accepts interpretations and thus could be adapted to each time and situation, for example in the cases of giving mortal drugs,⁴⁵⁷ some surgical procedures or the 'seal of consultation' which could be broken in order to avoid an epidemic (i.e. for social benefit). Nonetheless the basic statements of what is considered a good physician survive through time: the physician must protect life, must not harm the

⁴⁵⁶ STEGER, *Das Erbe des Hippokrates*, p. 33.

⁴⁵⁷ This is one of the clauses that presents very interesting changes, from a categorical prohibition to accept the use of venom in people sentenced to death, that means, whose life were "already lost" or worthless.

patient, keep the patient's dignity and gain his (her) trust thanks to his professional skills.⁴⁵⁸

For Meibom's times, just as Leven said for a time nearer to ours, "die anhaltende Nostalgie zu Hippokrates bzw. „hippokratischen“ Werten wie insbesondere unter Ärzten zu finden ist, geht einher mit einer Neigung, die Geschichte des eigenen Berufsstandes zu idealisieren“.⁴⁵⁹

We need to review more carefully these commentaries and many other sources that the great scholars of the history of medicine had at hand and knew, because at least, one of them, the great scholar of Hippocrates, Émile Littré, gave notice in his bibliography⁴⁶⁰ about Meibom's Commentary, until now, just barely studied. The rest of the commentaries had the same fate. Although my contribution aims to illuminate a particularly relevant text within the commentary tradition, we need to bear in mind that many other translations, editions and commentaries from the Renaissance and the Early Modern Era are still in need of a complete survey before venturing into a general assessment of the *Oath's* commentary tradition and its meaning.

⁴⁵⁸ STEGER, Das Erbe des Hippokrates, p. 35.

⁴⁵⁹ LEVEN, Der hippokratische Eid im 20. Jahrhundert, p.124.

⁴⁶⁰ HIPPOCRATE, Ouvres complètes d' Hippocrate, tr. Émile LITTRÉ, t. iv, p. 613.

Chapter 3: Object and Subject matter: Meibom's commentary on the Hippocratic Oath

In this chapter, we will approach the book in two main ways: the object as all things to do with its material creation, distribution and survival; and the subject matter as its content, ideas and opinions.

3.1 Object: The book

3.1.1 General physical description

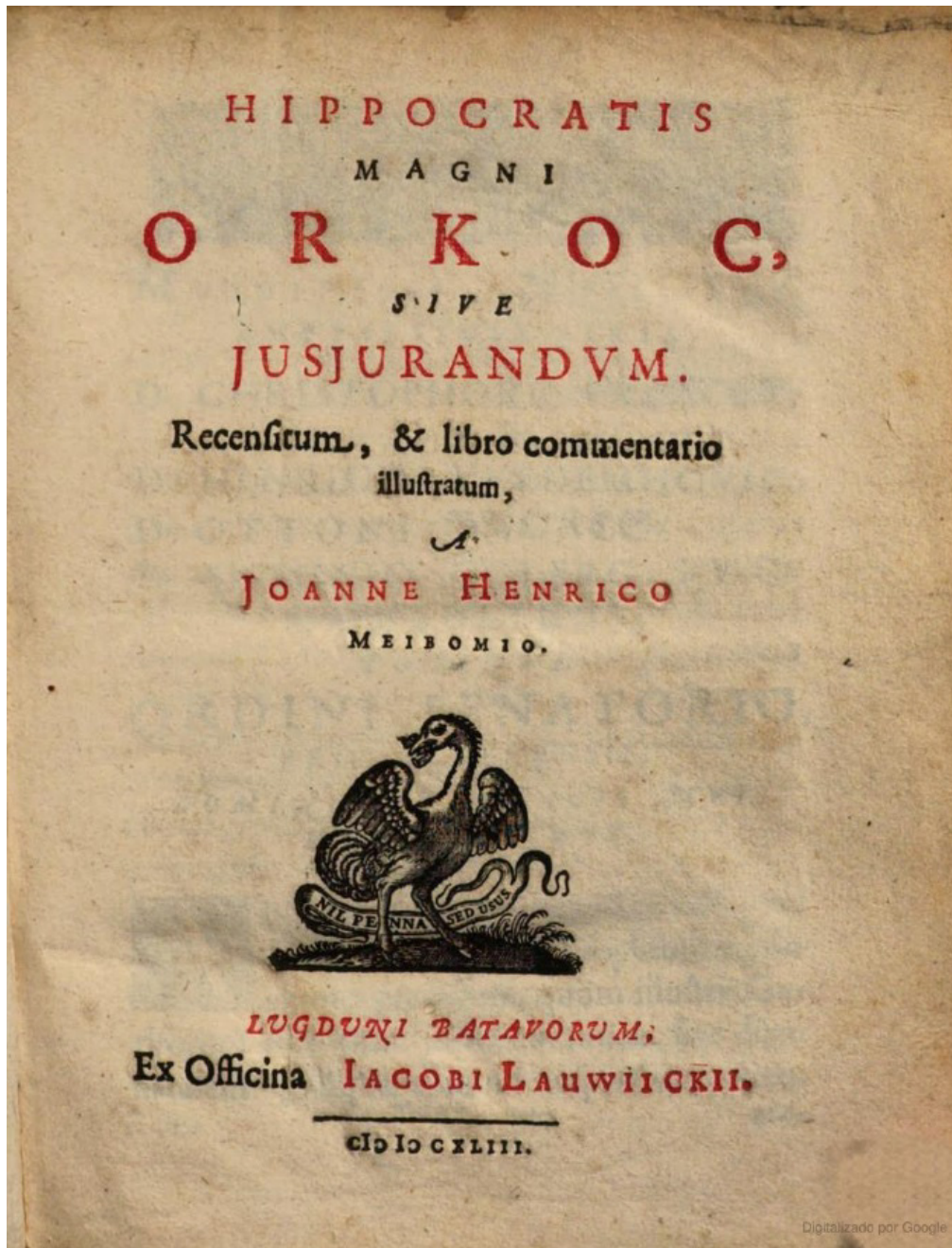
In 1643 Johann Heinrich Meibom published in Leiden at the workshops of Jacobus Lauwiickius with the help of the typographer Wilhelm Christianus his most philologic work: *Hippocratis Magni ORKOC sive jusjurandum, recensitum et libro commentario illustratum*. The book was printed in quarto without decorations nor ornaments, but the front page printed in two colours, red and black. The red ink calls attention to the words: *Hippocratis, OPKOC, jusjurandum, Joanne Henrico, Lugduni Batavorum, Iacobi Lauwickii*. It tells us that the most vital information to direct our attention to is Hippocrates, his Oath, the name of the author without the last name, that is, his name and not precisely that of his family; and the credit to the place and master who got it done. Before the printing information, there is an emblem of an ostrich saying "*nil penna sed usus*"⁴⁶¹ (image 2).⁴⁶²

After the cover page, there is a dedicatory letter (p. 2r - 3v unnumbered) from February 27th, 1643 to Sir Christophorus Gerdes,⁴⁶³ Sir Heinrichus

⁴⁶¹ More information about it, see 3.1.3.2 An earlier similar emblem with an explanation can be found in PARADIN, *Devises heroïques*, p. 49. Online: https://www.emblems.arts.gla.ac.uk/french/facsimile.php?id=sm8i6_p049 (01.11.2022) According to it, the ostrich with the open wings symbolises the hypocrites who show something contrary to what they really are. The ostrich expands its wings as if it could fly, but in reality, it never leaves the ground.

⁴⁶² Volume from the National Library of Netherlands. Online: <https://books.google.de/books?id=KixmAAAAcAAJ&hl=es&pg=PP5#v=onepage&q&f=false> (01.11.2022).

⁴⁶³ Christoph Gerdes, Jurist and councillor in Lübeck, where he was born; he studied in Jena. DNB, online <http://d-nb.info/gnd/132039796> (01.11.2022).



2. JHM, jusjurandum. Cover page. National Library of Netherlands

Wedemhövius⁴⁶⁴, Sir Otto Brokes,⁴⁶⁵ Sir Antonius Colerus,⁴⁶⁶ and the consuls and all the Senate of the Republic of Lübeck. It is four pages long in which Meibom thanks them for giving him a safe place to stay with a nice paid job while the rest of Germany was being destroyed by the Thirty Years' war. He dedicates the book to them as a token of his gratitude and to honour them.⁴⁶⁷

The next two pages (p. 4r – 4v unnumbered) have a letter to the reader. Meibom explains that he considered to do it because the works already done by Zwinger, Ranchin, Heurnius and many others were not enough, and the text of Hippocrates is most worthy of being taught and commented. He then warns the reader in a sort of foretelling of his opinion, that he wrote something more than just notes to the Hippocratic Oath, but a commentary or even something more. Finally, he assures that every quote of every author has its reference, whereas he quotes him directly or indirectly. He promises more writings if this one was appreciated.⁴⁶⁸

The book continues with three pages (p. 5r – 6r marked as †† - †† 2) with the Hippocratic Oath in a confronted version Greek-Latin without saying who the translator is or from where did he take it. Then a translation in verse from Sammarthanus (Scévole de Sainte-Marthe (1536-1623)) covers three pages (p. 6v – 7r marked as †† 2v - †† 3r). The next two pages, before actually beginning with the commentary, have the different readings of the Greek text (p. 8r unnumbered) and the same *glossae* of Scaliger taken from Jan van Heurne's commentary⁴⁶⁹ (p. 8v unnumbered).

The main text or commentary is divided into twenty-two chapters.⁴⁷⁰ Each chapter begins with a fragment of the Oath as a subtitle, followed by a

⁴⁶⁴ Heinrich Wedemhoff was Jurist and councillor in Lübeck, where he was born, studied in Strasburg. DNB, online <http://d-nb.info/gnd/124836674> (01.11.2022).

⁴⁶⁵ Otto Brokes (April 13th 1574- August 24th, 1652) became councillor in 1628 and mayor of Lübeck in 1640. He was married to Gertrud tor Straten and he was known as *Cato Lubecensis*. An epitaph can be read in the Marien-Kirche in Lübeck besides his portrait "D.O.M.S. et Memoriae Magnifici et Ampl. Domini Ottonis Brokes, Con. Reipubl. Lub. post patrem Joannem et Henricum fratrem Con. postquam is, per XXIV annos Reipubl. summa integritate administrata, ad meliores evocatus priscae fidei meritumque in civem optimam reliquisset memoriam, filii nepotesque hoc monum. posuerunt." DITTMER, Genealogische, p. 20.

⁴⁶⁶ Anton Coler (1585-1657), born in Lübeck he studied Law in Helmstedt and Jena. He carried out many official posts in Wolfenbüttel and Ratzeburg, and in 1642 he was also mayor of Lübeck. DNB, online <http://d-nb.info/gnd/100729282> (01.11.2022).

⁴⁶⁷ The full translation of the dedicatory letter is in the 'Texts and Editions' section.

⁴⁶⁸ The full translation of the letter to the reader is in the 'Texts and editions' section.

⁴⁶⁹ See 2.3.3.5.

⁴⁷⁰ See 3.2.1.3.

summary of the chapter. However, the first one is not a part of the text of the Oath but the life of Hippocrates, continuing with the tradition of the commentaries thus far. The summaries are numbered to mark the place where the matter is addressed because the text has no paragraphs. It goes on and on only dividing the ideas with punctuation marks and sometimes with the appropriate phrases, except for quotations and new chapters, which are not only typographically separated but also visually divided with a line (only for chapters) or a new page.

After two hundred and twenty pages of commentary, the typographer wrote a small letter to the reader to say that he put at the end of the book an index of contents and authors thinking that it would be useful to the reader. The former is just all the chapters' summaries together; the latter does not include pages nor any other reference but the name itself. They are in sum twelve pages long being thus the whole book 247 pages long.

The description of the booklets is as follows: $4^e \pi^8 + A - Z^4 + Aa - Ff^4$. There are no mistakes in the number of pages, but page 34 marked as 3 and page 220 as 210.

The used typography was the most extended back then, that is, for the standard text, the humanistic and for the quotes and words to be explained, the italic. The only printed ornament is a symmetric vine scroll. In the middle of it, there is a face of a bald older man with a long beard with two profile trumpeters surrounding him. This decoration is found thrice before the dedicatory letter, before the bilingual Hippocratic oath and at the beginning of the commentary. In this last one, there is also a simple pattern as if intending to be an interlaced ornament (image 3).

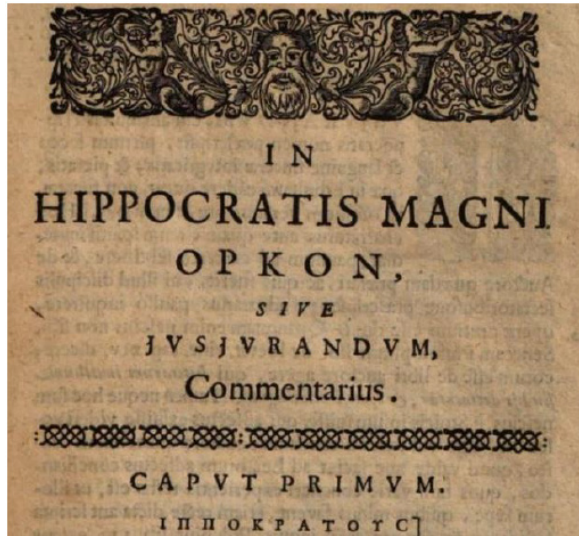
The initial Latin capital letters are decorated with tendrils, eight of them without margin and the other fifteen with a thin double margin and a darkened background. There are also five Greek initials, but they are not decorated and are merely a bigger printed capital letter. The only unusual initial is on page 2. It is twice the size (29 x 31 mm) as the normal ones.

The original cover of the book was most probably of a simple parchment since a lot of the preserved volumes that were not restored have it.⁴⁷¹ However, there are many other volumes with new bindings and hard-covers,⁴⁷² one even with gilded pages (Bibliothèque National de France – Arsenal, (4-S-1927)). We can assume then, that the book was not printed as

⁴⁷¹ There are more than 70 volumes preserved only in Europe. Some examples of the mentioned cover are in Biblioteca Nacional de España (3/43760), Bibliothèque National de France (4-T21-5), Wellcome Library (28.912/B/2).

⁴⁷² For example, BIU Santé (5860), British Library (539.e.22), Herzog August Bibliothek (Lg 1067).

a valuable item *per se*, but with the format and cover of a book that was meant to be easily carried around, something like a textbook.



3. JHM, jusjurandum, p. 1.
From the Friedrich-Alexander
Universitätsbibliothek (H61/4 TREW.P 5)

3.1.2 Creation process

It is difficult to assure how the book came to be, but thanks to some manuscripts and archives we can get at least a hint of the process.

Johann Heinrich Meibom left Helmstedt running away from the Thirty Years' war and found a place of safety in Lübeck where he stayed until he died. In some period between his arrival and the end of February 1643⁴⁷³ he found the time to write the Commentary on the Hippocratic Oath.

In the Library of Göttingen (NSTUB Gött), there is a draft of the Commentary (Ms Meibom 164) without a doubt of Johann Heinrich Meibom. This manuscript is also in quarto and has only 17 pages. The catalogue mentions it simply as *collectanea*,⁴⁷⁴ because it is a collection of papers without pagination nor apparent order. There are booklets and

⁴⁷³ Considering the date of the dedicatory letter.

⁴⁷⁴ Die Handschriften in Göttingen, p. 173. *Collectanea* von Johann Heinrich Meibom: *Leges de medicis et archiatros ex cod. Theodosiano, digestis et cod. Justiniano. De privilegiis medicorum, nebst Druck einer Disputation von W. Satlee, Bas. 1609; dann verschiedenes über Rechte und Pflichten des Arztes.*

small pieces of paper. In one of these, there is a sort of index that gives us an idea of the type of writings Johann Heinrich was working on: "*Medico legalia/ in quo/ Leges de Medicis ex Archiatriis, eorumque privilegijs / De medicina ejusque προπειδεία / De Medicamentis φθορίους, abortivis proculis / De peste an in ea fugiendum? / De Anatome an licita? / an ars liberalis? / De Pharmaceutica ordinatione / Gynecoea an gravidis secare liceat*".

Inside a folded piece of paper that says *de Medicamentis φθορίους, abortivis, an dare liceat?* the draft of the Commentary is found. Johann Heinrich most probably had in mind to create another work specifically about the abortive medicaments and took his notes of the Commentary to have something to begin with. These pages have the headline "IN HIPPOCR. IVSIVR. NOTAE CAP. XVI". The text is sometimes crossed as if it were of no use. Indeed he could not use it because those are the fragments that are in the Commentary with more or less the same words, but they do not correspond to chapter XVI but XV. Therefore we can read the previous version of the Commentary and what he left aside probably to be reused. The fragments that did not end in the book were more Johann Heinrich's opinion and fewer quotes. He decided then consciously to put more references and change the structure of the work. The content of this manuscript is entirely recorded in this research as a part of the analysed chapter.

Other similar notes were found in the same Library of Göttingen in the Manuscript Meibom 81 and the Library of Hannover (GWLH Hann) in the Manuscript Iv 357.

The notes in Meibom 81 are only one loose page written both sides with the same headline but of chapter VI. In the beginning, there is a quote of 22 lines of some words engraved on a board. It relates how the emperors Antoninus, Lucius and Valerius were healed by an oracle and gave thanks to god. At the end of this side of the page and in the right lower corner there is a reference to Strabo "*Geog. lib. XIV*". This reference is in the published Commentary in chapter IV⁴⁷⁵ although the discourse in which it was inserted is different, it has no story about the emperors nor introduces another quote to Aldus Manutius "*Orthographia*" like in Meibom 81. Inscriptions in capital letters follow this quote. In the Commentary, there is only one reference to Manutius in the whole book, and it is in chapter VI.⁴⁷⁶ The inscriptions are different, the one from Meibom 81 is about Asclepius,⁴⁷⁷ the other about Minerva.⁴⁷⁸ The rest of the page in Meibom 81

⁴⁷⁵ JHM, *jusjurandum*, p.29.

⁴⁷⁶ JHM, *jusjurandum*, p. 63.

⁴⁷⁷ ASCLEPIO. P. XELIVS. POLLIO./ VISU. MONITVS. POSVIT.

has a fragment of text which was partially published in the Commentary⁴⁷⁹ and then another fragment crossed which could not be found verbatim. Its contents, however, are similar to those in chapter VI, number 22.⁴⁸⁰ With this fragment, it is clear that Meibom reorganised the Commentary many times, using the same information, authors and sometimes even references but changing the structure of the discourse. In Meibom 81, the focus is on Asclepius and the healing powers of the oracle while in the Commentary, the passages describe the faculties of Health (Hygieia) and related goddesses.⁴⁸¹ Both discourses are similar in binding the gods to their temples and healing powers. Johann Heinrich knew that he had to write something about the gods, their temples and cult, but he certainly had his doubts about how and under which topic to put it. He had enough space since he divided the invocation to the gods into four chapters (IV-VII),⁴⁸² thus I believe it to be reasonable that the information of Meibom 81 is in two chapters of the Commentary.

The other Manuscript (lv 357) found in Hannover (GWL Bibliothek) is something controversial, and I hope I will answer to all possible questions produced by it. First of all, at the cover page, it says "*De iurejurando, collectanea philologica. Ex omni antiquitate deprompta ab Henr[ico] Meibomio.*" Then it did not seem like a work by our Johann Heinrich, but his son or his father. When looked closely, the material is of two kinds: the loose pieces of paper that are maximum size a whole page, but mostly smaller and minimum size the same length of a page but have only one-centimetre width; and the booklets of complete pages. The former are mostly references or a quote and a little extra text; the latter are notes to the Commentary identical to the ones in Meibom 164 and Meibom 81. We know without a doubt that Meibom 164 was of Johann Heinrich Meibom, in Meibom 81 there are things of both Johann Heinrich and his son according

⁴⁷⁸ MINERVAE / MEMORI / COELIA. IVLIANA / INDVLGENTIA/ MEDICARVM / EIVS. INFIRMITATE / GRAVI LIBERATA/ D.P.

⁴⁷⁹ JHM, *jusjurandum*, p. 56, number 14: "Habuit vero et aliud Romae templum Hygeia, sive Salus, sed cum Patre Aesculapio ipsi commune, in quo iisdem uterque sacris colebatur: cuius reliquias Pomponius Laetus lib. de antiq. Urb. Rom. duos illos fornices esse putavit, qui Romae prope templum D. Mariae Novae, ad finem fori Romani, in horto conspiciuntur, vetustate collapsi. Meibom 81 says: Praeter templum vero quod in insula Tiberina erat, aliud quoq[ue] Romae Aesculapius habuit cum filia Hygeia commune, in quo uterque colebatur. Hujus reliquias Pomponius Laetus duos illos formices esse putavit qui Romae prope templum D. Mariae Novae ad finem feri Romani in horo conspiciantur vetustate collapsi."

⁴⁸⁰ JHM, *jusjurandum*, p. 44-45.

⁴⁸¹ To know more about the cult of Asclepius and his relationship to other Gods and Goddesses, see: *Steger*, Asclepius.

⁴⁸² JHM, *jusjurandum*, p. 26 – 71.

to the catalogue⁴⁸³ and the Ms. lv 357 was mentioned as from Heinrich Meibom.⁴⁸⁴ The problem to attribute the notes in Ms. lv 357 to Heinrich the Younger is that two pieces of fragments (31v and 43v – library's pencil pagination) can be found in the Commentary.⁴⁸⁵

About the rest of the manuscript, that is the booklets; they also have the same headline as Meibom 81 and 164 but this time of the draft of Chapter IV which was planned to be about the types of swearing: by God, gods, all gods, men, parts of men, dead men, plants, animals, etc. The chapter is complete and follows an index at the beginning of the manuscript (2r). Most of its content was not used literally; on the contrary, he used barely one sentence or two in the Commentary only recognisable by the topic.⁴⁸⁶ However, some other fragments are to be found almost identical,⁴⁸⁷ therefore these notes are from Johann Heinrich Meibom. Probably his son was planning to work in something similar to his father most popular work back then. To support this hypothesis, it is necessary to point out that the booklets of notes and loose pieces of paper are in another booklet which is empty except for the cover page as if Heinrich the Younger would have taken his father's notes and put them in between the notebook of his project.⁴⁸⁸ We also do not know if this hypothetical project was an idea of

⁴⁸³ Die Handschriften in Göttingen, p. 165-166. Excercitatio ...de incubatione in fanis deorum ... quam praeside... H Conringio..examine subicit H. Meibomius, Helmstadii...1659, Druck. Mit vielen Zusätzen von H. Meibom, J.H. Meibom und John. H. Ladovius (Briefe) (Mscr. Meib. 356).

⁴⁸⁴ BODEMANN, Die Handschriften...Hannover, p. 63. 357. H. Meibomii De jurejurando collectanea philologica ex omni antiquitate deprompta. Autog. 26 Bl. 4^e MS. Meibom No. 192.

⁴⁸⁵ The quotes in Ms. lv 357, p. 31v of Plautus and Terentius are verbatim in Chapter VII. JHM, jusjurandum, p. 67. The contents of p. 43v is a sort of index that is not found in the same order, but it does not leave anything out that is not in the index to Chapter II. JHM, jusjurandum, p.20.

⁴⁸⁶ Similar content can be found in chapters II, VII and XXII. JHM, jusjurandum, p. 14-21, 66-71, 211-221.

⁴⁸⁷ For example, Ms. lv 357 p. 70v is to be found in chapter VIII, no. 1 and 2. JHM, jusjurandum, p. 71-72. and Ms. lv 357 p. 62v in chapter 22, no. 3-6. JHM, jusjurandum, p. 211-212.

⁴⁸⁸ Thanks to Ms Anja Fleck curator at the Department of Manuscripts and Ancient Books at the GWLB Hann it was established that the Manuscript lv357 has 3 booklets: the first one is the here referred as belonging to Heinrich the Younger formed by pages 1/84, 5/83, 6/82, 7/77, 8/75 which are empty; then a second booklet of Johann Heinrich formed by pages 15/56, 20/53, 36/51, 44/47 and a third booklet formed by pages 66/70 and a couple of loose pages (p. 60 and 63) also belonging to Johann Heinrich. The rest are small pieces of paper stuck in between.

Heinrich⁴⁸⁹ or a request from Johann Heinrich. As said before, Heinrich the Younger took care of the publication of many other works of his father and a second edition or corrected version of the Commentary would not be against Johann Heinrich's desires as it will be shown afterwards. With this last manuscript, it is evident that Johann Heinrich Meibom had many ideas of what could be written about an Oath, but in the published version he focused more in writing about the Oath of Hippocrates, discarding more general topics that did not have a quite direct reference to the Hippocratic Oath.

To publish a book requires more than just putting the mind, the pen and much ink to work. Once the job is done, it is still missing all the printing process and the logistical management it brings. We know that Johann Heinrich was almost finished with the Commentary and had already begun with the arrangements before October 1642. Nicolaus Bruggemann, the man in charge for that task tells him:

Vel quod in coemtionem librorum quos ex bibliotheca Meursiana desiderabas, ne ipsa comprobassem, nisi hanc felicitatem fortuna mihi invidisset. Iam ante enim distracta erat, quam tuae ad meas pervenire manus. Itaque qua spes hic fefellit, alia excussi loca, in quibus variores delitescere solent, sed frustra hactenus. Quantum [2v] in me erit indagare tamen non desistam, ut aliquot eorum quos catalogus tuus prae se fert exsculpam. Certe nihil in me desiderari patiar, quo minus votis tuis satisfiat. Ubinam felicior eventus conatus meos iuvaret. Commentarium tuum in Jusjurandum Hippocratis avidè expecto. Quem si est ut ad me miseris, faxo appareat, me nihil prius et potius habere quam ut mandatum et receptum officii munus impleam. Sed opus erit festinatione, alias metus ne tibi operam meam ex voto probare possum. Rogo igitur si poteris, ut eum matures nec diutius et aliis et tibi invideas, aliis ex lectione eius fructum, tibi nominis perennitatem; quam ex hoc monumento tibi affore⁴⁹⁰

⁴⁸⁹ This material could have been used for another work. See for example GWLB Hann, Ms. Iv 609. An encyclopedic work where many topics were explained, the Oath (*juramentum*) is one of those.

⁴⁹⁰ GWLB Hann Ms XLII 1877 Nicolaus Bruggemann to Johann Heinrich Meibom, Leiden, October 22nd 1642, p. 2r -2v. Or else because in the pretended purchase of books that you wanted from the Meursiana Library, I have not confirmed [them] in itself, but fortune would have refused me that happiness. It was indeed torn into pieces before your [letter] came into my hands. And because of that deceived hopes, I searched in other places in which many used to hide them, but still for nothing. As far as [2v] it will depend on me; I will not desist to investigate it so that I will scratch out some of those books which your catalogue shows. Certainty I bear in me that nothing less is missing that satisfies your desires. The result would benefit my efforts more happily. I am earnestly waiting for your Commentary on the Oath of Hippocrates, that, if it is so that you have sent it to me, I made

Thanks to the letter we can also know that Bruggemann was Meibom's contact in Leiden for all book-related matters. He was not only in charge of publishing the Commentary, but he was also his book dealer, chasing around books from auctions and continually searching for the requested titles. Meibom most probably talked to him about his Commentary before and, judging by the request of Bruggemann to hurry up, this project took more time than expected. However, by February 1643 of the next year, the book was already entering the press. Bruggemann wrote to him again:

Doctissimum Commentarium tuum in Jusjurandum Hippocratis recte ad manus meas pervenisse, ex Amplissimo Cassio nostris cognovisse te arbitror... Itaque nunc scias velim auspiciū eius iam esse factum. Calent operae imprimendo et ego corrigendo. Habebis viginti quatuor exemplaria, pretii praeterea quicquam addere negant hic moris esse. Excuditur in forma ut voluisti, quarta apud Christianum Wilhelms, ita ut ea quae de summariis, cifris, numeris monuisti observentur. Omni affirmatione pollicitus est typographus se curaturum, ut ante festum Paschatos operi finis imponatur. Rogo itaque ut ea, qua adhuc desiderantur ad me maturare digneris, ne quid sit quod operas sufflaminare et editionem morari possit.⁴⁹¹

Here is not clear what Jacobus Lauwilius did but without a doubt, Meibom sent the draft via their mutual acquaintance Christian Cassius to Bruggemann who supervised the work and gave it to Wilhelm to print it and also to add the numbers at the margins and the indices at the end, just as we mentioned before. Wilhelm was a hardworking and thorough typographer considering that the book was planned to be finished in less than two months with parts still missing and the delivery time between

that it appears that I have nothing superior and better than to execute the commanded and received duty of the service. But there is a need for hurry; otherwise I am afraid that I cannot make my work good for you according to [my] promise. I beg therefore if you could quicken and no longer envy others and you; others the fruit from their text and you the perpetuity of the name that will be yours by this written work.

⁴⁹¹ GWLB Hann Ms XLII 1877 Nicolaus Bruggemann to Johann Heinrich Meibom, Leiden, February 16th 1643, p. 4r. I think that you know that your most skilled commentary on the Oath of Hippocrates came to my hands by our most esteemed Cassius... And indeed I wanted you to know that the beginning was already made. The works are being carried on by printing and me by correcting. You will have twenty-four volumes; they deny that it is the custom to add something beyond the price. It is being prepared in the shape that you wanted, in quarto at Christian Wilhelm[’s workshop], so that indeed attention is paid to those things about the summaries, cyphers and numbers that you commanded. The typographer promised with all assertion that he will take care that the end of the work is fixed before the celebration of Easter [April 5th]. I beg you also that you deign to dispatch those things to me that thus far are desired, may it not be that it could hold back the works and delay the edition.

Lübeck and Leiden. The deadline must have been met since by July of the same year the book was already sent for distribution:

Me absoluta editione euditissimi Commentarii tui patrio redonatum caelo ex Amplissimo Cassio nostro haud dubie cognovisti. Cur autem partum tuum luci iam expositum parenti transmittere hactenus neglexerim fortean mirabere; sed scias velim non mea id factum culpa, qui eum Neptuno commissum tamdiu expectandum habui. Nunc ne voto tuo producerem moram, simul atque eum accepi, quinquaginta eius statim, ut voluisti exemplaria cum reliquis, quos hactenus apud me asservavi libris ad te prope-
randa duxi.⁴⁹²

Twenty four volumes were not enough for Meibom, so he asked for fifty. We know now that there were fifty books thanks to the current catalogues register. We found the register of ninety-one copies without accounting exhaustively private collections and museums. The astonishing thing is that so many copies survived. Comparing Meibom's Commentary to one more indisputably important book, Vesalius' *De humani corporis fabrica* of which survives 154⁴⁹³ volumes from the first edition (1543), the difference is barely more than a third and even less if compared with the second edition of the *Fabrica* (1555).⁴⁹⁴ Of course, both books and physicians had very different stories; nonetheless, it is a very high number for a book not that popular and not for use at the university since Meibom published it when he has no longer a professor.

But then why did he do it? If when he had the chance to make some remarks about the importance of the Hippocratic Oath or at least some of its precepts (they were nowhere to be found in the textual production of his years as a professor) then it was not his objective to instruct about it back then. He also did not publish it for the sake of publishing something since many other works remained unpublished by the time he died⁴⁹⁵ so it

⁴⁹² GWLB Hann Ms XLII 1877 Nicolaus Bruggemann to Johann Heinrich Meibom, Hamburg, July 25th 1643, p. 6r. You knew without a doubt that I was presented with the gift of the complete edition of your most skilled commentary in your native region by our most esteemed Cassius. Why indeed thus far have I neglected to dispatch your brought to light and already set out [commentary] to the author, so that you will be surprised by chance; but I wanted you to know that it was done not by my fault, I had it commissioned to Neptune for long a time, it is [now] to be expected. Now, may I not produce a delay to your desire and so I accepted it at once: fifty of it instead, as you wanted the volumes together with the rest of the books, which thus far I kept at my [place], I commanded that the things must be quicken to you.

⁴⁹³ HOROWITZ, "A Census of ...*De Humani Corporis Fabrica* (1543)", p. 210.

⁴⁹⁴ JOFFE, "A census of ...1555 ...*De Humani Corporis Fabrica*." Online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2746194/> (01.11.2022) 113 copies.

⁴⁹⁵ See 1.3.3.

would have been easier to dig deeper into some of his medical work due to his experience and position. It means that the Commentary was a planned project, he went through it with care and put his mind into it. The answer to its writing is somehow in the words of his son. He used the Commentary to teach at another level⁴⁹⁶ when he was tired of the problems between practising physicians and their lack of good ethical behaviour. More specifically, we can read the reason from Johann Heinrich Meibom's own words:

Commentarium nostrum in Jusjurandum Hippocratis puto te accepisse, sed mendis refertum, quarum pleraque in exemplari ad Conringium misso emendavi. Ego χαλκέα χρυσείων tecum permuto. Scripsi illum Medicinae faciendae tironibus, ut plenius per me intelligerent, quales praestare se debeant arti manum adplicaturi.⁴⁹⁷

In this letter to his good friend George Calixt, it is clear that Meibom wanted to teach about it not to the students about to learn medicine as it was the tradition but to the ones about to go into practice. In the letter to the reader of the Commentary, he goes further on and says that since the other authors have not explained it entirely, it was his duty to do it:

Praegnans siquidem est materiarum, et multa paucis includit, quae a nemine hactenus pro rei necessitate fuerunt explicata. Nam quae Theodorus Zuingerus, Ioannes Heurnius, Ioannes Obsopoeus, Petrus Memmius, Franciscus Ranchinus, Viri Clarissimi, in id notarunt, in universum pauca admodum sunt, et concisa... Operae igitur precium me facturum putavi, si laborem eum mihi sumerem, a quo et fructus in plures manare, et mihi taedium leniri posset, quod ex continuis fere perambulationibus aegrotorum, in populo urbe, animo obrepit.⁴⁹⁸

⁴⁹⁶ See 1.3.1.7 especially its note 193.

⁴⁹⁷ NSTUB Gött 2 Cod Ms philos 110 I Johann Heinrich Meibom to George Calixt, Lübeck, November 9th, 1643, p. 342. I think that you received our Commentary on the Oath of Hippocrates, but it is filled with corrections, and many of which I emended in the volume sent to Conrig. I interchange with you the "copper for the golden". I wrote it for the beginners in the practising of medicine, so that they understand more fully through me how the ones about to add [their] hand to the art must behave.

⁴⁹⁸ JHM, jusjurandum, p. [7]. See 'Texts and Editions' for the full text and translation of the Letter to the reader. Indeed one is filled with topics and included many things in a few that so far were not explained by anyone on account of the exigency of the matter. For the things that Theodor Zwinger, Jan van Heurne, Johann Obsopaeus, Peter Memm, and François Ranchin, most brilliant men, annotated in it are as a whole very little and concise... Therefore I thought that I would make the value of the work if I assumed that task, from which the fruit could flow into many and the tediousness could be lightened for me, which suddenly comes in the soul out of the almost continuous visits to the sick in a crowded city

This way of thinking that he could do it better or explain it more fully is something that I believe is a personal feature of Johann Heinrich Meibom considering that he said the same thing about the work of Duncan Liddel⁴⁹⁹ and, as read before and will be shown later, about his work. The Commentary was surely a straightforward way to keep in touch with his old university's acquaintances and scholars. He was presumably still yearning for the *Academia Julia* and longing for his life in Helmstedt as he did a few years after he left his life as a Professor,⁵⁰⁰ so that he tried at least to teach and set the example in his sphere of action.

Although Meibom published the Commentary, he would not let it rest. He could still clarify it more thoroughly, make it more modern and perfect, so he decided to prepare the second edition of it, though sadly it never got published. He took his printed book and added many things, sometimes at the margin of the book or in new adjoining pieces of paper, sometimes including new pages and coping in them some of the old material. All these *addenda* were preserved as the manuscript NSUTB Gött Meibom 4. We can point out the improvements he was planning to do in four main points:

3.1.2.1 References

As Johann Heinrich Meibom said in his preface, the Commentary has many references to many authors, either quoting them directly or just giving the work and passage. The printed version has more than 1580 references being the most cited authors Hippocrates, Galen, Homer, Cicero, Plutarch, Pliny, Seneca, Suidas and Suetonius. The most quoted Commentary on the Oath of Hippocrates is that of Zwinger being also the most non-classical author quoted. For his new version, he was planning to add another 320 references mostly without changing the discourse but introducing them. We prefer to keep referring in the notes to the published version of the Commentary whenever it is possible to make it more easily traceable to the reader since the new references are mostly just the name

⁴⁹⁹ See chapter 1, n. 90.

⁵⁰⁰ This was undoubtedly a feeling not forgotten since the days he left Helmstedt as we can read in his letters. NSTUB Gött 2 Cod Ms Philos 110 I; p. 320 from September 17th 1627: "Ago autem adhuc Lubeca, et licet ibi agam non incommode et per Dei gratiam cum meis recte valeam suspirare tamen subinde serio cogor ad relictos lares, amicos, collegasque et ut verbo dicam, ad Juliam nostram;" and p. 321 from November 19th 1627: "Rogo igitur obnix, collega amicissime, ut saltim paucis de sata vestro certiorum reddere me velis et simul indicare, quid spei nobis sit de academia nostra, quid item domui mea factum aut quinam in illa nunc degant et an amnia adhuc sint salva."

and work of the author unless otherwise stated. Some sample references are:

- Gabriel Naudé (1600-1653): French physician from a modest Parisian family and friend of Guy Patin, best known for his contribution in the area of library science⁵⁰¹ and his controversial considerations about the *coup d'état*. Meibom quotes his work *Quaestio quarta iatrophilologica, an liceat medico fallere aegrotum?*⁵⁰² in the context of chapter 22⁵⁰³ with some other authors to support the idea that it is permitted to lie or deceive the patient if it is for his good and the truth will make him worse.
- Edmundus Merillius (1579-1647): jurist of Troyes and lawyer practitioner in Bourges. His commentaries to works of Roman law and a Philologic notes to the passion of Christ⁵⁰⁴ together with his practice won him the reputation of one of the wisest jurisconsult of the 17th century⁵⁰⁵. Meibom quotes the first book of his *Observationum libri III*,⁵⁰⁶ chapter 8 (*Juris auctores doctrinam Stoicorum sequuti, quod illi a rebus gerendis non abhorrent*) and 28 (*Ulpianus, Marcellus, Proculianus. Notae Marcelli ad Julianum, Ulpiani ad Marcellum, Lex si filius familias 14. D de rebus credit. exponitur*)⁵⁰⁷ in some new part to chapter XV that will be thoroughly analysed later.⁵⁰⁸
- Wilhelm Fabricius Hildanus (1560-1634): one of Germany's most famous surgeons. He was a pupil of Cosmas Slot who has been a student of Vesalius, teaching thus the new Anatomy to Fabricius.

⁵⁰¹ See CLARKE, Gabriel Naudé, p. 331-343.

⁵⁰² NAUDÉ, *Quaestio Quarta iatrophilologica*. For a long list of bibliography about Naudé: BOEUF, *Une bibliothèque d'érudit...* Naudé. Online: <http://www.enssib.fr/bibliotheque-numerique/documents/61576-bibliotheque-d-erudit-au-xviiie-siecle-les-livres-de-gabriel-naude-conserves-a-la-mazarine-une.pdf> (01.11.2022).

⁵⁰³ JHM, *jusjurandum*, p. 214. NSUTB Gött Meibom 4, f. 255v.

⁵⁰⁴ "Mérille, Edmond" in PREAU & BABIER, *Biographie Universelle*, p.1968. Online: <https://books.google.de/books?id=8gQEAAAAYAAJ&hl=es&pg=PA1968#v=onepage&q&f=false>

⁵⁰⁵ "Mérille, Edmond" in MEZIERES, *Biographie Générale*, p.99. Online: <https://books.google.de/books?id=d6xCAAAAYAAJ&dq=Biographie%20G%C3%A9n%C3%A9rale%20des%20Champeois%20C%C3%A9n%C3%A8bres&hl=es&pg=PA99#v=onepage&q&f=false>

⁵⁰⁶ MERILLE, *Observationum libri III*. Online <https://books.google.de/books?id=mflGAAA-AcAAJ> (01.11.2022).

⁵⁰⁷ MERILLE, *Observationum libri III*, p.15-16 and p. 46-48 respectively. Online <https://books.google.de/books?id=mflGAAA-AcAAJ> (01.11.2022).

⁵⁰⁸ JHM, *jusjurandum*, p. 135 - 136. NSUTB Gött Meibom 4, f. 174.

He became one of the most respected surgeons of his time.⁵⁰⁹ His work *Opera observationum et curationum medico-chirurgicarum*⁵¹⁰ was very popular and had several editions always collecting new observations, letters and images of instruments. Meibom quotes two of his observations regarding the perforation of the uterus and its opening dismissing thus two possible causes to provoke an abortion. This passage comes in the new version of Chapter XV of Meibom's commentary and will be addressed in the next section.⁵¹¹

- Jan van Bewervijk (1594-1647): Dutch physician who was in his day widely read. There is almost no information about his life but that he studied in Leiden, Paris, Montpellier and Padua.⁵¹² Meibom quoted in chapter XVI⁵¹³ his work *De calculo*, to support the idea against lithotomy.⁵¹⁴ The passage of Bewervijk says that with the lithotomy in kidneys, the physician sends the patient to an almost instantaneous death.⁵¹⁵

⁵⁰⁹ For the complete biography and works see JONES, "The life and works of... Hildanus Part I", p. 112-134. Online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1034546/?page=1> (10.01.2019). JONES, "The life and works of... Hildanus Part II, p. 196-209 Online: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1034897/> (01.11.2022).

⁵¹⁰ FABRICIUS HILDANUS, Wilhelm, *Opera quae extant omnia, Centuria tertia, Observatio LX et LXI*, p. 244-245. Online: <https://books.google.de/books?id=oJkgiD3DWOIC> (01.11.2022). There are several editions, I quote the one that could have been used by Meibom, since it already has the observations quoted by him that previous editions did not have.

⁵¹¹ JHM, *jusjurandum*, p. 140 NSUTB Gött Meibom 4, f. 176v.

⁵¹² "Jan van Bewervijk" in van BORK & VERKRUJSEE, *De nederlandse en Vlaamse auteurs*. Online: https://www.dbnl.org/tekst/borkkooinede01_01/borkkooinede01_01_0111.php (10.01.2019).

⁵¹³ JHM, *jusjurandum*, p. 153. NSUTB Gött Meibom 4, f. 190v.

⁵¹⁴ BEWERVIJK, *De calculo*. p. 92-104. Online: <https://books.google.de/books?id=M2RYAAAAYAAJ> (01.11.2022).

Chapter VIII: "Calculorum differentiae. Cur pueri renum, adulti vesicae calculo magis obnoxii. Geminus Mercati error. Alex. Aphrodisaeus motatus. Quo modo, et loco in renibus et vesica generentur. Hippocrates explicatus. Foeminas rarius, quam mares calculo vesicae laborare. Fernelius contra Spigelium defensus. Idem cum Mercuriali de arenularum, et Campanella de Calculorum colore notatus."

⁵¹⁵ BEWERVIJK, *De calculo*, p. 99- 100. Online: <https://books.google.de/books?id=M2RYAAAAYAAJ> (01. 11. 2022): "Hinc quidam putant in nephritide, quando jam urinae fluxus intercipitur, et nullum in aliis remediis auxilium est, secure sectionem institui in lumbis, et ita calculo renem liberari. Sed merito haec chirurgia a Serapione et Avicenna rejicitur. Vitantes enim Scylla, facile in Charybdin hoc modo incideremus, aegroque non modo vitae inferremus discrimen, sed praesentanae fere morti eum subjicerens. Quare nunquam tentanda ista sectio: nisi forte natura tumore, aut ulcere, ut in exemplo allato, ipsa nobis viam monstrat."

- Julius Alexandrinus (1506- 1590) was a physician from Trient who studied in Padua and was the personal physician of Ferdinand I, Maximilian II and Rudolf II.⁵¹⁶ Meibom quotes his *De medicina et medico dialogus* which has been considered one of the first books of medical ethics.⁵¹⁷ The reference without further commentary is made in chapter 20 where Meibom speaks about the good reputation of the doctor who fulfils the oath. At the end of this passage⁵¹⁸ Johann Heinrich says that the healing or dying of the patient is entirely to God, who also gave the physician a place in the process of healing. Meibom mentions afterwards, together with other authors, the second book of Julius' work to add a different consideration. Julius text deals with questions like if Medicine is to be considered an art or a science, if medicine preserves health and how, if the healing is entirely of the body or the spirit is also to be considered, the relationship between medicine and philosophy, etc.⁵¹⁹
- Melchior Sebisch (1578- 1674) studied medicine in Tübingen, Viena, Prag and Basel. He became a professor at the University of Strasbourg, Canonicus of College of St. Thomas and *Stadtphysicus*. He became later Dean of the College of St. Thomas until his death. He was a prolific writer with more than 30 works and other dissertations.⁵²⁰ The work quoted by Meibom is *Dissertationum de acidulis sectiones duae*, first section, *dissertatio XIII*,⁵²¹ which brings to Meibom's discourse about the medicament⁵²² that heals everything (Panacea) the question if it could be an acid medicament and how to use it, either with food and drinks or without them.
- Petrus Forestus (1521-1597): the so-called Dutch Hippocrates⁵²³ is mentioned in Meibom's Commentary at the end of chapter XII⁵²⁴

⁵¹⁶ ALEXANDRINUS, *De medicina et medico*. Online: http://www.europeana.eu/portal/es/record/9200365/BibliographicResource_1000055497003.html (01.11.2022).

⁵¹⁷ SCHLEINER, *Medical ethics in the Renaissance*, p. 26.

⁵¹⁸ JHM, *jusjurandum*, p. 202. NSUTB Gött Meibom 4, f. 244v.

⁵¹⁹ ALEXANDRINUS, *De medicina et medico*, p. 44 -109. Online: http://www.europeana.eu/portal/es/record/9200365/BibliographicResource_1000055497003.html (01.11.2022).

⁵²⁰ Sebisch, (Melchior) in ZEDLERS, *Lexikon*, p. 836-838. Online: <https://www.zedler-lexikon.de/> (01.11.2022).

⁵²¹ SEBISCH, Melchior, *Dissertationum de acidulis*, p. 22-23. <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10288673-1> (01.11.2022).

⁵²² JHM, *jusjurandum*, p. 65. NSUTB Gött Meibom 4, f. 102r .

⁵²³ For a complete biography see Houtzager, "Pieter Van Foreest, The Dutch Hippocrates", p 3-12. Online: <http://www.biusante.parisdescartes.fr/ishm/vesalius/VESx1997x03x01x003x012.pdf> (01.11.2022).

⁵²⁴ JHM, *jusjurandum*, p. 108. NSUTB Gött Meibom 4, f. 141v.

where Johann Heinrich condemns the physician that gives away remedies to whatever person, making more probable the misuse of them. In the third book of *De incerto, fallaci urinam iudicio*, Forestus deals not only with the urine and the inspection of it in front of the patient but also writes against those physicians who use medicaments just after that one inspection and disclose the name and use of medicines in common or vernacular language.⁵²⁵

- Renatus Moreau (1587-1656): born in Angers he studied medicine in Paris where he became Professor of Medicine and Surgery.⁵²⁶ Meibom quoted his letter in the book of Thomas Bartholin (1616-1680) *De angina puerorum Campaniae Siciliaeque epidemica exercitationes*⁵²⁷ that comes in the seventh part called *De laryngotomia*.⁵²⁸ The reference to this text is to be found in the Commentary at the end of chapter XVI⁵²⁹ where the pertinence of surgery is discussed. Another type of surgery came into question, but in the end, Meibom supports the avoidance of it if possible. It also considers the style of the Hippocratic Oath:

Aliam persuadere nobis conatur vir eruditissimus Renatus Moreau in Epistola de Laryngotomia ad Bartholin et vult Hippocratem hic non tam respexisse ad calculi sectionem, quam ὀρχοτίαν et eunuchismum, suo tempore satis frequentem et usitatum. Atque ab isto, tanquam a re impia, abstinendum praecepisse. Sensus itaque putat esse verborum Hippocratis: Non secabo vero neque lapidem non habentes. Hi enim qui eunuchi reddebantur, calculum non habebant, et tamen exsecantur, et ex re dicebantur τομίαν. Concludit igitur Hippocratem, virum pudicissimum et castissimum, ne castrationem rem turpissimam, verbo nominaret, honesta circumloquutione usum fuisse, ut ambiguo sensu significaret, nec se calculosus, sed nec eos qui calculo non laborant secaturum. Verum enim vero, non verisimile est Hippocratem in re seria, et Dis testibus firmanda, nostra ambigua voluisse proferre. Juramenta enim verbis maxime liquidis et apertis concipi oportet, ut eo promptius a juraturo intelligantur.⁵³⁰

⁵²⁵ FOREEST, *De incerto, fallaci urinam iudicio*, p. 160-281.

⁵²⁶ Moreau, (Renatus) in ZEDLERS, *Lexikon*, p.1603. Online: <https://www.zedler-lexikon.de/index.html?c=blaettern&seitenzahl=827&bandnummer=21&view=150&l=de> (10.01.2019)

⁵²⁷ BARTHOLIN & MOREAU, *De angina puerorum*. Online: <http://data.onb.ac.at/ABO/%2BZ165176102> (01.11.2022).

⁵²⁸ BARTHOLIN & MOREAU, *De angina puerorum*. The whole section p. 117-140, the contribution of Moreau p. 124-140. Online: <http://data.onb.ac.at/ABO/%2BZ165176102> (10.01.2019)

⁵²⁹ JHM, *jusjurandum*, p. 163.

⁵³⁰ NSUTB Gött Meibom 4, f. 198. The most instructed man Renatus Moreau tries to persuade us of another thing in the *Epistola* to Bartholin 'About the laryngotomy' and wants that Hippocrates did not so consider this cutting as the castration or eunuchism, in his time

These were only a few examples of the new authors Meibom added to the Commentary. They were mostly of the West-Central region of Europe. There are connections between them found through their writings which might suggest that there were all acquainted. For instance, we know and mentioned in chapter 1 that Bartholin published a new version of Meibom's *De flagrorum usu in re veneria*, he was also involved in the publication of the letter about the laryngotomy of Moreau which was approved⁵³¹ by Guy Patin who was also a friend of Naudé. Bewervijk received and answered a letter of Guy Patin where he mentioned Naudé and Moreau. The letters were published in his book *De calculo*.⁵³² It is clear, therefore, that at least they knew about each other and interchanged books, ideas and asked for opinions. Through them, Meibom intended to give a new perspective to the Oath of Hippocrates, perhaps more 'modern' supported by a group of authors that represented a second generation of discoveries and scientific development.

3.1.2.2 Images

To better introduce the reader to such an important topic, Meibom designed a chalcography as a cover page (image 5) engraved in Hamburg by Johan Koh. There is no information about the engraver, but he must have been a beginner in the art judging by his work. We point out some mistakes to support this idea: first the Greek Gods have some non-proportioned anatomical features, for example, the right hand and the left leg of Apollo and the deltoid muscle and left arm of Asclepius; second, the lines that should be straight are not, for example, the upper lines of the left column; third the perspective is wrong because the lines of the pedestal do

sufficiently frequent and used. And from this, he advised to keep away from such an impious thing. Also, he thinks that the meaning of the words of Hippocrates is: I will not cut indeed not even the ones who have no stone. These, that were reported eunuchs, truly did not have calculus and still were cut and from this, they were called "one who has been castrated". He concludes then that Hippocrates, man most virtuous and chaste, used an honest periphrasis and did not mention literally that the castration was the most disgraceful thing, in order to signify with an ambiguous meaning that it should not be cut the ones with calculus but also not those who do not suffer from calculus. But truly, it is not verisimilar that Hippocrates, in a serious matter and that is to be promised with the gods as witnesses, wanted that our [oaths] appeared ambiguous. It is necessary that the oaths are indeed taken with words especially clear and open so that they are understood more easily by the one about to swear.

⁵³¹BARTHOLIN & MOREAU, *De angina puerorum*, p. [19] of the introductory texts without pagination. Online: [http://data.onb.ac.at/ABO/%2BZ165176102\(01.11.2022\)](http://data.onb.ac.at/ABO/%2BZ165176102(01.11.2022)).

⁵³²BEWERVVIJK, *De calculo*, p. 152-171. Online: [https://books.google.de/books?id= M2RYA-AAAYAAJ\(01.11.2022\)](https://books.google.de/books?id= M2RYA-AAAYAAJ(01.11.2022)).

not meet the vanishing point, they all seem parallel except for the lower line; and finally, the lines to create the shadows and the sensation of depth are not uniform, meaning that the frequency is not regular, some are closer than others, for example in the shadow projected at the right side of the title or in the left side of the pedestal of Asclepius.⁵³³ The design, on the contrary, is most effective in terms of marketing and also adequate for the topic since the face of Hippocrates is presented at the top; the two principal gods of medicine, Apollo and Asclepius, are represented in front of columns at each side of the title; and at the bottom there is a medallion that encloses perfectly the central area, directing the reader's attention to the title of the book. The medallion (image 4) has the phrase *εὐορκοῦντι τ'ἀγαθά*⁵³⁴ which introduces us to a very peculiar scene: there is Hippocrates at the left side, a physician of Meibom's times (judging by his clothes) at the right side and a special pot or recipient with fire in between them.



4. NSTUB Gött Meibom 4, cover page, medallion detail

Hippocrates is represented in a Christ-like posture giving a blessing with his right hand at the same height of the physician's face and in front of the fire. The physician touches with his right hand the pot that is adorned with two garlands and an upwards vertical snake. This scene is most probably

⁵³³ I owe the comments about the chalcography to my dearest friend and engraver of the Bank of Mexico, MA Juan Pablo Romo A.

⁵³⁴ The good things for the one that keeps the oath. See Polyb. Hist. III, 25, 8. Demost. Timócraten 151.

the summary of the rite of swearing the Hippocratic Oath according to Johann Heinrich Meibom. The phrase heading the scene is in itself of a religious character. Hippocrates passes the art of medicine and gives his blessing so that everything goes right. The physician is swearing by the old gods present in the columns above but also by the medical wisdom due to the fire and the snake. The acceptance of the Oath from the Gods is also marked by the clouds that frame the light rising from the fire in the pot. The scene is portraying, I believe, the exact moment of the swearing.

The next additions are the only sample of Johann Heinrich Meibom's dexterity in painting. The first one is an Apollo (image 6) introduced in chapter IV after saying that there is a marble statue of Apollo in the place called *Belvedere* in the Vatican.⁵³⁵ He introduces it with the phrase '*Eius ἔκτυπον subjungo*'⁵³⁶ and continues with the text as in the Commentary, that is, with the contents of number 20 where the description of the sculpture is done.

The second is an Asclepius (image 7) in chapter V at the end of number 31,⁵³⁷ adding the phrase '*cujus eiconi suam apponemus*'⁵³⁸ before continuing with the next sentence as in the Commentary. Both drawings are almost the same as in the cover page. The third addition is a drawing of Health (image 8) introduced by '*addo ἔκτυπον*' in chapter VI⁵³⁹ with the content at the end of number 18, though the chapter was mostly redone and the information in the following numbers is not arranged the same way.⁵⁴⁰

These drawings were based without a doubt in the engravings of Giovanni Battista de Cavalieri (latinised Johannes Baptista Cavalleris) (1525-1601) in the series of *Antiquarum Statuarum urbis Romae*,⁵⁴¹ published for the first time and only in one book around 1561 or 1562: later on, in 4 books (1 and 2 before 1584, 3 and 4 in 1594).

⁵³⁵ JHM, *jusjurandum*, p. 32.

⁵³⁶ NSUTB Gött Meibom 4, f. 48.

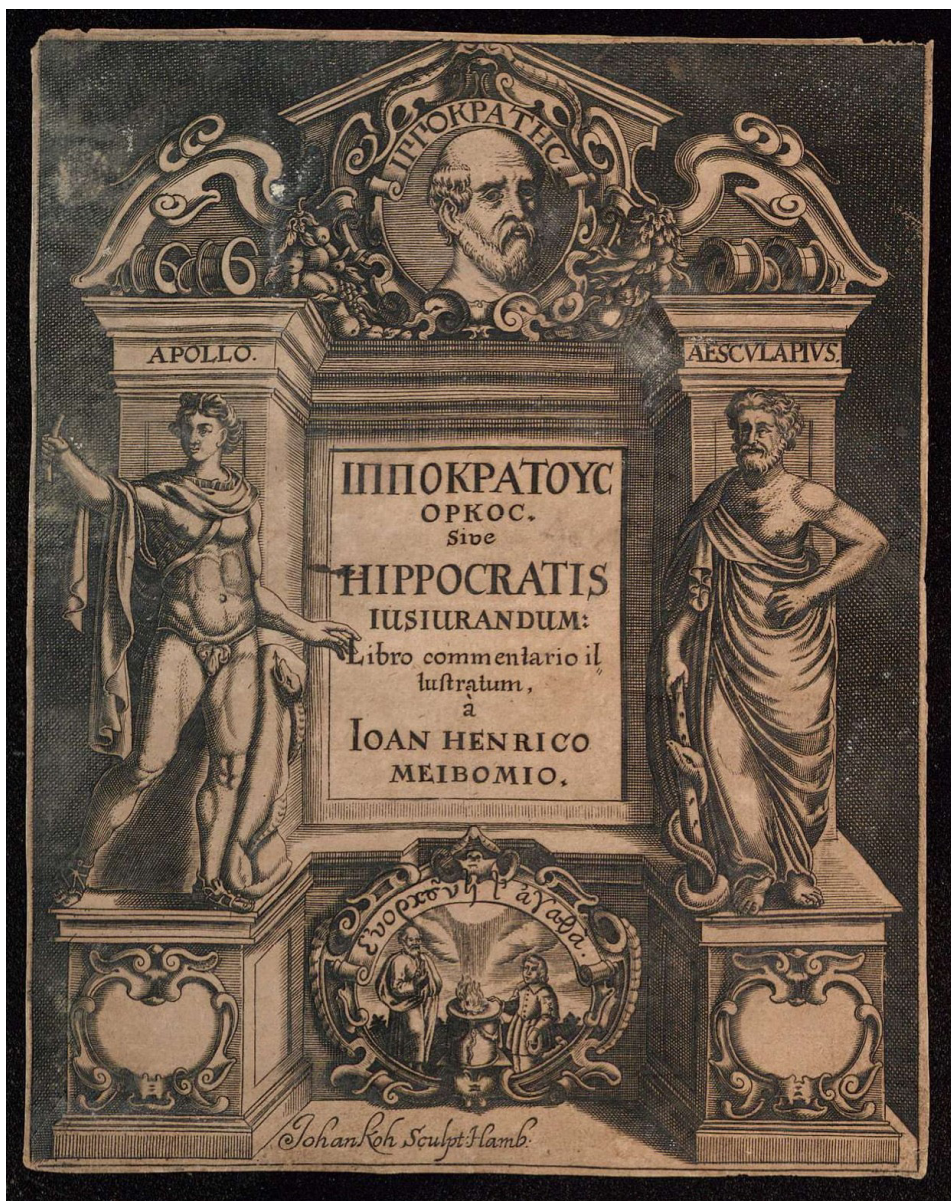
⁵³⁷ JHM, *jusjurandum*, p. 48.

⁵³⁸ NSUTB Gött Meibom 4, 81.

⁵³⁹ JHM, *jusjurandum*, p. 59.

⁵⁴⁰ NSUTB Gött Meibom 4, 85.

⁵⁴¹ CAVALLERIS, *Antiquarum Statuarum*. Digital version from where the images were also taken: <http://resolver.sub.uni-goettingen.de/purl?PPN671895583> (01.11.2022).

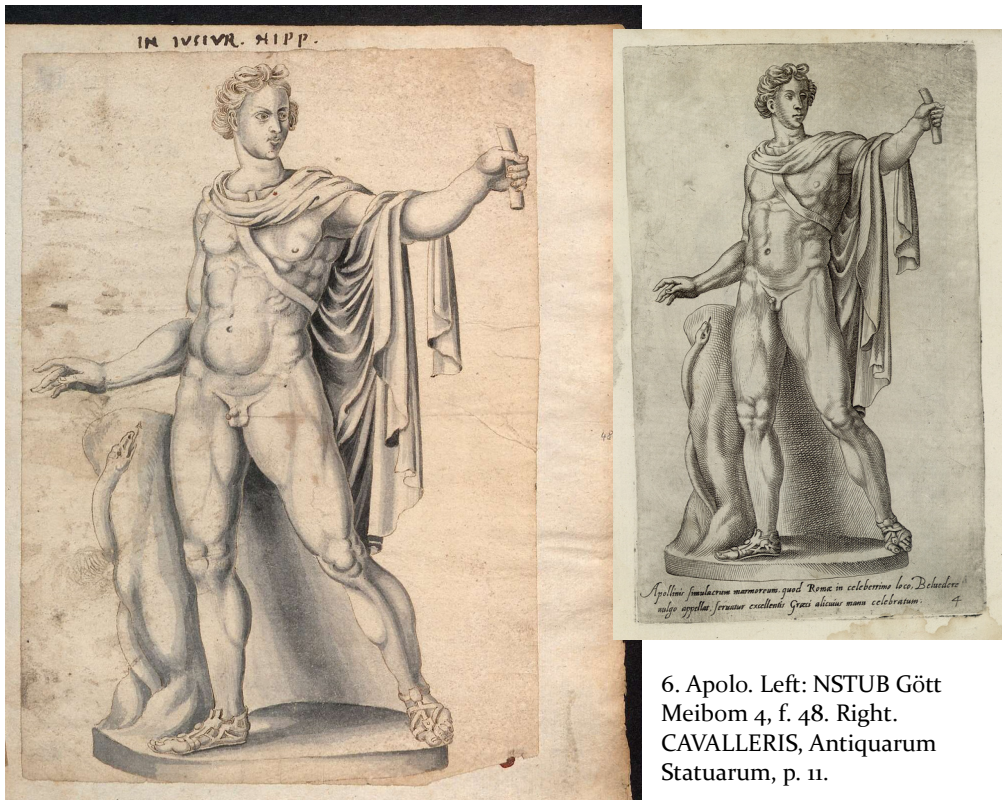


5. NSTUB Gött Meibom 4, cover page

Cavalieri's engravings were based in other works of different authors,⁵⁴² therefore the original composition is almost impossible to trace or goes back to the original statue itself, as it is the case of the Apollo of Belvedere based on the marble sculpture preserved until now at the Vatican Museum.⁵⁴³

The text under the statue of Apollo in Cavalieri's engraving says: Apollinis simulacrum marmoreum, quod Romae in celeberrimo loco, Belvedere vulgo appellat, servatur excellentis Graeci alicuius manu celebratum.

Johann Heinrich wrote similarly in his Commentary: Extat Apollinis Medici simulachrum marmoreum Romae in hortis Pontificis secretis, loco quem Belvedere vocant, excellens artificis Graeci opus.⁵⁴⁴



6. Apolo. Left: NSTUB Gött Meibom 4, f. 48. Right: CAVALLERIS, Antiquarum Statuarum, p. 11.

⁵⁴² "Giovanni Battista de' Cavalieri (Biographical details)" in British Museum Research online: https://www.britishmuseum.org/research/search_the_collection_database/term_details.aspx?bioid=129768 (01.11.2022).

⁵⁴³ <http://www.museivaticani.va/content/museivaticani/en/collezioni/musei/museo-pio-clémentino/Cortile-Ottagono/apollo-del-belvedere.html> (01.11.2022).

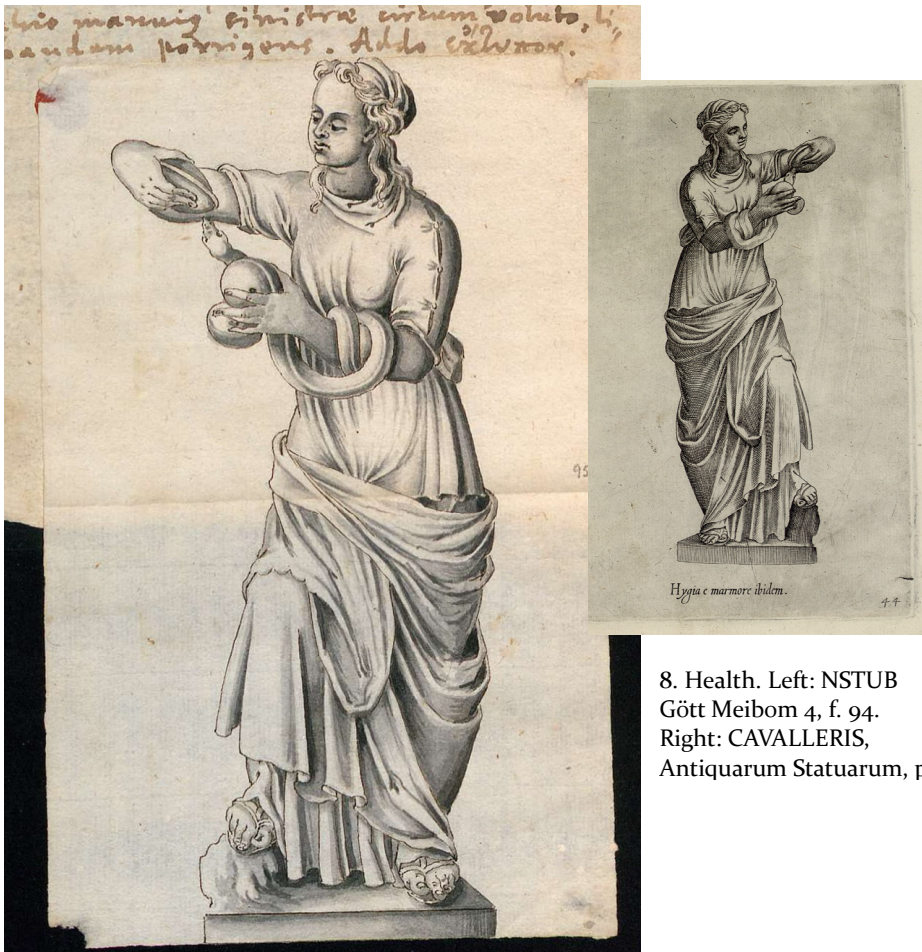
⁵⁴⁴ JHM, jusjurandum, p.32.



7. Asclepius. Left: NSTUB Gött, Meibom 4, f. 81.
Right: CAVALLERIS, Atiquarum Statuarum, p. 84.

All the images have an ink contour and were probably also coloured with ink. I thought at first sight that they were watercolours but since I am no specialist, I asked for a professional opinion to the visual artist and teacher of academic drawing BA Remi Cárdenas. He thought they were probably ink; however, he only saw digital images, so I asked for the opinion of Ms. Bärbel Mund, curator of the department of Manuscripts and Rare prints at NSTUB Gött, who confirmed the drawing were made with iron gall ink. Once Mr. Cárdenas and me started to discuss the paintings, I also asked him for an explanation about why do they look strange since I lack the education or experience to be able to judge and explain it. He shared with me then that:

The figures seem to follow the classical seven head cannon for their height. However, they seem somewhat awkward, mainly because of the thickness of each part of the body and their unevenness to the whole. So, for example, the thickness of the thoracic box to the head and then the thickness of the legs [in the drawing of Apollo]. The second image [Asclepius] presents the same problem in proportion, the size of the thorax and the thickness of the arm. Since the rest of the body is covered in drapery or if you cover the mentioned parts, the balance is restored to the height of the figure. The last figure [Health] since it is fully clothed is easier to hide the anatomical inconsistencies. The faces of the first two figures are three quarters seen straight forward, so the features are in place. However, the last figure has a slight rotation of the head downward which makes much more difficult to



place the features on the head with such foreshortening resulting in the lack of perspective but on the illusion of another type of face.⁵⁴⁵

It is more than clear that Johann Heinrich Meibom was no painter. However, in his defence, we could say that the difficulty was not precisely in copying from the engraving but in adjusting the perspective of a three-dimensional object, like a sculpture, to a two-dimensional representation as it is the engraving and the painting. Therefore, the first downward in the image quality is the engraver's fault, then of Meibom. His art in copying was also present in other minor images that were also added and here presented afterwards.

The one that might attract less the attention is a star with letters forming the word Health in Greek (ΥΓΕΙΑ) and Latin (SALUS) (image 9 & 10). It was added with a whole page of text at the end of page 58 in Chapter VI and before introducing the painting of Health.⁵⁴⁶

“Caeterum Pythagorici olim, quibus solemne erat in frontispicio literarum [f. 92] suarum, non εὐπράττειν, bene agere sed ὑγιαίνει, valere, sive sanum esse, adscribere; peculiari insuper Nota, aut symbolo inter se suoque professionis sectatores utebantur. Ea nota erat τριπλοῦν τρίγωνον πεντάγραμμον seu triplex quinque linearum triangulus in hanc formam.”⁵⁴⁷



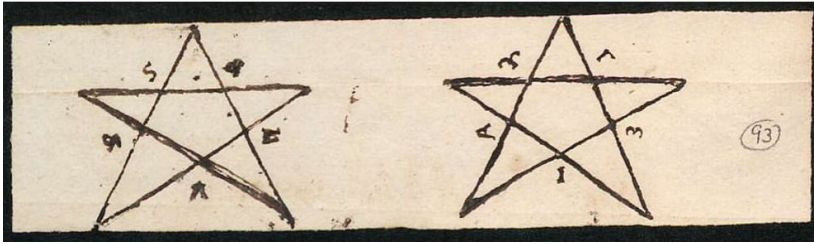
9. NSTUB Gött Meibom 4, f. 92v (ca. 3.7 x 4 cm)

And in between the pages a loose piece of paper that was supposed to be added:

⁵⁴⁵ From a written conversation of August 2019.

⁵⁴⁶ JHM, *jusjurandum*, p. 58, at the beginning of no. 18. NSUTB Gött, Meibom 4, f. 91-94.

⁵⁴⁷ NSUTB Gött, Meibom 4, f. 91v. Besides in other times the Pythagorics, for which there was a solemn frontispiece of their writings, used to add to the writings not “to do well” but “to be healthy or whole” over a note or their symbol among them and the followers of the profession. That note was a triple triangle of five lines in this form.



10. NSTUB Gött Meibom 4, f. 93 (ca. 3.7 x 3 cm)

Afterwards, Meibom added a quote of Lucianus⁵⁴⁸ in Greek and Latin to then pick up the text exactly where he left it.

The other two additions are similar in size to the stars and in between them (4 cm in diameter) because they were copied out from the same work. Just after introducing the painting of Asclepius, Meibom preserved two sentences of the Commentary⁵⁴⁹ followed by a couple new to give credit to the original versions of the drawings he copied:

“Neque alius fere est in nummis veteribus, quos ex Augeli Baldi Tractato de Viperis depingi curavimus: aut in annulis antiquis, quos ibidem ex Abrahami Gorlaei Dactylitheca numero LX et CXXXIII exprimi feci.”⁵⁵⁰



11. NSTUB Gött, Meibom 4, f. 82

Indeed these medallions are found in Baldus Angelus Abbatius (second half of 16th century)⁵⁵¹, *De admirabili viperae natura*.⁵⁵² They are numbered

⁵⁴⁸ Lucianus, *Laps.*, V, 11-13.

⁵⁴⁹ JHM, *jusjurandum*, p. 48, no. 31. “Ei pectus nudum, corpus reliquum toga tectum, barba densa et fruticosa, baculus sinistra nodosus, cui ima parte serpensa flexuose implicatur.”

⁵⁵⁰ NSUTB Gött, Meibom 4, f. 82. And he is almost not different in ancient coins, which we took care that they were depicted from the treatise ‘About snakes’ of Augelius Baldus, or in old rings which I made them to be printed from the ‘Dactylitheca’ of Abraham Gorlaeus.

⁵⁵¹ <http://thesaurus.cerl.org/record/cnp01352684>

⁵⁵² BALDUS ANGELUS, *De admirabili viperae natura*, p. [16]. <http://biodiversitylibrary.org/page/4393401> (01.11.2022).

as II, III. In the work by Abraham Gorlaeus (1549-1609?),⁵⁵³ *Dactyliotheca*, the images are different though they have the same motive.⁵⁵⁴

The next two medallions were similarly introduced after the painting of Health⁵⁵⁵ but without adding anything the text since the reference to the work of Angelus Baldus was already given.⁵⁵⁶ These are number V and VII in Baldus' work.



12. NSTUB Gött Meibom 4, f. 94v (ca. 3.7 in diameter)

Baldus' work says about the medallions that the snakes were a symbol of health. The images were taken from Augustan coins and represent either Health alone with the snake, with the snake and the flat dish or Asclepius with the snake and the stick in different compositions. In Baldus' work, there is also a coin representing Hippocrates, which unfortunately was not copied by Meibom.⁵⁵⁷

3.1.2.3. Content and Grammar changes

Most of the *addenda* Johann Heinrich did fall into the two above established categories, such as references or images; however he sometimes made some small style changes to the text or decided to make a paraphrase, that means that the content was not precisely changed, though the meaning and interpretation could vary. This small changes are not important in the general understanding of the text but might be representative if someone were to make a deeper interpretation, for example in the field of philosophy or theology. I transcribed here a sample of such changes. The fragments are taken from the original published Commen-

⁵⁵³ <https://catalogue.bnf.fr/ark:/12148/cb16262558r> (01.11.2022).

⁵⁵⁴ GORLAEUS, *Dactyliotheca*. The numbers given by Meibom are right: 60 & 133. Online: <https://books.google.de/books?id=76pSAAAcAAJ&hl=es&pg=PT63#v=twopage&q&f=false> (01.11.2022).

⁵⁵⁵ NSUTB Gött Meibom 4, f. 95v.

⁵⁵⁶ JHM, *jusjurandum*, p. 59, no. 19.

⁵⁵⁷ BALDUS ANGELUS, *De admirabili viperae natura*, p. 1-3. <http://biodiversitylibrary.org/page/4393401> (01.11.2022). The image of Hippocrates in no. VI.

tary (1643) and contrasted with the new version in NSUTB Gött, Meibom 4.

The text is marked in the following way: the added phrase with plus symbols (+), the crossed-out text is here surrounded by asterisks (*). A short explanation of the changes and their significance is also given.

a) Letter to the reader, p.5v: *Nec tamen id feci* sine exemplo sumorum Scriptorum...

Meibom 4, f. 6v.: +Sciat tamen non id fecisse+ sine exemplo sumorum Scriptorum...

He changes this beginning of the phrase to coordinate it with the construction two sentences above in which he refers to the reader in the same manner: *Sciat nunquam nimis inculcari cuiquam id posse...* Being thus the person who might question the length and precision of the Commentary twice answered about it, he wrote a commentary or more a discourse and followed the example of the best writers.⁵⁵⁸

b) Chapter one, p. 2: *Ego vel eam ob causam de auctore querendum censeo*...

Meibom 4, f. 16: +Nos vel eam ob causam de auctore quarendum censemur+...

There are almost no places in the Commentary where the voice of Meibom is grammatically found and when it does is mostly with verbs of opinion.⁵⁵⁹ As we can see in this fragment, he was not very keen on preserving the first person singular and preferred the first person plural or *pluralis modestiae*.

c) Chapter two, p. 20: Ab omnibus his *differt*...

Meibom 4, f. 34v : Ab omnibus his +differe videtur+...

He preferred to express some doubt about if the last type of oaths (ἐπακτον - imposed, not self willingly; (α)ἐπώμοτον - to put under an obligation oneself or another person; κατώμοτον - to swear against oneself or another

⁵⁵⁸ The complete text and translation of the Letter to the reader are in the "Texts and Editions" section.

⁵⁵⁹ JHM, Jusjurandum, p. 42 "ut facile credam rem totam ab iis effictam; p. 39 et proxime veritatem esse censeo"; p. 49 "pectore nudum effictum arbitror"; p. 62 "adfirmare non certo possum"; p. 69 "quamquam illud ut Jonicum, magis probem"; p. 170 "At ego causam non video".

person; ἀπόμοτος – to express by an oath that it is impossible to do something) is different to the others.

d) Chapter 6, p. 53: Ex ea igitur filios suscepit duos, Machaonem...
Meibom 4, f. 87: Ex ea igitur+, ut communis est opinio+, filios suscepit duos, Machaonem...

Since the topic is the lineage of Asclepius, it is impossible to state something about it as a historical documented truth. Meibom based its truthfulness in the popular opinion that it could also count as oral history and so relieves himself from the responsibility of accounting a historical truth. Let us not forget that his father was a renown historian for his management of sources.

e) Chapter 11, p. 97: Neque alium morem in scribendo observavit Plato, *si Galeno credimus*...
Meibom 4, f. 131.: Neque alium morem in scribendo observavit Plato, +ut anotavit Galeno+...

According to Galen, Plato's works were also written in a complicated and esoteric way for a few brave students. Meibom assures with his change in the text that Galen wrote about it, therefore his argument does not rest in the faith put in the physician of Pergamon but in his work.

f) Chapter 12, p. 108: ...quam illi, quos Udalricus Zasius *traducit*...
Meibom 4, f. 141v. : ...quam illi, quos Udalricus Zasius +increpat+...

Talking about the importance of not divulging the use of medicaments to non-physicians, Meibom considered that the one who does it errs more than the one who translates the law to vernacular languages. Zasius (1461-1536)⁵⁶⁰ exposed the second type of persons to ridicule. Meibom thought that the verb was not strong enough and made Zasius accuse, reprove or censure them.

g) Chapter 13, p. 113: Repertus tamen fuit *nostre* seculo Paracelsus...
Meibom 4, f. 149: Repertus tamen fuit +superiori+ seculo Paracelsus...

⁵⁶⁰ "Zasius, Ulrich" DBio, Online: <https://www.deutsche-biographie.de/pnd18772295.html#adbcontent> (01.11.2022).

From the published book to the manuscript of the second edition, Meibom changed his conception of time. It could indicate two things, either he wrote this part of the Commentary when he was young, strictly speaking when he was ten years old (by the change of the century), or most probably that he stopped considering himself as a part of the scholars of the end of 16th century. It could be that when he wrote the Commentary, his ideas were more akin to those of Paracelsus (1494-1541)⁵⁶¹ changing afterwards with time and experience.

h) Chapter 14, p. 129: ...sibi dedi rogarunt *Medici*...
Meibom 4, f.169: ...sibi dedi rogarunt +Chirurgi+...

In this passage, Meibom was talking about testing antidotes in prisoners sentenced to death. He then brings a similar case but of a thief sentenced to the dead and a patient, an archer from Meudon who suffered from a stone. The physicians asked and obtained permission to open the patient to extract the stone while being alive. He survived the intervention, and the sentence was remitted due to the pain he suffered.⁵⁶² Meibom, of course, could not leave the story like that since it will be against the Hippocratic Oath that some physicians asked expressly to cut the stone, for according to his discourse those were things more suitable for Surgeons, the asking for patients and the cutting of stone.

l) Chapter 17, p. 176: ut in *vitis Medicorum* docuimus.
Meibom 4, f. 218v.: ut in +Historia Medica+ docuimus.

This revision could not be significant except for the fact that this work of Meibom has not been found yet. Commonly referred to as the 'Life of the Physicians' it could be the case that the final manuscript (if there is still one) will not be named like that but something similar to *Medical History*. I decided to put this little change here to give a clue to future researchers, that this lost work of Meibom may not be found by title but by its contents. Also in both fragments, he writes as if it would have been published because of the verb tense (perfect) but if it would have been published by the time the Commentary was (1643), why change the name? Why use perfect if the book was not yet finished? May it be perhaps that he speaks

⁵⁶¹"Paracelsus" DBio, Online: <https://www.deutsche-biographie.de/pnd11859169X.html#ndb-content> (01.11.2022).

⁵⁶² The story better told could be read in RAYER, *Traité des maladies des reins*, p. 216. Online: <https://archive.org/details/traitedesmaladieo3raye/page/216> (01.11.2022).

of lectures he gave on the matter, of which we have no record, and we are confusing them with the lost work? After all, he was once a Professor, and it is very probable that he was asked to explain some topics orally.

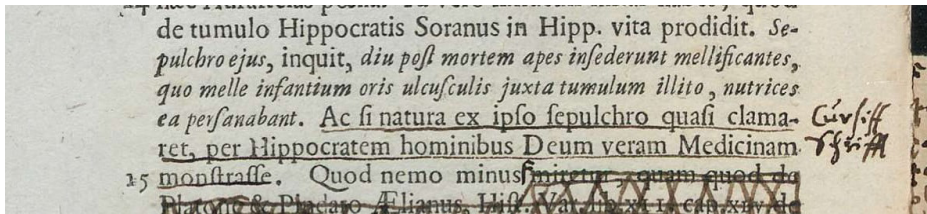
j) Chapter 19, p. 189: Hanc taciturnitatis et silentii utilitatem considerantes Philosophi, quotquot perfectionem doctrinam profitebantur, discipulis silentium imperabant, usque dum sincero doctrinae gustu imbutis, id tandem liceret rumpere.

Meibom 4, f. 229v: Et Philosophi quidem, quotquot sublimiores doctrinas profitebantur, taciturnitatis illa et silentii utilitate considerata, discipulis silentium imperabant, usque dum sincero doctrinae gustu imbutis, id tandem liceret rumpere.⁵⁶³

Meibom rewrote this fragment of a page entirely. That is why there are no asterisks nor plus symbols. We can see here a typical example of his changing the text. Perhaps it could not count as a paraphrase because he uses mostly the same words, but he changes the construction. What was before a consideration of the Philosophers (marked by the participle present) became an independent construction (marked by the ablative absolute) with all its possible interpretations.

3.1.2.4. Typographical errors

Of course, he also corrected printing errors though there are almost none. The most noticeable are the 4 of page number 34 that was missing, page number 220 as 210 and a text that should have been in italics. The latter gave us also the only note in the whole Manuscript Meibom 4 in German (Cursif Schrift):



13. NSTUB Gött Meibom 4, f. 250v. JHM, jusjurandum, p.210.

⁵⁶³ The philosophers, considering the utility of silence and that of taciturnity, professed every perfection of the doctrine, ordered silence to the disciples until they were imbued with sincere pleasure for the doctrine; then it was finally allowed for them to break it / And indeed Philosophers professed all highest doctrines, since (or when or once) they considered the utility of silence and that of taciturnity, ordered silence to the disciples until they were imbued with sincere pleasure for the doctrine, then it was finally allowed for them to break it.

With this, the creation process of Johann Heinrich Meibom related to the Commentary finished. If the second edition of the Commentary would have been published, the images would have been a commercial success, being Meibom's Commentary on the Hippocratic Oath the only one with illustrations, connecting a long tradition of Greek art, medical mythology and medical ethics. These jointures are also more explicitly shown by the new references. I believe that it is something unique of Johann Heinrich's Commentary because he went a step further, out of the exercise of the philologic perfectionism into what we call now an interdisciplinary approach.

These changes are the proof that he considered the Oath of Hippocrates not only as a traditional text for the student of medicine and guidance in medical praxis but as a compendium of Greek inheritance through which many other things could be studied together, such as numismatics, art, mythology, history, ethnology, geography, law and the many fields in medicine.

3.1.3 Distribution

After all that work was done, the book still had to reach the readers. This process happened in the two more common ways even today: hand to hand and through significant distributors like booksellers and printers.

We know from the above-quoted letters, that Johann Heinrich sent his book to his friends and acquaintances, at least Calixt and Bruggemann. We can assume that the book was also given to his family members as a letter from March 22nd 1653 from Heinrich Julius Böckel⁵⁶⁴, Meibom's relative, shows:

Ehrenvester groß Achbar, Hoch gelarter sonders großgunstiger, hochgeehrter vielgeliebter Herr vetter, Sein geliebtes Schreiben, sub dato abgewichenen 7. septem[bris] des verlauffenen nun mehrs 52-jahrs, ist mir erst den 17. 8bris anni eiusdem :/: beneben seinem commentario super ὁρκov Hippocratis dafür ich mich wie auch aller anderer sachen beschehene conjeation dienstwegerlich bedancke :/: eingelieffert worden...und zubitten was er noch von seins Herrn Parentis S[elig] wie auch seinen eigenen schriften so schon gedruckt sein oder noch kunftig gedruckt werden möchten mir, pro exornanda mea Bibliotheca zu conjeita...⁵⁶⁵

⁵⁶⁴ Heinrich Julius (1592-) was a son of Johann Böckel (1535-1605), brother of David Böckel (1534-1614) who was the father of Sophie Böckel, wife of Johann Heinrich Meibom. DNB: <http://d-nb.info/gnd/130298042> <http://d-nb.info/gnd/116223324> (01.11.2022).

⁵⁶⁵ GWLB Hann Ms XLII 1856 p. 6r. I owe the transcription and translation into modern German (see 'Texts and Editions' section) of this letter to Prof. Dr Thomas Rütten and the seminar of Prof. Dr Werner Wilhelm Schnabel.

It was then the custom from the relative and friend to ask for the books and new publications to adorn the library and from the author to send his works in return. Heinrich Julius Böckel just as many other physicians liked to have the latest works to keep themselves updated about the discussions in vogue. In the same manner Guy Patin (1601-1672), physician dean of the Faculty of Medicine in Paris, avid reader and collector of books; most probably acquired his volume of the Commentary and helped to make it noticeable. We are going to review some letters from the *Correspondance* of Guy Patin⁵⁶⁶ that will clarify and will serve as an example of Meibom's book distribution.

He wrote to Falconet on December 29th, 1660:

On imprime à Leyde un bel ouvrage de Vitis illustrium medicorum Io. Henr. Meibomii. Cet auteur est un médecin de Lübeck, fort savant homme, qui est mort depuis trois ans; c'est de lui que nous avons un commentaire fort exact in Iusiurandum Hipp. Plût à Dieu que personne ne fît pis dans un si grand nombre d'écrivains qui barbouillent le papier, il a écrit sagement, poliment et doctement.⁵⁶⁷

With the Commentary Meibom gained an excellent reputation, not only as a wise, elegant and well-versed writer but as someone who defied the works of others who only smudged the paper. After all, it seems that for Patin Meibom was able to do what he said he would do at the beginning of the Commentary, that is, to make it better and go deeper since the other authors have not done it already.

Meibom had been dead for five years, and not three as said above, nonetheless it seems like Patin was always attentive to all publications along with whatever news he could know and share about the authors:

Pour le livre de Melchior Sebizius, l'on m'a dit qu'il sera fait à Pâques et qu'il y aura trois volumes in 8°. Les livres d'Allemagne ont ordinairement de beaux titres et comme dit Pline, *propter quos deseri posset vadimonium*; mais l'effet ne réussit point à l'attente et souvent, l'on y trouve *pro thesauro carbones*.

....

⁵⁶⁶ All the letters and their editions (French and Latin) are from *Correspondance complète et autres écrits de Guy Patin*. Online: <http://www.biusante.parisdescartes.fr/patin/> (01. 11. 2022). The information about the persons involved in the letter exchange can also be found there.

⁵⁶⁷ Correspondance de Guy Patin, L. 660 À André Falconet, le 29 décembre 1660. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=o660> (01.11.2022).

Aujourd'hui m'est venu voir un jeune homme bien sage et civil, natif de Brunswick, qui a bien étudié en médecine pour son âge. Il m'a dit qu'il veut ici demeurer un an entier pour y voir des opérations en chirurgie et qu'après, il s'en ira en Italie; mais il m'a appris une nouvelle de son pays, dont j'ai regret, qui est la mort d'un certain savant médecin de ce pays-là, nommé Io. Henricus Meibomius. C'est celui qui a fait un commentaire sur le Iusiurandum Hippocratis. Je me suis enquis d'un grand ouvrage qu'il avait promis de Vitis medicorum usque ad sæculum xv; sur quoi il m'a répondu que l'ouvrage était parfait et achevé, entre les mains du fils de l'auteur, qui est de présent à Leyde, où il s'est transporté tant pour y étudier que pour traiter avec un libraire qui le fasse imprimer in 4^o, qui sera assez gros.⁵⁶⁸

The German books usually had good titles, but sometimes they did not fulfil the expectations of Patin. Meibom's Commentary was not one of those, on the contrary, that is why the notice from the lips of another German about Meibom's death was something to feel sorry about, and the only consolation for Patin was Meibom's unpublished works, which he asked for in the following letters. This time he wrote to Heinrich Meibom the Younger to ask directly about it:

Clar. Viro D.D. Henrico Meibomio, Leidam.

Literatissimas tuas literas accepi, Vir Cl. per amicum communem, ~~accepi~~ D. Behrens: quas propter elegantiam tanquam thesaurum reputo, servôq. tum propter Te, tum propter Cl. virum, eruditum ac eximium scriptorem D. Parentem tuum, cujus memoriam sacrosanctam habeo, et quamdiu vivam usque colam: quæ quidem ob insignem illius polymathiam tamdiu durabit quamdiu stabit honor bonis literis, et Hippocrates Cous bonorum et cordatorum Medicorum sanctissimus princeps habebitur. Ejus Syntagma de Scriptorib. Medicis utinam citò per Te lucem videat: ex cujus lectione ~~futurum~~ spero multa discere hactenus mihi ignota, indeq. futurum ut melior et doctior fiam. Seorsim typis mandandus videtur Tractatus de Cervisijs, ex quo multi sitim suam abunde explebunt, quamvis minus sit Medicus quàm Philologicus. Hîc habeo vitam Mæcenatis, et Comm. in Hip. Iusiurandum; sed Epistolam de flagorum usu etc. deq. renum officio, numquam vidi: quamvis olim de utroque audiverim.⁵⁶⁹

Could Johann Heinrich have asked for better praise? Patin bound Johann Heinrich's name to the persistence of Hippocrates' fame as the prince of physicians. Patin already had the commentaries of Meibom and was hoping for the rest of the works, philologic, medical, historical, unpub-

⁵⁶⁸ Correspondance de Guy Patin, L. 662 À Charles Spon, le 7 janvier 1661. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=o662> (01.11.2022).

⁵⁶⁹ Correspondance de Guy Patin, L. latine 155 À Heinrich Meibomius, le 10 février 1661. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1188> (01.11.2022).

lished, published and of course all other books alike. He wrote to Utenbogard:

Quî se habet D. Mart. Schoockius, amicus noster? quidvis ut sperem de ejus filio ad nos mittendo? stabo promissis si voluerit. Annon ad finem editionis pervenit ejus liber de Fermentatione? ut et altera editio libri sui de Cervisia? de qua [re] al[terum] scripsisse, nempe D. Meibomium, Medicum Lubecensem, virum [122v] eruditissimum. Ille ipse est cujus habemus doctissimum elucubrationem in Iusjurandum Hippocratis. Abijt ad plures ille Meibomius, sed filium reliquit doctissimum, quem hîc vidi, et de quo verè dici potest, Docti patris docta proles: qui proximo anno futurus est Medicinæ Theoricæ Professor Helmestadij, in illa ipsa Academia in qua Medicinam hactenus docuit Vir Cl. Herm. Conringius, stipendijs duorum Ducum, Brunsvicensis et Lunæburgensis.⁵⁷⁰

Patin wanted to have it all, and while collecting other books, he was also advertising the works of Johann Heinrich in geographies where the books were probably more easily acquired and with people that knew the family for sure.⁵⁷¹ We know from the next letter that he had the chance to meet personally Heinrich Meibom the Younger and that therefore the relationship was not only epistolary.

Nolo omissum: Cl. vir Henr. Meibomius, Med. Lubecensis, qui ante obitum dedit Mæcenatem, Commentarium eruditum in Iusjurandum Hip. etc. librum conscripsit de vitis Medicorum ab omni ævo, usque ad sæculum xv. à nato Christo: sed tam pretiosum Opus adhuc MS. latet apud hæredem, Filium doctissimum, quem hîc novi ante 4. menses: nuper Ille reversus est in Germaniam, per Angliam, et Belgium, cis paucos menses futurus Professor Helmæstadij, ubi liber iste optimus poterit anno proximo typis mandari: quod utinam videamus....⁵⁷²

Patin was writing to Sebastian Scheffer (1631-1686) about other historical works, and he did not want to miss the opportunity to mention the non-published work of Johann Heinrich although he had been waiting for it at least three years. It all made sense if the plans of Heinrich the Younger are taken into account. With this letter we can see thanks to the other books of Meibom that the second editions, posthumous publications and partially the distribution depended on the family, its connections, time and money

⁵⁷⁰ Correspondance de Guy Patin, L. latine 226 À Christiaen Utenbogard, le 6 janvier 1663. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1259> (01.11.2022).

⁵⁷¹ There are letters from Heinrich Meibom the Younger to Martin Schook. See GWLB Hann MS XLII, 1892, p. 92 N60, 95 N67, 106 N79, 137 N127, 154 N158.

⁵⁷² Correspondance de Guy Patin, L. latine 239 À Sebastian Scheffer, le 17 avril 1663. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1272> (01.11.2022).

to devote to and, of course, the personal disposition to overlook the whole process. The praises of Patin to both Meiboms were surely not lost because Sebastian Scheffer was also a friend of Heinrich the Younger and served both, Patin and Heinrich, in the book trade.⁵⁷³

But Patin did not have any news on the books, so he decided to write again about it to Heinrich Meibom the Younger:

Mart. Schoockius, Amicus noster, 4. novos Tractatus nuper pollicebatur, præsertim v. Exercitationes in 4. de rebus varijs: audivi quoque de Fermentatione novum quid promitti: ut et novam eamq. adauctam Editionem Libri de Cervisia. Tu v. Vir eruditissime, quid me vis sperare de MS. illo quem penes Te habes, à Cl. Parente tuo elaborato? fac sodes, ut videat lucem: hoc debes privatæ ejus gloriæ, ut et publicæ utilitati; et utriq. si bene Te novi, puto apprime addictum et consecratum. Quod si abnuant vestrates Typographi, propter impensas editionis, MS. tuum ad me trans mitte: hîc eam perficiam, et aliquot ejus Exemplaria ad te mittam...⁵⁷⁴

Patin wanted so much that work of Johann Heinrich that he was even offering to help publishing it. It made us wonder why did the historical work about the life of physicians remain unpublished? It seems that Patin liked Johann Heinrich's philologic commentaries very much:

Le même M. Ménage travaille à un *Etymologicum botanicum*; il a aussi vers soi, presque tout achevée, une histoire des vieux médecins grecs et latins, de cuius editione etiam cogitat, en attendant celle qu'a faite par ci-devant M. Meibomius, médecin de Lübeck, qui a laissé un fils fort savant, que je pense qu'avez vu à Lyon le mois d'avril dernier, et qui est aujourd'hui professeur à Helmstedt, Université du duc de Brunswick, *in qua docuit hactenus vir eruditissimus Her. Conringius, qui multa scripsit*. C'est de ce M. Meibomius le père que nous avons le Mæcenæ et un commentaire très savant *in Iurisiurandum Hippocratis*. Il a laissé ce fils aîné fort savant qui m'a promis de faire imprimer cette histoire paternelle des anciens médecins grecs et latins *usque ad sæculum decimum quintum*; comme aussi un autre petit livre manuscrit qu'il a entre ses mains, du même auteur, qui sera *Commentarius philologicus de Cervisia*.⁵⁷⁵

Also, he thought about them every time a similar book was being written or published, either on etymologies or a historical encyclopedia. The good thing for Meibom's Commentary is that whenever Patin was looking for

⁵⁷³ See letters from Heinrich Meibom the Younger to Sebastian Scheffer. GWLB Hann MS XLII 1892, p. 170 N176, 200 N250, 249 N322, 257 N340 and MS XLII, 1902 p. 19-20.

⁵⁷⁴ Correspondance de Guy Patin, l. latine 266. À Heinrich Meibomius, le 2 novembre 1663. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1299> (01.11.2022).

⁵⁷⁵ Correspondance de Guy Patin, L. 760 À Charles Spon, le 13 novembre 1663. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=0760> (01.11.2022).

those works, he ended up mentioning it proving with this that it was the Commentary that gave Johann Heinrich more fame back then, contrary to what could be thought after reviewing his publications in chapter 2.

Patin as the great book collector he would try every possible way to get his books, and since he had already written to Heinrich's acquaintances and Heinrich himself without actually obtaining what he wanted, he took the chance to also mention it (among other things) to a noble man of Helmstedt:

Cl. viro D. Iulio Hakeberg, nobili Germano, Helmstadium.

Cum magno gaudio tuas accepi, Vir Cl. 30. Nov. scriptas, quæ mihi per Dominum Bec redditæ fuerunt 13. Janu. præsentis anni; et pro quib. gratias ago Tibi singulares. Quî se habent D.D. Conringius et Meibomius, Viri Cl. et doctissimi? quid ille novi scribit, et in bonum publicum, more suo molitur? hîc v. quid agit? an publicè docet ac publicè profitetur Medicinam in Academia vestra Iulia?... Sed redeo ad Meibomium nostrum, nobilem ac eruditum adolescentem: quid me jubes de eo sperare? habet in manibus duplex opus Viri Cl. sui Parentis? nempe Tractatum Philologicum de Cervisia? Et veterum Medicorum historiam: quandonam utrumque lucem videbit? hoc sciam per Te si volueris.⁵⁷⁶

This is the first time that the allusion to Johann Heinrich came without one to the Commentary but since the recipient was not a regular person but one who knew the society of the university and the court it is understandable. The most important thing is that Patin began to doubt if such works existed. Let us not forget that the mentioned work about the beer was not published until 1668, that is, in another four more years.

Some months later, Heinrich Meibom must have sent a letter with some material to Patin. We read here the answer to the letter:

Cl. viro Henrico Meibomio, Med. Doctori, Helmstadium.

Postremam tuam Idib. Martijs datam, ecce accipio, Vir Cl. non absque summa lætitia, per quam nimirum accip agnosco Te vivere et valere, meq. à Te seriò amari: quæ singula fortiter in votis habeo: accepi quoque cum eleganti tua Epistola, quos adjunxisti libellos, pro quib. gratias habeo singulares, præsertim v. pro funebri illa Oratione Cl. Parentis tui, à Neucrantzio scripta, viro præstantissimo, cujus eruditionem jamdudum et apprimè novi, quemq. ideo nomine meo salutari velim, si Tu volueris... [173r] De libro Cl. Parentis tui de Cervisia, tuum est videre atque decernere: totus sum tuus ære et libra: Dij vobis principatum dedere, nobis obsequij gloria relicta

⁵⁷⁶ Correspondance de Guy Patin, L. latine 275 À Julius Hachberg ou Hakeberg, le 16 janvier 1664. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1308> (01.11.2022).

est....In libro de Scriptis Medicis D. Vander Linden. (qui utinam adhuc viveret, nec tam infeliciter vitam cum morte commutasset, ex omnia venæ sectione, et assumpto chymico medicamento emetico venenato, in febre assidua, et catarrho suffocante, contra omnem methodum) lego à D. Parente tuo scriptum et editum fuisse Discursum de Mithridatio et Theriaca, Lubecæ. 1652. 4. sed quis modus eum habendi? certè illum vehementissimè cupio: quid quoque vis ut sperem de ejus Historia Medica?⁵⁷⁷

Heinrich the Younger might have been very busy not to have written before. We must also consider that after the Thirty Year's war Europe was in a state of constant war⁵⁷⁸ either for commercial hegemony, territorial dispute or successions problems. These events were also in Guy Patin's mind while writing and asking for the books. With the work of Neucrantz on the occasion of Johann Heinrich's funeral, Guy Patin had the opportunity to know more about his life. Patin insisted once more about the publication of Johann Heinrich's work in another letter on February 27th, 1665⁵⁷⁹ to Heinrich Meibom offering his help again.

This letters' exchange between physicians and scholars of that time with a request for books and opinions was the perfect field for Heinrich the Younger to have done more, to take the opportunity and publish not only what was left unpublished from his father but also the second edition of the Commentary. It is not without wonder that it astonishes me that the second edition of the Commentary was not even mentioned nor known before this research. As shown before, the name of Johann Heinrich had as an epithet the Commentary on the Hippocratic Oath, and it would have been the easiest thing to had it published, especially if there was already a lot of interest put in it and his other works like the history of the life of physicians. There is much research missing about Heinrich Meibom the Younger and his relationships with other famous scholars, physicians and his own family because it is impossible to know to which point he took care of his father unpublished work by his own will and how much did other persons helped. Both Meiboms belonged to a social class that was part of both elites, the scholarly and the political, thus it is plausible to think that the publications of Johann Heinrich made by his son were a way to please his acquaintances and reassure his social status. All Johann Heinrich works' published posthumously had some connection to the private life of

⁵⁷⁷ Correspondance de Guy Patin, L. latine 305 À Heinrich Meibomius, le 24 juillet 1664. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1338> (01.11.2022).

⁵⁷⁸ DUCHHARDT, Europa am Vorabend, p. 62.

⁵⁷⁹ Correspondance de Guy Patin, L. latine 342 À Heinrich Meibomius, le 27 février 1665. Online: <http://www.biusante.parisdescartes.fr/patin/?do=pg&let=1375> (01.11.2022).

Heinrich the Younger and a possible convenience for his rising in the social sphere. The *De κυνοφορία* was dedicated to the senator of Lübeck when Heinrich the Younger was there for a short time; the *Cassiodori formula comitis archiatrorum* and *De cervesiis* were dedicated to influential persons who had contact with the political power once he was in Helmstedt; and lastly, *De usu flagrorum in re venerea* was republished by the desires of Thomas Bartholin and not much of his. Nonetheless, the fact that Heinrich the Younger enjoyed life as a renowned physician, either by his own merits or by inheritance of his family name, contributed to the distribution of the Commentary and all the other works of Johann Heinrich.

The other way to get the book, if not asked for it personally, was as an ordinary consumer at bookstores or directly at the printer's office.

3.1.3.1 Jacobus Lauwiickius (Jacob Lauwyck)

The Commentary has in the cover page the name of Jacobus Lauwijkius (Jacob Lauwyck) as the printer. There is almost no information about him but that he was a bookbinder born in Leiden who married in July 09th, 1631 with Christina Christiaensdr⁵⁸⁰ with whom he had at least one child, Jacob.⁵⁸¹ His name was written in two minutes of notarial deeds, both of 1663.⁵⁸² We know that he published other texts besides the Commentary:

- Schomberg, Henri de, Waerachtigh verhael ghedaen aen den alder-christelijcksten coninck van Vranckrijck, door den Maerschalc de Scomberg. Van den grooten Slach, en heerlijcke victorie, die hy bevochten heeft teghen synes Majesteyts Broeder, ende syne Adherenten, gheschiet ontrent het Casteel d'ARY, den eersten dagh van September, Tot Leyden: Voor Iacob Lau-

⁵⁸⁰ Erfgoed Leiden en Omstreken, NH Ondertrouw K. september 1626 - augustus 1633, archiefnummer 1004, Nederlands Hervormd Ondertrouw (1575-1795), inventarisnummer 10, blad K – 240, Leiden, Periode 1626-1633. Online: <https://www.erfgoedleiden.nl/collecties/-personen/zoek-op-personen/deeds/c81dca02-173d-gaba-d3c6-93ebda0e499d> (01.11.2022).

⁵⁸¹ Erfgoed Leiden in Leiden, Church records baptisms, Dopen NH Pieterskerk, Part: 222, Period: 1644-1664, Leiden, archive 1004, inventory number 222, March 02nd, 1646, Dopen Pieterskerk 8 juni 1644 - 29 februari 1664. Online: <https://www.openarch.nl/show.php?archive=elo&identifier=5ef56055-b281-db5f-fa3a-387ff9831d8e&lang=en&six=1> (01.11.2022).

⁵⁸² Erfgoed Leiden en Omstreken, 1663, archiefnummer 506, Archief van notaris Kaerl Outerman, 1629-1669, inventarisnummer 457, aktenummer 118, Leiden, Periode: 1666. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/f36fafc5-82c9-02a3-7a04-04ac7fc88864> (01.11.2022). and 1663, archiefnummer 506, Archief van notaris Kaerl Outerman, 1629-1669, inventarisnummer 457, aktenummer 87, Leiden, Periode: 1666. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/of9c3c1b-d238-5121-7b6f-ed9ef7a23b1f> (01.11.2022).

wijck, Boeckverkooper woonende op de Noogewoert, recht ober de Brouwerije van't t Lam, 1632.⁵⁸³

- Constantinus L'Empereur, *De ophthalmia vera*, Lugduni Batavorum, Lauwijck, 1638.
- Pontoppidanus (Erik Eriksen Pontoppidan (1616-1678), *Bucolica Sacra*, Lugduni Batavorum, Apud Jacobum Lauwickium bibliopolam prostant, 1643.
- Wolff, Simon, *Disputatio medica inauguralis de febre tertiana intermittente*, Lugduni Batavorum, ex officina Jacobi Lauwick, 1649.⁵⁸⁴
- Panchovius, Thomas, *Disputatio medica inauguralis de haemorrhagia narium... eruditorum examini subjiciet Thomas Panchovius, Marchicus...*, Lugduni Batavorum, ex officina Jacobi Lauwick, 1649.
- Guntherus, Jonas, *Disputatio medica inauguralis de Ascite... publico doctoralibus examini subjicit Jonas Guntherus Lignicensis Silesius...*, Lugduni Batavorum, ex officina Jacobi Lauwijck, 1649.
- Linda, L.D.; Rhijn, Johannes van, *Ornatissimo, doctissimoque viro-iuveni D. Paulo Glandorp, Bremensi. Cum Meritissimo Medicinae Doctoris titulo Leidae decoraretur, ad diem XII Novembris 1652*, Lugduni Batavorum, apud Jacobum Lauwijck, 1652.⁵⁸⁵

He also published eight portraits from professors at the University of Leiden. All of them have explicitly the legend "*I. Lauwyck excudebat/excudit*" though he shares credit with other engravers and painters like Cornelis Danckerts (1603-1656),⁵⁸⁶ Jonas Suyderhoff (ca. 1613- 1686),⁵⁸⁷ David Baudringien (ca.1581-1629),⁵⁸⁸ Crispijn van Passe (1564-1637),⁵⁸⁹ Michel

⁵⁸³ Online: <https://books.google.de/books?id=QvdGAAAcAAJ&hl=de&pg=PP3#v=onepage&q&f=false> (01.11.2022).

⁵⁸⁴ Online: <https://books.google.de/books?id=ndT3HE3T4NIC&hl=es&pg=PP1#v=onepage&q&f=false> (01.11.2022).

⁵⁸⁵ Online: <https://books.google.de/books?id=FYN5aPJ-NKUC&hl=es&pg=PP1#v=onepage&q&f=false> (01.11.2022).

⁵⁸⁶ DNB, <http://d-nb.info/gnd/103752490X> (01.11.2022).

⁵⁸⁷ DNB, <http://d-nb.info/gnd/123303362> (01.11.2022).

⁵⁸⁸ Digitale Versie Nieuw Nederlandsch Biografisch Woordenboek, p. 105. Online: http://resources.huygens.knaw.nl/retroboeken/nnbw/#source=2&page=57&accessor=index1&accessor_href=http%3A%2F%2Fresources.huygens.knaw.nl%2Fretroboeken%2Fnnbw%2F

Natalis,⁵⁹⁰ and other printers like Hendrick Focken. From 1640 we have the portrait of Marcus Zuerius Boxhornius (1612-1653)⁵⁹¹; from 1641 of Polyander van Kerckhoven (1568-1646),⁵⁹² Jacobus Maestertius (1610-1658),⁵⁹³ Arnoldus Vinnius (1588-1657)⁵⁹⁴ and Constantinus l'Empereur (1591-1648),⁵⁹⁵ from 1642 of Otto van Heurne (1577-1652?)⁵⁹⁶ and Andreas Rivetus (1572-1651)⁵⁹⁷ and between 1626 and 1668 one of Jacob Cratz (1577-1660).⁵⁹⁸

They are all preserved in the British Museum in London except for the portrait of Rivetus which is in the Eidgenössischen Technischen Hochschule Bibliothek Zürich.

It was strange for me at the beginning of this research to think that an almost unknown person printed a book with so many preserved volumes, it made no sense because it would have lessened the probabilities for the Commentary to have reached so many readers and therefore to end up in today's libraries.⁵⁹⁹ The clue lays at the end of the book and in the cover page of some volumes.

index1%2Findex_html%3Fpage%3D58%26source%3D2%26id%3Dindex1&view=imagePane (01.11.2022).

⁵⁸⁹ DNB, <http://d-nb.info/gnd/118591924> (01.11.2022).

⁵⁹⁰ <http://www.biografischportaal.nl/persoon/10513378> (01.11.2022).

⁵⁹¹ DNB, <http://d-nb.info/gnd/10427686X>. The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=310411&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹² DNB, <http://d-nb.info/gnd/100321828> The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3104168&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹³ DNB, <http://d-nb.info/gnd/130100757>. The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3104267&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹⁴ DNB, <http://d-nb.info/gnd/124408281>. The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3225997&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹⁵ DNB, <http://d-nb.info/gnd/118907883>. The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3104282&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹⁶ DNB, <http://d-nb.info/gnd/116782951>. The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3499654&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹⁷ DNB, <http://d-nb.info/gnd/118789023>. The portrait is available online: https://doi.org/10.16903/ethz-grs-D_007344 (01.11.2022).

⁵⁹⁸ DNB, <http://d-nb.info/gnd/119442027> The portrait is available online: https://www.britishmuseum.org/research/collection_online/collection_object_details.aspx?objectId=3490951&partId=1&searchText=Lauwyck&page=1 (01.11.2022).

⁵⁹⁹ I found and traced more than 100 volumes of the book, from Israel to the United States of America. At least 75 of them are in Europe, of which the majority are preserved in

3.1.3.2 Willem Christiaensz van der Boxe (1583 – 1658)

Meibom's Commentary carries at the end of the book the name of another printer. We can read "Typis Wilhelmi Christiani" which means that the edition was made by Willem Christiaensz van der Boxe (1583 – 1658) as requested by Johann Heinrich Meibom in his letter to Bruggemann. We know that Willem Christiaensz was born in Middelburg in 1583 and moved to Leiden around 1612. He learned the profession of printing from Thomas Erpenius (†1624), with whom he worked for 12 years and who put him in contact with the University of Leiden since Erpenius was himself a professor of oriental languages there.⁶⁰⁰ He became a citizen⁶⁰¹ the same year he married Anna Gerritsdr (born Alckmaer), that is in November 08th 1624.⁶⁰² In the same document, it is stated that his previous woman was Anna Perckens. He had with Anna Gerritsdr a child called Adriaentgen as the baptisms record of April 6th, 1627 shows.⁶⁰³ In November 25th 1636 Willem married for a third time with Cornelia Pietersdr van Palesteyn (Palesteijn).⁶⁰⁴ I assume that with her he had a son called Daniel because, although I could not find the baptism document, there are other documents of Daniel's children baptism where both grandparents were witnesses or after Willem's death just the grandmother. For example in September 10th 1657 the baptism of Catharina van der Boxen, daughter of Daniel Willems van der Boxen and Cornelia Huijbrechts van Huchtenburg, the witnesses were both grandparents, Willem Christiaensz and Cornelia Pietersdr.⁶⁰⁵

Germany (29 volumes), then the United Kingdom (18 volumes) and then France (12 volumes).

⁶⁰⁰ SPRUNGER, Trumpets from the tower, p. 145.

⁶⁰¹ SPRUNGER, Trumpets from the tower, p. 145.

⁶⁰² Nederlands Hervormd Ondertrouw (1575-1795), inventarisnummer 9, blad I – 227v, Leiden, Periode 1619-1626. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/odbf9fod-e4bd-6386-1c1a-e4054bdi6eob?person=e191e3bo-a959-2f3c-a4b3-ad105de44b98> (01.11.2022).

⁶⁰³ Dopen Hooglandsche Kerk 1621 - 17 augustus 1628., archiefnummer 1004, Dopen NH Hooglandsche Kerk, inventarisnummer 232, Leiden, Periode 1621-1628. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/26adaf9c4fd8-928e-9ca3-76db522fde11?person=5b7f8f5d-aado-4ef0-3098-1e72598b3d97> (01.11.2022).

⁶⁰⁴ NH Ondertrouw L. augustus 1633 - 1637., archiefnummer 1004, Nederlands Hervormd Ondertrouw (1575-1795), inventarisnummer 11, blad L – 265, Leiden, Periode 1633-1637. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/e566d132-b595-9302-c6e2-8159ba68f9a6?person=1fe2d265-8287-6b70-5f68-6e55e26cbccf> (01. 11. 2022).

⁶⁰⁵ Dopen Hooglandsche Kerk 13 augustus 1652 - 29 juni 1659., archiefnummer 1004, Dopen NH Hooglandsche Kerk, inventarisnummer 236, Leiden, Periode 1652-1659. Online <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/bd528092-7bcc-08ba-65b7-1b496d51a428?person=fc7122ff-4782-7d9f-2aca-8ade260366d7> (01.11.2022).

Still, in the baptism of Anna van der Boxen on February 15th 1660 only Cornelia Pieters was present among other witnesses.⁶⁰⁶

Willem printed his name in many forms mostly just with the name and patronymic (W. Christiaensz, Guilielmus Christianus, William Christian, *ex officina Wilhelmi Christiani*, and so on) but he added after 1640 his surname "Van der Boxe" to some of his books. This was a normal practice since "the seventeenth century was a period of transition in Dutch nomenclature, as people moved away from simple patronymics, like Christiaensz or Christiaenszoon, to family names."⁶⁰⁷

He had his print from 1631 until his death in 1658. He could be considered as a learned printer since he was able to print in several languages (Dutch, English, Latin, Greek, Hebrew, Arabic) and with good quality. He had good connections with professors of the University of Leiden, not only because of his teacher in printing but because he was matriculated at the University as one of the eight printers whose enrolment was paid by the city. Among the professors who had a close relationship with Christiaensz were Petrus Scriverius (1576-1660)⁶⁰⁸ and Boxhornius, who gave him manuscripts to print and sometimes even money as loans. Willem had such a good relationship with the faculty that when he got his Hebrew and Arabic types (around 1632/33), he requested Constanijn l'Empereur for a work that would let him try them.⁶⁰⁹

His career was marked by the printing of Puritan literature⁶¹⁰ together with scholarly books. The former type of works points out the religious spirit of Willem and his ability as an English-Dutch translator. To print Puritan literature represented quick and large volumes of pamphlets and several appearances at court and their corresponding fines; nonetheless, his relationship with the Puritan authors and literature did not end. In 1640 he took the task of printing a Bible in English by petition of Thomas Stafford and Thomas Crafford but unfortunately both investors had problems between them and took the work to another place. In the end, the Bible was only partially printed by Willem Christiaensz.⁶¹¹ About his schol-

⁶⁰⁶ Dopen Hooglandsche Kerk 1 juli 1659 - 1666, archiefnummer 1004, Dopen NH Hooglandsche Kerk, inventarisnummer 237, Leiden, Periode 1659-1666. Online: <https://www.erfgoedleiden.nl/collecties/personen/zoek-op-personen/deeds/e25a9f75-df87-d82e-f7de-b8b7d1528894?person=66c61d02-9bf9-09c8-33cd-d97f3981b927> (01.11.2022).

⁶⁰⁷ SPRUNGER, *Trumpets from the tower*, p. 145.

⁶⁰⁸ DNB, <http://d-nb.info/gnd/117454273> (01.11.2022).

⁶⁰⁹ SPRUNGER, *Trumpets from the tower*, p. 145-146.

⁶¹⁰ See the index in SPRUNGER, *Trumpets from the tower*, p. 215-218.

⁶¹¹ See SPRUNGER, *Trumpets from the tower*, p.147-155. And for more details see SPRUNGER, *Dutch Puritanism*, p. 311-318.

arly production, we know that he printed several hundred and in many languages,⁶¹² though no works about it are available to go deeper into the subject.

The symbol he used on his printed books was the same as in the Commentary:

...an ostrich with a shoe iron in its beak and the motto *Nil penna, sed usus* ["not the feather, but its use"]. Device and motto were taken directly from the emblem book literature as Claude Paradin first showed them in his *Devises heroïques*, and again by Rollenhagen in his *Nucleus emblematum selectissimorum*, the picture of which apparently serves as Van der Boxe's model. Rollengahen's *suscriptio*: *En stuthum nil penna iuvat, quod nesciat uti:/ Non penna es scribas quae facit, usus erit* ["Behold, the ostrich has no use for its wings, because it does not know how to use them. Likewise, it is not the pen that makes someone a writer, but its use will"] is a stark warning against bigotry, not out of place in an academic setting.⁶¹³

According to Hoftijzer, this emblem could have been a suggestion of professors Scriverius and Boxhornius since they had money invested in Willem's printing house. The emblem continued to be used by Willem's descendants⁶¹⁴ and also appeared in some of Lauwyck's publications. I could not establish the relationship between Lauwyck and Christiaensz, but it is clear that if the Commentary has so well-formed and with almost no typographical mistakes was thanks to Christiaensz, after all, his fame as an excellent typographer was the reason why Meibom asked for him especially. I hypothesise that Lauwyck did the pressing and maybe the bindings of the book while Willem took care of the most delicate work, that is, to form the text. This could be the case for some other books though further study is necessary. My hypothesis has two bases. First, the general description made in the above-quoted documents, where Willem Christiaensz is called "letterzetter" and "boekdrukker" and Jacob Lauwyck as "boek-binder". Second, in our particular case of the Commentary, the title page says "*ex officina Jacobi Lauwiickii*" and at the end of it "Typis Wilhelmi Christiani" which points out just that the book was available at the work-

⁶¹²SPRUNGER, *Trumpets from the tower*, p. 146. He quotes the work Henselmans, Jos, "Willem Christiaens: A Leyden Printer with an English Connection", *doctoraalscriptie*, Leiden University, 1983. I reached the University's Library to get the thesis, but I got a negative answer, they do not preserve thesis of this kind.

⁶¹³HOFTIJZER, "Pallas Nostra Salus", p. 184-185. He also gives the reference to the work of Rollenhagen where the emblem can be found. ROLLENHAGEN, *Nucleus emblematum selectissimorum*, no. 36. Online: http://digital.onb.ac.at/OnbViewer/viewer.faces?doc=AB-O_%2BZ15511070X (01.11.2022).

⁶¹⁴HOFTIJZER, "Pallas Nostra Salus", p. 191.

shops of Lauwyck, but Christiaensz did the setting of the tipos and the printing. These activities were not exclusive from one another, but it is the only way to make a difference. I also assumed that, since no information of Lauwyck could be found, he was not rich nor had significant connections and most probably his business was not as successful as Willem's; therefore he could have been the printing assistant or bookseller of Willem. It would also explain the portraits published by Lauwyck since Willem had a proved connection with the University.

3.1.3.3 Jean (le) Maire (†1657)

In the cover page of some volumes of the Commentary,⁶¹⁵ there is a pasted piece of paper saying “Prostant apud Iohannem Maire” instead of the name of Jacob Lauwyck (image 14).

Johannes Maire or Jean le Maire (†1657) was born in London as the son of Antoine Maire, a printer originally from the Valenciennes and friend of Christopher Plantin.⁶¹⁶ Antoine moved with his son to Leiden in 1584, four years after the arrival of the Elsevier Family. He became there an excellent business man to the point of being able to buy a big house and even to lend some money. However, Jean did not receive a good education since it is known that Jean's son, Dirck, wrote his Latin letters.⁶¹⁷

Jean gained some social status by marrying Aechgen Pietersdr de Haes in December 3rd 1602 who was part of a distinguished family of Leiden.⁶¹⁸ Jean took over the printing business of his father in 1603 and made it even more successful, being able thus to buy and keep four houses in his lifetime. He became a "first-class citizen" or *poorterschap* which gave him economic advantages like exemption from certain taxes, preferred treatment in city courts and eligibility for civil offices. In 1607 he became Deacon of the Walloon Church.⁶¹⁹

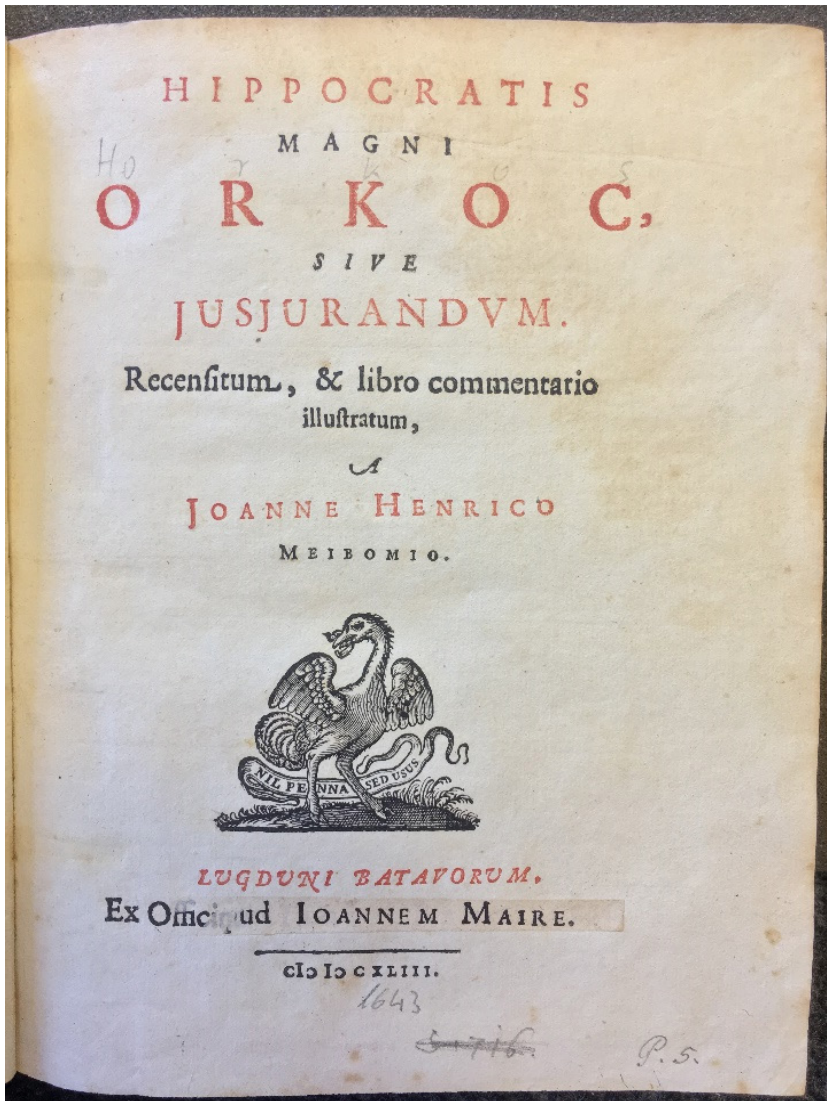
⁶¹⁵ Zentral Bibliothek Universität Marburg (095Xla B35 c), Friedrich-Alexander Universität Erlangen Nürnberg Universitätsbibliothek (28022970209), Ludwig-Maximilians- Universität München Universitätsbibliothek (4^e Agr 488), BIU Santé (8383), Biblioteca del Seminario vescovile di Padova della Facoltà teologica del Triveneto dell'Istituto filosofico Aloisianum (BN v. 72 col. 335), Biblioteca Città di Arezzo (4 A-2F4 / II^o 77), Bodleian Library (4^o H 5 Med.Seld.), Cambridge Library (M*.5.58(E)) and British Library (539.e.22).

⁶¹⁶ For more information see: VOET, *The Golden Compass*.

⁶¹⁷ BREUGELMANS, *Fac et spera*, p. 2-4.

⁶¹⁸ BREUGELMANS, *Fac et spera*, p. 5.

⁶¹⁹ BREUGELMANS, *Fac et spera*, p. 5-7.



14. JHM, jusjurandum, p. 1. From the Friedrich-Alexander Universitätsbibliothek (H61/4 TREW.P 5)

The success of his business was based on five main strategies. 1) He published new books; 2) made reprints of books printed by him or others, resetting the edition; 3) he put his name on the title page of books he imported from foreign countries; 4) he cooperated “with other Leiden publishers such as Thomas Basson, Andries Hendriksz. Clouck, Hendrik Lodewijksz van Haestens, Jan Jansz. Orlers and the Elseviers with Hendrik

Laurensz. of Amsterdam”⁶²⁰; 5) and most important for us he took over the remaining stock of other publishers frequently adding new title pages.

He did this for example in 1611 with the stock of Jan Paets Jaconsz and Jan Bouwensz, in 1617 of Jasper Tournay in Gouda, and 1618 of a London printer Thomas Purfoot. One of the most advantageous acquisitions was that of Franciscus Raphelengius, the son-in-law of Christophe Plantin (ca. 1520-1589) who has taken over the firm after Plantin's death. Raphalengius and Maire had a friendly business relationship and when the former died the books were not auctioned as it was a custom but sold at Maire's shop⁶²¹ which I believe would have allowed him to sell each book for a better price. His business grew when he got his own printing office in 1626. By then, he had published alone or together with other publishers more than a hundred books. With his new acquisition, he became reluctant to participate in jointed projects. Maire's books were "usually well executed, with well-maintained type on good quality paper."⁶²² Between 1626 and 1657 there are 407 editions, which can give us a clue of how much his production was. His most productive years were between 1630 and 1640.⁶²³

Another sign of his sharp mind for the book business was that he published Descartes' work by petition of the author himself even after he visited Maire's rival, the Elseviers. Maire published Descartes' *Discours de la methode* (1637)⁶²⁴ and a Latin version of the part *Geometrie* (1649).⁶²⁵

Maire also published an *Opera Omnia* from Erasmus in 23 volumes in 12^o between 1641 and 1652.⁶²⁶ He also noticed the big market he had with the students so he sometimes "leaned heavily on earlier publications of Christopher Plantin and the Raphelengii, in other cases he was the first to publish the relevant text or give it a new form. This could be a signal that he intended to supply students (of course not only in Leiden) with the best available texts on the subject."⁶²⁷ Following this trend, he also profited from medical school books and controversies of his time, for example, that of the lesser circulation of Harvey publishing, in consequence, the *De motu*

⁶²⁰ BREUGELMANS, *Fac et spera*, p. 9.

⁶²¹ BREUGELMANS, *Fac et spera*, p. 9-12. For the whole paragraph.

⁶²² BREUGELMANS, *Fac et spera*, p. 19.

⁶²³ BREUGELMANS, *Fac et spera* p. 16, 21, 27. For the whole paragraph.

⁶²⁴ DESCARTES, *Discours de la methode*. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10860336-o> (01.11.2022).

⁶²⁵ DESCARTES, *Geometria*. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10-053406-1> (01.11.2022).

⁶²⁶ BREUGELMANS, *Fac et spera*, p. 23-24.

⁶²⁷ BREUGELMANS, *Fac et spera*, p. 37.

cordis et sanguinis in animalibus anatomica exercitatio (1639)⁶²⁸ and many other books of the same topic in the following years.⁶²⁹ He also printed student's dissertations usually in 4° or 2° with a print run of 200 unless otherwise required.⁶³⁰

However, more than his accomplishments as a printer, it is essential for this research his performance as a bookseller. Maire was present at the book fairs, especially in Frankfurt and Leipzig. He did not attend himself but sent a colleague. Later on, he had his book store in Frankfurt and although the commerce, book fairs included, decayed considerably due to the Thirty Year's war the books of Maire were always available for sale.⁶³¹ Based in the Frankfurt and Leipzig catalogues and crossing the data with other numerical studies Breugelmans says that Maire had between 1610 and 1619 some 789 books for sale, in 1620-1629 a total of 416, in the next decade 665 books, then in 1640s 626 and in 1650s the number increased up to 865 books. The numbers show that in the period of the beginning of the war the stock of books was good but gradually decreased until the war was over, showing then an increase of more than two hundred books.⁶³²

The books of Maire are traceable not only thanks to bookfair's catalogues but to his own book sales' catalogues, which he did mainly for other booksellers but they sometimes ended in the hands of interested readers. He did catalogues of his firm in the years 1639, 1645 and 1654.⁶³³ These catalogues worked as an inventory, where the books of Raphelengius are also to be found among many other publications. He also sold his books in auctions. We now that he held at least "one auction in 1604, three in 1607, one in 1608, 1610, 1611, 1612, 1626, 1627, 1630 and 1635, three in 1637 and again one in 1639 and 1642"⁶³⁴ unfortunately, auctions' catalogues are very scarce.

All these business practices can give us an idea of the wide range of the bookselling of Maire. About the selling specifically of the Commentary, we know that Maire had the practice of printing his name in a piece of paper and pasted over the address of the other printer. He did this not only to Meibom's Commentary but to other books as Breugelman states it in the catalogue of printers who worked for Maire.⁶³⁵ The Commentary also ap-

⁶²⁸ HARVEY, *De motu cordis et sanguinis in animalibus, anatomica exercitatio*. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11217241-0> (01.11.2022).

⁶²⁹ See the list example in BREUGELMANS, *fac et spera*, p. 45-46.

⁶³⁰ BREUGELMANS, *Fac et spera*, p. 44-49.

⁶³¹ BREUGELMANS, *Fac et spera*, p. 51-52.

⁶³² BREUGELMANS, *Fac et spera*, p. 52-55.

⁶³³ BREUGELMANS, *Fac et spera*, p. 55-57.

⁶³⁴ BREUGELMANS, *Fac et spera*, p. 61.

⁶³⁵ BREUGELMANS, *Fac et spera*, p. 719-723.

pears in the list of books sold by Maire to the Plantin Press, who was one of the most successful presses and a focal centre of the printed book back then; sadly the price was not recorded.⁶³⁶ We know thanks to one auction's catalogue that in 1661 Maire was still selling Meibom's Commentary in the section of medical books and under the name of Meibom.⁶³⁷ We also learned from it that once the auction was done, the buyer had a period of six weeks to go to pay and pick up the book; otherwise, it will be sold to someone else.⁶³⁸ Then the trace from Maire's catalogues disappears, however, we know that the Commentary was sold by his rival the Elseviers (at that time under Daniel Elsevier)⁶³⁹ in the years of 1674 and 1681, that is, around Maire's death. In the former catalogue, the Commentary is found under the name of Hippocrates,⁶⁴⁰ in the latter again under the letter M in *libri medici*.⁶⁴¹

As a sort of partial conclusion, we can try to find the connection between the three printers and booksellers. Thomas Erpenius, also a printer and with whom Willem Christiaensz learned the profession, gave Jean the monopoly of the book sales typed in his workshop. Maire also took care of the bookselling together with the Elseviers after Erpenius' death; then it is plausible that Maire and Van der Boxe were acquainted. We know that the book business grew up so fast in Holland that it was difficult to keep account of all printers and booksellers. The efforts from the government to keep track and control the publishing let us know through the archives that Pieter Lauwyck (perhaps related with our Jacob Lauwyck?) was a bookseller in Leiden with a rented selling spot in the city hall of Leiden.⁶⁴² There were other places for bookselling like the specially made galleries in the *Hoff der Medicijnen*.

⁶³⁶ BREUGELMANS, *Fac et spera*, p. 727.

⁶³⁷ *Catalogus... officinae Joannis Maire* 1661, p. 81, no. 336. No price was given.

⁶³⁸ *Catalogus... officinae Joannis Maire* 1661, p. [2]. "Ad emptores. Monitos volumus Emptores, hocse Libros ea vendi conditione, ut cum eorum traditione pretium praesenti pecunia persolvantur. Et si quis Libros a se emptos intra sex septimanarum spatium, a prima Auctionis die numerandum, a Bibliopola non exegerit, eos cum emptoris prioris damno aliis vendere integrum erit ac licitum. Monentur etiam et rogantur, ut ante meridiem ad horae octava, post meridiem vero ad secundae punctum praesentes sese sistere dignetur."

⁶³⁹ For more information about the Elseviers see GOLDSMID, *Bibliotheca curiosa*.

⁶⁴⁰ *Catalogus librorum... Danielis Elsevirii*, p. 24. Online: <https://books.google.de/books?id=5GCB8jEFhHUC&hl=es&pg=RA2-PA24#v=onepage&q&f=false> (01.11.2022).

⁶⁴¹ *Catalogus librorum officinae Danielis Elsevirii ...* 1682, p. 294. Online: <https://books.google.de/books?id=p6FpAAAAcAAJ&hl=es&pg=RA3-PA294#v=onepage&q&f=false> (13. 01. 2019).

⁶⁴² BRIELS, *Zuidnedelandse boekdrukkers en boekverkopers*, p. 99.

Nonetheless, the competition for the sellers of Latin books was hard because books printed in Germany at a lower cost also entered the market.⁶⁴³ The printers and booksellers had problems with the authorities due to the contents of the books they published and sold. They sometimes had to swear that they did not know the author, nor the printer of the book nor had a copy for sale at their workshop.⁶⁴⁴ The register of 1651 to keep count of the book printers and sellers puts together the name of our three printers related to the Commentary of Meibom: it establishes that Jean Maire and Willem Christiaensz van der Boxe were book printers and sellers. The former had four presses in Ste Pieters Choorstreech, the latter one in Boissenstraet. Jacob Lauwyck only had a bookstore in Clocksteech.⁶⁴⁵ Therefore I think that it is even more plausible than before to believe that Willem Christiaensz formed and printed Meibom's Commentary to be sold partially by Lauwyck. At some point, the books were acquired by Maire, thanks to whom the Commentary had a wider distribution. After Maire's death, the Commentary reached his most significant chance of delivery because it became a part of the books' stocks of the biggest booksellers of that time, the Elseviers and the Plantine Press.

3.1.4 Meibom's readers

Going after the trace of the volumes of the Commentary, we found that the book belonged to prominent book collectors and scholars.

In the volume at the Weston Library (Bodleian Libraries) (4° H 5 Med. Seld.) the inscription in the title page tells us that the book belonged to John Selden (1584-1654), an important jurist and orientalist who donated his books to Oxford.⁶⁴⁶ The book has no notes nor annotations. However, the Commentary would have been an interesting reading for him not only because of the topic but because of the vast classical tradition and focus on the laws of different populations and geographies. Meibom also quoted Selden eight times,⁶⁴⁷ mostly his work *Marmora Arundelliana*.⁶⁴⁸ Though they were contemporaneous, I did not find a document that could have pointed to a personal relationship. The fact that the Commentary belonged

⁶⁴³ BRIELS, Zuidnedelandse boekdrukkers en boekverkopers, p. 101.

⁶⁴⁴ BRIELS, Zuidnedelandse boekdrukkers en boekverkopers, p. 584.

⁶⁴⁵ BRIELS, Zuidnedelandse boekdrukkers en boekverkopers, p. 594.

⁶⁴⁶ FRY, "Selden, John" in Dictionary of National Biography, p. 212-224. Online: [https://en.wikisource.org/wiki/Selden,_John_\(DNBoo\)](https://en.wikisource.org/wiki/Selden,_John_(DNBoo)) (01.11.2022).

⁶⁴⁷ JHM, jusjurandum, p. 43, 68, 73, 82, 95, 102, 195, 216.

⁶⁴⁸ SELDEN, *Marmora arundelliana*. Online: <https://books.google.es/books?id=8EoVAAAAQAAJ> (01.11.2022).

to him, a jurist, specialist in Hebrew law and oriental studies, means that it was a reading not only for physicians but also for other specialists and scholars.

Another contemporary owner was James Duport (1609-1679). He was a Professor of Greek at Trinity College whose most known work is *Homeri gnomologia*,⁶⁴⁹ a compendium of maxims from Homer's Iliad and Odyssey explained through other quotes of classical authors and biblical references. He is known today because he was an enthusiastic promoter of classical studies.⁶⁵⁰ His copy of the Commentary, preserved at the Trinity Library in Cambridge (P.9.51[4]), has no notes so we cannot assume that he read it. Nonetheless, it would have been a perfect reading since the Commentary itself is similar to his *Gnomologia* in the sense that both are more a discourse than a commentary on a topic from the classical tradition, explained by many other references to classical authors and some Biblical quotes to complement it.⁶⁵¹ The *Gnomologia*, however, has a format more similar to the commentaries of the middle ages, that is, the main text was written in the centre in bigger typography, and the commentary or *glossae* surround the text in two columns.

A third volume (40906) preserved at the Bibliothèque de l'Académie Nationale de Médecine in Paris has written "IAC. AUG. CHEVANEI" at the cover page under the ostrich. It, therefore, most probably belonged to Jacques Auguste de Chevanes (1624 -1690), lawyer, secretary of the king of Dijon, famous book collector and writer of historical and costumbrist texts. He left his library to his nephew François Thomas, the chancellor of the Parliament of Burgundy.⁶⁵² The grandson of François Thomas dispersed a part of the library in 1753. This book has some underlined words as if someone had gone through it and a marginal *glossa* on page 53 that is unreadable.⁶⁵³ The reader was trying to add something about the meaning of Health in Meibom's Commentary Chapter six, where it says that Health was a frumenty given in the temple and the custom of bringing home

⁶⁴⁹ DUPORT, *Gnomologia*. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb102-15174-2> (01.11.2022).

⁶⁵⁰ "Duport, James" in *Encyclopaedia Britannica*, p. 668. Online: https://en.wikisource.org/wiki/1911_Encyclop%C3%A6dia_Britannica/Duport,_James (01.11.2022).

⁶⁵¹ JHM, *jusjurandum*, p. 82 (Ec 38), 88 (Ec 5:23), 135 & 137 (Ex 21:22), 172 (Ec 15, 34), 181 (Lv 28:22), 182 (Lv 20:13), 188 (Ec 42: 29-30), 202 (Ec 38: 2, 4).

⁶⁵² "Jacques- Auguste de Chevannnnnes" in PAPILLON, *Bibliothèque des auteurs de Bourgogne*. Online: <https://books.google.de/books?id=IwTnQ1ue6osC&lpg=PP1&hl=es&pg=PA142#v=onepage&q&f=false> (01.11.2022).

⁶⁵³ I owe and thank this information to Jérôme van Wijland, conservator and director of the Bibliothèque de l'Académie National de Médecine.

something like a branch, ointment or food from the temple convinced that it will heal them. With this volume, we can point out the status of the reader, beyond scholars in the universitarian environment, the Commentary also reached high functionaries in geographies beyond Germany. The next volume significant for this research is preserved at the Universitätsbibliothek Basel (LG VI 11).⁶⁵⁴ At the cover page there is a handwritten note that says "Martinus Bogdan / Parisijs c 25 Berut 1656/ mense martio".

The book belonged to Martin Bogdan (1631-1682) a physician and anatomist who studied in Basel and Copenhagen. He became Municipal Physician of Bern. When he was in Copenhagen, he studied under Thomas Bartholin when the latter was in charge of the *Domus Anatomica*.⁶⁵⁵ Thanks to this volume we can know that a used book of Meibom's Commentary cost 25 cents. In it, there is also a note at the beginning of the book "p. 23 ubi prolixè de pleonasmis agit. adde Ulpinè ad Catull: VII, 92.⁶⁵⁶ basia multa basiare. et Yricous [?] ad Math: II, 10.3"⁶⁵⁷ Tracing the note in the Commentary, it is right. In fact, on page 23, Meibom wrote about pleonasm and gave several examples, but not the ones here added, which proves that the reader has carefully read the book.

Another volume that shows marks of being read is preserved at the Herzogin Anna Amalia Bibliothek (4° XV:116). Thanks to the catalogue of the Schurzfleisch Library we know that it belonged to the book collection of the prolific historian and scholar Konrad Samuel Schurzfleisch (1641-1708). The Commentary can be found in the books in 4° under Hippocrates.⁶⁵⁸ Konrad Samuel was an avid book collector, and his library that began with his father collection passed to his brother Heinrich Leohard Schurzfleisch (1664-1772) after his death. When the latter died, the books went to the Hezoglichen Bibliothek (today Herzogin Anna Amalia Bibliothek) and so did the Commentary. This volume has notes, underlines and references to the book itself through the whole book, which means that it was intensively read.⁶⁵⁹ Though we cannot assure that the reading and

⁶⁵⁴ Many thanks to Benedicta Erny-López and Isabel Akağaç of the Universitätsbibliothek of Basel University for the information and book scans.

⁶⁵⁵ <http://d-nb.info/gnd/130399175> (01.11.2022) and BARTHOLIN, The Anatomy House in Copenhagen, p. 157.

⁶⁵⁶ Cat. Carmina, VII, 9 "tam te basia multa basiare."

⁶⁵⁷ <http://corpus.bibliamedieval.es/> Vulgata: Math: II, 10: "videntes autem stellam gavisi sunt gaudio magno valde".

⁶⁵⁸ Quarto Catalogi Bibliothecae Schurzfleischianae Tomus II, H in quarto, n. 6.

⁶⁵⁹ I owe and thank the information about this volume to Annett Carius-Kiehne, librarian at the Herzogin Anna Amalia Bibliothek.

notes are from Samuel Konrad, the intensive reading was a part of his known personality so it would not be nonsensical to think that he read it.

The volume preserved at the Cambridge Library (M*.5.58(E)) is most important to us. The Commentary is part of the core collection of the library, that means, that it was already part of the Royal Library when it went to Cambridge in 1715. It includes the libraries of some Cambridge benefactors like Richard Holsworth (†1664) or John Hacket (†1670).⁶⁶⁰ The Commentary belonged to Henry Lucas (†1664), also a benefactor and founder of the Lucasian Professorship in Mathematics, whose second holder was Isaac Newton. The Commentary was part of the library since 1664. We can see at the cover page that Henry Lucas bought the book in 1656 for three shillings and that it had the piece of paper of the bookseller Jean Maire.⁶⁶¹ This finding gives us exact information and lets us assume that after Johann Heinrich Meibom's death, the book was sold by Maire although the responsible for the printing, Willem Christiaenz, was still alive. It also gives us a contrast between the price of a new and used book thanks to the volume of Martin Bogdan.

Other volumes deserve at least a mention because of the information they give us, even though the traces of reading or notes are none. The first is the volume at the BIU Santé (8383) which has a signature at his cover page "Du Val Ebroces doct. Med. 1643". It is important because the date is the same as the year of the publication of the Commentary, which means that a physician already possessed the book as soon as it was available. About the identity of a physician Du Val in that period I could only find Guillaume Du Val (1572-1646) a physician of Pontoise, who studied "tant des Lettres Humaines, que des Sciences, mas principalement en la Philosophie, et en la Medecine."⁶⁶² however, there is nothing that assures that he was the owner of the book.

Another book (BIU Santé – 5860) belonged to Philippe Hecquet (1661-1737), a famous French physician who donated over a hundred books to the library of the School of Medicine.⁶⁶³ We know that Meibom's Commentary was within his donated books.⁶⁶⁴ This book has no unique feature but that

⁶⁶⁰ Cambridge University Library online: <http://www.lib.cam.ac.uk/collections/departments/rare-books/collections/stars-qq> (01.11.2022).

⁶⁶¹ I thank this valuable information to Mr Liam Sims, Books' Specialist at the Cambridge University Library.

⁶⁶² DU VAL; MOELCK & HEIGEL, *Le Collège Royal de France*, p. 56.

⁶⁶³ HAHN; DUMAITRE & SAMION-CONTET, *Histoire de la médecine et du livre médical*, p. 22-23.

⁶⁶⁴ BIU Santé Ms. 2009: BARON, *Catalogus librorum Facultatis medicinae Parisiensis*, p. 132. The manuscript has other catalogues from other donations, including that of Philippe

in researching the story of it, and thus of the library, it directed us to Guy Patin and his correspondence.

The next three volumes worth mentioning are a) Welcome Library in London (28.912/B/2). Thanks to the *exlibris* “ex bibliotheca Jo. Bouhier 1692” we know that it belonged to Jean IV Bouhier (1673-1747). The family Bouhier were part of the political and legal life of Dijon since a lot of them worked at the Parliament. Jean IV was known for being a true book lover and a critical and frequent reader, probably the last of his family. The vast library of the family Bouhier was broken down in the next generation.⁶⁶⁵ b) British Library (539.e.22) Thanks to the stamp⁶⁶⁶ at the beginning and the end of the book it was identified as a book probably purchased between 1757 and 1780 and belonging to the Sloane collection,⁶⁶⁷ that is to the library of the physician Sir Hans Sloane (1660-1735). c) Bibliothèque de l'Académie Nationale de Médecine (D 5743). This volume belonged to the famous erudite and Hellenist Charles Daremberg (1817-1872).⁶⁶⁸ He was a librarian, physician, philologist and a friend of Emile Littré (1801-1881). To both of them, we owe the beginning of a different way of researching the history of medicine:

Die neuere Medizingeschichte hat in Frankreich ihren Ausgangspunkt genommen. Littré und Daremberg sind ihre Wortführer. Littré hat das Hippokratesbild des 19. Jahrhunderts geformt und Daremberg hat auf dem Gebiet der antiken Medizin Grundlegendes geleistet und neue Wege zur Erforschung der mittelalterlichen Heilkunst.⁶⁶⁹

I mainly wanted to mention the last volume not only because of the importance of Daremberg and Littré in the history of medicine⁶⁷⁰ but also because in Littré's edition of the Hippocratic Oath, the Commentary of Meibom is mentioned twice in the text and also consigned in the bibliog-

Hecquet. *Catalogus Librorum...ex Liberalitate Magistri Philippi Hecquet*, p. 109-202. Both online at [http://www.biusante.parisdescartes.fr/histmed/medica/cote?mso2009\(01.11.2022\)](http://www.biusante.parisdescartes.fr/histmed/medica/cote?mso2009(01.11.2022)).

⁶⁶⁵ For more information about the library and the family see RONSIN, *La Bibliothèque Bouhier*.

⁶⁶⁶ MANDELBROTE & TAYLOR (ed.), *Libraries within the library*, plate VI.

⁶⁶⁷ MANDELBROTE & TAYLOR (ed.), *Libraries within the library*, p. 417. Also: <http://www.bl.uk/catalogues/sloane/Identifiers.aspx> (01.11.2022).

⁶⁶⁸ I kindly thank the information to Jérôme van Wijland, curator and director of the Bibliothèque de l'Académie nationale de médecine.

⁶⁶⁹ SIGERIST, “Emile Littré über Charles Daremberg”, p. 382.

⁶⁷⁰ See GOUREVITCH, “Charles Daremberg, his friend Émile Littré, and positivist Medical History”, p. 53-69.

raphy.⁶⁷¹ It means that Meibom's work has remained under the eye of scholars ever since his publication until our days.

We have seen now that the possible readers were mostly from a period after Johann Heinrich Meibom's life's time or his son's generation, however, they were still close enough as to have had some kind of connection. The later owners were persons with a deep interest in the history of medicine. They were all part of the same social circle, that is, scholars with connections to nobility, universities, faculty members and politicians. Most of them were also book collectors, whose libraries ended as a part (sometimes fundamental) of the modern medical libraries. Therefore, the book had been bought (new and used), received as a present or even perhaps asked directly to some person related to the Meibom family. Without a doubt, Meibom's Commentary caught the attention of many different types of scholars, not limited by the supposition of being a book only for physicians nor about medicine but free to appeal to the interests of jurists, historians, theologians, philologists, philosophers and, of course, physicians. Meibom's Commentary was in this part of the research an excuse but also an inflexion point in a much more extensive and exciting unfinished history of medicine, precisely about a time of discoveries and the forge of new conceptions of medicine and its history.

3.2 Subject matter

In the previous part, we briefly described the structure of the book. Now we are going to analyse each part of the text.

3.2.1 Structure of the text

We can divide the commentary into four types of texts. They will be analysed part by part: The introductory texts, the philologic preface, the commentary, and the indexes.

3.2.1.1 First Part

It includes the introductory texts of the book: the cover page, which was mentioned and physically described before, the dedicatory letter and the letter to the reader. I decided to transcribe here the original in the case of the cover page and the most important parts in the case of the others. The full text and an English translation are in the 'Texts and Editions' section.

Cover page:

⁶⁷¹ LITTRÉ, "Serment", p. 610-633. The mentions are in p. 613, 614, 627.

Hippocratis magni ORKOC sive Jusjurandum. Recensitum, et libro commentario illustratum a Joanne Henrico Meibomio. Lugduni Batavorum, Ex Officina Iacobi Lauwiickii. CIO IO CXLIII

As expressed before, Johann Heinrich Meibom offered the Oath of Hippocrates reviewed and explained by his commentary.

Dedicatory letter:

Magnificis, Nobilibus, Amplissimis viris, D. CHRISTOPHORO GEHRDES IVD., D. HENRICO WEDEMHOVIO, D. OTTONI BROKES, D. ANTONIO COLERO, IVD, consulibus; totique ordini senatorio, Reipublicae Lubecensis, dominis et amicis meis honorandis, S. P. D.

... Mihi in trepidatione illa non licebat esse tam felici, ut cum ceteris statim fuga me periculo subducerem. Expectandus erat nutus Serenissimi Principis, FRID-HULDERICI, cujus vices commodum sustinebam, magistratumque Scholasticum tempore turbatissimo, ut poteram, administrabam. Habita tamen licentia, ut me quoque cum meis in locum tutiorem reciperem, Suerinum divertii, ad socerum meum, virum clarissimum IOANNEM OBERBERGIUM, Consiliarium & Procancellarium Megapolitanum. Verum, quum & ibi mox omnia turbare viderentur, nec tempestas desaevire, novus hospes Vestrae Reipublicae accessi; certus animi fortunam in ea periclitari, & quid de me, porro fata decernerent, praestolari. Vix pedem, intra urbem posui, & undique mox clara mihi signa benivolentiae & adfectus singularis adfulsere, nec saltem a civium praecipuis, sed maxime [p. 3r] a vobis, qui ad clavum sedendo non nisi rectam statuebatis Reip[ublicae] navem. Nec vero amore tantum ac benivolentia venientem excepistis, haerentem fovistis; sed biennio nondum elapso, nihil tale cogitantem, ad capessendum locum Medici Reip[ublicae] Ordinarij, ultro invitastis, & luculentiori quidem stipendio, quam ante cuiquam alii obtuleratis... Quod sequuturus, quum nihil aliud esset ad manum, IUSJURANDUM HIPPOCRATIS, libro commentario illustratum, vestro nomini, o eximii virorum, inscribere & dedicare animus impulit. Exiguum id scio esse munus, & nullam partem favoris demerendi, aut gratiae exsolvendae; pignus tamen erit, & debitae in vos observantiae ac [p. 3v] cultus, publicum & sincerum monumentum...

The dedicatory opens naming important persons of the political life of Lübeck, to whom the book was dedicated. The discourse was built in two main phases, the brief story of disgrace and the peace in safety. Meibom describes his leaving the University after many others have gone away. He remained there until he had permission to move to a safer place, going to his father-in-law in Mecklenburg. But the war continued, and he took off to Lübeck to try his luck. There, everything seemed to be better; he was well received with a good job and a nice payment. His Commentary is a monument to the kindness of the senators and consuls alluded, especially

to that of Christoph Gerdes. Meibom plays beautifully with the metaphor of war as a storm that comes in waves destroying everything, bringing chaos and not ceasing. The consuls and senators are as experienced sailors who hold on with love and strength to the ship, which represents the duchy, to save it and make it continue sailing despite the cruelty of the storm. Meibom left the impression as if his hiring was pure goodwill from them and good luck in his destiny, giving a perception about himself as if he were not deserving of such an honour. Of course, this kind of modesty is always to be expected in dedicatory letters.

Letter to the reader:

Benivolo Lectori S.

Sanctissimum Hippocratis Iusjurandum, benivole Lector, mihi quidem dignum semper visum fuit pleniori aliqua enarratione, e qua Medicinam facturus discere posset, quis in artis exercitatio esse deberet. Praegnans siquidem est materialium, et multa paucis includit, quae a nemine hactenus pro rei necessitate fuerunt explicata. Nam quae *Theodorus Zuingerus*, *Ioannes Heurnius*, *Ioannes Obsopoeus*, *Petrus Memmius*, *Franciscus Ranchinus*, Viri Clarissimi, in id notarunt, in universum pauca admodum sunt, et concisa... Operae igitur precium me facturum putavi, si laborem eum mihi sumerem, a quo et fructus in plures manare, et mihi taedium leniri posset, quod ex continuis fere perambulationibus aegrotorum, in populosa urbe, animo obrepit... Quod si cui prolixior fuisse fors videbor, quam res postulaverit, is sciat non *Notas* in Iusjurandum, me [p. 4v] conscripsisse, sed *Commentarium*, aut potius *Discursus*. Sciat nunquam nimis inclulcari ciquam id posse, quod in vita sequi debeat. Si cui etiam nimius fuisse videar in Etymologiis, aut aliis minutiis, cum eo non magnopere contendam. Nec tamen id feci sine exemplo summorum Scriptorum, Platonis, Aristotelis, Philosophorum Principum; Varronis, Ciceronis, Romanorum illius doctissimi, hujus eloquentissimi: cum quibus hac equidem in re malim errare, quam cum eo, qui ista reprehenderit, bene sentire...

We read here that Meibom was quite sure about the type of writing he was presenting, not much of a Commentary, like the other authors, but more a discourse. He openly said that what one must follow in life is never excessively inculcated; therefore, he offered this text to help with the task. By writing he was more akin to follow the examples of the great ancient writers like Plato, Aristotle, Cicero and Varro than to fall into the opposite type of writing, that is, short and superficial. With these writers as an example, it is clear that he announced his extensive Commentary on the

Hippocratic Oath as philosophical, logical, medical, rhetoric, linguistic, philologic and physical.

3.2.1.2. Second Part

It includes the type of texts that I call the philologic preface to the Commentary, that is, Meibom's version of the Hippocratic Oath in Latin and Greek, the versed translation of Scévole de Sainte-Marthe (536-1623),⁶⁷² different readings of the text (*variae lectiones*) and the *Glossae* taken from the commentary of Jan van Heurne.⁶⁷³

➤ Meibom's version of the Hippocratic Oath

Meibom most probable produced his version of the Hippocratic Oath having as principal examples those of Ranchin and Opsopaeus.

The Greek text in all the commentaries (chapter 1) quoted by Meibom in the letter to the reader are terribly similar; however, five words helped us establish the provenance of Meibom's Greek text. These words are ἡγήσασθαι, θεραπείης, ἐκκαλέεσθαι, ὀρκισμένοις and ἀνδρῶν as they appear in Meibom's Commentary. When I made the comparison of the texts, I did not consider the iota subscript because the use of it depended on the availability of typos. I discarded Zwinger's version thanks to the word θεραπείης that appears as θεραπῆις only in his commentary. Then the form of the third word (ἐκκαλέεσθαι) is only to be found in Meibom, so it was of no use for now. I turned to the first word (ἡγήσασθαι) to eliminate some possibilities. This word is found with that form in Meibom and Ranchin but not in Heurnius nor Opsopaeus (ἡγήσεσθαι); therefore, Meibom's version of the Greek text is most similar to that of Ranchin. The last two words, ὀρκισμένοις and ἀνδρῶν worked as a second line of testing similarities because ὀρκισμένοις appears as ὀρκισμένοισι in Zwinger and Heurnius and ἀνδρῶν as ἀνδρῶν or ἀνδρῶν in Opsopaeus and Zwinger respectively; Ranchin, however, has the same forms as Meibom except for the ἐκκαλέεσθαι as mentioned above. I also consulted two other important Greek editions not mentioned by Meibom, but that would have been plausible for him to have or read. They are the edition of Franciscus Asulanus (Aldine 1526)⁶⁷⁴ and Ianus Cornarius (Froben 1538)⁶⁷⁵. Both have the form θεραπῆς

⁶⁷² BnF, <https://catalogue.bnf.fr/ark:/12148/cb122408046> (01.11.2022).

⁶⁷³ See 2.3.3.5.

⁶⁷⁴ Ἄπαντα τὰ τοῦ Ἱπποκράτους. Omnia Opera Hippocratis, Ed. Franciscus ASULANUS. Venetiis: in Aedibus Aldi et Andreae Asulani Soceri, 1526. <http://data.onb.ac.at/rep-/10374F03> (01.11.2022).

instead of *θεραπείης*; the rest of the forms are the same as in Meibom's version. The form *θεραπείης* is the only one that better points out to Ranchin than to the two editions of the Hippocratic texts. The only differences between Meibom's and Ranchin's commentaries are the form *ἐκκαλέσθαι* and the punctuation; Meibom used dots instead of commas without meaning a period or a full stop, this could be seen as a typographic style more than a change in the reading.

About the Latin text, it was easier to find because the beginnings are different, being that of Ranchin the only one that also begins with *Per Apollinem*. The texts are very similar but comparing them word by word I got to the conclusion that the majority of the constructions were taken from Ranchin's version with some words and other phrases from Opso-paeus'. After finding the origin of Meibom's version, I thought it was mandatory for me to find out from where had Ranchin taken his text since none of them claimed to have consulted manuscripts while writing their commentaries. I consulted the bilingual version of Anuntius Foesius published in folio in 1595⁶⁷⁶ and found out that the versions of Ranchin, both Greek and Latin, are almost identical to that of Foesius. The Greek version of Foesius also has the form *ἐκκαλέσθαι*, only found in Meibom which makes Meibom's version the most similar to Foesius', though Meibom skipped the word *μὴν* at the end of the Oath (Foesius' version): "Ὁρκον μὴν οὖν μοι τόνδε ἐπιτελέα ποιέονι. The rest of the terms here used to discard the other versions has the same orthography. About the Latin text, the only differences between Foesius and Ranchin are the words *noxia*, *addiscere*, *ars & vita* that appear as *noxa*, *ediscere*, *Ars & Vita* in Ranchin. Another less important similarity between the version of Foesius, Ranchin and Meibom is visual. The three of them were printed in two columns with decorated initial capital letters, an ornament at the top of the page before the title and, between Foesius and Meibom, the distribution of the title itself.

⁶⁷⁵ Ἱπποκράτοθς Κφου Ἱατροῦ Παλαιοτάτοθ, Πάντων Ἄλλων Κορυφαίου Βιβλία Ἄπαντα. Hippocratis Coi medici vetustissimi, et omnium aliorum principis, libri omnes ad vetustos codices summo studio collati et restaurati a Jano CORNARIO. Basileae, Hieronymus Frobenius et Nicolaus Episcopius, 1538.

⁶⁷⁶ Τοῦ μεγάλου Ἱπποκράτοθς πάντων τόν ἱατρόν κορυγαίον τὰ εὐρισκόμενα. Magni Hippocratis medicorum omnium facile principis, opera omnia quae extant in VIII sectiones ex Erotiani mente distributa, Ed. Anuntius FOETIUS. Francofurti, Apud Adrae Wecheli heredes Claud. Marinum et Ioan, Aubrium., 1595. Online: <http://mdz-nbn-resolving-de/urn:nbn:de:bvb:12-bsb10139641-9> (26.03.2020) In a later edition (1657), this version considers for the text of the Hippocratic Oath not only Meibom's Commentary but also all the others here in Chapter 1. See the version published Genevae, typis et sumptibus Samuelis Chouët, 1657. Online <https://books.google.de/books?id=liRNAAAcAAJ&hl=es&pg=RA2-PP6#v=onepage&q&f=false> (26.03.2020).

The differences between the three Latin texts (Meibom, Foesius- Ranchin and Opsopaeus) are not very significant, but they represent the kind of small changes that Meibom did in his second edition of the Commentary (NSTUB Gött Meibom 4), which points out to which degree he was carefully choosing the words. To easily compare the versions, I decided to put the three texts one after the other, divided in lines, to better follow the structure taken from the other versions. The first text is of Meibom, the second of Ranchin (and Foesius but here further on referred as of Ranchin) and the third of Opsopaeus:

(1) Per Apollinem Medicum, et Aesculapium, Hygeiamque et Panaceiam, [p. 5r]

Per Apollinem Medicum, et Aesculapium, Hygeiamque, et Panaceam [p. 17]

Apollinem medicum et Aesculapium, Hygiamque et Panaceam [p. 33]

(2) et Deos Deasque omnes iurejurando adfirmo, in testimonium eos citans, [p. 5r]

iureiurando affirmo, et Deos Deasque omnes testor [p. 17]

iuro, deos deasque omnes testes citans, [p. 33]

(3) me, quantum iudicio et viribus valuero, iusjurandum hoc, [p. 5r]

me, quantum viribus et iudicio valuero, quod nunc iuro [p. 17]

me, pro viribus et iudicio meo hoc iusiurandum [p. 33]

(4) atque hanc ex scripto sponsonem, plene observaturum. [p. 5r]

et ex scripto spondeo, plane observaturum. [p. 17]

et hanc stipulationem plene praestaturum. [p. 33]

(5) Praeceptorem quidem, qui me hanc artem edocuit, Parentum loco habiturum, eique alimenta impertiturum; [p. 5r]

Praeceptorem quidem, qui me hanc Artem edocuit, Parentum loco habiturum, eique cum ad victum, tum etiam [p. 17]

Illum nempe parentum meorum loco habiturum spondeo: qui me artem istam docuit, eique alimenta impertiturum, [p. 33]

(6) et ad usum necessaria subministraturum; [p. 5r]

ad usum necessaria, grato animo communicaturum et suppeditaturum. [p. 17]

et quibuscunque opus habuerit, suppeditaturum: [p. 33]

(7) ejusque posteros pro germanis fratribus reputaturum. Eisdem insuper, [p. 5r]

Ejusque posteros apud me eodem loco quo germanos fratres fore, eosque [p. 17]

Ab eo prognatos pro germanis fratribus reputaturum: [p. 33]

(8) si hanc artem addiscere volent, absque mercede et syngrapha edocturum. [p.5v]

si hanc Artem ediscere [Foes. addiscere] volent, absque mercede et syngrapha edocturum. [p. 17]

Artem hanc medicam si addiscere desideraverint, absque mercede et cautione edocturum: [p. 34]

(9) Praeceptionum quoque, et auditionum, totiusque reliquae disciplinae, cum meos, et ejus, qui me edocuit, liberos [p.5v]

Praeceptionum quoque et auditionum, totiusque reliquae Disciplinae, cum meos, et ejus, qui me edocuit liberos, [p. 17]

Praeceptionum, narrationum, cunctaeque reliquae disciplinae cum meos et praeceptoris mei liberos, [p. 34]

(10) participes facturum, quique praeterea, nomen suum professi, in legem medicam jurarint: aliorum vero neminem. [p.5v]

tum discipulos, qui Medico iureiurando nomen fidemque dederint, participes facturum, aliorum praeterea neminem. [p. 17]

tum caeteros discipulos qui scripto caverint et in legem medicam iuraverint, participes facturum, aliorum vero neminem: [p. 34]

(11) Victus quoque rationem, quantum viribus et iudicio valuero, salutarem praescripturum: ab omni vero noxa et injuria vindicaturum. [p.5v]

Victus quoque rationem, quantum facultate, et iudicio consequi potero, aegris utilem me praescripturum, eosque ab omni noxa [Foes. noxia] et iniuria vindicaturum [p. 17]

Victus etiam rationem pro virili et ingenio meo aegris salutarem praescripturum, a perniciosa vero et improba eosdem prohibiturum. [p. 34]

(12) Neque precibus adductus, cuiquam medicamentum mortiferum propinabo; neque ejus rei auctor ero. [p.5v]

Neque cuiusquam precibus adductus, alicui medicamentum lethale propinabo; neque huius rei author ero. [p. 17]

Nullius praeterea precibus adductus mortiferum medicamentum cuiquam propinabo, neque huius rei consilium dabo. [p. 35]

(13) Pariter neque mulieri pessum ad foetus corruptionem subijciam. [p.5v]

Neque simili ratione mulieri pessum subdititium ad foetum corrumpendum exhibebo: [p. 18]

Pariter neque praegnanti mulieri pessum subiiciam foetus corrumpendi gratia. [p. 35]

(14) Sed castam et ab omni scelere puram, tum artem, tum vitam meam praestabo. [p.5v]

sed castam, et ab omni scelere puram, tum Vitam, tum Artem, meam perpetuo praestabo. [p. 18]

Sed caste et sancte colam et vitam et artem meam. [p. 35]

(15) Neque vero calculo laborantes secabo, sed magistris, ejus rei peritis, id muneris permittam. [p.5v]

Neque vero calculo laborantes secabo, sed magistris ejus Artis peritis id muneris concedam. [p. 18]

Imo ne quidem calculo laborantes incidam verum hoc muneris peritis ejus artis magistris permittam. [p. 35]

(16) In quascunque autem aedes ingressus fuero, ad aegrotantium ingrediar salutem, [p.5v]

In quamcunque autem domum ingressus fuero, ad aegrotantium salutem ingrediar, [p. 18]

In quascunque porro aedes pedem intulero, ad aegrotantium salutem ingrediar, [p. 35]

(17) alienus ab omni injuria voluntaria, et corruptela, cum alia, [p.5v]

omnem iniuriae inferendae, et corruptelae suspicionem procul fugiens, [p. 18]

alienus ab omni iniuria voluntaria, et corruptela tum alia, [p. 35]

(18) tum praesertim rei veneriae, in corporibus mulierum, aut virorum, sive liberorum, sive servorum [p.5v]

tum vel maxime rerum Venerearum cupiditatem, erga mulieres iuxta, ac viros tum ingenuos, tum servos. [p. 18]

tum praesertim rebus venereis, in muliebribus aequae ac virilibus, liberorum item ac servorum corporis tractandis. [p. 35]

(19) Quae vero inter curandum, aut etiam medicinam minime faciens, in communi hominum vita, vel videro, vel audiero, quae in vulgus efferri non decet, ea arcana esse ratus, silebo. [p.5v]

Quae vero inter curandum, aut etiam Medicinam minime faciens, in communi hominum vita, vel videro, vel audiero, quae minime in vulgus efferri oporteat, ea arcana esse ratus, silebo. [p. 18]

Quaecunque vero in vita hominum, sive medicinam factitans, sive non, vel videro, vel audivero, quae in vulgus effere non decet, ea reticebo non secus atque arcana fidei meae commissa. [p.36]

(20) Hoc igitur iusjurandum si religiose observem, [p. 6r]

Hoc igitur Iusjurandum si religiose observaro [p. 18]

Quod si igitur hocce iusiurandum fideliter servem, [p.36]

(21) nec violem, prospero successu tam in arte, quam vita mea fruar, et gloriam immortalem ubivis gentium consequar. [p. 6r]

ac minime irritum fecero, mihi liceat cum summa apud omnes
existimatione perpetuo vitam felicem degere, et Artis uberrimum fructum
percipere. [p. 18]

neque violem, contingat ut prospero successu tam in vita quam in arte mea
fruar, et gloriam immortalem ubivis gentium consequar. [p.36]

(22) Quod si idem transgrediar, et peierem, istis contraria mihi obveniant.
[p. 6r]

Quod si illud violavero, et peieravero, contraria mihi contingant [p. 18]

Sin autem id transgrediar, et peierem, contraria hisce mihi eveniant. [p.36]

For Meibom, the oath is declared or affirmed by the Gods (1), whom he summons into testimony. (2) The difference with the other two versions is that he is not merely swearing by the Gods putting them as a witness, he is calling them to get into the act of swearing, to participate in the event about to happen. He then affirms that he will completely keep that oath and that promise from the writing, as long as he is well in his judgment and strengths (3 and 4). Differently to Ranchin, Meibom better bounds together the oath (*jusjurandum*) and the promise (*sponsio*) by adding the demonstrative pronouns to the already nominalised construction, making it a better unit than what Ranchin expressed with two verbs, though also coordinated.

About the verb used by Meibom and Ranchin (*observo*) and the one used by Opsopaeus (*praesto*) they share a semantic field related to the act of keeping a promise, oath or law; however, *praesto* has other non-shared meanings that describe the action as being superior, standing out, be responsible, perform and even exhibit. This other semantic field would make the swearer to stand before the oath and to be responsible for the oath; whereas the other non-shared semantic field of *observo* makes the subject to watch, pay attention, respect, regard and honour the Oath; a meaning closer to the act of swearing and keeping the oath.

About considering the teacher as a father (5 and 6) the three of them coincide into sharing with him, in the case of Meibom and Opsopaeus, nourishment or food (*alimenta*); in the case of Ranchin would have given him something in a more general way: nourishment and the necessities for life (*victum*). However, in the next line, it is added that they will also provide all things necessary. Maybe for Meibom that was a pleonasm and therefore used two words to mean the food and whatever else is needed without making a relative clause as Opsopaeus. Also, Meibom will simply supply the things (*subministro*), Opsopaeus will abundantly provide for his

teacher (*suppedito*), while the good-hearted Ranchin will gratefully (*grato animo*) share and abundantly provide for his teacher (*communico* and *suppedito*).

They will all consider the sons of their teacher as their own brothers (7), but Opsopaeus is a little more precise in the fact that they will be born from the teacher (*prognatos*) while for Meibom and Ranchin it was enough to know that they were the descendants or the ones that followed their teacher (*posterios*). About how will they consider them as brothers, Meibom and Opsopaeus are more conscious that they will only think of them or attribute them as belonging to their brothers (*reputo*); for Ranchin they will be in the same place as brothers (*fore*). If these like-brothers would want to learn the art (8), for Opsopaeus especially the art of medicine, they will teach them without a fee (*mercede*) nor a promissory note of payment (*syngrapha*) or, in the case of Obsopaeus, a warranty which could have also been oral (*cautione*).

They will make the children of those who taught them, together with their own, participants of the precepts, lectures, and the rest of thing of the discipline; besides to those who will swear the medical law, manifesting their name, but to nobody else (9 and 10). Ranchin makes the new disciples state their names and their faith to the medical oath (*Medico iure-iurando nomen fideique*). Meibom makes a significant difference taken from Opsopaeus, that is, the medical oath is already stated as a law (*legem medicam*). As seen in Chapter one, there is a difference between them. The other big differences are that Opsopaeus considered the lectures as a narration, something more common to history (*narratio*) and that he applies as a condition for the teaching not only the swearing by the medical law but also written insurance (*scripto caverint*).

Meibom will prescribe a healthy way of living as long as he is in a sound condition regarding his strengths and judgment and will indeed set himself free from all harmful and injurious things. (11) Ranchin specifies that the prescription is for the sick people (*aegris*) as long as he could obtain it (*consequi potero*) from his faculty (*facultate*) and judgment. For Opsopaeus the things are slightly different because he will also prescribe a healthy way of life to sick persons but according to his strength (in a more masculine way) and genius or mode of thinking (*virili et ingenio*), and will certainly keep them off of the destructive and bad things (*perniciosa vero et improba eosdem*).

(12) Both Meibom and Ranchin will not give a lethal (*lethale*) or deadly (*mortiferum*) medicament driven by the request of someone (*cuiusquam*) nor will they be a promoter of it. Opsopaeus changes the negation, saying

that he will be driven by the request of no one (*nullius*) and will not give advice about it.

The next phrase (13) might seem almost identical, however, the small differences are worthy to point out. Meibom says “equally I will not supply to a woman a pessary for the destruction of the foetus”; then Ranchin more specifically uses the verbs *exhibeo* and *subicio* to explain the use of the pessary better, that is, to put it underneath. The big difference with Opsopaeus is that he makes the woman pregnant (*praegnantia*) and the pessary is in favour of (*gratia*) destroying the foetus. With this three versions some of the questions commonly asked to this part of the Hippocratic Oath could be addressed, for example, should we understand a pessary as the vaginal tampon or as in Greek (πεσσός) also like an oval body or a medicated plug? Could the physician give an ‘abortive pessary’ when the woman is not pregnant for another medical reason? The former would be better answered by Ranchin, partially by Meibom and Opsopaeus; the latter will allow the physician to give a pessary to non-pregnant woman according to Opsopaeus but not to Meibom nor Ranchin since a woman, pregnant or not, is still a woman. More about this interesting phrase will be said later and in the analysis of chapter XVI of Meibom's Commentary on the Hippocratic Oath.

In the next part, Meibom says (14) “But I will maintain my life and my art chaste and clean from all evil deeds”. Ranchin will maintain life so forever (*perpetuo*), and Opsopaeus will cultivate (*colam*) such a life. It could be understood that the virtuous, holy and disinterested (*castam*) life is for Meibom and Ranchin a status that must go on as it is, for Opsopaeus it is a process that must always be practised and taken care. Meibom also inverted the order of the words *artem & vitam*, though in Greek they appear as the other two authors have it.

All of them say (15) that they will not cut the afflicted by calculus but will leave him to the experienced ones in this work. The verbs used for the cutting are again very similar, but *seco* also includes the semantic field of castrate, hurt, injure, divide; whereas *incido* goes to the semantic field of interrupt, remove, carve, engrave. Ranchin also uses the verb *concedo* instead of *permitto*, meaning perhaps that he is not only letting the experienced to do that but also conceding, giving some kind of acknowledgement.

The next three phrases belong to one single clause of the Oath (16, 17 & 18). With them, it is clearly shown that Meibom took both commentaries as examples since he has one part just as Ranchin (16), one as Opsopaeus (17) and the other (18) following mostly Opsopaeus with some changes. Meibom says that (16) to whatever house he would enter, he will engage in

the health of the sick, (17) being a stranger to all voluntary injury and bribery together with other things, particularly of the venereal affair in the bodies of women or men, either free or slaves. Ranchin uses a word closer to the meaning of house (*domum*) when the others use a more general word (*aedes*) for any building or place that is used to live in. Opsopaeus is much more literal saying instead of 'enter' (*ingressus*) 'to set foot in' (*pedem intulero*). For Ranchin, the physician is not a stranger to voluntary injury but must run far (*procul fugiens*) away from it and even the suspicion of bribery or seduction (*corruptela suspicionem*). In the last part (18), it is interesting to point out that for Ranchin, the physician must stay away most particularly from the desire of venereal affairs (*maxime rerum Venerarum cupiditatem*).

In the last fragment of the Oath (19) prior to the curse clause, Meibom copied almost exactly the version of Ranchin apart from the verb *deceat* and the way to deny it. Meibom will be silent about the things he will have seen or heard during the healing or also while not at all practising medicine within the common life of men, which are not proper to be uttered in public; he considered those as secrets. Ranchin then uses a stronger verb (*oportet*) denied by *minime* and then, according to him, it is necessary or proper that those things are not at all uttered in public. Opsopaeus, in my opinion, uses a clearer statement when expressing both things, the seeing and hearing during the continuous practising of medicine, or not (*medicinam factitans, sive non*); which means, the things he witnessed as a physician and also in his normal life in the public sphere. The secrets were entrusted to his confidence (*fidei meae commissa*) and were not only considered (*ratatus*) by him as such. Meibom and Ranchin's construction displays the two spheres of the life of the physician, that is, the practising part and the normal life, as opposites. Is not the life outside the medical praxis at all like life while practising medicine?

Finally, the curse, here divided in three fragments (20, 21, 22), is the part that has more dissimilarities; therefore I considered better to translate the three versions attempting to point out the differences such as the future perfect used by Ranchin contrasting with the subjunctive present of the other authors as well as the different verbs and adverbs:

(20) If indeed I conscientiously keep this Oath,

If indeed I will have conscientiously kept this Oath,

If then I loyally preserve this Oath,

(21) and I do not dishonour it, may I enjoy of prosperous success in both the art and life, and may I acquire immortal glory anywhere in the world

and I will have made it not at all invalid, may it be permitted for me to spend a happy life forever with the highest opinion among all men and to receive the most abundant fruit of the Art.

and I do not dishonour it, may it befall that I enjoy prosperous success in my life as much as in my art, and may I acquire immortal glory anywhere in the world.

(22) If I as well break it and forswear it, may things contrary to this happen.

If I will have dishonoured it and will have forsworn it, may things contrary befall me.

If however I break it and forswear, may things contrary to this come to pass.

Although I tried to point out the differences in the three versions, it is more than clear that the general meaning of the Hippocratic Oath remained. So, why did Meibom decide to follow one version or the other and not just one? I believe, because he was trying to find the middle point in his translation, between being loyal to the original Greek, presenting a more understandable Latin, and remaining true to the traditional understanding and translation of the text, although it meant to interpret the text.

To better prove my hypothesis I analysed the three translations in relation to the Greek original taking in account the following criteria: if words were added or omitted, the closeness of the meanings between Greek and Latin words, syntax and clarity. I defined them bearing in mind the definition of 'translation' of Taber and Nidia given by Valentín García Yebra: "*la traducción consiste en reproducir en la lengua receptora el mensaje de la lengua original (lange source «lengua fuente») por medio del equivalente más próximo y natural, ante todo en lo que concierne al sentido y luego en lo que atañe al estilo.*"⁶⁷⁷ These criteria also considered the problems of polysemy and ambiguity.⁶⁷⁸

In agreement with the above mentioned, we can say that the translation more loyal to the Greek original is that of Opsopaeus, being also the best translation in eleven (1, 2, 3, 6, 7, 10, 11, 12, 14, 19, and 21) of the twenty-two above established parts. Johann Heinrich Meibom only offered the best translation in four parts (4, 13, 18 and 20) whereas Ranchin only in one (5). There are seven fragments in which the best translation belongs to two authors because of their similarities; to Opsopaeus and Johann Heinrich

⁶⁷⁷ GARCÍA YEBRA, En torno a la traducción, p. 59.

⁶⁷⁸ See GARCÍA YEBRA, En torno a la traducción, p. 71-90.

Meibom three fragments (15, 17 and 22), to Meibom and Ranchin also three (8, 9, 16). I present some examples to clarify my way of judgment:

In fragment (2), corresponding to the Greek Ὀμνυμι... πάντας καὶ πάσας, ἵστορας ποιεύμενος, the translations have two differences: Ὀμνυμι as *iuro* or *iureiurando affirmo*, and ἵστορας ποιεύμενος as *testes citans*, *omnes testor* and *in testimonium eos citans*. The Greek verb meaning to “swear or affirm by oath” is better translated by *iuro* because in its meaning it also includes the notion of swearing by oath whereas *affirmo* must be completed with the ablative to achieve the same meaning. For the second difference, the comparison is more difficult to make because the meaning is given by the combination of both Greek words, the present participle of the verb ποιέω and the accusative plural (ἵστορας) connected to ‘all the gods and goddesses’. The first step is to weigh *citans* against *testor*. If judging by meaning, *testor* is nearer to the Greek semantic unit; if by syntax, *citans* because it is also a present participle with an accusative plural to connect with the rest of the sentence’s parts, just as ἵστορας. Both words are used for calling someone as a witness, so they are both correct. The third possibility that adds *in testimonium eos* is going beyond the simple meaning of “making them witness” or “considering them as witness” to call them to get into the act of swearing. Though the differences are subtle, we can say that Opsopaeus has a better translation because he has the same syntax and does not add anything, preserving the whole meaning nonetheless. Meibom also preserves the syntax but unfolds the meaning of the Greek text and use more words in Latin to complete the construction (*jurejurando*) or the meaning (*eos in testimonium*). Ranchin adds words and sacrifices syntax to achieve the same meaning.

In fragment (16), the difference comes from translating Ἐς οἰκίας δὲ ὀκόσας ἂν ἐσίω as *aedes ingressus fuero*, *domum ingressus fuero* and *aedes pedem intuluero*. The easiest thing to prove is that οἰκίας is better translated as *aedes* because it means not only a ‘house’ but any ‘building or dwelling’, just as *aedes*. *Domum*, on the contrary, does not possess such a polysemy, meaning mostly ‘house.’ About the verb translation, the construction used by Opsopaeus also means ‘to advance’ or ‘attack’, which put out of context, differs too much from the meaning of the Oath. *Ingressus fuero* has the same meaning as ἐσίω, ‘to enter’ or ‘to go into’. Since there are no differences in syntax, this comparison is based mainly on semantics. The best translation is, therefore, the one of Johann Heinrich Meibom, because he chose better the semantic equivalents.

The last example is a simple but interesting one. In the fragment (13) corresponding to the Greek ὁμοίως δὲ οὐδὲ γυναικὶ πεσσὸν φθόριον δώσω, there is only one discrepancy and a couple of remarks. The latter is the

choice of Ranchin to translate ὁμοίως for *simili ratione* when the adverb used by Meibom and Opsopaeus, *pariter*, is the exact Latin semantic equivalent; and the surprising decision of Opsopaeus to do what he normally does not, interpret the Greek words, in this case, φθόριον as *gratia foetus corrumpendi*. The other two authors also interpret the word creating a final clause but use a different construction, *ad* and gerundive in accusative instead of *gratia* and gerundive in genitive. The problem with Opsopaeus' translation is that, although the meaning is similar, *gratia* has in its semantic field some positive meanings (favour, esteem, charm, kindness), even in final clauses (in favour of). Therefore, it is shocking to think that a possible translation of Opsopaeus' Latin version of the Hippocratic Oath could mean "a pessary in favour of destroying the foetus", meaning 'to the benefit of destroying the foetus' when the phrase is clearly against it. On this matter, Ranchin and Meibom's choice was better.

However, if we follow the criteria, we must also ask where did the word *foetus* come from? We must then look at the word φθόριον. It is derived from the vowel system in *o* (omicron) from the verb φθείρω 'to destroy, ruin, devastate, spoil, corrupt, seduce'; as a substantive of usual action φθορά or φθορός 'destruction, ruin, death'; from which derives φθόριος, -ον: 'abortive' (sc. medicine); as substantive τὸ φθόριον: abortive drogue.⁶⁷⁹ The *Thesaurus Linguae Graecae* defines φθόριος as *corruptivus, corrumpendi vim abhens sive perdendi et extinguendi*,⁶⁸⁰ and gives some examples where, thanks to another word, φθόριον is understood as 'abortive'.⁶⁸¹

The problem with the Hippocratic Oath is that there is not much context because, by definition, it must be a short text. The context of this phrase is the prohibition to give lethal drugs and the promise of the physician to preserve his life and art holy and pure. It means that πεσσὸν φθόριον is inscribed in the meaning of not harming nor doing something against better judgment. Therefore, I consider that it would have been better to simply translate it as *pessum corruptivum* which preserves the Greek

⁶⁷⁹ CHANTRAINE, Dictionnaire étymologique de la langue grecque, p. 1198-1199. "φθείρω"

⁶⁸⁰ TLG, vol. 8, p. 782.

⁶⁸¹ Dsc. 5.67 γίνεται δὲ καὶ <φθόριος ἐμβρύων οἶνος> (There is a wine destructive of embryos); Pl. HN 14. 110 quod vinum p<h>thorium vocatur, quoniam **abortus** facit. Plu. Phil. 134, F. 6. καθάπερ ἀκόλαστοι γυναῖκες, ἐκβολίοις χρώμεναι καὶ φθορίοις ὑπὲρ τοῦ πάλιν πληροῦσθαι καὶ ἡδυπαθεῖν. (According to licentious women, who use abortives and destructive [drugs] for the enjoyment of being satisfied again) Suda α -1524.1- 2 <Ἀμβλωθρίδια> ἐκτρώματα. τὰ ἐξημβλωμένα ἔμβρυα. καὶ <Ἀμβλωθρίδιον> αὐτὸ τε τὸ φθόριον φάρμακον καὶ δὴ καὶ τὸ διαφθαρέν. (<Drugs causing abortion> untimely birth, the mis-carried embryos, and <drug to cause abortion> the drug that destroys it and then mis-carriages it).

construction and can be indeed understood as abortive, moreover, as destructive of the woman's part(s) or harmful for the woman, thanks to the broader meaning of the verb *corrumpo*.⁶⁸² This proposal is supported by the Latin translation of the Oath that Niccolo da Règgio made between 1308 and 1345 in which he translated the Greek phrase as *pessarium corruptivum*⁶⁸³, but sadly the textual tradition moved away from this translation and understanding of the text.⁶⁸⁴ There was no need to change the construction nor add something to make it understandable (foetus(m) and even praegnanti). In addition, this understanding of the text, and consequently the translation, would have widened the meaning 'not to give a harmful (or destructive) pessary to woman', thus protecting women and physicians against any gynaecological harm and not only abortion.⁶⁸⁵

The discrepancy mentioned before is the translation of the verb δώσω. It has the meaning of 'to give, offer' or 'grant', so where does the prefix *sub* from the Latin verbs (*subjiciam* and *subdiditum - exhibebo*) came from? The answer was given in the first Chapter when we mentioned the groups of manuscripts of the Hippocratic Oath (2.3.2). This explanation about how to put the pessary is in the "Christian" oath but not in the *textus receptus*, textual tradition that our three translators and commentators followed. Ranchin's translation not only adds the meaning that the pessary is put underneath but also gives a verb that goes more to the semantic field of 'present, deliver, show, exhibit', which is not very close to the meaning of δώσω. In conclusion, Meibom's translation was better, because he adds fewer words and changes less the syntax. This example also proves that the translations were based more on the traditional understanding of the text, than on an accurate Greek-Latin translation, despite the philological development and, in our particular case, Meibom's fame as a great philologist.

The versions mostly differ when translating participles; like (1) ποιεύμενος, (6) χρηϊζοντι, (10) συγγεγραμμένοις and ὠρκισμένοις, (19) ἡγεύμενος, and (21) δοξαζόμενος; and other words or phrases whose understanding has been problematic according to the commentary tradition like (3) συγγραφὴν, (8) συγγραφῆς, (14) ἀγνῶς δὲ καὶ ὁσίως, and (20) ἐπιτελέα ποιέοντι. Other important remarks are the omission of (11) καμνόντων in Meibom's

⁶⁸² See 'corrumpo' in DILAGE.

⁶⁸³ RÜTTEN, Thomas, "Receptions of the Hippocratic 'Oath' in the Renaissance...", p. 460, 478.

⁶⁸⁴ See RÜTTEN, "Receptions of the Hippocratic 'Oath' in the Renaissance...", p. 456-483. We have here a case of how "tacit assumptions of univocity underlie many a modern commentator's explications." and, in this particular case, also of textual tradition's explanations. Von Staden, Heinrich, "...Galen and the culture of scientific commentary", p. 112.

⁶⁸⁵ See 4.1.2.

translation, and the additions of the words (6) *grato animo*, (8) *medicam*, and (14) *perpetuo*.

Opsopaeus offers the translation more loyal to the Greek original, though it might be more difficult to read if compared to Ranchin's version, which it is not that loyal to the Greek text and already offers an interpretation of the text. As said before, Meibom searched for and stayed in a middle point between both styles.

➤ The versed version of the Hippocratic Oath by Scévole de Sainte-Marthe

This version was initially published in 1587 as the third poem of the second book of his *Silvarum libri III*.⁶⁸⁶ The book includes: *Paedotrophiae, sive puerorum educatione libri III, Silvarum libri III, epigrammatum liber I, Lusuum liber I, Canticorum liber I, Hieracosophiou sive de re accipitaria libri III, Item aliquot carmina*.

The poems of the *Silvarum* has a short dedicatory to Philippe Huralt de Cheverny (1528-1599),⁶⁸⁷ chancellor of France. The dedicatory is an elegiac couplet of only 14 verses where Scévole says that he offers the books with a little art and suggest that they could be used as entertainment to lighten the hardships or difficulties because they damage the human life.⁶⁸⁸ In this publication, the versed version of the Hippocratic Oath has as a title: *Hippocratis iusiurandum latino carmine redditum. Ad Franciscum Vertunianum*⁶⁸⁹ *Medicum*. None of this information is consigned in Meibom's commentary, on the contrary, he only gives credit to his author but wrongly says that the poem is in the first book of the *Silvarum*.

Scévole de Sainte-Marthe probably knew François Vertunien in Poitiers, the city where both spent some time, Scévole as general treasurer of France

⁶⁸⁶ SAINTE-MARTHE, *Poemata*, p. 112-114. Online: <http://data.onb.ac.at/rep/10Bo579A> (01. 11. 2022).

⁶⁸⁷ DNB, <http://d-nb.info/gnd/124900550> (01.11.2022).

⁶⁸⁸ SAINTE-MARTHE, *Poemata*, p. 68. "Hos etiam exigua tibi quos damus arte libellos / Sume lubens, vatis dulce iocantis opus. / Quid vetat ingenuis post seria lusibus uti, / Ingratasque hilari pellere fronte minas? / Dura tot humanam vexerent cum taedia vitam / tristia qui laetis temperat, ille sapit."

⁶⁸⁹ François de Saint-Vertunien (†1607), physician born in Poitiers in a protestant family. He became physician in the Faculty of Medicine of the same city. SCALIGER. *Lettres françaises inédites*, Ed.Tr. Tamizey, p. 65. "A physician with whom Joseph Justus Scaliger was in close contact in the 1570s, and who in 1578 published a translation of Hippocrates' *De capitis vulneribus*, based on a text critically established by Scaliger." BRAVO, "Critice in the sixteenth and seventeenth centuries and the rise of notion of historical criticism", p. 145 n. 26.

and François as a physician.⁶⁹⁰ Scévola was known as the French Virgil because of his poems.⁶⁹¹ In our particular case, the versed version of the Hippocratic Oath has seventy-four verses in dactylic hexameter. The part we have been focusing here (13 or the abortive clause) is as follows:

Nec vero mulier, temerati damna pudoris
 si qua sit, abjectio cupiat quae extinguere foetu,
 huic ego subijciam pessos, animamque latentem,
 concius, et nondum viventia membra necabo.⁶⁹²

As we can see the versed version also preserves the meaning of the Hippocratic Oath, but it does not follow the Greek original, even the sense is broadened. However, this free version worked as an inspiration for Johann Heinrich Meibom. In the new edition he was planning, he added his own hexametrical Latin version right after Scévole's. Here the same part (13) but in Meibom's words:⁶⁹³

Foemina nec si me fors ejectoria poscat
 Pharmaca, queis relevet gravidum temeraria ventrem,
 excutiatque sinu concepti pondera foetus,
 cromen corrupti male celatura pudoris,
 illa dabo teneraeque elidam exordia vitae,
 harentemque utero divinae particulam aerae.⁶⁹⁴

It is more than clear that, even though he is not using the same words, he has the same construction focusing on a substantive to express the woman

⁶⁹⁰ For more information about this versed version and the connected persons to it see: RÜTTEN, *Geschichten vom hippokratischen Eid*, (CD), über den hippokratischen Eid > Renaissance > Kitsch und Kunst.

⁶⁹¹ PERRAULT, *Des hommes illustres qui ont paru en France*, p.49-50. Online: <http://catalogue.bnf.fr/ark:/12148/cb310848230> (01.11.2022).

⁶⁹² JHM, *jusjurandum*, p. ††3, v. 37-40. And not indeed to that, the woman who wants to extinguish the damages of the disgraced decency with the expulsion of the foetus, if there is such, will I put under a pessary, nor consciously will I destroy the concealed soul and the living members.

⁶⁹³ NSUTB Gött Meibom 4, f.IV, v. The complete Latin version is in the 'Texts and Editions' section.

⁶⁹⁴ And I will not give ejector medicaments; if in that manner, the woman request them to me, with which may she, [being] imprudent, lighten her pregnant womb and may cast out the weights of the fetus conceived in her interior, she about to conceal the evil crime of her corrupt decency; and I will strike out exordia of the delicate life and the particle of divine air fixed in the uterus.

(*mulier* and *foemina*) of which many things are said. She is the one asking (*poscat*) or wishing (*cupiat*) to end her pregnancy, being this action something to save or keep her decency (*pudoris*). The reference to the foetus is also expressed in the broader sense, for it is something with a soul (*animam* or *aurae divinae*) and members (*membra*). In the case of Meibom, he is not even mentioning the pessary anymore but widens the meaning of the Hippocratic Oath to abortive medicines and the promise to talk to the woman in favour of the early life she carries inside.

The most important addition in these free versed translations is, in my opinion, the reference to the decency of woman, because it gives a hint of the social reason for asking for an abortion. None of them portrays the woman as a patient in distress by medical reasons but alludes to corrupted decency. Were there never married women who asked for an abortion? Were all women asking for abortions for the simple fact of being socially unacceptable that she was pregnant under her circumstances? How is the getting pregnant only a corruption of her decency but not of his? Of course, Meibom's times were lacking even more than now of social gender equality; nonetheless, these questions were valid then and are, sadly, still valid now. On the other side, I think it is a positive thing that the only responsible for the abortion in the picture is the woman; however, it is the contrary to positive to picture her as a morally bad person as if having sex and getting pregnant were a singled thing. Men are nowhere to be found in the equation if not in the part of the respected physician.

These addenda also show how extensive can one single clause of the Hippocratic Oath be understood. As seen before, the Hippocratic Oath merely states "I will not give a destructive pessary to woman", out of which the tradition in the Renaissance got "I will not give an abortive pessary from underneath to woman". Our Meibom, taking in consideration all the other commentaries near to his time, got first (Latin prose) "equally I will not supply to a woman a pessary for the destruction of the foetus". Then in the unpublished version (Latin verse), he included the judgment of "to a woman who is about to protect her corrupt decency" and his role as preserver of life with the statement that he will "praise the delicate life and the divine air that lives in woman's uterus", as if he were to bring her to the understanding of the tender life she wants to destroy; therefore, she has the intention of destroying it because she is ignorant of it and its importance. We can also see how the main focus of the Hippocratic clause moved: to protect woman > not to harm the reproductive organs > not to harm the foetus > not to harm the foetus in order to protect a woman's decency.

All these interpretations rose with the changing eras and are a sign of the social needs the physician was facing, consequently having the neces-

sity to rethink and reinterpret the Hippocratic Oath according to the moral values in vogue.

➤ *Variae lectiones in textu graeco jurisjurandi [τοῦ ὅρκου].*

The next section is a shortlist of words that have different readings in different versions. Since some of the forms are not consigned in the newest edition of the Hippocratic Oath,⁶⁹⁵ I transcribed them as Meibom has them. I marked with a star (*) the forms missing in Jouanna's latest edition. The additions found in NSUTB Gött Meibom 4⁶⁹⁶ are consigned between square brackets. Since Meibom did not declare from where he got these *lectiones*, we can assume that he noticed them in the Commentaries he consulted, since some of the different readings were mentioned before when we determined which Greek text Meibom followed in his Commentary.

Υγείαν) aliud Υγίαν*.

Καὶ θεοὺς πάντας καὶ πάσας) aliud καὶ θεοὺς πάντας τε καὶ πάσας.

Item, θεοὺς τε πάντας καὶ πάσας.

Ποιεύμενος) aliud ποιούμενος*.

Ἐπιτελέα) aliud ἐπιτελές*.

Ἠγήσασθαι aliud ἡγήσεσθαι .

[ἡγήσασθαι μὲν) aliud ἡγήσασθαι δέ]

Ἴσα) aliud ἴσα καὶ*.

κοινώσασθαι) aliud κοινώσεσθαι .

Ποιήσασθαι) aliud ποιήσεσθαι .

ἐπικρίνειν) aliud ἐπικρινέειν .

ἦν) aliud ἦν .

παραγγελίης) aliud παρακλήσιος*.

ποιήσασθαι) aliud ποιήσεσθαι .

Χρήσομαι) aliud χρήσασθαι*.

Εἶρξεν) aliud εἶρξω .

Φθορίας) aliud φθορῆς . Item πλάνης*.

⁶⁹⁵ HIPPOCRATE, Le serment, Tr. Jouanna. 2018.

⁶⁹⁶ f. 13.

[τῆς δὲ*) aliud τῆς τε]

[καὶ τῶν ἀφροδισίων*) aliud καὶ ἀφροδισίων.]

ἀνδρῶν) aliud ἀνδρείων . Item, ἀνδρῶν*.

Ἐν θεραπείῃ) aliud ἐν θεραπῆϊ*. Item, ἐν θεραπείῃ

θεραπείης) aliud θεραπῆϊς . Item, θεραπείς.

ἐκκαλέεσθαι) aliud ἐκκαλέεσθαι.

Οὖν) aliud μὲν οὖν .

Βίου) aliud βίον*.

Τέχνης) aliud τέχνην*.

Ἀνθρώποις) aliud ἀνθρώποισιν .

- Glossae ab illustrissimo Josepho Scaligero in vetustissimis Reginae Galliarum codicibus repertae, et clarissimo Joanni Heurnio, communicatae, quas glossarum, aut excerptorum Scaligeri nomine aliquotiens citamus.

A page with more than fifteen words explained through other words. They are the same as in Jan van Heurne's commentary.⁶⁹⁷ The only correction Meibom did, is in the fourth line. It says συγγιέσιν which he corrected for συγγιέσιν.⁶⁹⁸ He also changed slightly the title adding *glossae In Iusiurandum Hippocratis*, viro to *clarissimo* and *olim* before *communicatae*.

3.2.1.3. Third Part

This is the most extensive part. The commentary is divided into twenty-two chapters. Here I present the Latin index⁶⁹⁹ of each one and a brief review only on some points I considered important or interesting for further research since the index is mostly self-explanatory and could already offer the reader an easy way to find specific content in the text. Only chapter XV will be analysed in depth.

- Caput primum. ΙΠΠΟΚΡΑΤΟΥΣ summaria. 1. Auctoris intentio. 2. De auctore libri an quaerendam. 3. Hippocrates multi. 4. Cujus Hippocratis filii ut fatui traducantur. 5. Cardanus notatus. 6. Hip-

⁶⁹⁷ See 2.3.3.5.

⁶⁹⁸ NSUTB Gött Meibom 4, f. 13v.

⁶⁹⁹ Translation is in the 'Texts and Editions' section.

pocrates professione medici. 7. Hippocrates Magnus. 8. Hujus Genealogia. 9. A Reineccio et Henningesio dissensum. 10. Hippocratis Magni laus. 11. An ejus sit Jusjurandum. 12. An idem Galeno notum. 13. Galeni commentarius in Jusjurandum supposititius. 14. Galenum videri agnovisse Jusjurandum. 15. Auctor Commentarii in Aphorismos Hippocratis, Oribasio adscripti. 16. Testimonium de Jurejurando Scribonii Largi. 17. Sorani Ephesii. 18. Erotiani. 19. D. Hieronymi, et Gregorii Nazianzeni. 20. Theodori Prisciani. 21. Suidae. 22. Arabum. 23. Hippocrates Jurisjurandi auctor. 24. Quibus illud prescriptum? 25. et quam ob causam.⁷⁰⁰

As a first chapter and following the previous tradition of commentaries, it does not deal with the Hippocratic Oath itself but with the author of it.

Johann Heinrich Meibom opens his commentary dealing with the central questions each researcher would do, that is, who is the author of the text? Did he exist? And of course, the doubts about its rightful ascription, was the text really written by this author? There have always been doubts about the existence of Hippocrates; therefore, Johann Heinrich answers that Hippocrates not only existed but there were many. To make it clearer, he adds a genealogical tree of four pages among the mentions in the body of the text.⁷⁰¹ The doubt about the ascription of the text, according to Meibom, is based primarily in the fact that Galen did not mention the Oath though he made references to the core principles of the Oath (not to harm, not to give harmful medicaments, to preserve the life holy and pure). He got along with it because many other and more ancient authors mentioned it. In the end, he concludes that the Oath was written by the great Hippocrates with the purpose of stipulating silence, piety and other things of that kind to the students which were about to learn the art, which must not be revealed to others. The Oath was also meant to bind them together much more firmly thanks to the testimony of the Gods and the invocation of punishment for the sworn ones if they fail to keep the oath.⁷⁰²

- Caput secundum. ὈΡΚΟΣ. Summaria 1. ὁρκος, ὁρκιον 2. ὁρκου etymologiae diversae. 3. Iusjurandum, jurandum. 4. Iuppiter ὁρκιος. 5. Erynnyes, perjuri vindices. 6. Iuppiter ἐπώμοτος 7. Dius fidius. 8. Sacramentum. 9. Sacramenti etymon. 10. Iuramen. 12. [sic] Valla notatus, et Panormitanus. 12. Dejurium. 13. Voculae De significatio in compositione diversa 14. Iusiurandum quid? 15. Arsitoteles expli-

⁷⁰⁰ JHM, jusjurandum, p. 1-2.

⁷⁰¹ JHM, jusjurandum, p. 4-7.

⁷⁰² JHM, jusjurandum, p. 13-14.

catus. 16. Religio. 17. Obstringi et exsolvi religione. 18. Mysingeri scupulus. 19. Sub addirmatione negatio aliquando inclusa. 20. Aristoteles illustratus. 21. Franciscus Philelphus laudatus. 22. Iuramentum ἐπακτον ἐπώμοτον, κατώμοτον, ἀπώμοτον. 23. Iuramentum abnutivum, adnutivum. 24. Iuramentorum apud Iurisconsultos differentiae. 25. Ὅρκος Hippocratis ad quam differentia referendus?⁷⁰³

In this chapter the main objective was to define what is an oath, how is it understood, the different words used to name it and the differences among them. After speaking generally about oaths, Johann Heinrich inserts the Hippocratic Oath as the specific topic of study. He says that an oath is understood by some as a divine invocation or adjuration, by others as a contract. Meibom thinks that the best definition was given by Aristotle:⁷⁰⁴ “Ait autem Philosophus ὅρκον εἶναι μετὰ θείας πραλήψεως φάσιν ἀναπόδεικτον. *Jusjurandum esse cum veneratione divina adsertationem, quae demonstratione non indigeat.*”⁷⁰⁵ He also gives definitions of the types of oaths as ἐπακτον (imposed), (α)ἐπώμοτον (abjured – or in negative), κατώμοτον (sworn – affirmative), but how all these types differ is not clear.⁷⁰⁶

For the last two Greek words, the Latin words *abnutivus* and *adnutivus* were annotated respectively. Meibom was trying to explain that the oaths can be forced, either by accepting or getting into something, or denying or running away from something. They can also be *in lite* (in the quarrel) or *extra litem* (outside the quarrel); to confirm (*confirmatorium*) or to promise (*promissorium*). These last two types of oaths refer us to a state of faithfulness (*fidelitas*) or certainty (*adsecuratio*).⁷⁰⁷ He also accounts the fact that some oaths are sworn in affirmative sentences, others in negative and sometimes, as in the case of the Hippocratic Oath, a grater affirmative clause is followed by many shorter and negative that help to define the exact meaning of the affirmative swearing.⁷⁰⁸ He classifies the Hippocratic Oath as an *extra litem* and *promissorium* because Hippocrates prescribed

⁷⁰³ JHM, *jusjurandum*, p. 14.

⁷⁰⁴ Meibom quotes *Rhetorica ad Alexandrum*, chapter XII. Modern editions: Anaximenes *Hist. Rhet.* 7.1.1.

⁷⁰⁵ JHM, *jusjurandum*, p. 17. And so the Philosopher says, ‘an oath is to say something without proof in a preconceived way by the divine things.’ ‘The oath is together with divine veneration an opposition, which does not need a demonstration.’

⁷⁰⁶ JHM, *jusjurandum*, p. 20.

⁷⁰⁷ JHM, *jusjurandum*, p. 20–21.

⁷⁰⁸ JHM, *jusjurandum*, p. 19.

it in the past with words conceived for the future in order to tighten the faith.⁷⁰⁹

- Caput tertium Ὁμνυμι Απόλλωνα. Summaria. 1. Jurisjurandi Hippocratici tres partes. 2. Τοῦ ὁμνυσιν ἔτυμον. 4. jusjurandum dare. 5. dicere. 6. facere. 7. pactare 8. ὁμνύειν ὄρκον, pleonasmus. 9. ὄρκωμοςία ὄρκωμοτέειν. 10. Pleonasmī Graeci familiares. 11. Attestatio Numinum in jurejurando Hippocratico. 12. Causa multitudinis Deorum apud Gentiles. 13. Causa alia. 14. Macrobiani sententia de Dis veterum plurimis. 15. Item Philippi Claverii. 16. Sententi et propositum Auctoris.⁷¹⁰

The most important of this chapter is the first point because it gives us an idea of how Meibom divided the Oath. Taking the division from Zwinger, he considered three main parts of the Oath. First, the one needed according to the form and matter, that is, where all physicians are summoned to give testimony and to promise to serve according to one's strength and judgement (κατά δύναμιν καὶ κρίσιν - *pro posse ac nosse*). The second part is about the members themselves, either as direct descendants of Asclepiades by birth or by adoption. The third part is the *imprecatio* or κατάρα (curse) because the swearer will find happiness if he follows the oath or if he does not, the Furies (Diras) will fall upon him and all the opposite things will happen.⁷¹¹ With this chapter begins the first part. The other divisions are also expressively marked in the Commentary.

One of the most exciting parts is numbers eleven and twelve. Meibom mends the holiness of the Hippocratic Oath according to Christianity. He declares that, contrary to what could be thought, Hippocrates was not a pagan but a very converted man (*colentissimus*). He made the Oath according to what was holy for others in his time. The gods summoned as holy in the Oath, that is, Apollo, Aesculapius and his daughters were, in fact, humans but, because they mastered the art of healing, people thought they were gods and with time superstition grew and they began to adore them.⁷¹² I find it interesting because to mend the paganism of the uttermost authority in medicine he would rather undo the whole system of Greek faith by taking away the god-status to deities, making them humans and then explaining the cult as a pure admiration for superb humans, than to admit him to have been ignorant of the 'true God'.⁷¹³

⁷⁰⁹ JHM, jusjurandum, p. 21.

⁷¹⁰ JHM, jusjurandum, p. 21.

⁷¹¹ JHM, jusjurandum, p. 21-22.

⁷¹² JHM, jusjurandum, p. 23-24.

⁷¹³ This is latter contradicted in Chapter 15 of Meibom's commentary. See the 4.1.1.

- Caput quartum. Ἀπολλωνᾶ ἱητρόν. Summaria 1. Apollines quattuor, vel sex. 2. Tertius inter eos, medicinae inventor. 3. An eo medicina ars Apollinea 4. et Phoebaea. 5. Apollinis nomen unde? 6. item Phoebi. 7. Apollo Medicus. 8. Apollo Paan. 9. ars paeonia 10. Aean hymnus. 11. Apollo ἁκέσιος. 12. cognomina et epitheta varia alia. 12. ejus in morbis invocatio. 14. Apollono sacrum apud Athenienses Gymnasium. 15. Eidem sacer numerus septenarius. 16. Apolloni divinandi munus tributum. 17. Prognosis medica. 18. Ἀπολλώνια templa Apollinis. 19. Apollinis medici simulachrum. 20. quur imberbifacie pignatur? 21. apud Syros vero barbata? 22. quid additi serpentes notent? 23. item arcus? 24. et lyra? 24. quur Gratiis comitatus? 25. medicus χάριεις, seu gratosus.⁷¹⁴

This chapter could easily be turned into an essay of medical mythology through the figure of Apollo and would be suitable not only for the field of the history of medicine but for classic philology. Some interesting remarks are four: the Paean as a hymn to stop the pest⁷¹⁵ and not only as a lyric poem of triumph. Second, the explanation of the physical representation of Apollo as the ideal of a healthy body which the physician could help to preserve or acquire. This ideal of health also works as a model for the physician who must try to imitate it,⁷¹⁶ because it was thought that he who is punishable for being unhealthy, could hardly cure others.⁷¹⁷ Third, a small hint of Meibom considering himself as a descendant of the Celts;⁷¹⁸ and fourth, an idea supported by a Hippocratic quote⁷¹⁹ of medicine having a great connection to divination. Prognosis is a medical art that could put apart the instructed physician from the uninstructed. The former gains the patient's trust, the latter does not. A prepared physician can foresee the present and the future and not to err, either while a crisis is taking place or by the crisis to come, he always helps the sick ones and attends them.⁷²⁰

- Caput quintum. Καὶ Ἀσκληπιόν. Summaria. 1. Aesculapii Ciceroni tres. 2. Aesculapius Hippocratis. 3. Hujus mater Coronis, Phleguae F. 4. vel potius Arsinoë Messenia. 5. quae primum Coronis dicta. 6.

⁷¹⁴ JHM, jusjurandum, p. 26.

⁷¹⁵ JHM, jusjurandum, p. 28-29. Παιὼν vero dictus est etiam hymnus ἐπὶ παύσει λοιμός, sive pesti sedandae cantari solitus.

⁷¹⁶ JHM, jusjurandum, p. 32 ss.

⁷¹⁷ JHM, jusjurandum, p. 22. Alios curare vix posse putetur, qui ipse invaliditudo sit obnoxius.

⁷¹⁸ JHM, jusjurandum, p. 32. Quin et a Celtis, quorum magna pars fuerunt Germani veteres, majores nostri...

⁷¹⁹ Hipp. Prog. I, 2.

⁷²⁰ JHM, jusjurandum, p. 31 ss.

Pater incertus. 7. Sed Apollo creditus. 8. Sacerdotum Apollinis fraudes. 9. Medicina olim Regum Principumque propria. 10. Aesculapius recens natus expositus. 11. Ejus nominis etymon varium. 12. Paeceptores. 13. In factitanda medicina solertia. 14. Laudes et praeconia. 15. uxor et liberi. 16. fulmine ictus creditus. 17. de quo dubitatur. 18. quando divinis honoribus coli coeptus. 19. Ἀσκληπιεῖα 20. Tempia Aesculapii plurima 21. Tempia Romae condendi occasio. 22. ἐγκοίμησις, seu incubatio. 23. Aesculapius quur barbatus? 24 et apud Philiasios imberbis? 25. ejus baculus nodosus. 26. Draco illi quur additus? 27. et canis? 28. Aesculapio capra immolari solita. 29. et gallina nigris rostris et pedibus, digitisque imparibus. 30. et gallus. 31. Aesculapii simulachrum. 32. cur pectore nudum, corpore reliquo tecto. 33. Vestitus medicus apud antiquos. 34. Aesculapius palliatus. 35. Item coronatus, et pileatus. 36. In Aesculapium hymnus. 37. Quur per Poenem, Deorum Medicum, jusjurandus non conceperit Hippocrates?⁷²¹

This chapter is mostly a genealogical history of Asclepius. In comparison to the previous chapter, the story and analysis of the god were more superficial. The most remarkable thing is that Johann Heinrich Meibom thought that Reiner Reineccius, a historian of the same generation of his father, got the most reliable conclusion about the true origin of Asclepius, that is, that he *litteris primum, et Medicinae rudimentis, apud Apollinis patris, ut credebatur, sacerdotes imbutum; Chironem Centaurum deinde adjisse, praecipuorum Graeciae Principum, Herculis, Iasonis, Achillis, in Medicina praeceptorem, eiusque ducto uberiores artis cognitionem indeperit, in Aegyptum trajecisse, omnium artium primaevam matrem, atque Apī⁷²² operam dedisse, quem inter sacerdotes illic principem, et naturalis Philosophiae maxime peritum fuisse, Cyrillus commemorat.*⁷²³

- Caput sextum. Καὶ Υγιείας, καὶ Πανάκειον. Summaria. 1. Nominis Hygeiae significatio triplex. 2. Sanitas apud Romanos. 3. in ὀρκῷ Hippocratis legendum ὑγία. 4. Aesculapii filii, 5. filiae. 6. inter has Ῥώμη, seu Valentia. 7. Filiae unde appellatae. 8. omnes Medicinam

⁷²¹ JHM, jusjurandum, p. 35.

⁷²² For the relation ship between Asclepius and Apis (Serapis) see STEGER, Asclepius.

⁷²³ JHM, jusjurandum, p. 39. was first soaked in the letters and rudiments of medicine by the priests of father Apollo, as it was believed, later he approached Chiron the Centaur, the teacher of Medicine of the distinguished leaders of Greece, Hercules, Jason, Achilles, and by connection to him attained more abundant knowledge of the art, traveled to Egypt, mother of all arts of the first times and Cyrillus recalls that he was enrolled to the labours of Apis, who was there the first among priests and top specialists in natural philosophy.

doctae, et professae. 9. Aesculapius εὐπαῖς. 10. Foemina ad Medicinam doctae, et professae. 11. Hygeiae cultus et templa. 12. Salus apud Romanos. 13. Natalis Salutis, Porta Salutaris, Vicus Salutaris. 14. Hygeia cum Patre culta. 15. etiam sola. 16. Μετάνιπτρον Υγείας. 17. Salutis augurium. 18. Simulachrum Hygeiae. 17. [sic] et habitus metronalis. 20. In eam hymnus Aripheonis. 21. et Orphei. 22. Meditritina et Meditritinalia. 23. Hygeia cum Minerva culta. 24. Minerva cognomina. 25. Minerva Medica. 26. Minerva in morbis supplicatum. 27. Minervae draco sacer. 28. Guidus Pancirollus notatus. 29. a M. Zueriu Boxhorniu dissensum. 30 Hygeia Prptheo Aesculapii uxor. 31. Panacea. 32. Nepenthes Helenae. 33. Panacea herba. 34. Panacea Paraelsistarum. [sic] 35. Panaceae cultus. 36. Quur duas tantum in iurejurando nominarit filias Aesculapii Hippocrates? 37. Quur filios ejusdem praetorierit?⁷²⁴

The core of this chapter is a simple question, why to swear on Asclepius' daughters and not the sons (Machaon and Podalirius) even when they were known thanks to Homer's Iliad? The answers lay in number ten, thirty-six and thirty-seven. First, women and slaves were allowed to know and practice medicine, but Athenians wanted to prohibit it, so looked out to it with a decree. However, forced by necessity, they allowed free or distinguished women (*ingenua*) to learn and practice the art but only in matters related to their gender, that is, just in the function of a midwife or a gynaecologist.⁷²⁵ The other is an answer that was not given by Meibom but, as he said, taken from Zwinger. Health and Panacea had the function to preserve and restore health, respectively. They worked as a model for physicians, since they had some kindness or service that the male physicians lacked of. If therefore the physicians swore by them and tried to emulate them, they will be distinguished or honoured by the gods with the possession or attainment of such qualities.⁷²⁶ This answer was not given in a

⁷²⁴ JHM, *jusjurandum*, p. 52.

⁷²⁵ JHM, *jusjurandum*, p. 55. Liceat enim olim et foeminis exercere medicinam... Athenienses aliquando hoc abolitum voluerint, decretoque caverint, ne mulier aut servus Medicinam faceret: tamen necessitate coacti fuerunt permittere, ut ex foeminis, quae ingenuae essent, saltem quoad parturientium effectus, aut ejus partis, qua sunt foeminae id quod sunt, artem medicam addicerent.

⁷²⁶ ZWINGER, *viginti duo commentarii tabulis illustrati*, p. 57. ...quarum altera sanitati integrae praest, uti conservetur, Hygea scilicet. N. 3. altera eidem labefactae, uti restituatur, Panacea nimirum... Quid vero quod filiarum potius quam filiorum sacra hic est acutorias? An quod per filios Aesculapii ipsosmet artifices medicos ingeniosa exprimere voluit anti-quitas: per filias vero ea quae in ipsis requirerentur Officia, quaeque eosdem consequerentur Ornamenta: quorum et adeptio et possessio Deorum benignitate obtineretur, confirmareturque?

straight forward sentence but in the form of a question which provides us with the idea that the matter was not ultimately resolved but merely hypothesised. Meibom offered no other answer of his own.⁷²⁷

- Caput septimum. Καὶ Θεοὺς πάντας, καὶ πάσας, ἱστορας ποιη-
μηνος. Summaria. 1. Lectio in textu varia. 2. Hippocratis intentio. 3.
Jurandi formula per Deos Deasque συλλήβδην omnes. 4. formulae
aliae, ubi post aliquot primum nominatos deinceps jurabatur per
omnes. 5. alia, per Deos Deasque plurimas promiscue tesatas. Di
ἱστορες invocati. 7. Di μάρτυρες. 8. jurare Dis attendantibus. 9. Dis
judicibus. 10. ἐπικαλέειν et ἐπικαλεῖσθαι Θεοὺς. 11. D. Paulli
jurandi formula.⁷²⁸

In this short chapter Meibom explains that this formula for swearing had two main functions, first to include all gods and goddesses for the swearer to be impossible to get away with perjury; second to unite the swearers in a type of bonding because they, just like the gods and goddesses, were also not named one by one but in a plurality, this way, no man nor god nor goddess was to be disregarded making the oath more honourable and religious.⁷²⁹

- Caput octavum. Ἐπιτελέα ποιήσιν, κατὰ δύναμιν καὶ κρίσιν ἐμήν,
ὄρκον τόνδε, καὶ συγγραφὴν τήνδε. Summaria. 1. Ὅρκος τέλειος, et
τελευτᾶν ὄρκον. 2. Sacrificium perfectum. 3. Ἐπιτελέα ποιεῖν ὄρκον
4. ζύγγραφῃ. 5. συμφωνία. 6. χειρόγραφον. 7. Syngrapha, syngra-
phus. 8. Stipualtio. 9. Stipulatio et syngrapha differunt. 10. Mens
Hippocratis. 11. κατὰ δύναμιν καὶ κρίσιν. 12. εἰς δύναμιν, εἰς δυνατὸν.
13. pro nosse ac posse. 14. Secundum intelligentiam. 15. Sincero
studio. 16. Trewlich undt mit bestem fleiß 17. παντὶ σθένει. 18. Ratio
et caussa dictarum formularium.⁷³⁰

Another brief chapter just to point out two concerns about the act of swearing and specifically about the Oath imposed by Hippocrates. The first one deals with the question of what is a perfect oath? It is then called perfect not because it is made solemnly and religiously but because it remains unbroken. To support it and assure its perfection, Hippocrates

⁷²⁷ JHM, *jusjurandum*, p. 66. Meibom uses the same words of Zwinger but not as a question (from *quod per filio* until the end and just changing the time of some verbs) and although he mentioned Zwinger's commentary he did not use italic typography to mark the words as a quote.

⁷²⁸ JHM, *jusjurandum*, p. 66.

⁷²⁹ JHM, *jusjurandum*, p. 67.

⁷³⁰ JHM, *jusjurandum*, p. 71.

added a written part or *ξύγγραφῇ* (writing, contract, bond, promise). This word was understood differently, but it always meant a sort of written agreement or guarantee, so that the obligation for the physician was not only supported by the spoken words but by the written ones.⁷³¹ The second concern is how far the physician should keep the Oath? Then the rest of the phrase of the Hippocratic Oath comes along; the physician should keep the Oath as long as it is possible, according to one's strength and judgment. Meibom closes this chapter quoting Zwinger to say what is necessary to act: to be able, to know and to want to (*posse, scire, velle*).⁷³²

- Caput nonum. Ἠγήσασθαι μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτησιν ἑμοῖσι, καὶ βίου κοινώσασθαι, καὶ χρεῶν χρηρίζοντι μετάδοσιν ποιήσασθαι. Sumaria. 1. Jusjurandi pars secunda. 2. Lectio in textu varia. 3. γινέται qui? 4. Parentes honorandi. 5. post illos maxime Praeceptores. 6. et merito. 7. Praeceptorum honoratorum exempla. 8. Praeceptoribus post Deos libandi mos. 9. Discipulorum in Praeceptores impietas. 10. Parentes alendi. 11. ἀντιθρεπτήρια, ἀντιπελαργήματα 12. Praeceptores alendi. 13. Κοινώνειν βίου. 14. Exhibere. 15. P. Memmius notatus. 16. Βίος, πολύσημον, 17. Τὰ ἐπιτήδεια. 18. Χρεῖα, ἔνδεια. 19. Sirciacidis locus a Goldasto explicatus. 20. Χρεῶν χρηρίζειν. 21. Μετάδοσιν ποιεῖσθαι. 22. Exempla eorum qui Praeceptoribus benefecerint.⁷³³

With this chapter begins the second part of the Oath, that is, the acts put in words that the swearer is compelled to keep.⁷³⁴ It shows that the teacher must be considered and taken care as a parent; he must be respected, honoured and taken care as a way of retribution and re-nourishment.⁷³⁵ The disciple must look out for the teacher in all things needed and offer him sustenance. Meibom offers as one of the examples the case of Alexander the Great, who not only supported Aristotle but honoured him in many ways, for instance, re-building Stageira.⁷³⁶ The most interesting lines are Meibom's contradiction to Memmius in his understanding of the word

⁷³¹ JHM, jusjurandum, p. 71 – 73.

⁷³² JHM, jusjurandum, p. 74. Zwinger, viginti duo commentarii tabulis ilustrati, p. 57.

⁷³³ JHM, jusjurandum, p. 75.

⁷³⁴ JHM, jusjurandum, p. 75. Sequitur altera, qua conceptis verbis plenius proponuntur articuli, in quos servandos juraturi adiguntur.

⁷³⁵ JHM, jusjurandum, p. 75 – 78.

⁷³⁶ JHM, jusjurandum, p. 77–78.

βίος. Not only as a polysemic word⁷³⁷ but in his particular understanding in this fragment of the Oath, Meibom says:

Error itaque est Perti Memmii, cujus mentionem modo feci, per βίον non victum, sed vitam simpliciter intelligere velle: quasi et hanc, si necessitas postulaverit, in praeceptoris gratiam discipulus profundere teneatur. Quamquam enim discipuli gratitudo tam late pateat, ut ad mortis etiam periculum pro praeceptore subeundum extendi possit, tamen expresse in Hippocrates non adfirmat, nec commode eo verba textus detorqueri possunt.⁷³⁸

And he is right, Memmius has this type of thinking in his commentary but, I believe, it is more complicated than just a misunderstanding of the word βίος. Memmius builds the argument in terms of gratitude and ingratitude, to secure reciprocity between the teacher and the disciple (like in a son-father relationship), so that the disciple should be so grateful as to give his life for his teacher. This produces the utmost free minds of the teachers to illustrate and expand the art of medicine and philosophy.⁷³⁹ It makes sense if we think about physicians as a small group of specific people, or the ‘chosen’ ones, since not everybody could study medicine, not in Hippocrates’ times and still not in Memmius’ times. This reciprocity would have worked as a way of self-protection. The other part of the argument that might save Memmius’ idea is the son-father relationship to which the teacher - disciple aspires to have. It is nonsensical to think to give one’s life for a teacher, but it is not at all to give it for one’s parent. Meibom’s argument relies on the discrepancy of Hippocrates’ words in the Oath and Memmius’ interpretation of them.

⁷³⁷ JHM, *jusjurandum*, p. 80. Neque aliorum trahenda hic est vox βίος, quod Petrus Memmius ex ignoratione πολυσημίας eius fecit, *Commentario ad hunc locum*.

⁷³⁸ JHM, *jusjurandum*, p. 81-82.

⁷³⁹ MEMMIUS, In Hippocratis coi iusiurandum commentario, Online: <http://purl.uni-rostock.de/rosdok/ppn861504348> (06.05.2019) For the whole argument: Dv- D3r. Here D2r-D2v: “Discipulorum est, non minore reverentia praeceptores, quam parentes, a quibus vitam acceperunt, prosequi, hos perpetuo, tanquam quod clarissimum est, diligere. Sed nec hisce limitibus continetur, gratitudo, vult praeterea vitam pro praeceptore profundi, si necessitas postulaverit: ex quo manifestum sit, latissime patere gratitudinis terminos, qui ad mortem usque pro praeceptore subeundam extenduntur. Quae gratitudinis latitudo omnem ingritudinis radicem ex animis discipulorum evellit, et si aliqua ingritudinis nota erumpat, supplicio aliquo, ut apparet, expianda est: si enim illum aliquis foedissima injuria afficiat, pro quo mortis periculum postulante necessitate subeundum est, extrema certe, si fides non servetur, poena ei miniatur. Si vero vitam pro praeceptoribus nulla exigit necessitas, nihil erit in discipulorum potestate tam charum, quod non velit exigente necessitate promptissimo animum communicare. Haec obligatio animos praeceptorum ad artem medicam et philosophiam illustrandam et amplificandam effecit liberrimos.”

I would also like to point out the last sentence here above quoted, that is, the conscience that Hippocrates' words can and are being twisted to mean other things and that it is important to read what he wrote expressly.

- Caput decimum. Καὶ τὸ γένος τὸ ἐξ ἐωυτέου ἀδελφοῖς ἴσον ἐπικρίνειν ἄρρεσι. Καὶ διδάξειν τὴν τέχνην, ἣν χρητίζωσι μανθάνειν, ἄνευ μισθοῦ καὶ συγγραφῆς. Summaria. 1. Ingratitudinis votium. 2. Gratitude Hippocratis. 3. Aristotelis. 4. Praeceptorum liberis quare benefaciendum? 4. Ἀδελφοῦ ἐτυμον. 6. Ἀδελφοὶ ἄρρένες. 7. Fratrum discordia. 8. ἄρρην Graecis quid? 9. quid masculum Latinis? 10. Hippocratis verborum sensus. 11. Diversa in textu lectio. 12. Praeceptorum liberi a discipulis docendi sine mercede. 13. Salariatus ut doceat, an διδάκτρον exigere queat? 14. μισθός et διδάκτρον differunt. 15. Gratis docentium preceptorum exempla. 16. Praeceptoris pauperioris, etiam salariati, ratio habenda. 17. Praeceptor et Medico non rei meritum, sed opera locatae solvitur. 18. Sponte oblata a discipulis recipere Praeceptoribus licet. 19. Moderatio in acceptandis praemiis. 20. Jacobi Silvii avaritia. 21. Andreae Aliciati error.⁷⁴⁰

Meibom was in a little bit of trouble in this chapter because he had to go against the word of Hippocrates about teaching without fee or payment while writing the Commentary being paid by the Bishop of Lübeck and living in a comfortable and safe condition despite the war. The answer is simple; a physician must teach for payment, just enough for his living and must not accept payments that are not necessary nor from poor students.⁷⁴¹ Hippocrates did not say that the physician should teach everybody for free but only the teacher's sons, because he learned the art from him and teaching them for free is only a small compensation and a display of gratitude.⁷⁴² Having a salary from the Prince, Bishop or University was not against the Oath after all.

- Caput undecimum. παραγγελίης τε καὶ ἀκρόησιος, καὶ τῆς λοιπῆς ἀπάσης μαθήσιος μετάδοσιν ποιήσασθαι. Summaria. 1. Lectio Hippocratis vulgatiores adserta. 2. παραγγελία. 3. ἀκρόασις. 4. Priscorum mos excerpenti et colligendi. 5. ἐκλογαί, παρεκβολαί, excerpta. 6. Scriptorum genus priscis duplex. 7. Aristotelis exoterica et acromatica. 8. ἐχωτερικά unde dicta?. 9. ἐγκύκλια. 10. Vatablus, Monte-

⁷⁴⁰ JHM, *jusjurandum*, p. 83-84.

⁷⁴¹ JHM, *jusjurandum*, p. 90-91.

⁷⁴² JHM, *jusjurandum*, p. 92-93.

casinus, Ramus, notati. 11. Sermones Pythagoricorum μυστικοί. 12. Democritii χειροτόνητα. 13. Heracliti opus περί φύσεως. 14. Darii ad Heraclitum Epistola. 15. Platonis scriptorum differentia. 16. et Pythagoraeorum. 17. et Hippocratis, 18. Epidemiorum et Aphorismorum Hippocratis collatio. 19. quid παραγγελία et ἀκρόασις Hippocrati. 20. quid per λοιπὴν ἀπάσιν μαθήσιν velit. 21. Hippocrates ex Aristotele explicatus. 22. et Galeno. 23. Sensus verborum Hippocratis.⁷⁴³

This chapter tries to understand the meaning of two Greek words, παραγγελία and ἀκρόασις. They have been understood in the past and even today as referring to the way of teaching making παραγγελία (precept or instruction) something that was not taught orally in opposition to ἀκρόασις (oral communication). Meibom goes to another path taking as an example Aristotle's *exoterica* and *acromatica*.⁷⁴⁴ The Greek words then have to do more with the type of knowledge and thus the specific public they were addressed to: *Sensus itaque verborum Hippocratis est: se tum παραγγελίας, sive praeceptionum generalium, tum ἀκρόασεως sive accuratioris doctrinae, tum exercitationis in particularibus, atque adeo totius artis copiam discipulis suis facturum, et μετάδοσιν ποιήσεσθαι, ac sincere omnia traditurum*.⁷⁴⁵

- Caput duodecimum. Υἱοῖσι τε ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, καὶ μαθηταῖσι συγγεγραμμένοις τε καὶ ὠρκισμένοις νόμῳ ἱητρικῷ, ἄλλῳ δὲ οὐδενί. Summaria. 1. Discipulorum Hippocratis differentiae. 2. Medicinae per Asclepiades propagatio. 3. ἱατρῶν παῖδες. 4. Medicus ex Paeonis familia. 5. Discipuli συγγεγραμμένοι. 6. ὠρκισμένοι. 7. Νόμου vocabulum πολύσημον. 8. Vocabuli Legis acceptis apud Plautum. 9. Discipulorum Hippocratis duplex iuramentum. 10. Hippocrates non quosvis docere voluit. 11. Invidia e Medicina farcillanda. 12. Hippocrates invidiae expers. 13. Res sacrae profanis non revelanda. 14. Orgia et mysteria quid? 15. Artium solis initiatis tradendarum mos. 16. Mos Armeniorum. 17. Chaldaeorum. 18. Hebraeorum. 19. Druidarum. 20. Pythagoraeorum et Platoniorum. 21. Brachmanum. 22. Liber clausus et apertus Doctorandorum. 23.

⁷⁴³ JHM, jusjurandum, p. 93.

⁷⁴⁴ JHM, jusjurandum, p. 95.

⁷⁴⁵ JHM, jusjurandum, p. 99. And the meaning of the words of Hippocrates ist: παραγγελίας or of the general precepts, then ἀκρόασεως or of the elaborate doctrine, then of the practice in particular [cases] and in the same degree he will prepare the richness of the art for his disciples and μετάδοσιν ποιήσεσθαι (do the sharing) and will transmit all things sincerely.

Initiati, non initiati. 24. Hippocrati Lux a Villanovano. 25. Tralliano. 26. Medicinae praecepta et remedia male vulgo revelantur. 27. et cum aegrotorum periculo. 28. Iuris Civilis translatio Germanica improbata. 29. Hippocrates vernacula sibi scripsit lingua, nec tamen omnibus, sed doctis. 30. Nec intelligitur nisi ex se ipso, et a Lectore in arte exercitato. 31. Causa erroris Commentorum Hippocratem. 32. Etiam Galeni ipsius. 33. Cratonis sententia. 34. Medicorum quorundam supinitas, et hinc poenitentia aut poena. 35. Nec Galenus omnibus scripsit, quae edidit. 36. Nec ex Arabibus quidam, ut Haly Abbas. 37. et Averrhoes. 38. Phrasis sententia de aptis ad Medicinam.⁷⁴⁶

Since in previous chapters some other things were already said about the teacher, the disciple and the sons, here we find a sort of hierarchy between them established by Hippocrates: first one's sons, then the teacher's son, then the disciple's sons, and then the rest of the initiated or sworn disciples.⁷⁴⁷ The rest of the chapter argues that the art of medicine, just as other knowledge, was not to be told nor taught to anybody but to the person worthy of it, who will not only study and learn it throughout but will make it grow and take care of it with the same jealousy as his teacher did while instructing him.⁷⁴⁸ To reveal the secrets of the art, remedies or medicaments to an undeserving person is against the Oath and the perjurers degrade the knowledge, that is why more things are attributed to vulgar and mediocre people than to the ones who actually devoted their lives to the art.⁷⁴⁹ The Oath works as a guarantee for both, to know who is deserving of the art and to bind him in the secrecy of the art. The chapter is an accomplished knitting of quotes and commentary to make clear how important it is that the art of medicine does not end in the wrong hands; a discussion needed today more than ever.

- Caput decimum tertium. Διαιτήμασί τε χρήσομαι ἐπ' ὠφελείῃ καμνόντων, κατὰ δύναμιν καὶ κρίσιν ἐμήν. ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἶρξειν. Summaria. 1. Lectio in textu diversa. 2. ἐπ' ὠφελείῃ καμνόντων. 3. διαιτήμα quid? 4. Διαιτής vocabulum aequivocum. 5. ejus

⁷⁴⁶ JHM, jusjurandum, p. 100.

⁷⁴⁷ JHM, jusjurandum, p. 100. Primo igitur loco suos, secundo praeceptoris filios ponit, tertio discipulos caeteros, artis mysteriis initiatos.

⁷⁴⁸ JHM, jusjurandum, p. 104 ss.

⁷⁴⁹ JHM, jusjurandum, p. 108. Etenim et in sanctissimum hoc jusjurandum peccant, et Medicorum res eo devolvunt, ut ganeonibus, carnificibus, aniculis, agyrtis et cuivis ex infima populi faece, tantum in arte fidei atque auctoritatis, et saepe plus tribuatur, quam iis qui in ejus praeceptis vitam fere consumpserunt.

originatio. 6. Diaeta in ὀρεῶν quid notet? 7. ejus utilitas. 8. Dea Victa et Potua. 9. Paracelsi error, aut inscitia. 10. qui paucis refellitur. 11. et se ipsum refellit. 12. Hippocratis aetas. 13. κατὰ δύνάμιν καὶ κρίσιν. 14. Aegrorum in diaetis peccata. 15. Impostorum latebrae sub verbis illis, κατὰ δύνάμιν καὶ κρίσιν. 16. Magistratus in hoc passu officium. 17. Veneficia in cibis. 18. δηλήσις quid. 19. ἀδικία et ἀμάρτημα differunt. 20. εἶρξιν quid. 21. Hippocratis verborum sensus. 22. Fabius Calvus notatus.⁷⁵⁰

The main object of this chapter is diet. Meibom recalls that it is more than just food or eating as it was understood in Rome, but the recommendations to be followed to preserve or regain health. Just as remedies must not be misused and used carefully, one should pay attention to the diet according to each specific illness. The only controversial point here is the posture of Paracelsus,⁷⁵¹ who is doubtful of the use of diet as a cure since sick persons regained health even without changing the diet.

There is a small part that discusses the responsibility of the physician in case of death or injury to the patient, distinguishing two types of wrongdoing, the ἀδικία or injury with the knowledge and consciousness that the act is wrong and still do it, and the ἀμάρτημα, do it by ignorance and without will.⁷⁵² This part could lead the way to a very long and enthusiastic discussion about the physician's role and power to make the patient regain health and the patient's responsibility in the process.

- Caput decimum quartum. Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ αἰτηθεὶς θανάσιμον· οὐδὲ ὑφηγήσομαι συμβουλίην τοιγόνδε. Summaria. 1. Tres negationes apud Graecos summe negant. 2. φάρμακου etymon duplex. 3. et significatio duplex. 4. ut et medicamenti. 5. et veneni. 6. et virus. 7. φάρμακον θανάσιμον. 8. Medicus nec hosti det venenum. 9. Iulianus Alexandrinus notatus. 10. et Iustus Velisius. 11. sed dubitanter. 12. Hippocrates an in hoc passu aliquando peccarit? 13. Romani venenorum fraudes nec in hostes probarunt. 14. Fabricii Cos. Romani memorabile exemplum. 15. M. Aquilii factum improbatum. 16. Eudemi et Xenophontis Medicorum scelera. 17. et Fridanci. 18. et Zedeciae Iudei. 19. et aliorum 20. Servipius dolus in Domitium. 21. et Medici apud Apuleium. 22. Consimilis Cleophanti pietas. 23. Medici occidentis poena. 24. συμβουλίην ἡγήσασθαι, et ὑφηγήσθαι. 25. in conscientiam adhibere,

⁷⁵⁰ JHM, jusjurandum, p. 111.

⁷⁵¹ JHM, jusjurandum, p. 113.

⁷⁵² JHM, jusjurandum, p. 115 ss.

aut sumi. 26. De venenis ut agendum Medico. 27. Veneficus quis? 28. Etiam venditio veneni prohibita. 29. Statii Annaei Medici factum improbatum. 30. An different exhibere venenum, et dare ut exhibeatur. 31. Archigenes Medicus an peccarii in iusjurandum Hippocratis? 32. An liceat Medicis veneni vim et alexipharmaci in morti damnatis experiri? 33. Herophili carnificina. 34. et Carpi. 35. et Fioravanti.⁷⁵³

This chapter discusses two main points, the prohibition of giving poisons and the question if the physician must always help and to anyone.

The prohibition of poisons is very clear in the Hippocratic Oath. The author was so clearly against it that, according to Meibom, he used a triple negation to make it stronger.⁷⁵⁴ There is a mention of the use of poisons in prisoners convicted to death, in which the poison was tested in search of a cure since they were already sentenced to death they had at least a chance to save their lives and be useful to humanity.⁷⁵⁵ The key words for Meibom are “consentiente Magistratu”,⁷⁵⁶ it means, if it is judged by law to be permissible it is allowed even for the physician to do it. Otherwise, the poison is always depicted as bad and dishonourable because to use it against someone to kill him was as bad as killing him with a sword.

The poison must not be used, not even against enemies. The physician must help to preserve and obtain health even to his enemies because it is not his job to judge if someone is good or bad. The famous story about Hippocrates refusing to help the Persians is mentioned.⁷⁵⁷ The episode was considered acceptable because, if he had helped the Persians, Greece would have been in danger.⁷⁵⁸

- Caput decimum quinctum. Ὁμοίως οὐδὲ γυναικὶ πεσσὸν φθόριον δώσω. Ἀγνῶς δὲ καὶ ὁσίως διατηρήσω βίον τὸν ἐμὸν· καὶ τέχνην τὴν ἐμήν, etcaetera. Summaria. 1. Πεσσοὶ et πεσσὰ communiter. 2. Pessi et pessaria Medicis. 3. πρόσθετα, 4. ἐγκολπισμοὶ a pessariis differunt. 5. πριαπίσκος βάλανος. 6. πεσσὸς φθόριος. 7. φάρμακα φθόρια. 8. Ejicere. 9. ἀμβλωτικὰ. 10. Ἀγώγιμα. 11. Poculum abortionis. 12. abortus. 13. ἐκτρωσμός, ἔκρυσις, ἄμβλωσις. 14. ἔκρυσις

⁷⁵³ JHM, iusjurandum, p. 119.

⁷⁵⁴ JHM, iusjurandum, p. 119 -120.

⁷⁵⁵ JHM, iusjurandum, p. 129 ss.

⁷⁵⁶ JHM, iusjurandum, p. 129.

⁷⁵⁷ For the full explanation of this story and its tradition see PINAULT, Hippocratic lives and legends, E.J. Brill 1992.

⁷⁵⁸ JHM, iusjurandum, p. 123 ss.

differt a caeteris. 15. abortus et aborsus differunt. 16. Faeminarum maximum munis, accipere et tueri conceptum. 17. Abortum provocare, summum scelus. 18. Hippocratis religiositas. 19. Sub pesso corruptorio etiam alia φθόρια comprehenduntur. 20. Hippocrates ex Scribonio explicatus. 21. Galenus hippocrati ὁμόψηφος. 22. Excussi foetus poena in sacris litteris. 23. Ex cononum jure. 24. Sixti V. Bulla, 25. Solonis et Lycurgi in abortionum auctores animadversio. 26. Iuris Civilis sanctiores variae. 27. Valentiniani, Valentis, et Gratiani decretum. 28. Supponere pessum φθόριον, et dare ut supponatur, ad different?. 29. Canonum sententia. 30. Conscientiae ut consulendum? 31. Abortum quando procurandum non nulli putaverint? 32. Et quidem Hippocratis exemplo muniti. 33. et Exodi loco super distinctione foetus formati a non formato. 33. quam Canones etiam recipiunt. 25. et Constitutiones Imperii. 36. Non sunt facienda mala, ut eveniant bona. 37. Parvitas uteri non est caussa, ob quam excuti debeat foetus. 38. Faeminae etiam parvae saepe sine periculo pariunt. 39. Uteris parvitatatis an certa sint signa? 40. Angustia colli uteri non indicat foetus corruptionem. 41. Faeminae ἀτρητοι, imperforatae. 52. Sectionis Caesariae in gravis adminstratio. 43. Ob vesicam imbecillem non provocandus abortus. 44. nec ob morbum matris acutum. 45. Abortus per se periculosi. 46. et magis accedente morbo acuto. 47. ἔκρυσις in gravida non solicitanda. 48. Tertulliani de hoc sententia. 49. Historiam Hippocratis de Psaltria, ut quidam excusent? 50. liber de natura pueri an Hippocratis? 51. Exodi locus sub trutinam vocatus. 52. Graeci interpretis sententia. 53. et Latini. 54. Graeca translatio non authentica. 55. Textus Hebraeus ad verbum redditus. 56. Rabbi Avenezra et Salomon notati. 57. Hebraici textus sensus. 58. Dionysii Richel, et aliorum sententia. 59. Foetus quo tempore animetur. 60. an circa xxx. vel xxxv. diem? 61. Probabilius esse, citius foetum animari. 62. Et quidem in ipsa statim conceptione. 63. Sixti V. Bulla laudata. 64. Disputationis conclusio. 65. Hippocratis sententia aurea. 66. a Zvingero explicata. 67. Zenonis Alexandrini laus. 68. et Daphni Ephesii. 69. et Iamblichi.⁷⁵⁹

This is the longest chapter of Meibom's Commentary. It also represents one of the parts of the Hippocratic Oath with more problems of interpretation and thus one of the most commented in textual tradition. Because of that and the findings made in NSUTB Gött and GWLB Hann, I present in the

⁷⁵⁹ JHM, *jusjurandum*, p. 131-132.

next section an edition, translation and commentary of Meibom's Text. For now, it is only necessary to point out that he analysed the fragment in three phases; first the Greek meaning of the most meaningful words of the phrase; second, their traditional understanding and; third, he commented on every possible problem that it implied. This structured analysis can also be seen in other chapters (2, 3, 4, 11, 13, 14, 20, 21, 22).

- Caput sextum decimum. Οὐ τεμέω δὲ οὐδὲ μὴν λιθιῶντας· ἐκχωρήσω δὲ ἐργάτησιν ἀνδράσι πρήξιος τῆσδε. Summaria. 1. Calculi in quavis corporis parte generantur. 2. Calculus in gena generatus. 3. in linguae ligamento. 4. λιθὶς et λιθίασις. 5. λιθῶντες, et λιθιῶντες, an different? 6. Quos Hippocrates hic intelligat per λιθιῶντας. 7. Renum sectio. 8. An remedium calculo infringendo noverit Hippocrates? 9. An λιθίασις citra sectionem curabilis? 10. An Chirurgia, seu manum operatio ad Medicinam pertineat? 11. Avenzoaris sententia, et Oribasii. 12. sententia vera. 13. Chirurgia pars Medicinae. 14. Chirurgiae auctores. 15. Machaonis et Podalirii studium diversum. 16. Apollo ἡπίόχειρ. 17. Medici Clinici et Chirurghi. 18. Operationes Chirurgicae Medicis adscriptae. 19. et instrumenta Chirurgica. 20. Hippocratis scripta Chirurgica. 21. Galenus Chirurgiam exercuit. 22. Medicus etiam Chirurgus. 23. Minister Medici et Chirurghi. 24. Hujus requisita. 25. Barbatores hodierni, an mereantur nomen Chirurghi? 26. Medici carnifex. 27. Medicus quo respectu manibus operetur? 22.[sic] Medici certarum partium. 29. Medici Ocularii, Dentarii, Auriculares. 30. Ex horum censu lithotomi. 31. ἐργάται qui? 32. Medicus ἐφχειρήσεως sit peritus. 33. An Hippocrates intuitu crudelitatis calculi sectionem abs se removerit? 34. Causa verior. 35. Duplex verborum Hippocratis sensus.⁷⁶⁰

This chapter deals with one of the favourite clauses in the commentaries, the cutting of stone. Meibom points out that to have stones is something quite common. Conforming to the description of the stones (*lapis*, *calculus*, less *tumor*), they were also understood as abscesses when they were not in the kidneys nor the bladder.⁷⁶¹ The argument is that Hippocrates would have tried to fix the problem first with diet, and then leave it to someone else. This other person is an attendant or servant (*minister*) of the clinical physician, and by no means he has the same status as the learned physician. These attendants are the type of specialised healers that existed like the *Ocularius*, *Auricularius* and *Dentalis*, specialised in the eyes, ears

⁷⁶⁰ JHM, *jusjurandum*, p. 151.

⁷⁶¹ JHM, *jusjurandum*, p. 152.

and teeth respectively.⁷⁶² The surgeon, or the attendant who did procedures with his hands, had to be young for him to have steady hands, undaunted spirit and be merciless; just the opposite to a Physician, old and experienced.⁷⁶³ The attendants specialised in the procedure of lithotomy were called *Medici calcularii*,⁷⁶⁴ and to them, Hippocrates left the responsibility to extract the stone. However, since the attendants were servants, they needed to be commanded. The Physician had also to know the procedure but never to perform it because Hippocrates thought that it was a dishonour to the art.⁷⁶⁵ We got then to a contradiction which was not solved *per se* in Meibom's text. Nevertheless, he also gave the information about the origin of Medicine to prove that surgery was a part of it and that there is nothing wrong about practising it.⁷⁶⁶ The fact that Meibom played with the arguments found in the tradition related to this topic but did not conclude categorically against surgery can mean that he approved the knowledge and practice of surgery though supported by formal education and not only as a hand-practitioner, who's only knowledge comes from experience.

- Caput decimum septimum. Ἐς οἰκίας δὲ ὁκόσας ἂν ἐσίω, ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων, ἐκτὸς ἐὼν πάσης ἀδικίης ἐκουσίης, καὶ φθορίης, τῆς τε ἄλλης, καὶ ἀφροδισίων ἔργῳ. Summaria. 1. Pleonasmī Graecis familiares. 2. Malorum Medicorum mos. 3. Plinio Secundo adscripta Epistola. 4. Praemii inter morbi cruciatus extorsio. 5. Marilis jocus. 6. et Philippo Macedonis, 7. Medicus prohibitum durante morbo cum aegroto pacisci. 8. Medicorum infamia summa, opus quaerere. 9. Aegri salus, suprema Medici Lex. 10. Medicus etiam doctus leviter aliquando errare potest. 11. Praesertim in morbi principio. 12. Hippocratis exemplum. 13. Galeni. 14. Avenzoaris, et Matthaei a Gradis. 15. Nec tamen qui ita errant imperitiae tenentur. 16. Aegyptiorum [sic] Lex a Bocchoride lata. 17. Austrigildis facinus. 18. Et Alexandri Magni 19. Et Antonini Imperatoris. 20. Medico imputatur, quod per imperitiam peccat. 21. et punitur, sed poena extraordinaria. 22. Sensus verborum Hippocratis. 23. Caria in contextu lectio. 24. Gorrhaeus notatus, item

⁷⁶² JHM, jusjurandum, p. 160.

⁷⁶³ JHM, jusjurandum, p. 158-159.

⁷⁶⁴ JHM, jusjurandum, p. 161.

⁷⁶⁵ JHM, jusjurandum, p. 163. Hippocrates sectionem calculi a Medicis amolitur, quod sciat operationem istam tum artis dignitatem dedecere...

⁷⁶⁶ JHM, jusjurandum, p. 155 ss.

Glossae Scaligeri. 25. φθορίη, corrupterla. 26. Ulterior Hippocratis verborum sensus. 27. Gorraeus iterum notatus. 28. ἄλλη quid? 29. quid planus. 30. ἔργα ἀφροδίσια. 31. ἐργάζεσθαι, ἐργασία. 32. opus, operae. 33. ἐνεργεῖν. 34. ἐπ' αὐτοφώρῳ. 35. Castitas Medico Servanda. 36. Aesculapius Agnites. 37. κνίζα apud Scholiasten Theocriti. 38. Zona lumbaris Medicorum quid notet? 39. Medici luxuriosi et adulteri. 40. Didymon. 41. Apollonides Cous, et ejus poena. 42. Vectius Valens. 43. Eudemus.⁷⁶⁷

The emphasis of this chapter is in the behaviour of physicians, not only to go to the patient with the only purpose of curing him and not to make him suffer unnecessarily but to be fair and honest to him and other physicians. It is normal to make mistakes, but physician's mistakes could have more significant consequences, that is why the confession of errors is convenient, to avoid others to repeat them,⁷⁶⁸ in a sort of universal learning. If someone dies in the hands of the physician, but he did everything according to the rules of the art and the method of healing, then he could not be accused of murder.⁷⁶⁹ This is something fundamental to stress because the rest of the chapter continues with the questions if the physician killed on purpose or if it was unwillingly by ignorance.⁷⁷⁰ To all these cases, the answer is in the method of medicine and the rules for practitioners. These rules include to stay away from all corruption, fraud and lust; in other authors also a life of moderation, for example, not to drink nor eat excessively and nor to be ruled by the guts.⁷⁷¹ This chapter has enough information to give way to a long discussion about the physician's responsibility, his ignorance-knowledge, his skills-lack of skills, and its repercussion in the patient's life, family and society.

- Caput decimum octavum. Ἐπὶ τε γυναικείων σωμάτων καὶ ἀνδρῶν, ἐλευθέρων τε καὶ δούλων. Summaria. 1. Lectiones in textu diversae. 2. Lex ὕβρεως Solonis, 3. σώματα οἰκετικά. 4. Servorum conditio apud veteres. 5. Quur Hippocrates etiam servis noluerit contumeliam fieri? 6. Iuris Consultorum opinio. 7. quae in dubium vocatur. 8. Sententia propria. 9. Sensus verborum Hippocratis. 10. Quibus

⁷⁶⁷ JHM, *jusjurandum*, p. 164.

⁷⁶⁸ JHM, *jusjurandum*, p. 167.

⁷⁶⁹ JHM, *jusjurandum*, p. 168. Nec Medico mortalitatis eventus imputari debet, si nihil eorum intermiserit quae ex artis praescripto, et medendi methodo praestare potuit, aut debet.

⁷⁷⁰ JHM, *jusjurandum*, p. 168 ss.

⁷⁷¹ JHM, *jusjurandum*, p. 172 ss.

masculam venerem damnat. 11. Hujus impuritas, et crimen nefandum. 12. Sudomitibus olim familiare. 13. et Graecis. 14. Persis. 15. Romanis. 16. Gallis. 17. Germanis priscis incognita. 18. Dubium de his, dilutum. 19. Poena sceleris in sacris litteris. 20. Apud Graecos. 21. Gothos. 22. Romanos. 23. Lex Scantinia. 24. Exempla a Romanis punitorum. 25. Rescriptum Constantii et Constantis, et Iustiniani Imperatoris. 26. Leonis et Constantini. 27. Valentini, Theodosii et Valentiniani. 28. Iustiniani alia sententia. 29. Censura Ecclesiastica in scelus illud. 30. Constantini et Constantis rescriptum explicatum. 31. Nubere in foeminam. 32. Porrigere, arrigere, ἀφροδήσια. 33. A Dionysio Gothofredo dissensum. 34. Charondae Lex. 35. Persarum.⁷⁷²

As expressed by Meibom, this part could have been together with the last chapter because the phrases belong together. This part focuses on gender and condition; thus, it could be interesting for further researching. Meibom wrote slightly about the legal status of slaves and how they were protected and judged by law because they were not considered as persons but things.

For me, it has two peculiar parts. Once Meibom moves from the condition, he started judging gender. He said almost nothing about having sex with women and focused on male homosexual sex. The first peculiar thing is that, even though he was a physician and studied anatomy, he decided to be cautious about the way he named and spoke about sex between men and their sexual organs. He refused to translate a Greek epigram into Latin⁷⁷³ because it describes the man that is not a woman but suffers the deeds of her, in other words, a man who by nature has a penis but does not use it with women; but he receives it as if he were a woman. Instead of saying directly the words *penis*, *virile membrum*, or *virga*, which were broadly used in anatomical and medical treatises,⁷⁷⁴ he says *partem illam, qua summus id, quo sumus*.⁷⁷⁵ The second peculiar thing is that, while explaining how common the sex between men was, he attributes it to Greeks and make it quite common between the Romans, Persians, and

⁷⁷² JHM, *jusjurandum*, p. 177.

⁷⁷³ JHM, *jusjurandum*, p. 180. *Anthologia Graeca*, 11, 272. Ἀνέρας ἡρνήσαντο καὶ οὐκ ἐγένοντο γυναῖκες / οὐτ' ἄνδρες γεγάασιν, ἐπεὶ πάθον ἔργα γυναικῶν, / οὐδὲ γυναῖκες ἔασιν, ἐπεὶ φύσιν ἔλλαχον ἀνδρῶν. / ἄνδρες εἰσὶ γυναῖξι καὶ ἀνδράσιν εἰσὶ γυναῖκες.

⁷⁷⁴ See for example, Vesalius, *Fabrica*, Book V, p. 355-558. 'Penis' in DILAGE, p. 702.

⁷⁷⁵ JHM, *jusjurandum*, p. 184.

French but not Germans.⁷⁷⁶ For once, Germans are not proud heirs of Greek culture.

It is the first time in which Meibom did not make his usual anatomy of the phrase, explaining the meaning into its uttermost possibility. He appears to me as shocked by the idea of homosexual male intercourse because instead of focusing on the body as such, or the freedom of choice (slaves and free men) as he began the chapter, he devoted more pages to something that was not the main point in the Hippocratic Oath.

- Caput decimum nonum. Ἄ δ' ἂν ἐν θεραπείῃ ἢ ἴδω, ἢ ἀκούσω, ἢ καὶ ἄνευ θεραπείας κατὰ βίον ἀνθρώπων, ἃ μὴ χρή ποτε ἐκκαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα ἡγεύμενος τὰ τοιαῦτα. Summaria. 1. Diversa in textu lectio. 2. Anacharsis Schytha quo schemate dormierit. 3. Hippocratis monitum de silentio servando. 5. De Silentio consilium Periandri. 5. et Sirciacidis. 6. et Agamemnonis. 7. Sientii usus. 8. Garrulitatis noxae. 9. Ejus abominatio. 10. Philolophorum silentii indictio. 11. ἐχεμυθία. 12. Pythagoricorum silentium. 13. Medico maxime convenit silentium. 14. Harpocratis simulachrum in templis Isidis et Sarapis. 15. Silentium Medicorum fundatur in lure naturali. 16. Medicus a Iudice interrogatus an secreta aegrotorum revelare teneatur? 17. Scrupulus a Valleriola injectus. 18. qui amovetur. 19. Virgilii Medicina quur muta dicta. 20. Sententia quorundam. 21. Sententia propria. 22. Hippocratici textus sensus. 23. Hippocrates ex D. Hieronymo illustratus.⁷⁷⁷

This chapter made clear that the physician must always remain silent about the things he hears or sees during practice in a sort of 'seal of consultation', not forced by the laws of God but by the Hippocratic Oath. I would like to make only three remarks about this chapter. First, Meibom chose the quotes correctly; they fit quite right with the topic.⁷⁷⁸ Second, we found in here the only quote in Italian from the Spanish physician Luis Lobera de Ávila (ca. 1480-1551).⁷⁷⁹ It means that Meibom did not understand Spanish but was able to read Italian. The quoted work is *Libro de las quatro enfermedades cortesanas que son: Catarro, Gota arthetica, sciatica, Mal de Piedra y de Riñones e Hijada, E mal de buas: y otras cosas utilisimas* (Toledo,

⁷⁷⁶ JHM, jusjurandum, p. 182.

⁷⁷⁷ JHM, jusjurandum, p. 187.

⁷⁷⁸ See for example the quote of Ovid and the final quote of St. Jerome. JHM, jusjurandum, p. 188 & 193 respectively.

⁷⁷⁹ All the information about Luis Lobera de Ávila: Barona Villar, Josep Luis, 'Luis Lobera de Ávila' in DBE. Online: <http://dbe.rah.es/biografias/19554/luis-lobera-de-avila> (01.11.2022).

Juan de Ayala, 1544) in its Italian version (Venetia, Gio. Battista & Marchio Sessa, 1558 & 1598).⁷⁸⁰ Lastly, Meibom supports the idea that the physician must speak out to the government if the health of the people is in danger, that is, to alert the authorities about any kind of illness that could put in risk the well-being of the population.⁷⁸¹ He established with it an exception of the seal of consultation for physicians.

- Caput vicesimum. Ὁρκον μὲν οὖν μοι τόνδε ἐπιτελέα ποιέοντι, καὶ μὴ ξυγγέοντι, εἴη ἐπαύρασθαι καὶ βίου καὶ τέχνης. Summaria. 1. Iusjurandi Hippocratis pars tertia. 2. Ἐμμένειν ὀρκῷ. 3. εὐδοκεῖν, εὐορκος. 4. Formula finiendi iuramenta. 5. συγγέειν ὀρκον. 6. Conturbatores. 7. παραβίνειν ὀρκον. 8. Lectio in textu gemina. 9. ἐπαύρασθαι. 10. Votum Hippocratis duplex. 13. et in arte facienda successus. 14. An Medicus in artis exercitio peculiari indigeat fortuna. 15. Aliorum opinio. 16. et Astrologorum. 17. Fortuna quid? 18. Quaestionis decisio. 19. Ubi multum artis, ibi parum fortunae. 20. Chilonis Apophthegma. 21. Medico non semper res ex voto succedit. 22. Ἀκεσίας ἰάσατο. 23. Medicina ars στοχαστική. 24. Finis non es in potestate operantis, 25. Aliud officium artificis, aliud fuit. 26. Medicum ut nonnulli fortunatum putent? 27. ut vere fortunatus esse possit? 28. Medicina Diis concedit. 29. lapidis Virginiani exemplum. 30. Aliorum de fortuna Medici sententia.⁷⁸²

Here begins the third part of the Oath. Meibom drove the discussion towards the meaning of fortune, as something that physicians have if they keep the Oath. However, medicine does not depend on fortune but knowledge, because the one who knows the art of medicine can cure even without fortune but not the other way around.⁷⁸³ Because of this, there was the phrase '*Ascesias curavit*' to say it when a patient got worse instead of better by the doing of the physician, and it was rightfully used to name unskilled physicians.⁷⁸⁴ Meibom says that medicine belongs to the conjectural arts, and therefore its end is not completed always.⁷⁸⁵ Judgement plays an important role, but the ultimate healing and the power of the physician depend on God, who gave Medicine to humankind in the first place.⁷⁸⁶ As a

⁷⁸⁰JHM, *jusjurandum*, p. 190.

⁷⁸¹JHM, *jusjurandum*, p. 191-192.

⁷⁸²JHM, *jusjurandum*, p. 193-194.

⁷⁸³JHM, *jusjurandum*, p. 198-199.

⁷⁸⁴JHM, *jusjurandum*, p. 200.

⁷⁸⁵JHM, *jusjurandum*, p. 200.

⁷⁸⁶JHM, *jusjurandum*, p. 201 ss. Meibom quotes the Bible, among other text, which I found illustrative of his argument. Vulgata <https://corpus.bibliamedieval.es/> (01.11.2022). Eco 38:2-

conclusion we can say that for Meibom God is the only real cause of healing, the physician helps through his judgement once the art was learned and fortune is a consequence of practising the art following the precepts given by Hippocrates.

- Caput vicesimum primum Δοξαζομένω παρὰ πᾶσιν ἀνθρώποις, εἰς τὸν αἰεὶ χρόνον· Summaria. 1. Δοξαζομένω παρὰ πᾶσιν ἀνθρώποις. 2. εἰς τὸν αἰεὶ χρόνον, Graecismus. 3. Hippocrates gloriae amans. 4. Gloria virtutis praemium. 5. Hippocrates gloriosus. 6. Atheniensium SC. de Hippocrate. 7. Prytaneium Athenis. 8. Artaxerxes Rex Hippocratem accersit. 9. Coorum responsum masculum pro Hippocrate. 10. Abderitanorum Hippocrati habitus honor. 11. Hippocratis encomia. 12. Cos insula dicta, θεοὺς φέρειν. 13. Paracelsici Hippocratis auctoritate se tueri satagunt. 14. Sepulchro Hippocratis insidentes apes, mel medicatum stipant. 15. Apes insidentes ori Platonis et Stesichori. 15. Epigraphe imaginis Hippocratis, Urbini. 17. Inscriptio Tumuli Hippocratis.⁷⁸⁷

This chapter was devoted to praise Hippocrates since the best reward is to have fame even after dying, just like him. But Hippocrates did not leave the Oath nor behave honourably to gain forever fame but out of love for the truth.⁷⁸⁸ Fame, like the one Hippocrates had, cannot be destroyed by the lack of praise, because even when the praise stops because of his possible flaws, his name is still remembered as it happened with Paracelsus, his followers,⁷⁸⁹ and many others. We finish this summary the same way as Meibom, with the inscription preserved in the ducal palace in Urbino to honour the memory of Hippocrates: *Hippocrati Coo. Ob Salubritatem humano generi datam brevibusque demonstratam comprehensionibus bona corporis valitudo dicat.*⁷⁹⁰

- Caput vicesimum secundum Παραβαίνοντι καὶ ἐπιорκοῦντι, τ' ἀναντία τοιούτέων. Summaria. 1. Παραβαίνειν ὄρκον. 2. αὐτ' ἐκλείπειν 3. ἐπιорκεῖν. 4. Ius pejeratum. 5. ἐπιόρκον ὁμνῶναι. 6. ψευδορκεῖν,

4, A deo est omnis medella et a rege accipiet dationem, disciplica medici exaltabit caput illius et in conspectu magnatorum conlaudabitur. Altissimus creavit de terra medicinam et vir pudens non abhorrebit illi.

⁷⁸⁷ JHM, jusjurandum, p. 203.

⁷⁸⁸ JHM, jusjurandum, p. 203-204.

⁷⁸⁹ JHM, jusjurandum, p. 209-210.

⁷⁹⁰ JHM, jusjurandum, p. 210. There is another reading of the inscription with the ending *bonae posteritatis valetudo dicat*, which makes more sense. LAVALETTE, Le palais ducal d'Urbino, p. 103.

differt ab ἐπιорκεῖν. 7. ut mentiri, a mendacium dicere. 8. Perjurium quid? 9. a mendacio facilis descensus ad perjurium. 10. Medico aliquando mentiri licet. 11. Paladius Sophista notatus. 12. In Medicis humanitas laudata. 13. Callianactis Medici austeritas. 14. Medicus mendacium licitum perjurio non confirmet. 15. Medico aegros decipere licet. 16. ἀπαὶ in iuramentis. 17. earum formulae et exempla. 18. Perjurium, scelus gravissimum. 19. et omnino puniendum. 20. Per genium Principis jurantis poena. 21. In Deum prejuris nulla de jure civili definita poena. 22. Censores tamen apud Romanos de perjurio cognoscebat. 23. Et Pontifex Maximus. 24. Perjuros qui capite plectebant? 25. et quare? 26. ratio alia. 27. Canones perjurium aequiparant homicidio. 28. et perjuros infames pronunciant. 29. quot et Carolus V facit. 30. et digitos praecidi jubet. 31. ut Indi olim solebant. 32. Deorum gentilium pejerantium poena. 33. eam cur finxerit vetustas? 34. Hippocratis imprecatio in pejerantes. 35. Admonitio ad artis initiatos. 36. quos citra iuramentum satius erat τοῦ ὀρκου praecepta servare. 37. quod morum probitas potior sit iuramento. 38 Operis conclusio.⁷⁹¹

To finish his Commentary, Meibom focuses on explaining when an oath is considered perjury and the differences between lying and false swearing. To make a distinction about the different types of oaths and its terminology, the number seven of this chapter is the most explicit:

Qui enim jurat, duo praestare debet; primum ut verba animo congruant, quod ἀληθορκεῖν dicebat Chrysippus:⁷⁹² alterum, ut factum congruat verbis, quod idem appellat εὐορκεῖν. Qui in illo peccat, ψευδορκεῖν, qui in hoc, ἐπιορκεῖν Chrysippo dicitur.⁷⁹³

It is vital to be sure of one's desires and commitments, not to go against one's own wishes and disposition of mind; then to review that the words about to be spoken or signed agree to it, only so the oath can be true and will be completely honoured. The stressed point in this passage is to be congruent. If the oath is done accordingly, there is no need to lie.

Meibom remembers his definition of oath and the consequence of perjury: "quemadmodum enim jusjurandum ostendi esse religiosam adfirmationem, Deo adhibito teste: ita *perjurium* nihil aliud erit, quam *mendacium*

⁷⁹¹ JHM, jusjurandum, p. 211.

⁷⁹² Chrysipp. Stoic., SVF, II, Frg.197.

⁷⁹³ JHM, jusjurandum, p. 212.

falsa divini numinis obtestatione firmatum. Sive ut Petrus Lombardus habet, libri III sententiarum, distinctio XXXIX."⁷⁹⁴

But even though lie is in the central part of the discussion as the first step towards perjury, the physician can lie, not about what he swears, but to his patient if the truth would affect his recovery or his actual health condition.⁷⁹⁵ This type of lying is allowed only because its main objective is to take care of the patient, following the principle of 'not to harm' of the Hippocratic Oath.

After many examples and more descriptions of the act of perjury, it ends up being considered as bad as homicide or even worse according to some laws. With a homicide, the body is lost, with perjury the soul, and the latter is much more precious than the former.⁷⁹⁶ That is why all oaths include a curse clause at the end, to warn the swearer of the consequences, either the ones of the humankind, like cutting the finger; or the divine kind, having the gods against one's fortune and life.⁷⁹⁷

To finish this summary of Meibom's Commentary, we give his finishing words that imitate the tone of the ending clause of an oath:

In qua sententia finio, ac Deum veneror submitte, precorque, ut unicuique gratiam suam, tum jusjurandum hoc recte praestandi, tum vitam artemque ab omni scelere puram conservandi, largiri clemens bonusque dignetur, cui soli laus, honor, et gloria sit in omne seculum. FINIS.⁷⁹⁸

3.2.1.4. Fourth Part

The last twelve pages of the commentary are devoted to indices. They are introduced by a short note⁷⁹⁹ by Willem Christiaensz who says that he de-

⁷⁹⁴ JHM, jusjurandum, p. 212. PETRUS LOMBARDUS, PL 192 col. 835-838.

⁷⁹⁵ JHM, jusjurandum, p. 214. Etenim mentiri apud aegrum, aut eundem decipere, si ejus bono et salute id fiat, Medico, un dixim saepe licet.

⁷⁹⁶ JHM, jusjurandum, p. 219.

⁷⁹⁷ JHM, jusjurandum, p. 219.

⁷⁹⁸ JHM, jusjurandum, p. [220] sic 210. And I end with this opinion and implore and beg God to cherish that he may deem anyone good and gentle, worthy of granting his grace, of taking this oath correctly and of keeping the art and life pure of all crime; only to him may there be praise, honor and glory in the whole century.

⁷⁹⁹ JHM, jusjurandum, p. 221. TYPOGRAPHUS LECTORI. Finem operatum facturus, benivole Lector, non abs re fore, immo ex usu tuo putavi, si Indicem rerum verborumque, quae notare operae pretium fuisset, operi subjungerens. Sed et temporis intercessit angustia, et quaedam supervenere alia, quo minus praestare id potuerim, Ne tamen plane μείωπος videatur liber, atque ut uno quasi intuitu res praecipuas perlustrare tibi leceret, Indicem Capitum omnium, et auqe in iis continentur singuralia, continua serie heic loci subtexere volui, ut adcuratoris Indicis vicem is quoquo modo praestaret. Tu utere eo, vale et mihi fave.

3.3 Meibom's Commentary on the Hippocratic Oath – Chapter 15: 'Similarly, I will not give a destructive pessary to a woman. Pure and holy I will keep my life and my art.'

cided to put all the summaries of the chapters, here already transcribed, and a list of the authors mentioned to make it easier for the reader to consult.

The index of authors has no page numbers, but it helped us to find out the authors added by Meibom in his second edition.⁸⁰⁰ Some of these authors are the French historian Gulielmus Paradinus (ca. 1510-ca.1590)⁸⁰¹, the poet and historian Georgius Codinus,⁸⁰² the student of Augustinus Eulogius Favonius,⁸⁰³ the Italian humanist Carolus Sigonius (1524- 1584),⁸⁰⁴ the German jurist Christophorus Besoldus (1577-1638)⁸⁰⁵ and many others. The authors reveal that he was more concerned to add historical and legal sources than medical.

3.3 Meibom's Commentary on the Hippocratic Oath – Chapter 15: 'Similarly, I will not give a destructive pessary to a woman. Pure and holy I will keep my life and my art.'

Chapter 15th of Meibom's Commentary deals with the part of the Hippocratic Oath which in the medical tradition prohibits the practice of abortion. In this section we will see Meibom's posture about it, how he got to his conclusion, if it is allowed or not to practice an abortion and according to whom.

Before going into a deep analysis of this chapter of Meibom's Commentary, it is advised for the reader to review the text and translation of such chapter, here in section 5.1. The brief annotations to Meibom's Commentary made here are meant to be read at the same time as Meibom's

⁸⁰⁰ NSUTB Gött Meibom 4, f. 263r, 263v, 280r, 280v. "Abrahamus Gorlaeus, Aelius Lampridius, Albertus Magnus, Anonymus Sophista Graecus, Antonius Muretus, Apollodorus, Apholonijs rhetor, Gerponiacon, Avienus, Carolus Sigonius, Christophorus Besoldus, Constantinus Africanus, Cyriacus Spangenbergius, Dermophilus, Dionysius Cato, Favonius Eulogius, Franciscus Luisinus, Ioannes Beverovicus, Georgius Codinus, Guilielmus Paradinus, Henricus ab Heer., Henricus Lindenbergenis, Henricus Pelvejus, Heraclitus, Hermanus Conringio, Hieracles, Hieronimus Bresauda, Hurapaldo, Jacobus Primerosius, Ioannes Boccatus, Ioannes Buodaus, Ioannes Guintherius, Ioannes Harisberiensis, Isaac Arabs, Julius Fermicus, Ianius Philargysas, Leonardus Guehsius, Ludovicus Cavrio, Marianus Marscenus, Melchior Sebizius, Moyses Medicus, Natalis Comes, Nicephorus Geogoras, Notitia Imperii, Otho Henrius, Petrus Forestus, Philippus Thessalonicensis, Palycenium Polybus, Pomponius Ictus, Porphyrius, Sallustius, Salvianus, Scipio Mazzella, Scholiaties Callimachi, Seneca Empiricus, Simon Goulertius, Theodorus Collades, Tyrtaeus."

⁸⁰¹ <https://data.cerl.org/thesaurus/cnp01879236> (01.11.2022).

⁸⁰² <https://catalogue.bnf.fr/ark:/12148/cb122319991> (01.11.2022).

⁸⁰³ DNB <http://d-nb.info/gnd/11863898X> (01.11.2022).

⁸⁰⁴ DNB <http://d-nb.info/gnd/118797174> (01.11.2022).

⁸⁰⁵ DNB <http://d-nb.info/gnd/119223473> (01.11.2022).

text; otherwise, they might sound unarticulated. I tried, to the extent of possible, not to make a summary of each number because it would have been too repetitive. I recommend the reader to use this text to discover more about Meibom's sources, references, and his way of proceeding.

In section 5.1 I also present the transcription of the manuscript draft of Meibom's Commentary (NSTUB Gott Meibom 164) which could not be collated in the main edition due to the lack of continuity of the text and the fragmentary of some ideas which evolved to form the published Commentary. This transcription is accompanied by a table to compare better the passages used in the printed version of the Commentary. This text could be useful for the reader in case he is searching the development of an idea or more accuracy in some points I will be stressing during my analysis.

As a result of the analysis of Meibom's Commentary another point came to mind: the word *φθόριον* might not necessarily mean abortive, not in the context of the Hippocratic Oath and not always in other gynaecological contexts. I offer a brief proof of the interpretation of the word *φθόριον* as destructive. I have already mentioned this idea in many other parts of this research. I present here the first approach to my hypothesis of interpretation; more profound and broader research is still needed.

3.3.1. Remarks on Meibom's Commentary – Chapter 15th

Meibom began his Commentary through language analysis. The first two numbers (1,2) deal with the meaning of the word “pessary”, first in a wider common meaning, then in a medical way. If we think about the clause to ‘give a destructive pessary’ (*πessόν φθόριον δώσω*), it is evident by the context that the pessary is some remedy used by physicians for women.

However, it was necessary to explain further, hence the importance of the quote to Paul of Aegina (2), which did the job for Meibom, giving the reader an accurate description of a pessary. To avoid further questions about other types of instruments or ways to apply medicaments in women's genitalia, Meibom gave the reader all other similar words that might be used sometimes as a synonym but that are to be differentiated due to their medical use. The fact that the five (1-5) first points of the chapter are about the single word ‘pessary’ already speaks about the first problematic piece of this fragment of the Hippocratic Oath, which needed to be elucidated before moving on.

Number six (6) brings to the commentary the most problematic word of the fragment of the Oath, in my opinion, that is the adjective to the word ‘pessary’(*πessόν*): ‘destructive, corruptive’ (*φθόριον*). But if one may want to object about the meaning of *φθόριον* as abortive, Meibom uses ancient

authors and even a legal source to point out that the destructive pessary is so because it produces an expelling, that is, an ejection of the product of conception. The following numbers (7, 8, 9, 10) are devoted to proving this transition of meaning from only 'destructive' to 'abortive'. As seen in Meibom's Commentary, there are many other words (ἐκβόλια, ἀπόφθαρμα, ἀμβλωτικὰ, ἀγώγιμα) used by many authors to mean 'abortive' besides φθόριον. However, the only quote that does a kind of transition between them and φθόριον is that of Budaeus (Guillaume Budé)⁸⁰⁶ because he introduces the term φθόριον as an almost synonym of ἐκβόλια to get rid of the killed child in the womb. This reference to Budaeus is quite significant because it resumes nearly half of this chapter of Meibom's Commentary. It gives me the impression that Meibom was just collecting and enlisting references and quotes to make it more reliable because he is not giving his point of view nor criticising the contents but making the reader aware of the matter with almost the same words and, sadly, the same references of his quoted source. Instead of pages of short argumentative paragraphs and lists of references, it would have been more comfortable for the reader to go directly to this passage of Budaeus, which ends the utility of Meibom's commentary on this point.

Another objection to Meibom's way of supporting this meaning of the word φθόριον is precisely the text from the *corpus hippocraticum* he refers to Books V & VII of *Epidemiae*. These two books are precisely the ones historically considered as of a third class, after books I, III and II, IV, VI. They were considered in Antiquity as not belonging to the doctrine of Hippocrates until the edition of Littré.⁸⁰⁷

My last caution about believing completely the transition of meaning here expressed by Meibom, and with him that of the medical and philological tradition of understanding and translating the word φθόριον as 'abortive', is that in the original Greek text we cannot know the object to be destroyed, or even in the meaning given by Meibom, 'ejected'. If however, the meaning of φθόριον is to be understood as 'destructive' (or 'corruptive', which also works), it is clear in the original Greek that the destructive object is a pessary (πessόν); the destructed thing could be a child in the womb, an embryo, a foetus and also the uterus, the genitalia or any other anatomical part of women. If we understand it as 'ejective' by context and tradition, then the object could only be something that grows inside or that is already inside, like a conceived being in the womb or the womb itself (uterine prolapse). Without the restraint of the semantic field

⁸⁰⁶ See n. xiv to the translation.

⁸⁰⁷ JOUANNA, in the introduction to Hippocrate, *Épidémies*, V et VIII, p. I-XVII.

that Meibom (and the tradition) built up, the Hippocratic Oath protects women against any harm in gynaecological treatment and does not focus on abortion, which would solve some problems that will be addressed later, such as procuring a flux or causing sterility.⁸⁰⁸

Once the meaning had been understood and accepted as 'abortive', it was necessary to explain the meaning of abortion. Meibom offers a general definition given by Galen, then Sextus Pompeius Festus, Isidor and Hippocrates (12,13). This use of authors for defining a word points out the nature of Meibom's commentary. Even though it begins with a medical topic, full of medical tradition, he continually turns to other sources, grammarians, theologians, philosophers, etc. His logic and argumentation are far from being based solely on medical sources or medical experience.

By bringing different sources, many other words come to the scene of definition (14, 15): *ἐκρυσις* (*effluxio*), *ἀποφθορά* (*deperditio*), *ἀμβλωσις*, *abortus*, *aborsus*, *corruptio*, *ejectio*. These definitions are mostly supported by the great medical-physical authorities (Hippocrates, Aristotle and Galen) and the later added source of the Renaissance, L. Bonaciolus, who, in my opinion, clarifies all the differences between one concept and the other even better than the paraphrase made by Meibom. The medical or philological opinion of Meibom about this topic is not to be found.

A step to move forward in the commentary begins with number 16. The greatest evil is to procure an abortion because the greatest and special duty of women (*maximum et praecipuum foeminarum munus est*) is to accept and protect the conceived (*accipere et tueri*). The action of procuring an abortion is an evil deed or crime, because it goes against the duty of woman? Where does this duty come from? Why should she accept this specific duty? Who imposed it to her? (17) Cicero gives Meibom a hand in the argumentation to say that the progeny is vital for the continuation of family, city, and society. Then the argument moves to a particularly important matter for Meibom about abortion, that the conceived is killed before it has been baptised. Contrary to what could be expected, the problem is, until now, not that whatever form of life is put to risk but that it endangers society and, even worse, Christianity. That is also why in the next fragment (18) Hippocrates is referred not as the better or wiser physician but as more pious, which puts the physician of Cos under entirely different and relatively new scrutiny.

In the next numbers (19, 20) the argument of the commentary steps back again to the understanding of "corruptive pessary", widening its

⁸⁰⁸ See 4.1.2.

meaning beyond pessary but to every single medicament which causes abortion.

Step by step, the commentary enters to the core problem of the Hippocratic Oath's fragment: to give a destructive (abortive) pessary to women. Number 21 introduces the new idea of giving sensible information to uneducated people, that is, publish or spread knowledge with the power to harm and make it available to ordinary people and, for what matters, to the non-sworn physicians. The punishment is prosecution with all aversion besides the castigation applied by the Canon, Holy Scriptures and Civil Law. I find it interesting that Meibom mentions these authorities in this specific order, mainly because he lived in the middle of a war with an essential hint of religion. They represent the Church, Christianity, and Society, respectively. Therefore, the act of producing an abortion or giving such remedies is scorned by the medical society, condemned by the Church, penalised by Christianity, and disapproved by society. The next quotes (23) support the idea that it is the same to give an abortive than to show it to someone else, and according to the Canon, it is also punishable if it is not an abortive but a contraceptive or producer of sterility. Also, it is remarkable that the punishment is not only for the one who gives the abortive but to the one who receives it, that is (and I hope), that it is implicit that the receiver of the abortive asked for it and is going through an abortion willingly. This notion of will is introduced partially in the following number (24) by the Bulla of Pope Sixtus V and the *homicidium voluntarium*.

Meibom put many legal quotes (25-28) to compare the different ways of understanding and judging the same act. The similarity of the sources used by Meibom to the ones in the quoted passage of Emundus Merillius points out again to the fact that Meibom was either using a compendium of legal texts or taking the information from Merillius⁸⁰⁹ and made it pass as his investigation. Meibom's contribution here is definitively not the use of references but perhaps the use of it for the Hippocratic Oath. We can divide this information into two types accordingly to the way the variables of the act of abortion are considered:

1. Simple:

- From Solon and Lycurgus – just capital punishment.

⁸⁰⁹ See n. xlviii to the translation.

- Roman law – accordingly to the crime (and then it is to judge if it is homicide or not).

2. Complex:

German law – different monetary fine relying on the sex of the aborted if it is knowledgeable. For this German law, women were more appreciated than men.

- Valentinianus, Valens and Gratianus – The murder of a child is a capital penalty. Here is not considered the time of gestation nor the way or reason for the abortion.
- Emundus Merillius - The foetus is a part of women's viscera, so capital punishment does not correspond to this crime (maybe more like injuring the woman?).
- Ulpianus – The punishment is exile only after proving the act of abortion was deliberated. Tryphonianus adds to this another point to consider: the relationship of the couple producing the conceived. It is clear that it is not a good one because he speaks about divorce, but it is impossible to know who wanted the abortion, who decided to do it and if one of them forced it upon the other.
- Paulus – The focus is on the giver of the treatment or remedy; it must be judged not as a homicide but only as a bad example and be forced to exile. But if the woman dies, then the crime is different, the highest one. Here the life of the woman is at last considered because so far, the only discussed death was that of the conceived.

Ulpianus (28) – he points out another difference between giving the abortive or just prescribing it to be put. There is also a difference between being the cause of death and killing. This case, even if it is not literally said, gives some power to the will of the woman, because she can receive a medicament to cause herself an abortion and still do not use it. In this case, the physician would still be punished, but the woman would not.

So far and only through civil law, we have the abortion understood either like a homicide or as something else. If it is a homicide then it is to be known who is being killed, a male, a woman, the mother; how (directly or indirectly through advice) and why (inheritance, divorce). The point which is almost not treated is if it is voluntary or forced. The actors are not clearly defined, especially not the male. The woman is implied a little less than the physician or any other figure who may help or advice in the process of abortion (midwife, surgeon, alchemist, sorcerer, etc.).

The last point of the civil law, if it is the same to give and to apply the abortive medicament, is solved in Meibom's Commentary with religious

law (29), which does not address the problem specifically but with a general statement against everything that may result in danger to the soul. Abortion is driven into a wider problem, what endangers the soul? How is the abortion related to it? (30) But Meibom did not go further into the problem and answers with an even more general civil law statement: to play safe, choose the most certain, and to be extra cautious always fearing the consequences.

This recommendation, though it is a general advice and it is applied to many cases, opens the possibility to actually procure an abortion or even recommend it, for example, what if the woman's soul is in danger? (31) The alleged cases to procure abortion are: if the woman is small and delicate, if the uterus of the woman is small, or it has a problem (neck narrowness, condyloma, reliefs), weakness of the bladder, and acute disease. All of these cases are supported by references to well-known medical authorities such as Avicenna, Rhazes and Halyabbas; except for the case of acute diseases, which is explained through references closer in time to Meibom such as Akakia (1500-1551)⁸¹⁰ and Cornacchinus († ca. 1604).

In the next two numbers, Meibom introduces the two main topics of the commentary to follow. First (32) the case of the harpist, to whom Hippocrates advised on how to abort; and second (33) the interpretation of the passage of the Exodus (21:22-23). Both cases are based on the definition of the word abortion and other similar words before mentioned, which differentiate the act of getting rid of the conceived according to the time of gestation and the expelled product. The medical case, that is, the based on the Hippocratic writings, understands the case of the harpist more like a flux. In the biblical case, the judgement about abortion relies on the problem of the soul and binds it, without proper argumentation thus far, to the form of the conceived or its corporeal development. Number 32 also made us think about quotes and references Meibom used. If we look for a moment the draft of the Commentary (NSUTB Gött Meibom 164),⁸¹¹ we noticed that the quotes remained, and the rest of the text was changed. More references were added, fewer quotes quoted. Why was it more important to have more references and fewer quotes if the quotes have words and bring something to the discourse but do not fulfil the job of pushing the discourse further or representing an example of the argument, especially if the reference is not a well-known passage, like from the Bible. This makes us wonder, were references well known? Perhaps commonly used passages?

⁸¹⁰ BnF: <https://catalogue.bnf.fr/ark:/12148/cb12534846d> (01.11.2022).

⁸¹¹ See 'Texts and Editions' section.

From number 33 it is clear that the argumentation to weight the Exodus authority will rest upon a philologic argument and the true saying of the Holy Scriptures in its original and purest version according to Meibom. I find quite interesting the sources he mentions to support the idea that abortion is not permitted according to the Exodus. (34) Besides the Canon, the rest of the authors (Antoninus of Florence, Sylvester Prierias and Martín de Azpilcueta) give space for the abortion as long as the conceived is not animated and there is no doubt that whatever is getting out of the womb is something without a soul because if it is dangerous for the mother, not doing it would put at risk the mother's soul. If, however, there is doubt, no medicine should be used. The capital crime is, therefore, to lose a soul, whereas of the mother or the conceived. These authors are recognised for their deep moral writings and may point out to a growing facilitation of critical thinking in the Church, before and during the times of Luther, since they were part of the Catholic Ecclesiastical system. Just to mention something, Antoninus of Florence (1389-1459) joined the Dominican Order after applying for it to Giovanni Dominici (1359-1420), who advised Gregory XII to renounce to end the schism and then was sent to Bohemia to deal with the followers of Hus without great success.⁸¹² Antoninus' work referred by Meibom "marked a new and very considerable development in moral theology"⁸¹³ with very well improved juridical elements. Sylvester Prierias (1460-1523) also belonged to the Dominican Order and "is credited with being the first theologian who by his writings attacked publicly the subversive errors of Martin Luther"⁸¹⁴. Martín de Azpilcueta (1492-1586) better known as *Doctor Navarro* was a Spanish canonist who tried to answer many doctrinal questions that arouse in the ecclesiastical society and civil power. "Sus obras están tejidas con continuas referencias a las normas y los criterios doctrinales recibidos del Medievo, pero con el fin de depurar los criterios mejor fundados para encauzar el justo ejercicio del poder en la Iglesia y en la comunidad política y para la formación de las conciencias, en una sociedad que hacía ineludible la reforma de la disciplina eclesiástica, sin que el Concilio de Trento hubiera presentado aún sus normas operativas en ese ámbito".⁸¹⁵ The most known and important work of Azpilcueta, and also the one used by Meibom, was the result of his teaching at the University of Coimbra. The *Manual de*

⁸¹² Catholic Encyclopedia, vol. 5, "Bl. Giovanni Dominici".

⁸¹³ Catholic Encyclopedia, vol. 1, "St. Antonius".

⁸¹⁴ Catholic Encyclopedia, vol. 10, "Sylvester Mazzolini".

⁸¹⁵ TEJERO TEJERO, "Azpilcueta, Martín de" in Biografías, Real Academia de la Historia. Online: <http://dbe.rah.es/biografias/7368/martin-de-azpilcueta> (01.11.2022).

confesores, “significó el tránsito de una situación científica precaria, representada por la “sumas de confesores”, al nacimiento de la Teología Moral, como disciplina científicamente autónoma. Además, se adelantaba esa obra al gran empeño de *reforma morum* alentada por el Concilio de Trento, que atribuirá valor capital al ministerio de los confesores, cuya formación se asentará, después del concilio, en la obra que Azpilcueta había publicado por primera vez en 1552 y que, así, tanto influyó en la formación moral de las conciencias en Europa.”⁸¹⁶

The authority and critical thinking of these authors were better than the opinion brought by the (35) civil Law (Charles V and Augustus) because the latter wanted that the abortion was not considered as a capital crime. (36) Again, Meibom tries to finish the argument with a general moral sentence from the Bible: Not to do bad things to obtain good things and to condemn the bad deed is just. Meibom followed this argument with a reference to Plutarch, “what is useful is also just”. In my opinion, this argument is mixing and generalizing things because new notions of judging the abortion are introduced, not only permitted or not permitted, or useful or not useful (as explicitly understood before in cases of acute diseases), but if it is just or unjust, without establishing first the principles he is going to use to judge that, for example, from any of the spheres he uses in the arguments such as canonic or civil law. So, the premises are:

A: To burn and cut open is useful

B: The useful is just

C: Therefore, to burn and cut open is just. (!)

Meibom understands the case of abortion just as a case of burning or cutting a patient. Burning an injured bone and opening the belly to practice surgery is useful because and only if the person needed it, however, the action of burning and cutting someone open is not just in itself as deduced from the logic exposed thanks to the phrase of Plutarch. Abortion, then, is to be judged in the same way, as a special situation. I also believe that the passage of Plutarch was lost in translation because in the original Greek the physician injures a part of the body that is not sick to cure a sick one, agreeing thus to what Meibom intended to expose in the first place: that is wrong to put the patient under unnecessary treatment which in itself is a way to harm the body.

⁸¹⁶ TEJERO TEJERO, “Azpilcueta, Martín de” in Biografías, Real Academia de la Historia. Online: <http://dbe.rah.es/biografias/7368/martin-de-azpilcueta> (01.11.2022).

In the next numbers, Meibom analyses all these special cases that may bring the “only if” to the case of abortion for it to be just, even if justice is not mentioned again. (37) Women with a small uterus or delicate can give birth without a problem, though not all of them and not always. Authorities to support this are, mainly, Hippocrates, Galen, and Aristotle. They do not say that abortion is necessary since all of them recognise that a successful conception, development, and delivery is possible. Aristotle's recommendation was to prevent pregnancy in younger women, which by logic are the delicate and with a small uterus. (38) The interesting thing about the references to prove that young women, who get married, pregnant and deliver are something common, is that all of them are descriptions of foreign lands: India, Moscow, Turkey, etc. Greeks, Romans, and Germans did not marry their women young? Meibom only mentions slightly (37) that it is something common in the families of great men, meaning royal families who needed a male heir urgently.

(39) Meibom admits openly that a small uterus is not a problem for delivery and that there are no remaining opinions from ancient sources to identify it. The only author who recognised the difficulty of a diagnosis of “small uterus” is Luis de Mercado (1525-1611), court physician of King Philip II of Spain known, among other things, for his clinical work.⁸¹⁷ To end this case, Meibom suggests two things, most important first, that the physician consults his conscience and then use medicine to try to ease things for the mother and the baby. This is better than to wound the physician's conscience and bring death to any or both. My amusement is double in this pre-conclusion of Meibom; first because he mentions the conscience before the lives in risk. Is it more important to have a clear conscience than the lives? second, because he is not focusing on the type of conscience he is appealing to. Even though his text is a Commentary on the Hippocratic Oath, the main stress of it is not in the moral teaching nor development; besides, the ethically difficult cases are solved through non-medical authorities, which, would be obvious to think, would have faced the same dilemma before and could have offered a more precise opinion. In this case, Meibom even recognised it; he finishes the argument with a phrase of St. Ambrosius, which had nothing to do with the medical case. Again, the general argument for a quite particular situation: not to help someone if by doing so, another will get hurt because it is better to leave both unaided than to worsen one.

⁸¹⁷ RIERA PALMERA, “Mercado, Luis de” in *Biografías*, Real Academia de la Historia. Online: <http://dbe.rah.es/biografias/13669/luis-de-mercado>(01.11.2022).

Meibom explains plainly the case of the narrowness of the uterus' neck or some other impediment in the way out. This time we can read three numbers (40-42) with almost no references to support the argument. The problems in the neck of the uterus could be because of its natural narrowness, because it has protuberances or something similar, or because the woman is closed. Meibom uses the references to bring the different vocabulary to call such women and at the same time give an easy and tested solution, either medicines artfully applied by a physician or a surgical opening by hands of a Stonecutter. The construction of the idea advise and solution for the physician is clear and simple. It could be read without further analysis from the end of number 41 and all the 42. Abortion turns out as a terrible solution for this problem and therefore, not at all recommended.

The number 43 is simple, direct, and for once a little bit of medical experience could be inferred from Meibom's writing. He says *quod plerisque gravidis familiare esse novimus*, and either if it is a *pluralis modestiae* or not, he is included within the people who know that pregnant women urinate more frequently. Also, the reader is not distracted by the many quotes and problems, and the idea is clear: the heaviness of the bladder is not enough to produce nor practice abortion because it is not always problematic and in the cases that it could be, it is better to help the mother to carry on with the pregnancy as much as possible. If, however, the conceived is death, then it is better to practice the abortion and control the damage than to risk the mother in an emergency. This last part points out to another specificity of the word "abortion" that was not considered before by Meibom not any other of the sources, that is, that abortion could also mean the extraction of the conceived already dead which would have great consequences, for example, in judging an abortion as a life protective action instead of as a homicide.

The last case to produce abortion is because of an acute disease. Meibom is quite determined (44): abortion is not an option in acute diseases. He is clearer than in the other cases; no physician would do that because it represents a greater risk to the mother than the acute disease itself. (45) The author to bring some examples of this case is Ovid. The two poems (2, 13 & 2,14) of his *Amores* invites the reader to make a reflection on abortion. The first one is a pray to save Corinna from death because she practised herself an abortion; the second a very interesting praise of life against abortion, mainly referring to well-known characters of ancient literature like Priam or Aeneas who are used as an example of the possible future a mother is taking away from humanity by killing the child in her womb. The verses Meibom quotes give us two main images of the woman

who procures herself an abortion: she will end up ill, exhausted and putting her life at risk, or she will end up dead in a funeral where all society declare her guilty. I find the scene very dramatic, especially because of the loosened hair of the dead woman. McKeown tells that is "just as women in mourning also unbound their hairs"⁸¹⁸. Besides this, I think it also has to do with portraying her and an uncivilised woman⁸¹⁹ for not taking into account the harm done to society with her abortion. Thus, the loosened hair stresses the fact that she deserves her death and even dead she mourns her death and the death of her unborn.

Meibom moves to other examples of the fatidic end of trying an abortion and points out, with the help of Jerome, that women who abort are not going to heaven but to the lower world because they are three times criminals. The woman is always portrayed as immoral, adulteress and homicide even in cases like the one we can read in the life of Domitian.⁸²⁰ There, the woman did not want to have sex and later on did not want the abortion; she was forced to all of it; nonetheless, she is guilty, because the conceived died in her? Because she had sex? So even though Domitian 'corrupted' (*corruptit*) her and forced her to take medicines against her will, she is accountable for her own death and the death of her unborn. Meibom fails to say something about it, and I was not expecting about the mistreat of a woman but at least of the misuse of medical knowledge.

The conclusion of the argument comes to an end in 46. Meibom returns to the main point as before: the acute disease is already a crucial point in the life of any patient; it is even more for pregnant women and abortion, which is dangerous in itself even when the woman has her full strengths, will not solve the acute disease. Other remedies are also disapproved in cases of acute diseases in pregnant women for fear of abortion, such as regular phlebotomies or purgatives. Meibom critically accounts the silence of physicians about the results of an abortion, that is, the loss of strength and the bad condition in which it leaves the woman. The authority mentioned to support his idea is Rodrigo de Castro (1550-1627).⁸²¹ In his work *De universa mulierum morborum medicina* he gave the full argument Meibom is trying to expose more briefly. The way of writing of Rodrigo de Castro is, in my opinion, and about this specific topic, much more structured and clear. Not for nothing, he is considered to have set the principles

⁸¹⁸McKEOWN, Ovid: Amores. Vol. III a commentary on book two, p. 315.

⁸¹⁹BARTMAN, "Hair and the Artifice of Roman Female Adornment", p. 6.

⁸²⁰ See n. cviii to the translation.

⁸²¹ DNB Online: <http://d-nb.info/gnd/124497012> (01.11.2022).

of modern gynaecology.⁸²² Rodrigo's work made me suspicious about Meibom's clarity in the argument because it is difficult to see if the argumentation of Meibom is something more than just a summary of his sources,⁸²³ sometimes not even quite well put together, or a true invitation to the reader to follow the references and illustrate himself.

With that last argument, the topic which began at 31 (medical cases to procure abortion) came to an end, and Meibom moves on to the next two parts already mentioned in 32 (the case of the harpist – flux vs abortion) and 33 (Exodus – the conceived as animated or unanimated).

The importance of addressing the difference between an abortion and a flux is to avoid the thought that the only thing prohibited is to practice an abortion but not a flux. (47) Meibom considers both as an evil deed (*scelus*). He admits that this difference derives from both sources, Hippocrates thanks to the story of the harpist and the Exodus. However, it makes no difference because the objective is the same: to destroy a human soul; (48) and Meibom does not consider if this soul is in actuality or potentiality because he believes Tertullian when he says that *homo est, et qui est futurus hominis jam in semine est*. A straightforward way to contradict this is simply to ask if a woman can get pregnant on her own, or if the sperm of man could become a living creature even if thrown to the earth or the sea like in Greek mythology.

The only supporting reference to permit a flux (and used also for abortion) is the story of the harpist. (49) However, since this passage contradicts other teachings of Hippocrates, the easiest way to cast aside this controversial passage was to discredit Hippocrates partially and entirely the text. Hippocrates is not to be believed, not because he might be wrong as a physician in his art, but because he was pagan and ignorant of the true religion (*Ethnicus fuit, verae religionis ignarus*). Meibom refers to other authors to support his idea; however, all of them excuse Hippocrates by means of confronting him with other sources, mostly medical. Zwinger, for example, does it⁸²⁴ by saying that in his unique moral and medical frame, he did nothing wrong. Meibom, on the other hand, tears down tradition and invites to judge objectively, not to follow the teachings of a pagan unless they are proven just. Just in which matter? or how? According to

⁸²² See for better understanding the writing structure of Rodrigo de Castro, even if it is in another treatise: ARRIZABALAGA, "Medical Ideals in the Sephardic Diaspora: Rodrigo de Castro's Portrait of the Perfect Physician in early Seventeenth-Century Hamburg", p. 107-124. doi: 10.1017/S002572730007242 (01.11.2022).

⁸²³ See n. cxv to the translation and compare it to the way Meibom gets to the same point.

⁸²⁴ See n. cxxiv to the translation.

whom? etc. is not stated. This, if we were to follow Meibom's advice will make us end our reading, why should the reader keep on going through a commentary on a text by a pagan, which has just been discredited and whose text had not been asserted as just? If we remove the information given by the references (which are not at hand for a quick reader) Meibom's argument for not believing Hippocrates is contradictory to the purpose of writing the commentary. Just in case the argument of "not to believe a pagan" was not enough to avoid the advice of recommending a flux or abortion, Meibom discredits the text (50) by considering it not from Hippocrates. This doubt reaches the Oath partially since it was not sufficient to avoid abortion, and many others found it not originally of Hippocrates.⁸²⁵ With this, he set up the uncertainty and falsehood of the story of the harpist and therefore, the possibility to argue that abortion could be done because Hippocrates did it himself.

(51) The last topic to be addressed is the quote to the Exodus. Meibom analyses it the same way as the Hippocratic story of the harpist, though much more carefully because one thing was to discredit the medical authority and another entirely different to doubt the Holy Scriptures, especially in his historical context. For that reason, the first step is to consider the version of the biblical passage, quoting as the first instance the Septuagint version and later, in Latin, the attributed to Jerome (Vulgate). I want to drive attention to the exact meaning of every translation of the biblical passage. In the Greek version, the woman has a child (παῖδιον) in her womb. For this reason, the question if it was formed or informed is only reasonable. This same question, for example, would be more difficult to make and answer if we consider the concepts Meibom has been using before, such as 'conceived' (*conceptus*) and foetus (*foetus*); and others well attested in Latin medical literature such as *embryo*⁸²⁶ that mean the product of an early stage in pregnancy. In the Latin version, the death of the conceived is not stated, only the death of the woman. This would quickly finish the argument by interpreting the biblical passage as if the death of the conceived is not considered as death at all, therefore making it not punishable.

⁸²⁵ See n. cxiv-cxxxi to the translation. All of the referred authors discredit a work of Hippocrates. Ranchin discredits the Greeks in general. In all the commentaries on the Hippocratic Oath, here in chapter 2, there is a previous chapter about the life of Hippocrates and the genuineness of the Oath. These matters are also addressed by Meibom in his chapter 1.

⁸²⁶ See entry 'embryo' in DILAGE, p. 265.

The Greek version, according to Meibom, (52) has a clear distinction between the abortion of the non-animated and animated foetus. The quotes of Aristotle end the argument (53), through them, the stress is set in sensation and life, also related to the development of the form. Meibom understands a combined concept as formed-animated and unformed-non-animated.

I want to direct the attention to the references Meibom consigned before Aristotle. Both of Theodoretus' and one of Philo of Alexandria understood the concept of formed as 'with a recognised human shape'. They used words such as babe (βρέφος), fully formed (ἐξεικονισμένον), shaped (μεμορφωμένον) and human (ἄνθρωπος).⁸²⁷ These three references support the distinction and assumption Meibom is doing about formed-animated and unformed - unanimated. The first reference to Philo of Alexandria⁸²⁸ presents us with something new for the argument that maybe Meibom decided not to take into account because he does not mention it further. Philo is explaining why the punishment for the abortion of a formed foetus is different from the one of an unformed foetus: because the former is defined and specific, therefore a specific punishment is to follow. For the latter, the product is so undefined that the punishment must also be so. Another argument is that it is not the same to lose something finished than unfinished (τελειόν - ἀτελείον) or uncertain and defined (ἀδύλον - ὀρισμένον). Examples used by Philo are conjecture (εἰκαζόμενον) vs what has been comprehended (καταλαμβανόμενον), and something hoped for (ἐλπιζόμενον) vs what already exists (ἤδη ὑπάρχον). Indeed, in our case, it is not the same to lose a zygote than a 32-week foetus or even a child. Lastly, Philo makes an interesting note about the way the pregnant woman is referred to. She could be the one who receives or takes (λαβοῦσα), or who has in her belly (ἡ ἐν γαστρὶ ἔχουσα). For the former, abortion is something impossible or extraordinary, because she is supposed to get to full term the thing received; for the latter, abortion is something familiar. Philo teaches us here two things; first, and Meibom will insist on it, when the conceived is well defined or, in other words, formed and shaped; then it is recognisable as a person, and the punishment for abortion is the same as a homicide. Second, there are two types of pregnant women, the one who receives and the one who has. It seems as if the one who receives is aware of the task given to her by the pregnancy in a sort of privileged status, the other one is just like an owner of a thing that came by chance to her and can decide when to get rid of it as if throwing away

⁸²⁷ See n. cxxxix-cxliii to the translation.

⁸²⁸ See n. cxxxix to the translation.

merchandise or just putting it aside. This point of view coincides partially with the religious way of looking at pregnancy: the miracle of life, the gift of family and one of the columns of ecclesiastical marriage. It also underlines the will of having a baby since, in order to receive, you have to accept it, and in the acceptance, there are always responsibilities. It also gives us an idea of the actual problem around abortion. If the woman is not in that first state of mind, feeling "blessed" or at least conscious of the immense task the pregnancy, delivery and upbringing is, then the product might just stay as any other good, that might be worthy or not, with more or less value or just something problematic that is better not to have and, since it was not consciously received, it is also not consciously had nor preserved.

To move forward, the discrepancy between the Greek and Latin versions of the Bible had to be addressed. Meibom brings to his commentary the discussion about the true and faithful translations of the Holy Scriptures to their sources (54), supporting his point of view on Pietro Colonna Galatino (1460-1540),⁸²⁹ Juan Azor (1536-1603)⁸³⁰ and Augustine. Meibom mentions besides them the opposite band, formed by Gregorio de Valencia (1550-1603),⁸³¹ Jacob Gretser (1562-1625)⁸³² and Juan Pérez de Pineda (1495-1566).⁸³³ Most of these authors were Jesuits some of them true Catholics and one propagandist of Protestantism. I found it provocative that the sides are not that well delimited, I mean, that Meibom is not rejecting Catholics nor finds support in Protestants but the opposite. He is referring to Galatino's (Catholic) work because it goes back to the source of the Ancient Testament and takes Hebrew into account.⁸³⁴ Juan Azor, the only Spanish theologian who took part in the making of the *Ratio Studiorum* of the Jesuit Order, is also quoted to state that the errors in the Latin biblical text are of the translators and writers, not of the text itself. Juan is the only one, besides Augustine, that is quoted and not only referred to. He is being used as the moral authority in Meibom's text just as he was in his time. Rejecting Meibom's argument there are Gretser and Gregorio de Valencia, both lived and worked in Ingolstadt, Catholic city in times of the Thirty Years' war. Of Gregorio de Valencia one could doubt

⁸²⁹ Catholic Encyclopedia, vol. 6, "Pietro Collona Galatino"

⁸³⁰ BURRIEZA SÁNCHEZ, "Azor, Juan" in Diccionario Biográfico, Real Academia de la Historia, online: <http://dbe.rah.es/biografias/19730/juan-azor> (01.11.2022).

⁸³¹ BURRIEZA SÁNCHEZ, "Valencia, Gregorio de" in Diccionario Biográfico, Real Academia de la Historia, online: <http://dbe.rah.es/biografias/21289/gregorio-de-valencia> (01.11.2022).

⁸³² Catholic Encyclopedia, vol. 7, "Jacob Gretser".

⁸³³ BAUTISTA VILAR, "Pérez de Pineda, Juan" in Diccionario Biográfico, Real Academia de la Historia, Online: <http://dbe.rah.es/biografias/34975/juan-perez-de-pineda>(01.11.2022).

⁸³⁴ See n. xlv to the translation.

about his creed, about Gretser one could not, because he was well acquainted with Maximilian I, Duke of Bavaria, and thus supported the Catholic League during the war. So, these two authors are easy to dismiss as an authority for Meibom considering the difficult times he lived because of the war.

The most difficult author to judge is Juan Pérez de Pineda. He was one of the Spanish protestants who ran away to Geneva and kept supporting the Spanish protestant movement. He also stayed awhile in Frankfurt in the circle of Melanchthon. Pérez de Pineda is better known for being a Bible translator into Spanish and also a supporter of the full Spanish translation of the Bible, "leaving by testament all his property to defray the expense of printing the bible in Spanish language. We have no information of the manner in which it was applied, but probably towards that of Cassiodoro de Reyna."⁸³⁵ Why could he not be taken as authority to support Meibom's argument? I think, partially because Juan Pérez was more akin to Calvinism⁸³⁶ and partially because Meibom is trying to avoid to put in doubt the validity of the Latin text, which would be a natural conclusion of the reader after noticing the difference between Latin and Greek versions of the biblical text. Meibom's argument is thus searching authors who were part of the discussion about the truthfulness of the biblical text and if it contained, indeed, the Holy Scriptures and the divine word. Meibom established with these authors two interconnected movements: the philologic one, representative of the Renaissance and by Meibom's time quite developed; and the Reformation with its consequences like the judgment and critique of the things considered canonic by the Roman Catholic Church and a new objective interpretation of the creed and rite. However, Meibom does not take his argument until the end, because it would have costed him his beliefs, just as he discredited Hippocrates and his texts he could have done the same with the Holy Scriptures, and even though he could manage without the Father of Medicine, what would he have done without his creed? So he went back in time, before the discussion, to the unquestioned authors, Augustine and Jerome.

In the following parts (55-58) Meibom focused on the original version of the biblical text, whether through the famous translation into Aramaic of Onkelos or other authorities alike. This part was especially difficult for me to judge because it includes languages and text traditions unknown to me. Thanks to Prof. Dr. Lutz Edzard it was made clear to me that, indeed,

⁸³⁵ WIFFEN, , "Notice" in PÉREZ DE PINEDA, *Epistola consolatoria*, p. xxviii.

⁸³⁶ BAUTISTA VILAR, "Pérez de Pineda, Juan" in *Diccionario Biográfico*, Real Academia de la Historia. Online: <http://dbe.rah.es/biografias/34975/juan-perez-de-pineda> (01.11.2022).

the Hebraic text does not specify who died, if the children or the woman, but only if there was harm (חֲטָא - Unglück) or not. In the Targum text,⁸³⁷ the death mentioned is of the mother, just as in the Vulgate version (*sed ipsa vixerit*). The difference made in the Septuagint translation that adds the formed (ἐξεικονισμένον) or not formed (μὴ ἐξεικονισμένον) child is an interpretation of the translators.

Without any remarks on the consequences of putting in doubt the biblical translations, Meibom's explanation concludes that the punishment will be death if there is death, it does not matter if of the mother or the conceived. If there is no death, then whatever the husband and the judge decide. The problem is that, as it is, it leaves out precisely the problem Meibom was trying to solve in the previous parts, at what point is the conceived considered alive or formed or in the same status of a person for his death to be considered homicide. There is also no further explanation if there is a punishment to cause an early delivery as if the pregnant woman was hit in the belly and she enters in labour, the child lives but maybe with consequences, or dies shortly after⁸³⁸ without blaming the attacker. Meibom does not offer anything new to the question. The dilemma of the different interpretations of biblical translation was already addressed by Sixtinus Amama, as Meibom quoted him. Amama solved the biblical translations problem saying that the Exodus must speak about the death of the unborn child because if it was about the death of a woman there was already a law to judge it, that is, the law of homicide. To solve the problem about the formed or unformed fetus Amama directs the reader to Augustine.⁸³⁹

The problem became about the time the soul enters the conceived or from which day the conceived has a soul and is animated. But before consulting the sources, Meibom gave his opinion: the soul is poured into the conceived from the beginning; nonetheless, he asks again to continue the topic and answers this time with Hippocrates (60), even though the Hippocratic text talks about the full formation or definition and not of the soul. We can see then that there is a common understanding now, that a developed form must have a soul or at least there is a connection between soul, defined form and functions. With reason, Meibom remains doubtful because it is illogical that the soul could not be poured before a certain time, just as it is said that the rational soul is in the conceived before it is

⁸³⁷ The newsletter for targumic and cognate studies. Pentateuchal Targum translation, Ex 21: 22-23 <http://targum.info/pj/pjex21-24.htm> (01.11.2022).

⁸³⁸ DOUGLAS & MOGFORD. "Health Of Premature Children From Birth To Four Years.", pp. 748-754. www.jstor.org/stable/25395736. (01.11.2022).

⁸³⁹ See n. clviii to the translation.

born although it does not show rational capacities immediately after birth. Thanks to several authors (61-62) Meibom lowers the time in which the conceived receives a soul from 45 days in Hippocrates to seven with Fernando Mena, Johannes Hucherus and others. He reached his previous conclusion, thanks to his friend Daniel Sennert and others (62), that the soul is in the conceived since the very beginning. The final and strong conclusion that Meibom offers is the Bulla of Sixtus V (63), in which not only is abortion prohibited at any stage but also makes responsible to anyone involved in the process of abortion or any other damage to woman's ability of conceiving. This prohibition supports my proposition for translating φθόριον, that is, that the "abortive pessary" must be understood and translated as a "destructive pessary" since it is not only against abortion that Hippocrates made the physician swear but against any other way of injuring a woman.

Surprisingly, Meibom did not base the conclusion, expressed through the Bulla, on the proposed meaning of this fragment of the Hippocratic Oath but the basis that it is a bad example and it will pollute his art and his life. This reminds us what was already stated before, Meibom is first a believer then a physician; he could deny Hippocrates but not the Bible, he may afford to pollute his art and his life but never to be a bad example. Because of that, Meibom added (64) in the new planned edition, the story of the physician that cheated a girl who wanted an abortion and gave her a medicine to make the foetus stronger; but the girl aborted, nonetheless. With that example, the art and life of the physician should not have been polluted, since he was even trying to save and protect the life of the unborn but, since it is a matter of a bad example because he lied to the girl and pretended to comply with the abortion; none of them is a good deed and must not be done.

Meibom put together two important sentences of the Hippocratic Oath, first the clause against abortion and second the clause about the holy and pure life. In his commentary, however, he devotes only the last five numbers (65-69) to the second clause without analysing it in the same structured way; which comes at a surprise to us due to the great importance of this clause even today.⁸⁴⁰ (66) As authorities, he quotes Zwinger and Heurnius without adding anything else, which might put in doubt Meibom's words in the letter to the reader⁸⁴¹ about the failure of the other authors to explain things fully. Heurnius gives Meibom the perfect introduction to slightly change the topic from not injuring the patient and

⁸⁴⁰ See VON STADEN, "In a pure and holy way", p. 404-437.

⁸⁴¹ See 3.2.1.1

having a moderate way of life to not deceiving the patient with fake potions and medicines, not charging them a lot of money nor tricking them with attractive remedies sold as miracle makers.

Meibom sounds sceptical about the remedies that take too much effort to make, and it seems to me that he addresses a rivalry with other types of health professionals. I thought of Alchemists but, since there is no specific denomination, it could also be a witch Doctor or any other Healer without former education. First, Meibom does a critique about their remedies calling them *cheirotechnias* and *pyrotechnias*, as if healing were only techniques of the hand and fire. Second, he thinks of the other Healers as the birds that fly lower than the eagles in the clouds (Physicians), the birds are jealous of the eagles and wish for them to fall from the clouds. However, the show of the Healers is nothing different than the knowledge of others passed from generation to generation and lacks the understanding of it; therefore, the Healers are by analogy the poor birds who cannot fly hi. Lastly, the third critique comes in verse, two of Horace and one of Martial⁸⁴², to say that once the Healers are stripped down from their false front of knowledge they only have to offer a cheap and worthless medicine (if it could be called medicine at all!) and such a Healer, without his ostentation is only laughable and ridiculous.

(67) As a consequence, it is only logical that the good Physician must know his art, but, since the topic is the life holy and pure of the physician, he needs to have good manners. According to Meibom, the physician should better have good manners than to be the most learned physician, since a physician with bad manners could do badly and a good-mannered physician will be honest and make up his ignorance by not putting the patient in danger. The best example to follow is, as expected despite being a pagan, Hippocrates. (68) The physician of Cos is portrayed, thanks to different sources, as the only holy and pure in both meanings, as a physician and as a moral example. (69) The other such physician of ancient times recorded in history is Iamblichus, about whom Meibom copied the verses of Leontinus to prove that Iamblichus was known for staying away from sexual delights, not being greedy and being a skilful physician and teacher of medicine. With these verses in Greek and Latin, Meibom finishes chapter XV, leaving for the next one the matters of the purity of manners and chastity of the soul that were, as said before, only slightly addressed in this chapter. My guess is that to talk about the holy and pure in a time highly influenced by religion might seem a matter either for an-

⁸⁴² See n. clxxvii & clxxviii to the translation.

3.3 Meibom's Commentary on the Hippocratic Oath – Chapter 15: 'Similarly, I will not give a destructive pessary to a woman. Pure and holy I will keep my life and my art.'

other discipline or a discussion already closed and finished (or maybe even forbidden).

3.3.2. On the interpretation of the word φθόριον

As stated before there is another possible understanding of the word φθόριον in the Hippocratic Oath clause. I said there that three commentators (Opsopaeus, Ranchin and Meibom) followed an interpretation of the Greek text that was not as close as it was in the translation of Niccolo da Règgio. All of them, and with them the tradition to follow, understood πεσσόν φθόριον only as an abortive pessary to put underneath. Memm, Zwinger, Opsopaeus and Ranchin understood the Hippocratic Oath Greek text through tradition and completed their translations based on it, adding words to reach the meaning of 'abortive'; however, the broader meaning of φθόριον was preserved in the same way as in da Reggio's translation, with the Latin word family of *corrumpo*.⁸⁴³

The understanding of the word φθόριον only as 'abortive' is not a problem of the Latin Text tradition but already began in Greek. As briefly explained before, φθόριον comes from the verb φθείρω, which has a broader meaning such as 'to destroy, ruin, destruct' and 'to be ruined, perish, suffer' in the passive voice. With o- grade, noun feminine φθορά (ή in Ionic) means 'destruction, deterioration, ruin, plague, seduction, abortion, miscarriage; noun masculine φθορός means 'deterioration, destruction', noun feminine φθορία as 'destruction, mischief' and the adjective φθόριος 'producing abortion' or 'concerning seduction'. The verb could also be found with prepositional prefixes δια-, ἀπο-, συν- and κατα-.⁸⁴⁴ These meanings were used in ordinary activities of life implying a corruption, for example in matters of money, or more akin to 'impure', in the sense of losing its natural properties or shape, such as in stained painting colours.⁸⁴⁵ Therefore φθόριον is the nominalisation of the action that changes for the worse the natural properties of something, with a meaning closer to 'destructive' than just 'abortive'.

These definitions might seem out of our context because they are not taken from medical texts; however, my proposition of a general meaning of

⁸⁴³ See 2.3.3.2 Memm: "ad corrumpendum conceptum vel foetum dabo." 1.3.3.3 Zwinger: "Neque mulieri pessum corrumpendi foetus aegro subijciam." 2.3.3.4 Opsopaeus – "pessum subijciam foetus corrumpendi gratia." 2.3.3.6 – Ranchin – "ad foetum corrumpendum."

⁸⁴⁴ Etymological Dictionary of Greek, 'φθείρω, -ομαι', p. 1569.

⁸⁴⁵ See 'φθείρω' in TLG, vol. 8, p. 761 ss.

φθόριον⁸⁴⁶ is firstly supported by the Hippocratic Oath. In it, we have two clauses where there is a word derived from φθείρω, the one here questioned, and the clause of sexual restrain:

Hipp. Jusj. 15-16 ὁμοίως δὲ οὐδὲ γυναιξὶ πεσσὸν φθόριον δώσω. 19-21 Ἐς οἰκίας δὲ ὁκόσας ἂν ἐσίω, ἐσελεύσομαι ἐπ' ὠφελείῃ καμνόντων, ἐκτὸς ἐὼν πάσης ἀδικίης ἐκουσίης καὶ φθορῆς. (15-16 Similarly, I will not give a harmful pessary to women. 19-21 To whatsoever houses I may enter; I will go in for the assistance of the sick ones, being away from all voluntary injustice and harm). These two fragments have some manuscript considerations important to my hypothesis. The word γυναιξὶ appears as singular in M and V. πεσσὸν is omitted in Amb^a and Vind. Φθορῆς comes from the reading of manuscript Amb^a but appears as φθορίης in MV and παραφθορίης in Vind.⁸⁴⁷

Jacques Jouanna explained why he decided the reading of φθορῆς over the others.⁸⁴⁸ For our purpose, it does not matter if the form is substantive or adjective because the root of the word is the same, and the meaning of it remains. Instead of understanding “being away from all voluntary injustice and harm” it would be with φθορίης “being away from all voluntary and harmful injustice” or with παραφθορίης “being away from all voluntary and corruptive injustice”.

Other Hippocratic treatises also support this hypothesis. There are more than a hundred fragments using words from the same root φθείρω. Some of them do not mean ‘abortion’, others arrive at that meaning through complements or context, and some others are indeed understood

⁸⁴⁶ I am considering every word derived from φθείρω, simple or complex because I am working with a more general semantic value. I believe that in the beginning ἀποφθείρω and διαφθείρω may have meant something slightly different in the specific medical field. Dr. Prof. Omar D. Álvarez S. explained to me that διαφθείρω and διαφθορὴ probably would have described in Greek medicine the process and result, something similar to ‘corruption’ (Hipp. Morb. Sacr. 15,1). In the case of the embryo it could have meant degeneration, malformation or infection that lead to damage and fetal death with or without the natural expelling of the product (Epid. 7, 1, 97, 1; maybe Mul. 3, 16 and 25, 16). Αποφθείρω and ἀποφθορὴ may have been used for abortions in which the product was naturally expelled with or without signs of any degeneration, malformation or infection (maybe Epid. 3, 2, 10, 2; Epid. 3, 2, 11, 2; Epid. 6, 1, 1, 1.). This difference must still be proved exhaustively. An initial semantic difference would not be an obstacle for the different terms to be used for one another at any time. This subtle difference is topic for another research.

⁸⁴⁷ See, HIPPOCRATE, Sérment, Tr.Ed. Jouanna, p.4. For the information about manuscripts, p. CLXXV. M = Marcianus graecus 269 (coll. 533), 10th century, f. 12r. V= Vaticanus graecus 276, 11th / 12th century, f. 1r-v. Amb^a = Ambrosianus graecus 134 (B 113 sup.), 13th / 14th century, f. 2. Vind.= Vindobonensis medicus graecus 37, 14th century, f. 66v-67r.

⁸⁴⁸ HIPPOCRATE, Sérment, Tr.Ed. Jouanna, p. LXXXVII and 37.

as 'abortion' without any reinforcing meaning of context or complements but, I think, by tradition or a distant context. Let us see the three types of cases:

1) Hippocrates says in *De morbo sacro* 18,⁸⁴⁹: Γίνεται δὲ ἡ διαφθορὴ τοῦ ἐγκεφάλου ὑπὸ φλέγματος καὶ χολῆς (The deterioration of the brain is produced by phlegm and bile). The destruction or ruin has nothing to do with abortion. The meaning of the word is clear thanks to the objective genitive. The bile and phlegm destroy the brain.

In *De aere, aquis et locis* Hippocrates narrates the problem of male Scythians who became unable to have sex because they wrongly cured joint swelling after horse riding cutting the veins behind the ears. The line of interest to us reads (22, 16-17): Ἐμοὶ μὲν οὖν δοκεῖ ἐν ταύτῃ τῇ ἰήσει διαφθεῖρεσθαι ὁ γόνος. (It seems to me that the seed is destroyed with this attempt to cure). Even though we are in context of reproduction, the word cannot mean abortion. The ruin or destruction is of male seed or genitalia, which supports once more the general meaning of making something lose its natural properties and functions.

The last example is from *Aphorismi*. It briefly states the different types of wombs (dense, cold, humid, dry, hot, etc.) and that a mixture of extremes is the fertile womb. For us 5, 62, 4 is important: ἐνδείη γὰρ τῆς τροφῆς φθείρεται τὸ σπέρμα. (because of the lack of food, the sperm is destroyed). Right in the context that we want (gynaecology), the verb could not be understood as abortion because the destroyed thing is even before fecundation. Both male and female reproductive principles can be understood by σπέρμα.

With these three fragments, we can state that the words derived from φθείρω do not always mean abortion despite the text being medical, about reproduction and, more specifically, female reproduction.

2) While talking about the Scythians, their physique and the unchanging weather, Hippocrates gave us two other examples in *De aere, aquis et locis* 23, 11 and 19, 31. Since both have similar constructions I will focus just on the latter: φθοραὶ οὐκ ἐγγίγνονται οὐδὲ κακώσεις ἐν τῇ τοῦ γόνου συμπίψει, ἣν μὴ τινοῦς ἀνάγκης βιαίου τύχῃ ἢ νούσου. (No deteriorations or afflictions appear in the coagulation of the seed but in the act of some violent cause or disease). The deterioration or damage happens to the act of coagulation of the seed, that means that even though it speaks about the alteration of the reproductive faculties, it does not explicitly mean an abortion. It means, again, that the seed loses its natural generative properties,

⁸⁴⁹ Ed. Tr. W.H.S. Jones, LOEB vol. II. = Litté 15, 1.

this could mean in modern terms abortion, in the sense of the end of an unsuccessful pregnancy if we read γόνου as 'child' or 'offspring'; or sterility, being unable to get pregnant if we understand γόνου in a broader meaning such as 'product' or 'seed'.

The idea of abortion is clearly stated in other ways as we can read in *Epidemiae*, 7,1,97, 1-4: Τῇ Τερπιδεω μητρὶ, τῇ ἀπὸ Δορίσκου, διαφθορῆς γενομένης μηνὶ πέμπτῳ διδύμων ἐκ πτώματος, τοῦ μὲν ἐτέρου αὐτίκα ὡς ἐν χιτῶνι τινὶ ἀπηλλάγη· τοῦ δὲ ἐτέρου ἢ πρότερον ἢ ὕστερον τεσσαράκοντα ἡμερῶν ἀπηλλάγη· ὕστερον δὲ ἔλαβεν ἐν γαστρὶ. (To the mother of Terpides, who was from Doriscus, when the destruction of the twins happened in the fifth month because of a falling, she was set free of one of them immediately in a sort of chiton, of the other she was set free either earlier or after forty days. Later, she carried in her belly.) The meaning of abortion, in this case, is easily reached thanks to the genitive absolute and the objective genitive. The destruction of the twins and their later expulsion could not be another thing but an abortion. The end of the fragment also supports the idea that this destruction is related to pregnancy.

Two other fragments from *Epidemiae* offer us a similar reach of meaning, through objective genitive. *Epid.* 2,2,4,2: καὶ μετὰ στάσιν παιδίου θήλεος ἀπὸ φθορῆς τετραμήνου ὑγιήνασα, ὥδησεν. (And after constipation, because of the destruction of her female child, she was healthy for four months, [then] she became swollen). *Epid.* 3,2,10: Γυναῖκα ἐξ ἀποφθορῆς νηπίου, τῶν περὶ Παντιμίδην, τῇ πρώτῃ πῦρ ἔλαβεν. (A fever took a woman of the house of Pantimides, in the first day, after the destruction of the fetus). In the last three fragments, my translation would be more understandable if put as 'abortion of the twins/female child/fetus', but I wanted to preserve the meaning of destruction to stress the fact that the idea of abortion comes from the thing destroyed and the context such as the temporal complements.

Another way to reach the meaning of abortion is by setting it together with its contrary, the successful ending of a pregnancy, childbirth: *Hipp. Coac.* 506, 1: Τὰ ἐκ τόκου καὶ διαφθορῆς πολλὰ ὀξέως ὀρμήσαντα, ἐπιστάντα, δύσκολα. (Many difficult [diseases] started and were established quickly after childbirth or abortion).

There are other fragments where the meaning of abortion depends purely on the context because the word derived from φθείρω has no direct object: *Hipp. Epid.* 1,16: ἦσι δὲ ξυνεκύρησεν ἐν γαστρὶ ἐχούσησι νοσῆσαι, πᾶσαι ἀπέφθειραν, ὥς καὶ ἐγὼ οἶδα. (but it happened to those who got sick having-in-their-belly, that all aborted, of which I knew). The meaning of abortion depends on the information of the women being pregnant so that

the destruction does not have a relationship with other organs like the brain or lungs.

So far, I tried to use examples from other treatises of the *corpus hippocraticum* because they are non-specialised texts just like the Hippocratic Oath. The most obvious treatise for this topic to find the meaning of φθείρω as abortion is *De mulierum affectibus*. The point of my proposal is more difficult to analyse in this treatise due to the introduction of 'synonyms':

Mul. 25, 1 Νῦν δὲ ἐρέω ἀμφὶ νοσημάτων τῶν ἐν γαστρὶ ἔχουσέων... (14-17) ἣν δὲ μὴ μελεδαίνηται, φθίρεται τὸ ἔμβρυον, κινδυνεύει δὲ καὶ αὐτὴ τὸ νοσήμα χρόνιον ἔχειν, ἣν οἱ ἡ κάθαρσις πλεῖον τοῦ δέοντος χωρὲς μετὰ τὴν διαφθορὴν, οἷα τῶν μητρῶν μᾶλλον ἐστομωμένων. (24-26) Πολλοὶ δὲ καὶ ἄλλοι εἰσὶ κίνδυνοι, ἐν οἷσι τὰ ἔμβρυα φθείρονται· καὶ γὰρ ἦν ἡ γυνὴ ἐν γαστρὶ ἔχουσα νοσήση καὶ ἀσθενὴς ἦ, ... (29-32) καὶ τροφὴ δὲ αἰτίη φθορῆς καὶ τὸ αἶμα πουλύ. Καὶ αὐταὶ δὲ αἱ μήτραι ἔχουσι φύσις ἣσιν ἐξαμβλέεται, οὔσαι πνευματώδεις, πυκιναί... (32-36) Ἦν γυνὴ ἐν γαστρὶ ἔχουσα τὴν κοιλίην ἢ τὴν ὀσφὺν πονέη, ὁρῶδέειν χρὴ τὸ ἔμβρυον ἀμβλῶσαι, ῥαγέντων τῶν ὑμένων, οἱ αὐτὸ περιέχουσιν. Εἰσὶ δὲ αἱ φθείρουσι τὰ ἔμβρυα, ἣν δριμύτι ἢ πικρὸν φάγωσι παρὰ τὸ ἔθος ἢ πίωσι, νηπίου τοῦ παιδίου ἐόντος. (And now I will speak about the diseases of [women]-who-have-in-their-belly... (14-17) if she is not attended, the embryo is damaged, and she is in danger of having a chronic disease, and if the evacuation flows more than necessary after the damage, see how the womb is quite open... (24-26) And many others are the dangers, in which the embryos are damaged. And if the woman having-in-her-belly gets sick and is weak... (29-32) the food and the abundant blood are the cause of the damage. And those wombs have constitutions in which there is a miscarriage, being airy, closed... (32-36) If the woman who-has-in-her-belly has pain in the abdomen and lower back, it is necessary to fear for the miscarry of the embryo, once the membranes, which surround it, were broken in pieces. They [women] are the ones who damaged the embryos, if they ate or drank something bitter or acid, besides their habit, being the foetus little.)

I tried to be as literal as possible to stress the two families of words used to imply an abortion. The first family derives from φθείρω, and thus I translated every time as 'damage'. The reader can see that, even though it has always been understood as abortion, there are contexts in which that understanding can be put to the test because not every damage to the embryo must end in abortion. The meaning of the product (foetus, embryo) damaged (or dead) and expelled out of the womb is better understood by the second family of words derived from ἀμβλίσκω ('to cause to miscarry') which has a narrower meaning. There is also a slightly different

idea between the two families. In the cases where the words from the φθείρω family were used, there is a component strange to the body which ruins the nature of the product like food, drinks, excess of blood, etc. On the contrary, for words of the ἀμβλίσκω family, the problem is anatomical, either the constitution of the womb or the organs that take care of the product like membranes. This example is just the beginning of future monumental analysis and reconsideration of all the gynaecological passages.

Mul. 67, 1-6: "Ἦν δὲ γυνὴ ἐκ τρωσμοῦ τρῶμα λάβη μέγα, ἢ προσθέτοισι δριμέσιν ἐλκωθῇ τὰς ἥτρας, οἷα πολλὰ γυναικες αἰεὶ δρῶσί τε καὶ ἰητρεύουσι, καὶ τὸ ἔμβρυον φθαρή, καὶ μὴ καθαίρηται ἡ γυνή, ἀλλὰ οἱ αἱ μήτραι φλεγμῆνωσιν ἰσχυρῶς καὶ μεμύκωσι καὶ τὴν κάθαρσιν μὴ οἷαί τε ἔωσι παραμεθιέναι, εἰ μὴ τὸ πρῶτον ἅμα τῷ ἐμβρύῳ, αὕτη ἦν μὲν ἰητρεύηται ἐν τάχει, ὑγιὴς ἔσται, ἄφορος δέ... (10-14) Κῆν ἐν τῷ τόκῳ κάρτα ἐλκωθέωσιν αἱ μήτραι τοῦ ἐμβρύου μὴ κατὰ φύσιν ἰόντος, πείσονται τὰ αὐτὰ τῇ ἐκ διαφθορῆς ἐλκωθείσῃ τὰς μήτρας, καὶ μεταλλαγὰς καὶ τελευτὰς τὰς αὐτὰς ἡ νοῦσος ἴσχει, ἦν τε ἐκ διαφθορῆς ἦν τε ἐκ τόκου αἱ μήτραι ἐλκωθῶσι. (If the woman had a huge pain after an [attempted] abortion, or she was ulcerated with acid applications, see how many women always accomplish and treat [it] medically. The embryo was damaged, and the woman was not purged, but the wombs swelled severely and closed, and these are not able to release the purge, if not at the beginning with the embryo and she is treated quickly, she will be healthy but sterile... (10-15) And if the wombs were extremely ulcerated because of the constitution of the embryo who does not go out, the same things as in the ulceration are going to happen to the wombs due to abortion. And the disease keeps these changes and ends if the wombs were wounded from abortion or childbirth).

We have two words to mean the same thing if both are taken as a simple abortion. In the first case, the word derived from τιτρώσκω, 'to wound, kill, damage, injure' has no complement and thus its meaning should be reached by its own. In this case, it could also be read not as abortion but as a wound or injure, being different from the words derived from φθείρω because τιτρώσκω does not have the meaning of altering the nature of something but only harming it. It has, in a way, a more aggressive meaning. We read thanks to φθαρή that the damage of the embryo did not end with the expulsion of it as it would be expected from a proper abortion. The last word (διαφθορῆς), on the contrary, could only mean abortion because it is put as the alternative to childbirth.

3) The last example is again of the *Epidemiae* in 6, 1,1 which is a short text, free of context just as the Hippocratic Oath: Ὁκόσησιν ἐξ ἀποφθορῆς περὶ ὑστέριν καὶ οἰδημάτων ἐς καρηβαρίην τρέπεται, κατὰ τὸ βρέγμα ὁδύ-

ναί μάλιστα, καὶ ὅσαι ἄλλαι ἀπὸ ὑστερέων. (For all [women], after an abortion and swellings around the womb, it turns into a headache, most of all there are pains in the front part of the head and many others from the womb.) I believe that in this fragment and many others we could understand the word derived from φθείρω as abortion because there is a similar formulation but with more context in the same treatise.⁸⁵⁰ It indicates that the meaning of φθείρω as abortion was laying together with the general meaning of destruction or damage, especially in gynaecological contexts.

Another author that might bring some light to our discussion is Soranus of Ephesus (1st/ 2nd century AD). He is important for us because he wrote a treatise on gynaecology, and represents the third oldest testimony of the Hippocratic Oath⁸⁵¹:

Sor. Gyn. 1, 60, 1-2:⁸⁵² Εἰ φθορίοις καὶ ἀτοκίοις χρηστέον καὶ πῶς. Ἀτόκιον δὲ φθορίου διαφέρει, τὸ μὲν γὰρ οὐκ ἔῃ γενέσθαι σύλληψιν, τὸ δὲ φθείρει τὸ συλληφθέν· εἴπωμεν οὖν ἄλλο 'φθόριον' καὶ ἄλλο 'ἀτόκιον'. τὸ δὲ 'ἐκβόλιον' οἱ μὲν συνωνυμῶν τῷ φθορίῳ λέγουσιν, οἱ δὲ διαφέρειν τῷ μὴ ἐν φαρμάκοις νοεῖσθαι, κατασεισμοῖς δὲ καὶ πηδήμασιν, εἰ τύχοι· διὸ καὶ τὸν Ἱπποκράτην παραιτησάμενον τὰ φθόρια παραλαβεῖν ἐν τῷ Περὶ παιδίου φύσεως ἐκβολῆς χάριν τὸ πρὸς πυγὰς πηδᾶν. γεγένηται δὲ στάσις. οἱ μὲν γὰρ ἐκβάλλουσιν τὰ φθόρια τὴν Ἱπποκράτους προσκαλούμενοι μαρτυρίαν λέγοντος· "οὐ δώσω δὲ οὐδενὶ φθόριον", καὶ ὅτι τῆς ἱατρικῆς ἐστὶν ἴδιον τὸ τηρεῖν καὶ σφάζειν τὰ γεννώμενα ὑπὸ τῆς φύσεως. (Tr. Temkin - *Whether One Ought to Make Use of Abortive and Contraceptives and How?* 60. A contraceptive differs from an abortive, for the first does not let conception take place, while the latter destroys what has been conceived. Let us, therefore, call the one "abortive" (*phthorion*) and the other "contraceptive" (*atokion*). And an "expulsive" (*ekbolion*) some people say is synonymous with an abortive; others, however, say that there is a difference because an expulsive does not mean drugs but shaking and leaping,...⁸⁵³ For this reason they say that Hippocrates, although prohibiting abortives, yet in his book "On the Nature of the Child" employs leaping with the heels to the buttocks for the sake of expulsion. But a controversy has arisen. For one party banishes abortives, citing the testimony of Hippocrates who says: "I will

⁸⁵⁰ See Hipp. *Epid.* 3, 2, 10; 3, 2, 11; 5, 11, 53 and 7, 1, 74.

⁸⁵¹ See 2.3.1.

⁸⁵² Ed. Ilberg, CMG IV http://cmg.bbaw.de/epubl/online/cmg_o4.php?p=25 (01.11.2022).

⁸⁵³ Temkin added three dots saying: "The Greek text at the end of the sentence is corrupt and Dietz' emendation, accepted by Ilberg, is not convincing."

give to no one an abortive"; moreover, because it is the specific task of medicine to guard and preserve what has been engendered by nature.)⁸⁵⁴

Soranus made things clear for us, though again with many other considerations. Φθόριον is understood as "a drug that destroys the conceived one". The expulsion of the conceived is not included in that definition, hence the introduction of the word ἐκβόλιον.⁸⁵⁵ Soranus marks the difference between these two concepts not by its etymological meaning, one destructive, the other ejective; but by the method they ruin nature's path to procreation. Φθόριον is just drugs, ἐκβόλιον strong physical movements to avoid or ruin implantation. I think both were used indistinctively and together achieve a full meaning of abortion, as I will explain later.

Soranus gave us the only other text where we can read the phrase πέσσον φθόριον besides the Hippocratic Oath. In 65, 4-5 of the same *Gynaeciorum libri IV* he recommends an "abortive pessary" for women who tried to get an abortion but have not succeeded after other remedies like phlebotomies, baths and softening clysters.⁸⁵⁶ However, when he gives options about the different pessaries and recommended a less dangerous one for the exact same use, it is called ἐκβάλλων⁸⁵⁷ or ejective. The difference Soranus explained in fragment 60 was not preserved here. This word family derived from ἐκβάλλων is less of a synonym to φθείρω family than that of τιτρώσκω. The word family of ἀμβλίσκω is the only one that has the meaning of abortion. Between them, they established a sort of synonymity when used in gynaecological context even though, in their origins, they must have had very different meanings.

A second significant remark of Soranus' first fragment (60,1) is the quote to the Hippocratic Oath. The word πέσσον is missing, just as in some manuscripts of the Hippocratic Oath, and the indirect object is no longer a woman (women in Jouanna). These elisions erase the little context we had to support the meaning of abortion in the Hippocratic Oath. These contexts are the same I have been stressing in the other fragments, women,

⁸⁵⁴ Soranus of Ephesus, *Gynaecia*, Tr. Temkin, pg. 62-63.

⁸⁵⁵ In the edition of Soranus by J. Ilberg (CMG IV) it says to the passage that after τὸ δὲ φθείρει τὸ συλληφθέν Aetius adds καὶ ἐκβάλλει. Φθόριον means what damages and expulses the conceived, hence reaching the meaning of abortion. Note that two words are used to reach the meaning of abortion.

⁸⁵⁶ Sor. Gyn. 65, 4-5 εἰ δὲ πρὸς τὴν φλεβοτομίαν ἀλλοτρίως ἔχοι τις καὶ ἄτονος εἴη, προανιέναι μὲν τοὺς τόπους ἐγκαθίστασι καὶ λουτροῖς καὶ πεσσοῖς μαλακτικοῖς καὶ ὕδροποσίᾳ καὶ ὀλιγοσιτίᾳ καὶ κοιλιολυσίᾳ καὶ κλύσματι προστίθεσθαι μαλακτικόν, μετὰ ταῦτα πεσσὸν φθόριον.

⁸⁵⁷ Sor. Gyn. 65, 6 ἄλλος πεσσὸς ἀκινδυνότερον ἐκβάλλων.

pregnant women, gynaecology, a child or foetus in the womb, etc. Without this extra information, the meaning of φθόριον could be any other destruction or condition, like epilepsy, consumption or impotence; or a simpler more general harm.

The meaning of abortion is reached thanks to three conditions (my so-called context) given as a direct object, temporal complement, adjectives, etc.: a) pregnant woman, b) the damaged thing is a product in the womb and cause of pregnancy, and c) the expulsion of that dead product.

If the woman is not pregnant, the damage could be to any other part of her body. If we narrow the discussion to our example, the damaged female body parts should be the genitalia because of the use of pessaries. The pessary could cause other problems above mentioned such as ulcerations, abundant fluxes, swelling; all of them counter-productive for women, even if not pregnant. If the woman is pregnant and there is damage, it could be done to her or to the product, which not necessarily means she will abort. The damage may cause difficult childbirth, early birth or a disabled child. This possibility is given in φθείρω because it changes the nature of things and might not destroy them utterly, as implied in τιτρώσκω. The third condition is hardly expressed in the fragments above mentioned. The expulsion of the dead product appears as ἀπηλλάγη (Hipp. Epid. 7,1,97, 1-4), καθαίρω (Hipp. Mul. 67, 1-6) and ἐκβόλιον (Sor. Gyn. 60.3)⁸⁵⁸

None of these conditions happens in the fragment of the Hippocratic Oath ὁμοίως δὲ οὐδὲ γυναίξῃ πέσσον φθόριον δώσω. We only have the information that a physician must not give women a destructive pessary. We do not know if the woman is pregnant, nor what does the pessary damages. If we consider the fragment of the Hippocratic Oath as preserved in Soranus' text, we could not know at all that the pessary (if there were a pessary) is meant as abortive.⁸⁵⁹ It would be better understood as destructive, corruptive, or damaging, and it would mean damaging anybody anyhow. In this case, the anti-abortion clause would be a second general non-maleficence clause. The physician must not give lethal drugs nor damaging pessaries (or drugs), that is, he should not harm with any kind of a remedy to anyone, it does not matter if it is man, woman, pregnant woman, child,

⁸⁵⁸ See HIPPOCRATE, Sérment, Tr. Ed. Jouanna, p. 27 -28 He quotes the analysis of Littré about the use of abortives according to the different medical cases of women and the product.

⁸⁵⁹ See for example the translations and cases offered by Thomas Rütten, while discussing about the word πέσσον he also translates φθόριον as destructive. He offers the translation of Niccolò da Reggio who translated it as *pessarium corruptivum*. RÜTTEN, "Receptions of the Hippocratic 'Oath' in the Renaissance", p. 469-470, 478.

foetus, etc. This interpretation would include, nonetheless, not to produce abortions because abortion is harmful, and it is more dangerous than childbirth according to Hippocrates.⁸⁶⁰

If the Hippocratic Oath intended to prohibit abortion, the clause could have been:

- ὁμοίως δὲ οὐδὲ γυναιξὶ πέσσον τοῦ ἐμβρύου φθόριον δώσω or any other similar words such as παιδίου, γόνου, νηπίου, as found in the fragments above.
- ὁμοίως δὲ οὐδὲ γυναιξὶ πέσσον ἀμβλωτικόν δώσω.
- ὁμοίως δὲ οὐδὲ γυναιξὶ ἐν γάστρῳ ἔχουσας πέσσον φθόριον δώσω.
- And the fourth option with all the previous formulations together: ὁμοίως δὲ οὐδὲ γυναιξὶ ἐν γάστρῳ ἔχουσας πέσσον τοῦ ἐμβρύου ἀμβλωτικόν δώσω. In this statement, there would be no doubt that the prohibition is against abortion.

To accept the meaning of φθόριον as destructive or harmful in the text of the Hippocratic Oath as we have it today, will slightly change the understanding of the non-maleficence clauses. Let us go part by part. It would suggest firstly that the author was making a specification from the previous clause so that the physician does not give lethal nor harmful drugs. Secondly, the pessary could have been introduced in the text to include all possible remedies: diet, ingested drugs, anal or vaginal remedies and surgery. Although men were also treated with pessaries⁸⁶¹ they are more harmful to women, because of the nature of both genitalia. The word pessary reminds us of the reproductive capacities of the humankind but especially of those of women, who do most of the work in the production of offspring. Her reproductive function is more important and requires more medical attention. The general meaning of the word φθόριον prohibits physicians not only to practice an abortion but to harm women's reproductive capacities in any way. The Hippocratic Oath's clause is not an anti-abortion clause but an anti-gynaecological harm clause.

3.4 Conclusion

The structure of Meibom's Commentary is clear, simple and very well organised, as any other book of his time. The difficult part of the research was not the subject matter, since it is quite self-explanatory, but the object, the

⁸⁶⁰ Hipp. *Mul.* 72, 16-20.

⁸⁶¹ Pessaries (βᾶλάνης) were used also to treat fistulous abscesses. Hipp. *Fist.* 1,3.

history of the book in his physical nature and the process of getting it done. Although I mentioned here many changes that Meibom planned for a new edition that never got published, it is not clear if these changes would have affected the reading and understanding of the text.

After reading in detail one chapter of Meibom's Commentary, some general annotations could be done about his way of proceeding. He divided the Commentary into different pieces or lemmata to analyse it better just as he said he would, but he relies greatly on the commentaries of others, especially on those he mentioned in the letter to the reader, which he qualified as not sufficient. He also relies greatly on the references and quotes he uses; as a consequence, his intention to go deeper than the other commentaries is not always achieved.

He tries to write about every topic of every part of the lemma, but since the topics, problems and discussions are too many he usually stops the discussion and gives a conclusion with a general statement, for example, with the problematic text and translation tradition of the passage of the Exodus.

To get closer to that conclusion or general statement, he has different types of thinking. First and more obvious is analysis, by dividing the Oath in fragments and those in smaller parts or lemmata. This first division is supported by deductive reasoning, especially when Meibom is trying to prove or reject the validity of procuring an abortion. Since there are a lot of supposed medical cases that need to be put to the test, he uses the textual sources as premises of the deductive reasoning that keeps up growing and growing to finally get to a point where Meibom needed a general statement to finish the argument or simply to move on to the next topic. It gives the impression that Meibom stopped either because it was impossible to follow due to the lack of information and proved cases, which made me wonder about his personal experience as a physician; or because the natural conclusion of the argument would end as valid but unsound. Meibom inverts the reasoning and adds a general statement that includes all the minor cases, but that may not take into account all the details of each specific case, moving thus to an inductive generalisation. This final and general statement usually comes from an unquestioned text authority. Meibom breaks the natural chain of reasoning and ends either with an invalid argument, because he did not give the conclusion that followed the premises in his deductive reasoning, or with a weak argument, if judged as inductive reasoning, because the conclusion does not follow the premises, even if they were true in all the cases. I supposed that this break in the reasoning was a sign of prudence in Meibom's writing because to give the logical conclusion of the topics he exposed would have had big consequences for him, such as allow abortion if the time of the pouring of the

soul or the definition of the form could be determined, the unreliability of Hippocratic texts and the very questionable truthfulness of Bible translations.

Meibom's Commentary on the Hippocratic Oath is very ambitious and a challenging reading for every scholar, from his times or ours. He tried to address all matters surrounding the Hippocratic Oath, medical, legal, philosophical, religious, etc. The many disciplines made that the variety of arguments got in his way. I think he overlaps categories and mixes things, which was, of course, natural in his time. If he had judged abortion only as a medical problem, he would have arrived at certain conclusions, different to those reached if judged through the eyes of philosophy and most surely quite the opposite if judged religiously. This overlapping of disciplines made Meibom's Commentary unreasonable to a certain point but a true mirror of the complexity of medical problems which surpass the sole environment of the medical field.

His constant quoting and reference to all types of authors and sources are the most definite proof of the immense information there was (and is) about any topic of the Hippocratic Oath and especially about abortion. Meibom could not fit everything into the small number of pages, nor was clear for him where to put some information that could have fit into different lemmata, that is why he also uses the references. The quoted passages offer a better and more detailed explanation of the topic or problem barely touched in his Commentary. An example of these is all the medical cases to produce abortion (smallness of the uterus, tumours or condyloma in the vagina, narrowness, etc.) that were barely explained. Instead, Meibom put a reference to the great work on Gynaecology by Rodrigo de Castro, *De universa muliebrium morborum medicina*, where the reader could find a detailed explanation, problematisation and solution to each complication.

About the sources he uses, he probably had at hand compilations. Trying to find all the authors and works he referred to, I found the compilation of gynaecological authors by Israel Sprachius. Besides, the passages he uses of ancient sources are often also mentioned in authors contemporary to his time so that it is impossible to know if he actually read the work he is quoting or just referred to it from someone else's work.

Meibom's Commentary could be understood in two different ways. It is either an encyclopedic knowledge that intends to put only in one text all the different opinions of important authors from ancient and contemporary times or an argument to agree with Hippocrates on the prohibition of abortion. If the former, the Commentary is well interwoven assuming that the reader had all those references at hand; if the latter, Meibom tried

to reject every possible opposition or argument already known (if the foetus is alive, animated or not; diseases, if abortion is for the better, when, how, and even the technicalities to consider it an abortion as such or to name it as flux, etc.). In both cases, I find that it is not enough. If viewed as the first, he did not expose the ideas of all his references; if as the second, the references hinder the argument. What remains at the end is a discussion pseudo argumentative, with a historical, religious, less philological and medical tinge with which the reader can learn a lot but will hardly get to a conclusion or discover the exact posture of the author. If the book was designed to be read, it fails to present the argument; if intended to be discussed, the references and unfinished cases are indeed perfect for adding points of view about the briefly explained topics. This last hypothesis would make the Commentary to have included its own discussion and be the perfect material to discuss in class or court.

This hypothesised discussion became true to me. It happened partially in my head, partially in talks with family, friends, and professors. Meibom's Commentary gave me the idea of the interpretation of *φθόριον* and the important implications of the different types of pregnant women according to Philo of Alexandria. The general understanding of the Greek word as 'destructive' is nothing new, as I tried to point out before through fragments and the translation of Niccolò da Reggio and, in modern times, Thomas Rütten. The implication of Philo's types of pregnant women has been floating around but without becoming a reality in our society. Philo gave the will of pregnant women a power not yet fully studied nor recognised. The authority of textual tradition is immense, and these particular ideas needed to be stressed now more than ever, not only to protect women against gynaecological harm but to re-think medical ethics applied to women's bodies, especially to pregnant women's bodies.

4. General Conclusion

We have seen that the Hippocratic Oath has a long textual tradition. The Latin textual tradition is just in its beginnings. It is still necessary to research more to separate the different schools of thinking. This research has helped us understand two things about it: first, the publication of the *Opera Omnia* of Hippocrates helped to fix a reading of the text. Most versions of the Greek text go back to one of those editions (Aldine, Froben, etc.). However, the Latin tradition cannot be traced back to them but must follow a different path. Second, the Latin tradition, even though it has its beginnings within the Greek textual tradition, had an especial input in history not only through the same *Opera Omnia* but through commentaries.

We noticed that some of the commentaries before Meibom's had the intention of reviewing many other works of Hippocrates (Zwinger, Opso-paeus, Van Heurne, Ranchin) and not only the *Oath*. It means that the authority of the Greek text was established through the main editions and what was left was to understand it correctly, to give it what was supposed to be a final correct meaning.

But every scholar and every century found something new to say, to annotate, to grab to use it in their discoveries and thinking. Meibom marks the end of a series of commentaries with those intentions. He tried to gather all previous contemporary information, which included in itself way older information – the whole tradition actually- and put it together in one piece. Meibom presented a commentary only of the Hippocratic Oath, just as Hollier, Memm and Casaubon. It means that they tried to devote their undivided attention to just one Hippocratic text and not many as if stressing the importance of the Hippocratic Oath and re-evaluate it among the other more studied texts of the *corpus hippocraticum*, such as the *Aphorisms* or *Prognostics*.

Every new annotation gave us a slightly different Latin text connected to previous Latin and Greek textual traditions. The net of the Latin text tradition is complex and still needs so much more research. Meibom made things for us a little simpler because he openly mentioned his sources, especially the other commentaries. We pointed out many differences and similarities between them, from the Greek and Latin text to the *lemmata* and the type of commentary.

We got to the conclusion that Meibom's Commentary is something more than a commentary. It could be called like that because of the general definition I gave before: a commentary is an explanatory text. But in his

explanations, Meibom also offered glosses and translations' problems. The explanation went beyond the simple meaning of words; it embraced the tradition and, especially in the second edition, the thinking of his colleagues.

A quite easy way to mark textual tradition is to adopt the *lemmata*. Meibom followed the tradition of three big sections just as Zwinger and Ranchin and of the subdivision of more than twenty but less than thirty like van Heurne. Meibom followed the annotations of the more philologic commentaries (Zwinger and Opsopaeus) when he gives only the meaning of the words or their Latin translation. The intention to bound it to other fields is also in Ranchin's commentary, for example, the French physician also quotes de Exodus for the problem of abortion and treats the Oath almost as a legal text. All these commentaries give the possibility to transform the Hippocratic Oath into something else. The text became something more than the lines to be signed and spoken before witnesses; it became medical laws (Ranchin), structural textual analysis (Zwinger), vocabulary annotations (Casaubon, Opsopaeus) and the encyclopaedia of ancient and early modern times (Meibom). This phenomenon changes the nature of the text; it enriches its meaning and extends its use. It is said that the Hippocratic Oath was used to bond the student of Medicine to the selected group of physicians, to make sure that the next generation of physicians will preserve the art and life holy and pure. With Meibom's Commentary, the Oath does not work anymore as supposed preestablished rules but as a door to Greek culture, medical problems and philologic contradictions.

Meibom was not famous as a physician but more as a commentator or philologist, as we read from the letters. The glory of the Meibom family as physicians was kept for Heinrich Meibom the Younger. Maybe this glory was left for the son because Johann Heinrich did not go deep into medical topics, even though he knew all the authors and problems about the most common controversies of his time and was aware of the new discoveries in medicine. I believe that the Commentary on the Hippocratic Oath, and probably the rest of his published work, turned out to be more philologic and less medical because of the public. Meibom said that he wrote it for two purposes; for the beginners in Medicine to learn how to behave, and to complete a work that was not adequately done before, at the same time finding for himself some leisure out of the tedium of every day's medical practice. The last reason would never happen if he had written the Commentary when he was in his safety period, teaching at the Helmstedt University surrounded by students. It means that the actual public of the Commentary was not young physicians but old friends and court acquaint-

ances. The book is not a teaching on ethics, moral behaviour, nor an initiation rite among the followers of the art of Asclepius but an exercise of two opposite actions, to anatomise and to gather. Meibom built an Anatomy of the Hippocratic Oath by collecting all possible information about it. Reading his Commentary is like looking into a water drop with a hi-intensity microscope: everything seems so round and clear, but there are many things within that interact in many ways, to the point that it is difficult to follow. But to keep up with the discussion, Meibom introduced the references. As soon as the text turns too personal or too self-explanatory, there is a quote, another author's opinion about the same thing or others, as long as the words suit the purpose.

Meibom also used the quotes and references to make several statements. He was erudite, an expert in the classical tradition, a good scholar of biblical tradition and a decent connoisseur of law. He knew all the ancient and modern authors of Medicine and managed all canonical texts perfectly. He was well acquainted, and his book was the perfect gift to offer to his friends and patrons. This last assumption is clear to me due to the new references he introduced in the second edition (Meibom 4); many of them were writers, contemporary to Meibom's time, which might have a connexion to him or that represented the newest published works. No one would like to hear that his work is out-of-date. Another point deduced from the references, and that probably was not an intentional statement of Meibom, is that he focused more in the gathering of sources, in appearing so complete and perfect that left the medical analysis out. He had more than thirty years of experience in Medicine, and yet there is no opinion in the medical cases. About the philologic instances, on the contrary, he judged, though not directly. In both cases, the statement and the lack of it, Meibom played safe. He never went beyond the already established opinions about anything, not about abortion, nor the interpretation of the Exodus, nor the legislations.

The complexity of Meibom's Commentary presents a challenge for the reader and the researcher. The book is more interdisciplinary than any other of the commentaries. It is a complex system of everything that came before Meibom, almost as a historical being, whose body is medical but formed by philosophic, philologic, theologic, legal, and historical tissues. Together they created the perfect topic to discuss at court or with experienced, educated physicians because, changing from one tissue to the other, the discussion can be renewed and turned back. Meibom achieved with them contrasts and inconsistencies that were also not seen before, for example, the contrast of the medical, philosophic and religious spheres to judge abortion. A problem that began medical, because it is the physician

who is supposed to do the call to preserve the foetus or destroy it, turned out philosophical because all medical possibilities for abortion were reduced to the time the soul enters the body. Then, it did not become a matter of philosophy but of religion because the sources to end the controversy were no longer Pagan but Christians, and the argument was not based on reason but a holy authority (Pope's Bulla or St. Jerome). The legal sources were a standard glue between all the above. The contrast between all disciplines is evident because all of them had different ways of validation. The inconsistency comes from answering a medical question with a religious answer and vice versa.⁸⁶²

Meibom's Commentary is, after all, an important window to the past. It is the inflexion point between the distant and closer past because his Commentary includes all previous commentaries, plus some of the Greek and Latin traditions, and was still known and quoted by Émile Littré.⁸⁶³ His commentary appears to me as a time capsule that is trying to teach us something while pointing out solutions to old problems which remain unsolved today.

Final note or fairly teachings from chapter 15th of Meibom's Commentary

Meibom's Commentary might not be very focused on medical topics, however, it goes deep into some matters of medical science that are useful even today to judge the possibility of an abortion, for example, the ethical and religious consideration if that to be aborted is considered animated or not, completely formed or not (addressed in the Commentary thanks to the reference to the Exodus) and the distinction between flux and abortion. Meibom's posture is totally against abortion, and he does not consider it an option under any circumstances nor in any stage of pregnancy.

Despite the development of science, the matter of abortion is still addressed in a very similar manner: if the conceived is a person or not, if it has a soul or not. The idea here introduced thanks to the reference to Philo of Alexandria is not taken into account for health policies nor legal solutions in our society. I refer to the two ways of naming pregnant women: the one who receives or takes (λαβοῦσα), and the one who has in her belly (ἡ ἐν γαστρὶ ἔχουσα).

According to this differentiation, the woman is seen, in matters of pregnancy as a vase. In the first case or the woman who receives, she would be a vase with a will, that consciously decides when to get full and when

⁸⁶² The break in the argumentation as explained in 3.4.

⁸⁶³ See Chapter 2, n. 460.

not to. In the second case or the woman who has, the vase has no will nor intention of being full or empty; therefore, the process happens without her will nor intention. In the latter, the vase is not responsible for its content and will not hesitate to throw it away; therefore, it must not be condemned if the vase disposes of its content as it suits it. With this analogy, a woman who got pregnant against her will should not be judged if she aborts, if, on the contrary, she willingly got pregnant, the product is her responsibility.

The will plays a decisive role because if the conceived is wished-for, expected, and nonetheless there is an abortion, the lost will be painful for the woman even if it had only a couple gestation weeks. On the contrary, if the product is not wanted, it could be born and still be driven into certain death, or in a better scenario an uncertain future, more or less painful. Woman's will in pregnancy should automatically imply that she accepts the responsibilities involved, therefore if she decides to accept those responsibilities, she acquires rights on the product.

But of course, the matter of pregnancy is not only up to the woman, though and as also seen in Meibom's Commentary, only she is always accountable for it and the results of it. In modern times we have many examples of women who had to decide to end an unwanted pregnancy, either because they did not agree to a sexual relationship or because of the economic and social situation. There are other cases where they were forced by the sexual partner to end the pregnancy,⁸⁶⁴ just as the example of Emperor Domitian in Meibom's Commentary.

In my homeland, abortion became legal (unpunished) in 2007, only in Mexico City. In the rest of the country is still illegal or only allowed under very specific circumstances. Since then, there have been more than 209 thousand women who went through the procedure. Almost half of these women (47,1 %) were between 18 and 24 years old, less than five per cent (4,9%) were under-aged between 15 and 17 and even less than one per cent (0,7%) aged between 11 and 14.⁸⁶⁵ Searching for the numbers, I was shocked to know that in 2018 of the 2.162.535 births in Mexico, seventeen per cent

⁸⁶⁴ Some examples could be read in SEDGWICK, "I couldn't tell anyone': Women around the world reveal intimate stories of abortion", *The New York Times*, July 9th, 2018, Online: <https://www.nytimes.com/2018/07/09/reader-center/abortion-around-the-world.html> (01.11.2022).

⁸⁶⁵ FLORES, "Aborto legal en la CDMX: Más de 209 mil mujeres recurrieron a ese procedimiento en 12 años", *Animal Político*, 24 de abril de 2019, Online: <https://www.animalpolitico.com/2019/04/aborto-legal-cdmx-datos-mujeres/> (01.11.2022).

(17,5%) were of women under the age of 20.⁸⁶⁶ In the data about the civil status of women that gave birth, it is stated “from 12 years old and more”, which means that it is normal that girls give birth in Mexico. We hold the first place in teenager pregnancy between the country members of the Organisation for Economic Co-operation and Development (OECD).

The response of Mexican government was to develop the *Estrategia Nacional para la Prevención del Embarazo en Adolescentes (ENAPEA)* that aims to reduce to zero the births in girls aged between 10 and 14 by 2030⁸⁶⁷ (I would rather think of minimising pregnancies to zero). The ENAPEA quite correctly tried to focus the problem also in men, publishing a study about masculinity. There, it is clear that there are some critical factors in pregnancies and abortions, such as a deficient sexual education, an early beginning of sexual relationships, difficult access to health services and a feeling of invulnerability due to the lack of proper information about sex.⁸⁶⁸ Pregnancy is seen as a ‘fixable problem’ in contrast to transmitted sexual diseases (STD), and men see it as a woman’s decision, sometimes even implying that she is the one who decides to get pregnant and might trick them in order to achieve it. When it comes to the reality of pregnancy, the woman has more power than the man to decide over it, but “en este poder relativo queda también establecido que ella es quien asume la mayor carga en la decisión de tener un hijo”.⁸⁶⁹ In the testimonies offered by the study, there are some responsible men who rose up to the consequences of having a child, others who considered the idea of abortion and accepted the final woman’s decision; and some others who ran away or even admitted that they had sex with whatever woman who was around, drunk or not, without even knowing her name,⁸⁷⁰ so there is no chance that they know if they got them pregnant. These last testimonies put together with the cruel data that in 2018 there were at least 40.303 sexual rapes to women in Mexico, make me wonder why are men so unconscious about sexuality

⁸⁶⁶ Instituto Nacional de Estadística y Geografía (INEGI), México 2018, Natalidad y Fecundidad. Online: <https://www.inegi.org.mx/temas/natalidad/> (01.11.2022).

⁸⁶⁷ Instituto Nacional de las Mujeres, “Estrategia Nacional para la Prevención del embarazo en adolescentes” Gobierno de México, 07 de Enero de 2019, Online: <https://www.gob.mx/-inmujeres/acciones-y-programas/estrategia-nacional-para-la-prevencion-del-embarazo-en-adolescentes-33454> (01.11.2022).

⁸⁶⁸ Instituto Nacional de Salud Pública, Estudio sobre la Prevención del Embarazo en Adolescentes desde las masculinidades. Informe Final, Noviembre 2015. p. 29. Online: http://cedoc.inmujeres.gob.mx/documentos_download/Estudio-ENAPEA.pdf (01.11.2022).

⁸⁶⁹ Instituto Nacional de Salud Pública, ... Prevención del Embarazo en Adolescentes..., p. 123.

⁸⁷⁰ Instituto Nacional de Salud Pública, ... Prevención del Embarazo en Adolescentes..., p. 97-99, 116.

and its implication? Why can they still have irresponsible sex without guilt nor prosecution? The ENAPEA was right bringing men into the central part of the problem about pregnancies and abortions. Sadly, all data in numbers speaks through women. After all, they had to become conscious about their sexuality, their body and their responsibility due to pregnancy, because they cannot deny it. The woman must pass from “the one who has” to “the one who receives” in nine months or less. The unwilling vase must find the will, but the filler of the vase could remain foreign to the situation. I am disappointed because there is no data about how many children does a man has, of how many he is supporting, how many does he think he has and why; and most importantly, how many of the teenager pregnancies and abortions are due to rape. Why there is no data following up women who had an abortion? How can we be sure that of those 209 thousand abortions, some of them were not the same woman twice or thrice (and so avoid a constant raping or the abortion as a solution for an irresponsible sex life)?

Another problem around abortion came to me talking about it with my father in law and other friends. It turns out that even though abortion is legal in Europe, women cannot easily have access to the procedure, either because the bureaucracy takes too long and the pregnancy comes to the illegal period or because there are no physicians at hand who are willing to do the procedure. In the French press (*Le quotidien du Medecin*),⁸⁷¹ there have been several notes about this problem. They addressed the issue of the ‘conscience clause’ (*clause de conscience*) because some socialist senators wanted to modify the law that made abortion legal (law Veil – 1975) to remove a clause that gives the physician the option to refuse to do the procedure on behalf of his beliefs or personal views. Some people support the idea of abolishing the conscience clause, arguing that “l’IVG

⁸⁷¹ www.lequotidiendumedecin.fr Articles: 18.04.2014 – GARRE, “Le sénat maintient l’article sur l’IVG du texte sur l’égalité femmes-hommes”. 20.02.2015 – GARRE, “IVG: le délai de réflexion et la clause de conscience dans le projet de la délégation aux droits des femmes”. 07.09.2018 – GARRE, “IVG: reprise de l’activité à l’hôpital du Bailleul, dans la Sarthe, après neuf mois d’arrêt.”. 13.09.2018 – GARRE, “Je n’ai pas dit que c’était un crime”, Dr. Bertrand de Rochambeau à propos de l’IVG.” 27.09.2018 – GARRE, “La clause de conscience spécifique à l’IVG, un débat récurrent”. 18.10.2018 – MSIKA RAZON, “Le point de vue du Dr. Marie Msika Razon: Il est temps de penser autrement et de supprimer cette clause redondante”. 18.10.2018 – PARRENIN, “Le point de vue du Dr. Andrée Parrenin: Une condition particulière pour répondre à une circonstance particulière”. 25.10.2018, HEUSSE, “Courrier des lecteurs. IVG et amalgame”. 25.10.2018, GUY, “Courrier des lecteurs. Simone Veil et la clause de conscience”. 05.11.2018 – COMPAN, “Courrier des lecteurs. Quels «sens» peut avoir une demande d’IVG?”. DROGOU, “Après les propos incendiaires du président du SYNGOF. La clause de conscience fait de nouveau polémique pour l’IVG”.

est déjà soumis à la clause de conscience générale, à laquelle tous les professionnels de santé peuvent recourir.”⁸⁷² The conscience clause also represents a service problem, because some hospitals do not have enough personal willing to do the procedure, just as it happened at the hospital of Bailleul.⁸⁷³ Against the thinking of ordinary people and practical problems, it comes the opinion of physicians, most strongly that of Dr. Bertrand de Rochambeau, president of the *Syndicat national des gynécologues et obstétriciens de France* (SYNOGOF). He considers that the clause must be maintained because the voluntary interruption of pregnancy is not like any other operation, it includes the stopping of life, and, understandably, it could be difficult for certain physicians. Physicians cannot be forced to do something they do not want to. There are opinions of other physicians who agree with Dr. Rochambeau, stressing that abortion is not a disease and should not be treated as such, better to reinforce health care for women and solve the real problem, which is of a structural nature.

Another physician pointed out that Simone Veil herself respected the conscience clause and did not intend the law to compromise the medical staff. She said in an interview in 2007 “L’avortement est une question éthique et pas seulement un geste médical. La seule chose que j’avais négociée avec l’Eglise était de ne pas contraindre les médecins. C’est un point à maintenir, car on ne peut obliger personne à aller contre ses convictions.”⁸⁷⁴ There are on the other side physicians that consider this clause as reductant since abortion is a frequent act and there are many women in distress who have to go abroad to get an abortion and to refuse to make such a procedure is a lack of empathy.⁸⁷⁵ For the newer generation of physicians, abortion is just part of the job,⁸⁷⁶ and it gives the idea that these younger physicians are going to be demoralised and nothing more than medical technicians.⁸⁷⁷ Because of this, the Hippocratic Oath is more necessary than ever to make new generations of physicians to think ethically about some ancient problems, still unresolved. More important, in the specific case of France, I was surprised that abortion was for some just another part of the job, really using Medicine as any other knowledge and

⁸⁷² GARRE, “IVG: le délai de réflexion et la clause de conscience dans le viseur de la délégation aux droits des femmes”.

⁸⁷³ GARRE, “IVG: reprise de l’activité à hôpital du Bailleul, dans la Sarthe, après neuf mois d’arrêt.”

⁸⁷⁴ GUY, “Courrier des lecteurs. Simone Veil et la clause de conscience”.

⁸⁷⁵ MSIKA RAZON, “ Le point de vue du Dr. Marie Msika Razon: Il est temps de penser autrement et de supprimer cette clause redondante”.

⁸⁷⁶ GARRE, “La clause de conscience spécifique à l’IVG, un débat récurrent”.

⁸⁷⁷ HEUSSE, “Courrier des lecteurs. IVG et amalgame”.

labelling it no longer as an art but as a technique. The law and deontological medical code in France⁸⁷⁸ about abortion are supported in the physicians' conscience, but there is no mention of how to nourish and develop it.

In recent press in Germany⁸⁷⁹ the problem of abortion was also addressed due to the intention of the *Ampel-Koalition* to erase the paragraph 219a from the criminal code, which prohibited physicians to inform that they practice abortions or where can a pregnant woman have access to the procedure. The problem stated in the short press release is not any more if a pregnant woman should get an abortion or not but if she has the right to quickly find professional guidance to make the best decision for her. Germany seems to have surpassed the main question if it is allowed to do (get) an abortion, however the author states that the procedure is still stigmatised by society, and it means a hard call to make not only for the patient but also for the physician.

To try to solve the hard call for the physician Meibom's commentary (and tradition) bases the abortion prohibition mainly for two causes: first, the new life is sacrificed to save the life of the mother; second for the intention of living in a pure and holy way, which in no case includes death. For the first part⁸⁸⁰ Meibom explained all medical cases where abortion was considered, though none have been sufficient to actually practice the abortion; on the contrary, the main objective is to keep the mother and the child safe, either by fixing the problem before the conception or dealing with it in its proper time before and at delivery time. The second cause, though he did not went deep into the topic, is mentioned through

⁸⁷⁸ Code de déontologie médicale. Édition Novembre 2019, Odre National des Médecins, Conseil National de l'Odre,: ARTICLE R.4127-18 du CSP. Un médecin ne peut pratiquer une interruption volontaire de grossesse que dans les cas et les conditions prévus par la loi ; il est toujours libre de s'y refuser et doit en informer l'intéressée dans les conditions et délais prévus par la loi. Online: <https://www.conseil-national.medecin.fr/sites/default/files/code-deont.pdf> Code de la santé publique. Article R4127-47 Quelles que soient les circonstances, la continuité des soins aux malades doit être assurée. Hors le cas d'urgence et celui où il manquerait à ses devoirs d'humanité, un médecin a le droit de refuser ses soins pour des raisons professionnelles ou personnelles. S'il se dégage de sa mission, il doit alors en avertir le patient et transmettre au médecin désigné par celui-ci les informations utiles à la poursuite des soins. Online: <https://beta.legifrance.gouv.fr/codes/id/LEGIARTI000006-912913/2020-02-14> (01.11.2022).

⁸⁷⁹ BEYER, "Ich hänge es nicht an die große Glocke", Erlangen Nachrichten, February 14th 2022, p. 7.

⁸⁸⁰ See numbers 35, 39, 41, 42, 44, 47 of the Latin text and translation of Chapter 15 of Meibom's Commentary.

4. General Conclusion

Zwinger's words⁸⁸¹ as not to injure anybody with the knowledge of the art of medicine.

The first cause is for the present era obsolete because of modern technology and the advances in medical science made in gynaecology since Meibom's times. Now a C-section is not as dangerous as before, the foetus can be examined before being born, we have genetical test, blood tests, measurements, etc. The second cause, on the contrary, has not been much updated as we could read by the cases in France. When the stress is put into the physician's consciousness there is no clear path to follow, as it is clear by all the non-medical sources Meibom used to support his position and by the contrast between two sections of physicians in France. Should the doctor practice an abortion so that the woman is safe? Safe from whatever the pregnancy means, but since it is unwanted it is a sort of oppression against her will; or should the doctor must aim to save lives? And then the new life, if does not threaten the physical life of the woman, must be kept at all cost? Or should he weigh every case and determine the best solution in all cases? Would this make him to step out of his sole duty as physician and step into moral and legal grounds? Does the current medical curricula gives the physician the necessary tools to perform such a complex task, which are two: the medical part of doing an abortion and the ethical part of deciding if it is according to his art and believes? Should there be another health provider just devoted to abortions who, like surgeons in medieval times, did the procedures the physicians would not do?

A different approach to the problem of abortion is stated by F. Steger in his chapter "Probleme am Lebensanfang."⁸⁸² He brings to the discussion another ancient source not considered by Meibom but that could have supported Meibom's use of Aristotle,⁸⁸³ that is Plato. With them the heavy responsibility of the ethic decision that the physician and woman must take is given to the state. All citizens are managed by the state in terms of what is useful and needed by it, including the lives of children, born and unborn. Thus all the above stated questions are erased by this managing of reproduction. However, and untangling centuries of medical textual authorities, Steger also offers an example of a conflict situation and a personal solution supported mostly by German Law (Strafgesetzbuch): abortion is not prohibited but it should only be done in specific circumstances that appeal to the physician's judgement.

⁸⁸¹ See number 66 of the Latin text and translation of Chapter 15 of Meibom's Commentary.

⁸⁸² STEGER, *Das Erbe des Hippokrates*, p. 58-66.

⁸⁸³ See note lxxx to the translation.

This small gathering of data was to try to make a comparison between our modern society and Meibom's Commentary. Today the woman is responsible for her pregnancy and her abortion, also in Meibom's Commentary. Back then, men were not held guilty nor responsible for the pregnancy of women, only sometimes for the abortion but not of their own wives (Exodus and Civil Law), today they are responsible for the conceived only when the child is born, not if they raped a woman and made her abort (otherwise there would be accompanying data about the abortions due to a rape and the rapists prosecuted). In Meibom's Commentary, if the woman who had an abortion died it was only rightful because she did something against nature, men had no fault in it, just the physician, though it is not always stated. Today woman can abort safely and legally in some places and neither she nor the physician will be considered guilty; both can refuse to do it, but there is no longer the prohibition against abortion. Today in some other places, women still die due to illegal abortions and are still mostly condemned either by society or by law. Both, Meibom and us, fail to direct the attention to three main things implied in abortion: the will of women, the importance of life and the self-knowledge to make conscious, responsible, and informed decisions. These three points must be strongly considered by anyone involved in the process of pregnancy and abortion, but mainly by the woman, man, and physician. Meibom's Commentary invited us to find a way to enhance them, instead of focusing the discussion about abortion only in the life of the conceived we could direct our attention to the will of the woman and self-knowledge of everybody, common men and women and physicians. This way a woman could be most of the cases, "the one who receives", men will not be a common alienated filler, and both could decide better about the life they possess and the future life they are able to produce in the company of a true heir of the art of Hippocrates.

5. Texts and Editions

5.1 Hippocratis magni ὈΠΚΟΣ sive jusjurandum – Texts and Translations

5.1.1 About the Latin text

I preserved the punctuation used by Meibom but removed the unnecessary dots, for example, after numbers. All abbreviations and diphthongs have been undone in concordance with their number, gender and declension, names of persons and titles of works included except when I could not find the reference. I left the abbreviation of words like book (*lib.*), chapter (*cap.*), aphorism (*aph.*), and so on, when they were part of a reference or quote. I preserved the names and titles given by Meibom, the full name and correct title is provided in the translation as notes.

I only changed the orthography of the words with double “i” (ii) for them to appear as such and not as any combination of “j” and “i” (ji or ij). I preserved the letter “j” when the vowel “i” is in a consonant position. I also put capital letters to names of persons, places, and titles of works in the very few words they were lacking. I preserved the capitalisation of some substantives nonetheless as Meibom used them, such as *Deus*, *Ars*, *Medicus*, etc.

5.1.2 About the translation

This text presents a unique difficulty because the author uses many words in Greek and Latin that mean almost the same or that could not be translated in English with different words. For these particular cases, I tried to make the difference known in the notes and preserve a word with a meaning that could still translate the original Greek or Latin.

I translated to modern English the names of persons, places and demonym when they are well known; otherwise, I preserved the Latin equivalent.

The translations of quoted passages are between quote marks (“”). The original quotations, according to modern editions, are consigned as notes. Simple quote marks (") are used for the words from another language, mostly Greek, or for those with the purpose of defining concepts.

Meibom has some words that were hard to translate due to their multiple meanings. Other words would easily give the Commentary a religious intention or interpretation but that, in a way, would nullify the incredible work Meibom did collecting so many authors from different disciplines.

That is why I decided to translate them in the most secular way I could. Some of these words are *crimen*, *sanctitas*, *pius*, *artifex*, etc. Some examples of the polysemous words are *operationes*, *pessarium*, *effluxio*, *partus*, etc. To solve these problems, I looked firstly in Meibom's text; secondly, I consulted Greek and Latin dictionaries, specially DILAGE, Lewis and Short Latin Dictionary and TLL.

5.1.3. About the edition

This text presents two different stages of Meibom's Commentary on the Hippocratic Oath. The main text is the only printed version, published in 1643 in Leiden. The second most important text is the revised version, the unpublished handwritten correction intended for a second edition, now in NSUTB Gött Meibom 4. The *addenda* found in Meibom 4 are marked in the edition with smaller font size. The *delenda* are marked between stars (*), the new italics are underlined, the simple corrections, like capital letters, are marked between plus signs (+), and when a passage or phrase was rewritten I consigned the old version as a note in a way that the reader can have the finished version as Meibom wanted it but being able to distinguish the differences between the printed version (1643) and NSUTB Gött Meibom 4.

I considered better to present the previous stage of the text separately, that is, the draft of the Commentary preserved in NSUTB Gött Meibom 164 (5.1.5). This manuscript presents some problems because it is fragmentary, and it is not in itself a finished text. However, some parts are similar to the printed version and fewer exact phrases, therefore it was necessary to present it to the reader, but I could not include it as a part of the main text. The page number between square brackets corresponds to the printed edition (1643), the folio number to Meibom 4. The signs between page and folio indicate if there is a total correspondence (=) or only approximately (~) due to all new and rewritten parts Meibom added. The numbers of the printed edition, originally at the margin of the page, are between the text in square brackets. I also put some mark between square brackets if the original text had it to point out for *marginalia* and a square (□) if the information was in another piece of paper attached to the main page. These marks appear at the beginning and end of the added fragment. The crossed and therefore unreadable text by Meibom appears as three crossed "x" in square brackets.

Due to the complexity of the information presented to the reader, I decided to give a new system and design. Its main purpose was to present a readable text in the new version Meibom wanted but marking the dif-

ferences between the older and the newer text. I hope it is clear enough and understandable for the reader. I avoided any word breaking in the Latin text not to add even more signs to it. Latin and English translation run together, so I apologise in advance for any editorial disruptions this might cause.

Examples:

[+] abc [+] = marginalia with a cross as a calling symbol.

[□ F] abc [□ F] = added text on an attached piece of paper, the F is used as a symbol to call the text to the right place.

+abc+ = simple addition or correction, mostly interlinear.

Abc = Italic added

abc = erased text.

Abc def = Abc belongs to 1643 printed version, def to NSUTB Gött Meibom 4 version.

[xxx] = unreadable crossed text.

5.1.4 Latin Text

[p. 131 = f.170]

Caput decimum quinctum.

Ὅμοίως οὐδὲ γυναικὶ πεσσὸν φθόριον δώσω. Ἀγνῶς δὲ καὶ ὁσίως
διατηρήσω βίον τ+ὸν+ ἐμὸν· καὶ τέχνην τὴν ἐμήν, *etcaetera*.

Summaria.

1. Πεσσοὶ *et* πεσσὰ *communiter*. 2. Pessi,*et* pessaria Medicis. 3. πρόσθετα, 4. ἐγκολπισμοὶ *a pessariis differunt.* 5. πριαπίσκος βάλανος. 6. πεσσὸς φθόριος. 7. φάρμακα φθόρια. 8. Ejicere. 9. ἀμβλωτικά. 10. Ἀγώγιμα. 11. Poculum abortionis. 12. abortus. 13. ἐκτρωσμός, ἔκρυσις, ἄμβλωσις. 14. ἔκρυσις differt a caeteris. 15. abortus et aborsus differunt. 16. Faeminarum maximum munis, accipere et tueri conceptum. 17. Abortum provocare, summum scelus. 18. Hippocratis religiositas. 19. Sub pesso corruptorio etiam alia φθόρια comprehenduntur. 20. Hippocrates ex Scribonio explicatus. 21. Galenus hippocrati ὁμόψηφος. 22. Excussi foetus poena in sacris litteris. 23. Ex Canonum jure. 24. Sixti V. Bulla. 25. Solonis et Lycurgi in abortionum auctores animadversio. 26. Iuris Civilis sanctiores variae. 27. Valentiniani, Valentis, et Gratiani decretum. 28. Supponere pessum φθόριον, et dare ut supponatur, an different?. 29. Canonum sententia. 30. Conscientiae ut consulendum? 31. Abortum quando procurandum non nulli putaverint? 32. Et quidem Hippocratis exemplo muniti. 33. et Exodi loco *super distinctione foetus formati a non formato.* 33. quam Canones etiam recipiunt.

5. 1. 4 English Translation

[p.131 = f. 170]

Chapter fifteenth

“Similarly, I will not give a destructive pessary to a woman. Pure and holy I will keep my life and my art” *etcetera*¹

Summary

1. ‘Oval stones’ (πεσσοὶ) *and* ‘chip-stones’ (πεσσὰ) *generally*² 2. ‘Pessaries’ *and* ‘oval- medicament’ for Physicians³ 3. ‘Pessaries’ (πρόσθετα)⁴ 4. ‘Clysters’ (ἐγκολπισμοὶ) are different from pessaries 5. ‘Suppository’ (Πριαπίσκος) or ‘pledget’ (βάλανος) 6. ‘destructive pessary’ (πεσσὸς φθόριος) 7. ‘destructive medicaments’ 8. to expel 9. ‘Abortion producers’ (ἀμβλωτικά) 10. ‘philtres’ (ἀγώγιμα) 11. ‘Abortive potion’ 12. ‘abortion’ 13. ‘Attempted abortion’ (ἐκτρωσμός), ‘Efflux’ (ἔκρυσις), ‘abortion’ (ἄμβλωσις) 14. ‘Efflux’ (ἔκρυσις) is different from the others 15. ‘abortion’ and ‘premature delivery’ are different 16. The greatest duty of women is to accept and take care of the conceived one. 17. To provoke an abortion is the greatest evil. 18. The piety of Hippocrates 19. Under the words ‘corruptive pessary’ it is also comprehended other types of ‘abortives’. 20. Hippocrates explained by Scribonius 21. Galen agrees with Hippocrates 22. The punishment in the Holy Scriptures for driving out the foetus 23. in the Canon Law 24. Bulla of Sixtus V 25. Censure of Solon and Lycurgus against executors of abortions 26. Many sanctions of Civil Law 27. The decree of Valentinian, Valens and Gratian 28. To put under an abortive pessary or give it to be put, do they differ? 29. Sentence of the Canons 30. Consciousness to deliberate? 31. When did some people think that abortion was to be managed? 32. and some were sheltered by the example of Hippocrates 33. and by the passage of the Exodus *about the difference of the formed and not formed foetus*. 33. [sic] which the Canons also retained

¹ It makes sense that Meibom erased the word since the Hippocratic passage was completely quoted.

² Both words mean pessary but the first one also refers to an oval body or a medicated plug; the second word is simply a pessary.

³ Both words mean pessary, there is almost no difference between the meanings but *pessarium* also means an oval medicament and *pessus* can only be a pessary or a suppository.

⁴ It literally means the applied things.

35. et Constitutiones Imperii. 36. Non sunt facienda mala, ut eveniant bona. 37. Parvitas uteri non est caussa, ob quam excuti debeat foetus. 38. Faeminae etiam parvae saepe sine periculo pariunt. 39. Uteri parvitatē an certa sint signa? 40. Angustia colli uteri non indicat foetus corruptionem. 41. Faeminae ἄτρητοι, imperforatae. 52. [sic] Sectionis Caesariae in gravidis administratio. 43. Ob vesicam imbecillem non provocandus abortus. 44. nec ob morbum matris acutum. 45. Abortus per se periculosi 46. et magis accedente morbo acuto. 47. ἔκρυσις in gravida non solicitanda. 48. Tertulliani de hoc sententia. 49. Historiam Hippocratis de Psaltria, ut quidam excusent? 50. +L+iber de natura pueri an Hippocratis? 51. Exodi locus sub trutinam vocatus. 52. Graeci interpretis [p. 132 = f. 170v] sententia. 53. et Latini. 54. Graeca translatio non authentica. 55. Textus Hebraeus ad verbum redditus. 56. Rabbi Avenezra et Salomon notati. 57. Hebraici textus sensus. 58. Dionysii Richel, et aliorum sententia. 59. Foetus quo tempore animetur. 60. an circa xxx vel xxxv diem? 61. Probabilius esse, citius foetum animari. 62. Et quidem in ipsa statim conceptione. 63. Sixti V. Bulla laudata. 64. Disputationis conclusio. 65. Hippocratis sententia aurea. 66. a Zvingero explicata. 67. Zenonis Alexandrini laus. 68. et Daphni Ephesii. 69. et Iamblichi.

[1] Πέσσοι, et πέσσᾶ communiter Graecis dicebantur *calculi lusorii*, aliquando etiam ipse *calculorum ludus*; quod docent Hesychius, Eustathius, et Etymologici Autor, vocemque deducunt ἀπὸ τοῦ πεσεῖν quod futurum est ἀπίπτειν, tanquam inter jaciendum calculi decidant.

35. and the Constitutions of the empire 36. Bad things must not be done for good things to happen. 37. The smallness of the uterus is not a cause by which the foetus must be driven out 38. Small women indeed give birth frequently without risk. 39. Are the signs of the smallness of the uterus certain? 40. The narrowness of the uterus does not indicate corruption of the foetus. 41. Women without ‘aperture’ or ‘non-perforated’⁵ 52. [sic] Administration of the Caesarean section in pregnant [women] 43. the abortion is not to be provoked due to the weakness of the bladder. 44. nor because of acute disease of the mother 45. Abortion is by itself dangerous 46. and more happening in acute disease. 47. The flux (ἔκρυσις) must not be induced in pregnant woman 48. The opinion of Tertullianus about this 49. How do certain people excuse the story of Hippocrates about the harpist? 50. Book De natura pueri, of Hippocrates? 51. The passage of Exodus was placed in the balance. 52. The opinion of the Greek translator [p. 132] 53. and of the Latin [translator] 54. the Greek translation is not authentic 55. Hebraic text translated word-for-word 56. Rabbis Avenezra and Salomon alluded 57. The meaning of the Hebraic text 58. The opinion of Dionysius Richel and others 59. at what time is the foetus alive 60. around 30th or 35th days? 61. It is more probable that a foetus is animated sooner. 62. and indeed instantly at the conception itself 63. The praised Bulla of Sixtus V 64. Conclusion of the argument 65. The golden opinion of Hippocrates 66. Explained by Zwinger 67. The praise of Zenon of Alexandria 68. And of Daphnis the Ephesian 69. and of Jamblichus.

[1] ‘Oval stones’ and ‘chip-stones’ were commonly called by the Greeks ‘player’s stones’, and also sometimes just ‘game of the stones’, which Hesychius,ⁱ Eustathiusⁱⁱ and the Author of Etymologies teach. And they deduced the word ‘from will fall’ which is the future of the verb ‘to fall’ as if the stones fall through being thrown.

⁵ Both words in Greek and Latin mean the same.

ⁱ Hsch. pi.2027.1 <πεσσοῖς>· πεττοῖς. βολίοις, κύβοις; (oval-shaped stone, counter, cube). Hsch. pi.2029.1 <πεσσός>· οὕτως ἐκάλουν τὰς ψήφους, αἷς ἐπαιζον. καὶ τὸ περὶ τὴν κόρην μέλαν τοῦ ὀφθαλμοῦ; (In this manner they call the pebbles with which they play and to the thing around the black pupil of the eye.). Hsch. pi.2030.1 * <πεσσοῖσι>· τοῖς κύβοις· παρὰ τὸ πίπτειν αὐτούς (to the cubes, by throwing them).

ⁱⁱ Eust. *Commentarii ad Homeri Odysseam*, I, 27, 39-40 ὁ δὲ πεσσός, παρὰ τὸ πεσεῖν ἐτυμολογεῖται, κατὰ διπλασμὸν τοῦ <σ>. πεσεῖν δὲ καὶ συμπεσεῖν λέγεται, τὸ κατὰ τύχην συμβῆναι τι. (The chip-stone, derived etymologically from to fall, according to the reduplication of ‘sigma’. It is call ‘to fall’ and ‘to dash together’ that which happens by chance).

[2] At Medicis πεσσοῖ, quae et πεσσάρια adpellant, remediorum sunt formulae in mulieribus intra uterum, partesque illas, qua sunt faeminae, adhiberi solitae. Atque ut ex Paulo Aegineta, lib. III de re Med[ica] cap. LXI colligere licet, erant olim pessi lana pexa, vel aliud quidpiam quod teres pyramidalis figura, et in digiti humani formam effingebatur, excipiendis medicamentis, quae, pro diversa intentione Medici, utero ad ejus adfectus necessum videbatur immitti. [3] Hippocrates in libris de morb[is] mul[ierum]. et saepe alibi, atque etiam Aristoteles lib. II de gen[eratione] an[imalium] cap. X vocant alio nomine πρόσθετα, *suppositoria* nempe, aut *subdititia* eodemque sensu Dioscorides lib. I cap. XV et alibi, προσθέματα. [4] Aliis ἐγκολπισμοὶ dicuntur quod *intra pudoris sinum* applicentur. Quanquam Theod[dorus] Priscianus lib. III Gynaec[ea] cap. IV distinguere videatur inter ἐγκολπισμὸν, et πεσσάριον. Ait enim; *Prius encolpismo uti convenit, et post matricis delavationem, ex eodem medicamento spissiose pessarium exhibere.*

[2] But for Physicians the ‘oval-stone’, which they also call ‘pessaries’, are types of remedies put inside the uterus in women and those parts that are only of the female. And as it is allowed to consider from Paul of Aegina, book 3 *De re medica*, chapter 61,ⁱⁱⁱ the pessaries were combed wool or any other soft [material] with a pyramidal form which was shaped in the form of a human finger, capturing medicaments, which, for different intentions of the Physician, seemed to be necessary to be introduced in the uterus for its affection. [3] Hippocrates in the book *De morbis mulierum*^{iv} and frequently elsewhere, and also Aristotle in the book 2 of *De generatione animalium*, chapter 10,^v call them with another name, ‘pessaries’, indeed ‘suppositories’, or ‘under-set’ and with the same meaning Dioscorides, book 1, chapter 15^{vi} and elsewhere, ‘pessary’ (προσθέματα)⁶ [4] They are called ‘clysters’⁷ by others because they are applied ‘into the hollow of modesty’⁸. However, Theodorus Priscianus in book 3, *Gynaecia*, chapter 4,^{vii} may seem to distinguish between ‘clyster’ and ‘pessary’. He says indeed, “first it is convenient to use the clyster, and after the wash of the womb, deliver a pessary out of the same denser medicament”. So, the

ⁱⁱⁱ Paul. Aeg. III, 61, 4 11-12. πεσσοὶ δὲ ἐστὶν ἔριον διεξασμένον καὶ ἦτοι σφαιρωθὲν ἢ δακτύλου σχῆμα εἰληφός, ἐν ᾧ ἐγκατέχεται τὰ φάρμακα. (The pessary is combed wool either rounded or sizing the form of the finger, in which medicaments are contained).

^{iv} Hipp. *Mul.* 74.38, 44, 74; 78.65; 84.39; 105.42 etc.

^v Arist. *GA* 739b 5. I found very explanatory the note to these passage in Aristóteles, Reproducción de los Animales... p. 151, n. 78. “*Tà próstheia*: una especie de supositorios que se introducían en la vagina. Consistían en plantas o productos medicinales aplicados directamente o en un soporte hecho de lino, lana o tela, impregnado de la sustancia concreta. En los tratados ginecológicos del *Corpus Hippocraticum*, la mayoría de los remedios a las diferentes enfermedades consiste en aplicaciones locales a base de pesarios. Éstos se utilizaban especialmente en casos de cerrazón del orificio uterino, para corregir el descenso de la matriz y, en general, cualquier desplazamiento que pudiera impedir o dificultar la concepción.”

^{vi} Dsc. 1. 16. 1.

⁶ Also appendage.

⁷ The Greek word comes from the verb ἐγκολπίζω that means “to form a bay, to go into the bay, take in one's bosom or embrace” which give us the idea of a hole that intakes something by surrounding it.

⁸ The phrase could also be translated as “the hollow of shame” because of the meaning of *pudor* but since so far I had no evidence that sex or the sexual organs are shameful to Meibom I decided to stay with a more neutral meaning of the word.

^{vii} PRISCIANUS, *Gynaecia* ad Salvinam, p.143.

Ut ita *encolpismus* fit medicamentum liquidum, ac veluti clyster, qui utero colluendo immittatur; *pessarium* vero solidus, et tale, quale jam ex Paulo descripsimus.[5] Hoc a forma virilis falcini, aliis etiam [p. 133 = f. 171r] πριαπίσκον et πριαπίσκοτον nominari invenio. Caelius Aurelianus Chron[icae] lib. IV cap. VII βάλανους vocat, et βαλανισμούς. [6] Pessus vero φθόριος sive *corruptorius*, ἀπὸ τοῦ φθεῖρειν dictus, ille est, qui in gravidis tantum, nec alio fine adhibetur, quam ut id, quod utero conceptum est corrumpatur. [7] Plutarchus lib. de Fortuna, non pessos hosce tantum, sed quaevis alia medicamenta, quibus foetus ejicitur, φάρμακα φθόρια vocat: Dioscorides lib. II cap. LXIII atque idem Plutarchus loco adducto ἐκβόλια, quae Latine dixeris *ejectoria*. [8] Siquidem *ejicere* Latinis verbum est, quod abortum respicit. Unde in L[ege] fornacarius ad L[egem] Aquil[iam] *Si mulier pugno, vel equa ictu a te percussa, ejecerit, etc.* Et Plinius lib. XIV cap. XIIII uvam in Aegypto, abortum facientem vocat *ecbolimam*, sive ut alii legunt, *ecbolada*, ἀπὸ τοῦ ἐκβάλλειν, eodem sensu: qua de re vide magnum Budaeum, in annot[at]iones] Prior ad Pandect[as].

‘encolpismus’⁹ brings the fluid medicament just as the clyster, that is introduced to wash the uterus; the ‘pessary’ indeed is solid, and such as we already described according to Paul. [5] I find out that it is named indeed by others as [p. 133 = f. 171r] ‘suppository’ and ‘dilator’¹⁰ after the shape of the virile member. Caelius Aurelianus in *Chronicae*, book 4, chapter 7,^{viii} calls them ‘suppositories’ or ‘pegs’¹¹. [6] The pessary in fact ‘destructive’ or ‘corruptive’¹², said ‘from to destroy’, that is, which is used in pregnant [women], so and not with another purpose, as for it to be destroyed, what was conceived in the uterus. [7] Plutarchus in the book *De Fortuna*,^{ix} does not call ‘destructive medicines’ that much to those pessaries but any other medicaments, by which the foetus is expelled. Dioscorides, book 2, chapter 63^x and also Plutarchus in the mentioned passage^{xi} [call them] ‘expelling drugs’, which in Latin you will call them ‘ejective’. [8] Since ‘to expel’ is a Latin verb which considers abortion. Whence in *L[ex] fornacarius ad L[egem] Aquil[iam]*. “*Si mulier pugno, vel equa ictu a te percussa, eiecerit, etc.*”^{xii} And Pliny, book 14, chapter 18,^{xiii} calls to the grape that causes abortion in Egypt ‘ecbolima’, or as others call it, ‘ecbolada’, ‘from to throw out’; with the same meaning. About those things see the great Budaeus in

⁹ Meibom uses the Latinised word of ἐγκολπισμός, which means the same as the Latin word used afterwards, *clyster*; that is why I decided to keep it, otherwise the paragraph made no sense if only read in English.

¹⁰ The word is translated as “shaped like the membrum virile” and it would not make much sense to the reader, therefore and since Meibom is using it as a synonym of πριαπισκός, I also used its synonym.

^{viii} Cael. Aur. *Tard.* IV, 105. Veteres autem, et magis Erasistrati sectatores, ventrem movere medicaminibus cetauerunt ventri fluis, quae cat<h>artica vocant, vel pessulis, quos balanismo dixerunt, item alii ad aciores clysteres confugerunt ex initio adhimendos, velut Asclepiades <...>

¹¹ The word βαλανισμός means “administration of a suppository” and, together with βάλανους which means “suppository” or “pessary, plug”, we are in the same semantic field as βάλανις which means ‘a peg’ and ‘stopper’, from where I took my translation in order to achieve Meibom’s intention to bring all words together that mean pessary and something else with similar use and form, such as suppositories, clysters, pegs, plugs, etc.

¹² Translation will be the same as the Greek word, that is, destructive, but to bring Meibom’s example to the reader I choose a synonym related to the verbal form.

^{ix} The only passage with those words together Plu. *De tuenda*, 134 E9 – 134 F2.

^x Diosc. 2. 70. 6

^{xi} Plu. *De tuenda* 134 E 9- 134 F 2

^{xii} D. 9, 2, 27, 22. “Si mulier pugno vel equa ictu a te percussa eiecerit, Brutus ait Aquila teneri quasi rupto.”

^{xiii} Plin. *HN.* XIV, 118.

Hippocrates lib. v Epid[emiarum] aph. LIII et lib. VII aph. LXXXIII
ἀπόφθαρμα, vocat medicamentum ejectorium; ἀπὸ τοῦ ἀποφθεῖρην, quod
est *disperdere*. [9] Attici teste Galeno lib. VI Epid. I Comm. Text. I
medicamenta eadem appellabant ἀμβλωτικά; Suidas & Pollux lib. IV cap.
XXVI Ἀμβλωθριδία

Annotationes prior ad panectas.^{xiv} Hippocrates in book 5 of *Epidemiae*, aphorism 53^{xv} and book 7, aphorism 83,^{xvi} calls ‘abortion’ to the ejective medicament, ‘from to destroy utterly’¹³ which is ‘to ruin’. [9] The Attics called the same medicament ‘producing abortion’, attested by Galen in book 4, *Epidemiae* 1, commentary on the text 1;^{xvii} Suidas^{xviii} and Pollux in

^{xiv} BUDÉ, *Annotationes priores...* p. 454 – 455. “Ex eadem, paulo inferius § si mulier. *Si mulier pugno, vel equa ictu a te percussa, eiecerit.*) Ejicere verbum est ad immaturum partum accommodatum. Unde ejecti partus dicuntur pro abacti. Quo verbo Plinius in libro duodetricesimo usus est: et ejectitia vulva, quae a Grecis ἐκβολὰς dicitur a Plinio libro undecimo. A quorum imitatione haec locutio tracta. Apud eos enim ecbolimi ejecti ejectitique et abortivi dicuntur. Et ἐκβόλια, medicamenta quibus medici utuntur abigendis infantibus in utero enectis, quae et φθόρια dicuntur. Verba sunt crebra apud Dioscoridem. Latine ejectoriam et ejectrices medicinae dici possunt. Plinius libro decimoquarto, Thasiam uvam Aegyptus vocat apud se praedulcem, quae solvit alvum. Est contra in Lycia, quae solutam firmat. Aegyptus et ecbolimam habet, abortus facientem. Ubi in quibusdam libris ecbolada legitur, utrobique recte. Idem de Scammonite vino, Hoc vinum, inquit *[phthorium] vocant, quoniam abortus facit. [Plini locus li. 14 ca. 16] Sic enim in antiquis exemplaribus legitur manu scriptis, licet in impressis ectromarius legatur, verbum subditivum. Ea autem medicamenta quae sterilitatem afferunt, et conceptum adimunt, hoc est vim concipiendi, Atocia dicuntur. Dioscorides de cedria loquens, περιχρυσθεῖα δὲ αὐδοῖω πρὸ τᾶς συνουσίας, ἀτόκιόν ἐστι, Circumlita, inquit, genitali ante coitum, atocii vim habet. Aristoteles libro septimo de animalibus ἐνκρύσεις, id est, effluxiones vocari tradit eas conceptus corruptiones, quae intra septimum diem fiunt, abortiones vero ἐκτρωσμούςς usque ad quadagesimum vocitari. Cuius dicti causam Censorinus explicat in libro De die natali. A quadagesimo igitur die partus immaturi dicuntur, eorum parim virales, id est, ρώσιμοι καὶ βιώσιμοι, partim non vitales, ut quinto, sexto, octavoque mense.”

^{xv} Hipp. *Epid.* V, 53, 1-4. Τῇ Σίμου τὸ τριηκοστᾶιον ἀπόφθαρμα· πιούση τι ἢ αὐτόματον τοῦτο ξυνέβη; Πόνος, ἔμετος χολωδῶν πολλῶν ὡχρῶν καὶ πρασσειδέων ὅτε πίοι· (To the woman of Simos the thirty-days abortion. Does this happened to the woman because she drank something or accidentally? Pain, vomiting of many biles, yellow and leek-green, when she drank [something])

^{xvi} Hipp. *Epid.* VII, 74. 1-4. The passage is almost the same as Hipp. *Epid.* V, 53, 1-4 but the woman vomits also something black. Πόνος, ἔμετος χολωδῶν πολλῶν ὡχρῶν καὶ πρασσειδέων, μέλανων, ὅτε πίοι·

¹³ The verb also means “to ruin, to have an abortion, to miscarry, to perish, to be gone”; stronger meaning than just φθεῖρω.

^{xvii} Gal. XVIIa 799, 8-15 Greek; 799, 7 – 800, 1 Latin. Note how the idea presented shortly in the last lines by Meibom is quite clear in Galen, especially in Latin. Ὁ καλοῦσιν “ἄμβλωσιν” οἱ Ἀττικοί, τοῦτο συνήθως Ἱπποκράτης ἀποφθορὰν ὀνομάζει, καὶ τὰ ῥήματα δὲ τὰ παρακείμενα τῇ προσηγορίᾳ τῇδε καὶ τὰς ὑπὸ τῶν γραμματικῶν ὀνομαζομένης μετοχᾶς ἀνὰ λόγον αὐτῇ γράφει. τὸ δ’ “ἄμβλώσκειν” (ἴσως γὰρ τις ἀγνοεῖ καὶ τοῦτ’ αὐτό) κατὰ τῆς ἀτελοῦς τῶν ἐμβρύων ἐκτρώσεως ἐπιφέρουσιν, ὅπως ἂν ἡ γεγонуῖα, καὶ τὰ φάρμακα δὲ τὰ τοῦτ’ ἐργαζόμενα καλοῦσιν “ἄμβλωτικά”. Quod Attici “ἄμβλωσιν”, id est abortum vocant, id Hippocrates ἀποφθορὰν, hoc es deperditionem appellare consuevit et verba vero huic appellationi congruentia et grammaticis vocata participia ipsi proportionem quadrantia scribit; ἀμβλώσκειν autem, hoc est abortiri, fortassis enim quispiam et id ipsum ignorat, de

[10] Xenocrates apud Galenum lib. X De Simplic[ium] Medic[amentorum] Facult[atibus] in princ[ipio] ἀγώγιμα hoc est, *subducentia*, vocis significatione leniori magnitudinem sceleris extenuante.[11] Paullus JC. L[ex] XXXIIX § qui abortionis D[igesta] de poenis, quod saepius per os adsumptis medicamentis et potionibus conceptus abigatur *potulum abortionis* [+] Hieronymus ad Eustochium *abortus venenum*, vocavit,[+] id quo foetus perditur. [12] Est autem *abortio* ut Galenus lib. VI Epid[emiarum] Comm[entario] I text. II definit, *imperfecta foetum emissio*, sive foetus immaturi ante justum legitimumque terminum ejectio. [F] Festo abortus est, qui non est tempestive ortus: Isidorus Orig[inum] lib.[] cap. [] *quod non oriatur, sed aboriatur et exidatur*. [13] Graecis dicitur ἔκτρωμα, *ἔκτρωσμός et ἔκρυσις*: Hippocrati ἀποφθορά seu *deperditio*. lib. VI Epid[emiarum]. sect. I text. I. Atticis, teste Galeno in Comm. Ἀμβλωσις:

book 4, chapter 26,^{xix} ‘drug to cause abortion’. [10] Xenocrates, in the writings of Galen, book 10 *De simplicium medicamentorum Facultatibus*,^{xx} at the beginning, [calls it] ‘things portable’, that is, ‘things that carry off’, with a softer meaning of the word that diminishes the magnitude of the evil. [11] Paul Jurisconsult in L[ex] XXXIIX § *qui abortionis D [igesta] de poenis*^{xxi}, called it a small drink of abortion because frequently the conceived is driven away by medicaments and drinks taken through the mouth, [+] Jerome [in the letter] to Eustochium, ‘poison of abortion’^{xxii} [+]because the foetus is thrown away. [12] It is also ‘abortion’ as Galen in book 6 Commentary 1 on *Epidemiae*, text 2,^{xxiii} defines it, “the imperfect sending out of the foetus”, or expelling of the immature foetus before righteous and fixed term. [F] From [Sextus Pompeius] Festus “abortion is which did not come forth at the right time”^{xxiv}. Isidor, *Originum*, book [], chapter []:^{xxv} “because it is not born, but disappears and falls out” [13] It is called by the Greeks ‘untimely birth’, *‘attempted abortion’ and ‘flux’*; by Hippocrates ‘miscarriage’ and ‘ruin’, in book 6, of *Epidemiae*, section 1, text 1,^{xxvi} by the Attics, attested by Galen in the Commentary,^{xxvii} ‘abortion’,

imperfecta foetuum emissione, utcunque facta fuerit, pronunciant: medicamenta quoque id praesentia amblyotica, id es abortivum facientia nuncupant.

^{xviii} Suidas, Alpha 1524.

^{xix} Poll. IV, 208.

^{xx} Gal. XII 251, 11. This is the only mention of the word ἀγώγιμα but its meaning is not explained as Meibom said. The medicament is listed with other which are lethal (τῶν θανασίμων φαρμάκων) or that cause damage (παθοποιῶν).

^{xxi} D. 48, 19, 38, 5. “Qui abortionis aut amatorium poculum dant, etsi dolo non faciant, tamen quia mali exempli res est, humiliores in metallum, honestiores in insulam amissa parte bonorum relegantur. Quod si eo mulier aut homo perierit, summo supplicio adficiuntur.”

^{xxii} HIERONYMUS, Epistolae. PL XXII, p. 401. Epistola XXII ad Eustochium, Paulae Filiam – De custodia virginitatis, n. 13.

^{xxiii} Gal. XVIIa 799, 7 – 800. The wording is even the same.

^{xxiv} Fest., *De significatione verborum*, p. 22 Th. 29–31 M: “Abortum: gravidae mulieris dicitur, quod non sit tempestive ortum.”

^{xxv} ISIDORUS, *Etymologiarum Libri XX*, 10. A. 20: “Abortivus, eo quod non oriatur, sed aboriatur et excidat.” Online: https://www.hsaugsburg.de/~harsch/Chronologia/Lspost07/Isidorus/isi_etio.html (26.10.2022)

^{xxvi} Hipp. *Epid.* VI, 1, 1, 1.

^{xxvii} Gal. XVIIa 799 ss. Same passage as before. See n. xxiii.

Item¹ ἀμβλώσις et ἀμβλωσμός, teste eodem in explic[atione] vocum obsolet[arum] Hipp[ocratis]. Antiphoni apud Pollucem lib. II cap. II ἄμβλωμα; ab ἀμβλίσκειν, ἄμβλώσκειν, ἀμβλυσκαίνειν, [p. 134 = 171v] quae idem sunt quod φθείραι, ut tam apud Pollucem est, quam Suidam. Raecentionibus Graecis ἀπόβαλμα. Unde Glossae Graeco barbarae: ἔκτρωμα, ἀποβάλματα.² [14] Notandum tamen Hippocratem lib. De Septim[estri] Partu, et ex ipso Aristotelem lib. VII De Hist[oria] Anim[alium] cap. III ἔκρυσιν (quae vox proprie *effluxionem* significat) eam tantum vocare conceptus ejectionem, quae initia septimum fit diem: ἔκτρωσμον³ vero et ἄμβλωσιν, illam quae intra quadragesimum. Ἐκρυσιν nempe volunt esse, ubi semina in utero primum conglobata, ob ejus laevarem aliasve causas praemature effluunt, velut informe quiddam, ac rudimentem futuri foetus: ἔκτρωσμόν, ubi membra sunt conformata foetusque vitae animaeque est particeps. Censorinus tamen De Die nat[ali] cap. XI, in ἔκτρωσμῳ *sanguineum*, *quid* in ἐκρύσει *lacteum* quid vult ejici. Latini *abortionis*, *abortus* et *aborsus* vocabulis utuntur. [15] Distinguit tamen hic etiam Nonius Marcellus inter *abortum* et *aborsum*: aborsumque dicit esse, qui primis fit mensibus, ubi conceptui factum est exordium; abortum, ubi prope tempus pariendi obvenit.

¹ (1643): Ἄμβλωσις, item

² (1643): Ubi hoc notandum

³ (1643): Autem, vero

likewise “ἀμβλύωσις” and “ἀμβλυωσμός”¹⁴, attested by the same in *De explicatione vocum obsoletarum Hippocrates*. Antiphon from [the writing of] Pollux in book II, chapter II,^{xxviii} ‘abortion’ from ‘to cause to miscarry’¹⁵ [p.134 = 171v], that are the same because it ‘destroys’, as it is in Pollux as in Suidas. In the more recent Greek [authors it is as] ‘things thrown away’. Whence the foreign Glossaries to Greek: ‘abortive’, ‘things thrown away’ [14]. Still, it must be considered that Hippocrates in the book *De septimestri partu*,^{xxix} and from the same [source] Aristotle in book 7, *De historia animalium*, chapter 3,^{xxx} call so ‘efflux’ (this word means especially ‘flux’) to that expelling of the conceived, which has its beginnings during the seventh day. Indeed ‘Attempted abortion’ and ‘abortion’ [is] that [which happens] within the fortieth [day]. Certainly, they want that ‘efflux’ is when the first gathered seeds in the uterus flow prematurely because of the washing of them or any other cause, just as by certain deformity, and because of the rudiment[s] of the future foetus; ‘attempted abortion’, when the parts are conformed, and the foetus is a participant of life and soul. However, Censorinus in the book *De die natali*, chapter 11,^{xxxi} wants that in ‘attempted abortion’ something bloody is expelled, in ‘efflux’ something milky. The Latin [people] use the words of ‘miscarriage’, ‘abortion’ and ‘premature delivery’. [15] Still, Nonius Marcellus^{xxxii} also distinguishes between ‘abortion’ and ‘premature delivery’, and he says that ‘premature delivery’ is which happens in the first months when the beginning happened for the conceived; ‘abortion’ when it comes near the time of delivery.

¹⁴ The three words are related and the meaning is almost the same because they have the same root from the verb ἀμβλίσκω, to cause to miscarry.

^{xxviii} Poll. II, 7.

¹⁵ These words and the other ones in n. 14 seem to be different spellings of the same verb.

^{xxix} Hipp. *Septim.* IX, 8-14.

^{xxx} Arist. *HA* VII. 3, 583a, 25-26 Ἐὰν δὲ ἐπτά ἐμμείνη ἡμέρας, φανερόν ὅτι εἴληπται· αἱ γὰρ καλούμεναι ἐκρύσεις ἐν ταύταις γίνονται ταῖς ἡμέραις. (If it [seed] remained fix during seven days, it is manifest that it had happened [conception], for the so called effluxes occur during these days). Arist. *HA* VII. 3, 583b 11-13 Καλοῦνται δ' ἐκρύσεις μὲν αἱ μέχρι τῶν ἐπτά ἡμερῶν διαφθοραί, ἐκτρωσμοὶ δ' αἱ μέχρι τῶν τετταράκοντα· καὶ πλεῖστα διαφθείρεται τῶν κυμημάτων ἐν ταύταις ταῖς ἡμέραις. (they are called ‘effluxes’ the abortions until seven days, ‘attempted abortion’ until forty days. And most of the conceived [ones] are miscarried in these days).

^{xxxi} Censor. XI, 10.

^{xxxii} Non. 448 (Me) v. III, p. 718 (Lindsay). “Aborsus et Abortus significationes varias habent, aborsus enim ille dicendus est, qui est in primis mensibus, cum conceptui exordium factumst; abortus, prope tempus pariendi: tunc enim moritur quod nascitur. in plurimis haec reconditis invenimus.”

Ludovicus Bonacciolus Ennead[e] De morb[is] Mul[ierum] cap. VI minutius adhuc rem distinguens, *effluxiones*, dixit, et *corruptiones* esse, quae intra diem septimum accidunt, quantisper geniturae instar lactis elabuntur: *aborsus* primis mensibus conceptu exorso fieri: *abortus* prope pariendi tempus: hos tamen grandiore iam foetu *ejectiones* (unde *ejectitiae vulvae*) illas intra XL a conceptu dies abortus appellitari. Verum, quod ipse fatetur Bonacciolus, apud rei medicae professores, [p. 134 ~172r] vocularum istarum dictinctio tam accurata non observatur. [16] Queamadmodum autem *maximum et praecipuum foeminarum munus est, accipere et tueri conceptum*, ut inquit [17] Ulpianus in L[ege] quaeritur. D[igesta] de Aedilit[io] Edict[o] ita summum scelus est earum abortui conciliando operam dare, sive ipsae visceribus suis vim intulerint, sive alterius auxilio conceptum abegerint. Neque enim ab homicidio et quidem voluntario abit, ubi vita adimitur ei, cui non nos, sed natura Deusque illam elargitur,

Ludovicus Bonaciolus in *Enneas*^{xxxiii} *De morbis mulierum*, chapter 6^{xxxiv}, distinguishing more finely the matter thus far, says that ‘fluxes’ and ‘corruptions’ are which happen within the seventh day, as long as they escape like the milk of generation; ‘premature delivery’ happens being thrown the conceived in the first months; ‘abortion’ near the time of delivery. However, these [abortion and premature delivery] with the already more fully-grown foetus are called ‘expellings’ (from ‘of the expelled vulva’), those [fluxes and corruptions] within the fortieth day from conceived is called ‘abortion’. Indeed, the same Bonaciolus acknowledges, according to displays of a medical affair, [p. 134 ~ 172r] that such and accurate difference of these little words is not observed. [16] But in what manner is “the greatest and special duty of females to accept and protect the conceived”, as [17] Ulpianus said in L[ex] quaeritur D[igesta] de Aedilit[io]. Edict[o].^{xxxv} that so the highest evil is to offer women the service of procuring them an abortion, if the same may have applied some violence in their own guts, or if they have driven away the conceived with another remedy. And it certainly does not depart from a homicide, indeed voluntary, when life is taken from it [conceived], which not us but nature and God extends it, and

^{xxxiii} There is a version of this text from 1502 (Ferrara, de Rubeis) according to the catalogues. I compared this older version with the newer version, quoted in the following note, and they are the same. It is more probable that Meibom had the chance to read the newest edition, a type of gynaecological collection, because the work of Bonaciolus was published with other writings, among them *De notis virginitatis* from Melchior Sebisich, whom Meibom met in Strasbourg. See 1.2.

^{xxxiv} Meibom took the passage almost verbatim, just adjusting the syntax. BONACIOLUS, *Enneas Muliebris*, p. 144-145. Online: <https://books.google.de/books?id=-MoKfSkFLwC&hl=es&pg=PA182-1A146#v=twopage&q&f=false> (26.10.2022) “Effluxiones quae intra diem septimum corruptiones incidunt, trantisper enim geniturae instar lactis elabuntur: Aborsus quae primis mensibus conceptu exorso fiunt: Abortus quae prope pariendi eveniunt tempus, cognominant. Quanquam has quidem (grandiore jam foetu) ejectiones, unde ejectitiae vulvae, illas vero quae intra quadragesimum a conceptu diem contingunt abortus, illustriores appellitare aussueverint. Hinc apud medicae rei professos vocolae hae preunquae confunduntur.”

^{xxxv} D. 21, 1, 14, 1 -2. “Ulpianus libro primo ad edictum aedilium curulium. Quaeritur de ea muliere, quae semper mortuos parit, an morbosa sit: et ait Sabinus, si vulvae vitio hoc contingit, morbosam esse. Si mulier praegnans venierit, inter omnes convenit sanam eam esse: maximum enim ac praecipuum munis feminarum est accipere ac tueri conceptum: Puerperam quoque sanam esse, si modo nihil extrinsecus accidit, quod corpus eius in aliquam valetudinem immitteret.”

unaque opera, ut Cicero ait Orat[i]one] Pro A[ulo] Cluentio, *spes tollitur parentis, memoria nominis, subsidium generis, heres familiae, designatus Reipub[licae] civis*; ipsi denique matri ex abortu periculum arcessitur manifestarium. Ne dicamus, qui Christiani sumus, de sanctissimo regenerationis lavacro, quo foetus in peccato originis⁴ conceptus, data opera privatur. [18] Religiosior fuit divinus praeceptor, quanquam Ethnicus, atque uti omnibus aliis in rebus pietatem semper ob oculos habuit, castamque et ab omni scelere puram tum vitam tum artem suam servare annixus fuit; ita hoc etiam in loco simpliciter, sine ulla circumstantiarum⁵ mentione mulieri *pessum corruptivum* subdere nefas putavit. [19] Ac licet pessum tantum corruptorium nominet, nihilominus tamen medicamenta omnia alia, quae conceptum abigunt, sub illo sunt intelligenda. Quum enim non alius pessus hic ejuretur, quum qui sit φθόριος seu *corruptorius*, neque id aliam ob causam, quam quia corruptorius facile liquet, una opera medicamenta etiam omnia [p. 135] alia, quae parilem vim sortiuntur ejurari. [p. 135 = 172v] Igitur⁶ [20] Scribonius Largus Epist[ola] ad Jul[ium] Calist[tum]. Πεσσὸν φθόριον Hippocratis interpretatur non, *pessum*, sed *medicamentum quo conceptum excutitur*: Theod[orus] Priscianus lib. III cap. VI, simpliciter *abortivum* vocat. [21] Praeceptor autem et⁷ Dictatori consentanea sensisse Galenum, ex lib. [] De Simplic[ium] Medic[amentorum] Facult[atibus] In princ[ipio] satis liquet; ubi gravissime Xenocratem medicum declarat,⁸

⁴ (1643): originali

⁵ (1643): circuitione

⁶ (1643): Unde

⁷ (1643): ac

⁸ (1643): ubi gravissime invehit Xenocratem medicum,

with one service, as Cicero said in *Oratio pro Aulo Cluentio* ^{xxxvi} “the hope of the parents is lifted up, [and so] the memory of the name, the auxiliary forces of the race, the heir of the family, the elected citizen of the Republic”, and thus a more evident danger is called upon the mother herself. And let us not say, we who are Christians, about the holiest bad of regeneration [baptism], of which the foetus, conceived in the sin of birth,¹⁶ is deprived by the given service [abortion]. [18] More pious was the divine preceptor, although Pagan, and always had piety in mind to be used in all the other matters, and was solicitous to keep his life and art holy and pure of all evil; thus indeed more simply in this passage, without any mention of the circumstances, he thought execrable to set a corruptive pessary to a woman. [19] And it is permitted to call the pessary so much corruptive, no less to all the other medicaments which get rid of the conceived are to be understood by that [word]. Since indeed not other pessary is here rejected by the Oath than which may it be ‘destructive’ or ‘corruptive’, and not by other cause but because it is evident that easily a ‘corruptive’ is at the same time medicaments besides all other things, which obtain equal strength to be rejected by the Oath. [p. 135 = 172v] Therefore¹⁷ [20] Scribonius Largus in *Epistola ad Julium Calistum* ^{xxxvii} does not interpret ‘corruptive pessary’ of Hippocrates, as ‘pessary’, but ‘medicament by which the conceived is driven out’. Theodorus Priscianus in book 3, chapter 6, ^{xxxviii} calls it simply ‘abortive’. [21] It is clear that Galen at the beginning of the book [] *De simplicium Medicamentorum Facultatiibus*, ^{xxxix} felt that all things agree with the Preceptor and also Dictator, where he very seriously declares¹⁸ against Xenocrates the physician, because he accidentally made public the

^{xxxvi} Cic. *Clu.* 32.1-32.6.

¹⁶ (1643): In original sin

¹⁷ (1643): Whence

^{xxxvii} Scrib. *Comp.* *Epistula*, 5. “Hippocrates, conditor nostrae professionis, initia disciplinae ab iureiurando tradidit, in quo sanctum est, ut ne praegnantem quidem medicamentum, quo conceptum excutitur, aut detur aut demonstretur a quoquam medico, longe praeformans animi discentium ad humanitatem.”

^{xxxviii} PRISCIANUS, *Gynaecia ad Salvinam*, p. 146. “Abortivum dare nulli fas est, ut enim Hippocrates attestatur.”

^{xxxix} Gal. XII 252, 15-253, 8.

¹⁸ Where he seriously attacks Xenocrates the physician.

quod medicamenta, amorem aut odium, aut somnum inducentia, et abortifera temere consignata propalarit⁹. Nam et ignominiae id ipsi esse docet ac dedecori, ac si cui praeterea exhibeat, hominem impiissimum vocat, et summae malitiae, omnique odio prosequendum. Nec defuerunt officio suo illi, quibus incumbit operam dare, ne delicta maneant impunita, sive Sacrarum literarum¹⁰, sive Canonum decreta consulas, aut +L+egum civilium. Verum de poena in sacris literis definita in +progressu+¹¹ pluribus dicemus. [22] ¹² [23] Canones *vero*, *qui abortum procurat, et sterilitatis venena exhibet, homicidam esse, ajunt, et mortaliter peccare*, XXXI quest. II, aliquando etc. si aliquis, De Homicidio. Idem ex Basilio M. tradit Harmenopulus Epit. Sacr. Can. Sect. V et III Num. XLVI et inter φονέυς ἐκγονούς, ~~xxx~~ refert. Eodem respectu in Synodo Constantinopolitana VI Con. XCII. Sancitum est¹³ *tam eas quae propinant, quam quae adsumunt abortiva homicidarum poenis subjiciendas*.¹⁴

⁹ (1643): abortifera temere consignarit atque evulgarit

¹⁰ (1643): sacras literas

¹¹ Meibom 4: *postulandum*

¹² (1643): Exodi enim cap xxi versu. xxii *qui mulierem percusserit praegnantem; ut egrediantur nati ejus, nec mors subsequatur, puniendo, puniri jubetur, et dare judicibus; si vero mors subsequuta fuerit, animam dare pro anima; ut sonant verba textus Hebraei de quo postmodum plura addemus.*

¹³ (1643): τὰς τὰ ἀμβλωθρόδοα διδούσας, καὶ τὰς δεχομήνας, τῷ τῶν φονέων ἐπιτιμίῳ καθυποβαλεῖσθαι;

¹⁴ (1643): Eosdem Concilium Ilerdense Can. II *si poenitentes ad Ecclesiae mansuetudinem redierint, omne vitae tempus reliquum in fletu et humilitate transigere jubet.*

medicaments considered¹⁹ abortives and inducers of love, hate or sleep. For he teaches that it is disgraceful and shameful for the same [Xenocrates], and if he may show [them] to whomever thereafter, he will call him most impious man and of the highest malice and must be prosecuted with all aversion. And they did not fail in their work, on which he leans to give services; and the crimes do not rest unpunished, you may consult the decrees of the Canon, the Holy Scriptures, or the civil law. Indeed, about the punishment defined in the Holy Scriptures, we will say in many [parts] +to come+. ²⁰ [22] ²¹ [23] The Canons^{x1} certainly affirm that “who procure an abortion and shows poisons of sterility, he is a homicide and sins morally”, 31 quest. 2, aliquando etc., si aliquis De Homicidio. The same thing transmitted Harmenopulus from Basilius M. in Epist. Sacr. Can Sect 5 and 3, number 46, and he refers it in the murder of children (φονεύς ἐκγονους). With the same regard in the council of Constantinople, 6th Co[u]nc[il], [canon] XCII^{xli}; it was²² decreed that “those who give as much as those who receive abortives must be brought under the punishment of homicides”.²³

¹⁹ Accidentally recorded and divulged abortives...

²⁰ Meibom 4: the thing to be postulated.

²¹ (1643): Of Exodus chapter 21, versicle 22: “who had hit a pregnant woman, so that the children of her may come forth, and death did not follow, it is to be punished, it is commanded to be punished and give it to the judges; if indeed death followed, give soul by soul” as the words of the Hebraic text speak, about which we will add more later.

^{x1} All the Canons about abortion: Can. 1041 - “Ad recipiendos ordines sunt irregulares: 4° qui voluntarium homicidium perpetraverit aut abortum procuraverit, effectu secuto, omnesque positive cooperantes”. Can. 1046 - “Irregularitates et impedimenta multiplicantur ex diversis eorundem causis, non autem ex repetita eadem causa, nisi agatur de irregularitate ex homicidio voluntario aut ex procurato abortu, effectu secuto.” Can. 1049 § 2. “Si agatur de irregularitate ex voluntario homicidio aut ex procurato abortu, etiam numerus delictorum ad validitatem dispensationis exprimendus est.” Can. 1398 - “Qui abortum procurat, effectu secuto, in excommunicationem latae sententiae incurrit.” Online: http://www.vatican.va/archive/cod-iuris-canonici/cic_index_la.html (26.10.2022).

^{xli} MANSI, Sacrorum conciliorum, p. 982. ρα' Τὰς τὰ ἀμβλωθρίδια διδοῦσας φάρμακα, καὶ τὰς δεχομένας τὰ ἐμβρυοκτίνια δηλητήρια, τῷ τοῦ φονέως ἐπιτιμίῳ καθυποβάλλομην. XCI. Eas quae dant abortionem facientia medicamenta, et quae faetus necantia venena accipiunt, homicidae poenis subijcimus. To the margin it says: Ancyr[anum] 21. Basil[ius] Can[on] 2 et 8.

²² (1643): that the [women] who give or receive abortives are placed under the penalty of murderers.

²³ To the same, the Council of Lleida Can[on] 2, commands that “if the penitents may go back to the clemency of the Church, they may settle all the rest of the lifetime in lamentation and humbleness.”

Quemadmodum et [24] Sixtus *vero* V Pontifex in Bulla, quam IV KAL[endas] IXBR[es] sub censura publicavit anno MDXXCIIX eosdem simpliciter puniendos sancit, ut homicidas, qui voluntarium homicidium actu patrarint. Homicidae autem voluntarii censura Ecclesiastica fuit, ut idem Harmenopulus num. XLIX ex eodem Basilio notat, ut poenitentes [p. 135 ~ 174r] annis XX sacramenta non perciperet ~~xx~~tribus quidem annis foris ecclesiam stans et in gradientes obsecrans ut pro se orarent, delictum confessus: quinque deinde annos inter audientes degeret: septem inter eos qui concidebant: quatuor cum fidelibus absque oblatione: atque ita demum rursus sacramentum particeps fieret. Concilium Ancyranum Canon XXI censuram eam restinxit ad annos X, secundum gradus praefixos.

[24] And just as Sixtus V the Pope, certainly, -in Bulla quam IV Kal[endas] IXBR[es].,^{xlii} published under censorship in the year 1588, he decrees more simply that those who took part in the act of a voluntary homicide must be punished as homicides. The ecclesiastic censorship was also for the voluntary homicide, as likewise, [Constantinus] Harmenopulus annotates in Num. 49 from the same Basilius^{xliii} that the penitents [p. 135 ~ 174r] may not take the sacraments for twenty years: the one that confessed the crime stays three years outside the church and implores towards the steps so that they pray for him; then he spends five years between the audience, seven between those who also fell; four with the believers and without communion; and so, at last, may it be that he may take part in the sacrament. The Council Ancyranum, Canon 21^{xliv}, reduced that censorship

^{xlii} DENS, Petri, Theologia Moralis et dogmatica, p. 237. II. 2°. “Sixtus V. Bulla EFFRENATAM 16 Novembris 1588. decernit, omnes, qui procurant abortum foetus animati, sive inanimati, effectu secuto, item qui sterilitatis potiones propinaverint, vel quominus foetus concipiatur, impedimentum praestiterint, vel bis criminibus quovis modo cooperati fuerint, incurrere omne poenas in omni jure contra homicidas voluntarios latas; et insuper subjicit eosdem ipso facto irregularitati et excommunicationi, excepto mortis articulo, Summo Pontifici reservatis: item privat eos officiis et beneficiis, et ad ea obtinenda in postremum inhabiles reddit. III. Hanc bullam Sixti V. moderatus est Gregorius XIV. Bulla SEDES APOSTOLICA data 9 Julii anno 1591 et dictas poenas irregularitatis, excommunicationis, et alias a Sixto latas restrinxit ad eos tantum, qui procurant abortum foetus animati, aut illi quovis modo cooperantur: deinde declarat ab hoc casi et censura annexa Episcopum et quemlibet Confessarium ab Episcopo ad hunc casum specialiter deputatum absolvere posse.” Online: https://books.google.de/books?id=dALvZb_miaEC&hl=es&pg=PA237#v=onepage&q=sixtus&f=false (26.10.2022).

^{xliii} The reference is probable to BASILIUS MACEDO or the emperor Basilius I and his *Basilica* (Basilicorum libri LX, Ed. C.A. Frabot & K.W. Ernst Heimbach, Lipsiae, Barth, 1833-1897). CONSTANTINUS HARMENOPULUS and his *Hexabiblos* (Manuale legum sive Hexabiblos cum appendicibus et legibus agrariis, Lipsiae, T.O. Weigel, 1851) I couldn't find the reference here stated by Meibom. For Basilius: <http://d-nb.info/gnd/118507028> For Harmenopulus: <http://d-nb.info/gnd/10093949X> (26.10.2022).

^{xliv} RACKHAM, “The texts of the canons of Ancyra”, p. 153. XXI Περί τῶν γυναικῶν τῶν ἐκπορνεύουσῶν καὶ ἀναιρουσῶν τὰ γεννώμενα καὶ σπουδαζουσῶν φθόρια ποιεῖν, ὁ μὲν πρότερος ὅρος μέχρις ἐξόδου ἐκώλυσεν, καὶ τούτῳ συντίθενται· φιλιανθρωπότερον δέ τι εὐρόντες ὥρισamen δεκαετὴ χρόνον κατὰ τοὺς βαθμοὺς τοὺς ὥρισμένους. Translations from Syriac versions, p. 207-208. Paris. Cod. 62 (P) – XX. “*De mulieribus quae pueros suos necant*. Mulieres quae, cum scortatae fuerunt, pueros occidunt aut tentant fetum opprimere, ad finem vitae usque excommunicatione plectebantur iuxta priores canones, quibus adhaeret praesens synodus. Attamen, cum hoc decretum aliquatenus rigidum visum fuerit, decrevimus ab istis mulieribus x annos secundum gradus modo definitos esse explendos.” Brit. Mus. Cod. Add. 14,529 “(M) – (XXI) *De iis quae varie occidunt liberos suos a stupro*. De feminis quae constuprantur et occidunt liberos suos, et iis quae callide agunt et perdunt foetus suos, terminus prior usque ad exitum earum de mundo prohibet eas; et cum hoc

Concilium vero Ilerdense Can. II voluit, ut nihilominus *poenitentes, si ad consuetudinem Ecclesiae redierint, omne vitae tempus reliquum in fletu et humilitate transigerent.* [25] Ex Legum latoribus *et Jctis,* Solonem olim et Lycurgum in abortus auctores indicta capitis poena advertisse, testatur Auctor libri Galeno adscripti, An animal sit, quod in utero contin[etur] cap. V. [f.173r] [□ #] Lex vero Alamannica tantum non impune hoc crimen habuit. Ea talis est cap XC. Si quis mulieri praegnanti abortivum fecerit, ita ut iam cognosci possit, utrum vir an foemina fuit: si vir debuit esse, cum XII solidis componat.

to ten years, according to the grade fixed before. The Council of Lleida Canon 2^{xlv} wanted, nevertheless, that “the penitents, if they may have returned to the custom of the Church, may have settled the rest of their lifetime in lamentation and humbleness.” [25] The author of the book attributed to Galen An animal sit, quod in utero continetur, Chapter 5,^{xlvi} attests that in other times Solon and Lycurgus observed that the capital punishment is indicated for the performers of abortions according to Lawmakers *and Jurisconsults*. [f.173r] [□ #] German law^{xlvii} indeed does not have this crime unpunished. That certain [punishment] is, chapter 90: “If someone may give an abortive to a pregnant woman, so that at this time it could be known, whether it was male or female: if it should have been a

termino consentimus. Sed inventa re clementiore hoc tempus x annorum definivimus ut impleant, secundum gradus supra distinctos.”

^{xlv} MARTÍNEZ DIEZ & RODRÍGUEZ, La Coleccion Canonica Hispanica IV, p. 300. “Concilium hilerdense octo episcoporum gestum aera DLXXXIII. 2. De his qui aborsum faciunt ver natos suos exstingunt. li vero qui male conceptos ex adulterio factos vel editos necare studerint vel in uteris matrum potionibus aliquis colliserint, in utroque sexu adulteris post septem annorum curricula communio tribuatur; ita tamen ut omni tempore vitae suae fletibus et humilitati insistant; officium eis ministrandi recuperare non liceat, attamen in choro psallentium a tempore receptae communionis intersint. Ipsis veneficis in exitu tantum, si facinora sua omni tempore vitae suae defleverint, communio tribuatur.”

^{xlvi} Gal. XIX (K) Greek 179, 13- 180, 7 οἱ οὖν τούτων μαθηταὶ νομοθέται Λυκοῦργος καὶ Σόλων βεβαίως ἡμῖν δι' ὧν προείπον κεφαλαίων δύο τὴν ὑπὲρ τῶν ἐμβρύων ἀναμφισβήτητον παρέσχον ὑπόθεσιν. εἰ γὰρ [εἴπερ] μὴ ζῶα ἦν, οὐκ ἂν ἐκόλασαν τοῖς νόμοις φανερώς τιμωρησάμενοι τοὺς αἰτίους τῆς ἐξαμβλώσεως, ἐπειδὴ δὲ ἔφασαν ζῶα εἶναι, τὴν τιμωρίαν ἡ ἐπήγαγον. τίς γὰρ τὸν ἤδη τέλειον καὶ ὁμολογημένον ἄνθρωπον εἰσπράττεται δίκην ὑπὲρ τοῦ μήτε κατὰ τὴν μήτραν ὄντος ἀνθρώπου μήτε τὴν ἀρχὴν ἐζωωμένου ποτὲ <ἢ> κληῖρον ἀφήσιν οὐ γινώσκων, εἰ ζῶον τὸ ἐμβρυον; πῶς οὖν ἐπισκήπτεις τὸ κατὰ γαστρὸς μὴ ζῶον εἶναι λέγων; τίς χρηταὶ διαδόχῳ τῷ μήπω τὸ εἶναι πεπιστευμένῳ; τίς ἐρεῖ τὸν αὐτοῦ κύριον τὸν ἀμφισβητούμενον; Horum igitur discipuli leges Lycurgus et Solon per haec quae modo dixi capita duo firmum nobis de foetu ac indubitatum argumentum prae buerunt: nisi enim animalia essent, non in ipsos abortus auctores legibus aperte proposita poena animadvertissent; quoniam vero animalia esse dicebant, id circo poenam instituerunt. Quis perfectus jam ac indubitatus homo jus exigens causa ejus qui in utero non homo ac ne animatus quidem est unquam haereditatem dimittet, ignarus an animal sit quod in utero est? Quid igitur animal esse quod in utero est negare contendis? Quis successore utitur eo quem nondum esse credimus? Quis sibi dominum dicet eum de quo dubitatio est?

^{xlvii} Monumenta Germaniae Historica. Legum, T.III, p. 79. *Leges Alamannorum, liber secundus*, XCIV. 1. “Si quis mulieri praegnantī aborsum fecerit, ita ut jam cognoscere possit, utrum vir an femina fuit; si vir debuit esse cum duodecim solidis conponat; si autem femina cum viginti quattor. 2. Si nec utrum cognoscere potest, ne dum formatus fuit in liniamenta corporis, duodecim solidis conponat. Si amplius requirer, cum sacramentalibus suis se idoneit. 3. Si amplius requirer, cum sacramentalibus suis edoniit.”

Si autem foemina, cum XXIII. Si nec utrum cognoscere, etiam non formetur sic liniamenta corporis, cum XV solidis componat. [□ #] [26] In Jure *etiam* Romano *nonnulli* olim satis remisse id crimen puniendum [p. 136] censuerunt. Quum enim primi Juris auctores Stoicam praecipue philosophiam sequerentur (quod prolixè probat Emundus Merillius Observat[ionum] lib. I a cap. IIX ad cap. XXIIIX.) qui foetum in utero non animal sed portionem tantum viscerum matris statuebant: ejectionem foetus capitale poena non puniendam arbitrati sunt. Et Ulpianus quidem L.IV. D. de extraord. cri [p. 136] min. et L. Si mulierem. D[igesta] ad L[egem] Corn[eliam] de Sicar[iis]. Mulierem, si visceribus suis vim intulisse constiterit, quo partum abigeret, a Praeside Provinciae in exilium saltim exigendam putavit: idque adhuc temporale tantum debere esse, Tryphonianus IC. voluit L[ege] xxxix D[igesta] De poenis. Si factum fuerit a muliere post divortium praegnante, nec marito jam inimico filium parere cupiente. Paullus vero L. XXXIIXX D. Eod. severius animadvertendum ratus, abortionis poculum dantes, licet dolo non faciant, tamen quia mali exempli res sit, honestiores in insulam amissa parte bonorum relegari, sin mulier aut homo eo perierit, summo supplicio adfici decrevit. [p. 136~ 174v] Succedente vero tempore [27] Valentinianus, Valens, et Gratianus A. A. A. *infantis necandi piaculum aggressos simpliciter supplicio capitale puniendos censuerunt*, ut est in L[ege] pen. Cod[ex] Ad L[egem] Corn[eliam] de Sicariis.

man, it may settle with 12 golden coins; if on the other hand [it should have been a female] with 24. If it could know neither, so the features of the body are not formed, it may settle with 15 golden coins.” [□ #] [26] In Roman law in other times **likewise** **some** estimated that it redeems the crime to be punished. [p. 136]. For in the same manner, the first authors of Law followed the Stoic philosophy (which Emundus Merillius proved abundantly in Observationum Book 1, chapter 8 to chapter 28),^{xlviii} who established that the foetus was not an animal in the uterus but a part of the viscera of the mother; they believed that the ejection of the foetus is not to be punished with capital punishment. And Ulpianus in quidem L[ex] IV D[igesta] de extraord. cri [p. 136] min. and L[ex] Si mulierem D[igesta] ad L[egem] Corn[elia] de Sicar[iis]^{xlix} thought that at least “the woman is driven out to exile by the rules of the province, if it is clear that a force was applied in her viscera, to force procuring abortion”; and thus far Tryphonianus Jurisconstul wanted in L[ex] xxxix D[igesta] De poenis^l that it must be “temporary”. “If it were done after the divorce by a pregnant woman and she does not want to give birth to a son for the now foe husband”. Paullus, certainly, in L[ex] XXXIIX D. Eod.^{li} thought more severely that is must be considered, that the givers of beverages of abortion, “even if they may not do it with evil intent, still because it is a matter of bad example; the most respectable are despatched to an island in a part away from good [persons]; if the man or woman died because of that, it was decided to apply the highest penalty.” [p. 136 ~ 174v] In the following time, indeed, [27] Valentinian, Valens and Gratian A.A.A considered that “the undertakers of the wicked deed of killing a child must be punished simply by the capital penalty.” as it is in L[ex] Pen. Cod[ex] ad L[egem] Conr[elia] De Sicariis^{lii}.

^{xlviii} MERILLIUS, Observationum libri III. Chapter 16 deals precisely with the topic, p. 27-29: “Foetus in matris utero non es animal secundum Stoicos et Iurisconsultos. De poena abacti partus.” The passage quoted by Meibom, p. 27, 28. Many of the legal sources quoted by Meibom are also referred here. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10520464-6> (26.10.2022).

^{xlix} D. 48, 8, 8. “Ulpianus libro trigensimo tertio ad edictum. Si mulierem visceribus suis vim intuluisse, quo partum abigeret, constiterit, eam in exiliu praeses provinciae exiget”.

^l Not precisely the reference but the closest contents: D. 25, 3, 1.

^{li} Perhaps the contents of D. 48, 8.?

^{lii} C. 9, 16, 7 (8). “Si quis necandi infantis piaculum adgressus adgressave sit, sciat se capitali supplicio esse puniendum.”

Cicero insuper in Orat[io] pro A[ulo] Cluentio, et ex ipso Tryphonianus loc. cit. notarunt, *mulierem Milesiam quod ab heredibus secundis accepta pecunia partum sibi medicamentis ipsa degisset, rei capitis damnatam.* [28] Et de obstetrice Ulpianus L[ege] IX in princ[ipio] D[igestorum] ad L[egem] Aguil[ia] *Si medicamentum¹⁵ dederit, et inde mulier perierit, ex Labeone distinguit, ut si quidem suis manibus supposuit, sive pessum subdidit, videatur occidisse; sin dedit, ut mulier sibi offerret, in factum actionem dandam; quod hoc casu causam mortis potius praestiterit, quam occiderit.* [29] Quam tamen distinctionem Canones vix admittent, nihilque interesse censebunt, sive pessum quis supposuerit ipse, sive supponendum dederit aut suaserit. In Concilio enim Lateranensi, sub Innocentio III, simpliciter cautum fuit, *ne Medicus* (quod intellige de quovis etiam alio) *sub interminatione anathematis pro corporali salute aegroto aliquid vel suadeat saltem, quod in periculum animae cedat.* c. cum infirmitas XIII. De poenit[entis] et remiss[ionibus]

¹⁵Meibom 4: *medicamentum qui*, it was a coping error by hand and self corrected to agree with printed version.

Cicero moreover in *Oratio pro Aulo Cluentio*;^{liii} and about the same Tryphonianus in the quoted passage; they annotated that: “a Milesian woman was sentenced to death because, once she accepted money from the second heir inline, she carried out her own delivery with medicaments” [28] And About the obstetrician, Ulpianus in L[ex] IX in princ[ipio] D[igestorum] ad L[egem] Aquil[iam]^{liv}, “if she may have given a medicament and hence the woman may have died” - as it is differentiated according to Labeon- “that if someone applied with his own hands or put under a pessary, it seems that she killed, [or] if she gave it, so that the woman was offering it to herself, in the doing of the action of giving, because in this case, she may have been responsible more for the cause of death than for killing her”. [29] The Canons admits with difficulty that difference and considered that there is nothing in between, either someone placed a pessary herself or gave it or recommended to put it. In Council indeed Lateranensi, under Innocentius III, more simply he was cautious, “and the Physician” (understand it as about whoever or any other) “under the menace of excommunication may not recommend something anyhow in favour of the physical health of the sick person, which may result in danger for the soul” c. cum infirmitas XIII, De poenit[entis] et remiss[ionibus]^{lv}. [30] And it is permitted out of the Civil Law and in the

^{liii} Cic. *Clu.* 32.1- 32.6.

^{liv} D. 9, 2, 9, 1. “Si quis per vim vel suasum medicamentum alicui infundit vel ore vel clystere vel si eum unxit malo veneno, lege Aquilia eum teneri, quemadmodum obstetrix supponens tenetur.”

^{lv} Decretal. Gregor. IX Lib. V Tit. XXXVII, c. 13. “Medici vocati ad infirmos, debent ante omnia inducere infirmum ad confessionem, nec quicquam persuadere pro salute, corporis, tendens in animarum periculum. Quum infirmitas corporalis nonnumquam ex peccato proveniat, dicente Domino languido, quem sanaverat: “Vade, et amplius noli peccare, ne deterius aliquid tibi contingat” præsenti decreto statuimus, et districte præcipimus medicis corporum, ut, cum eos ad infirmos vocari contigerit, ipsos ante omnia moneant et inducant, ut medicos advocent animarum, ut, postquam infirmis fuerit de spirituali salute provisum, ad corporalis medicinæ remedium salubrius procedatur, quum causa cessante cesset effectus. Hoc quidem inter alia huic causam dedit edicto, quod quidam, in ægritudinis lecto iacentes, quum eis a medicis suadet, ut de animarum salute disponant, in desperationis articulum incidunt, unde facilius mortis periculum incurrunt. Si quis autem medicorum huius nostræ constitutionis, postquam per prælatos locorum fuerit publicata, transgressor extiterit, tamdiu ab ingressu ecclesiæ arceatur, donec pro transgressione huiusmodi satisfecerit competenter. Ceterum, quum anima sit multo pretiosior corpore sub interminatione anathematis prohibemus, ne quis medicorum pro corporali salute aliquid ægroto suadeat, quod in periculum animæ convertatur.”

[30] Et licet de +]ure civile, et in foro contentioso, ubi agitur ad poenam, interpretatio fieri possit, in partem mitiorem, L[ex] XLII interpretatione, D[igesta] de poenis, in foro tamen conscientiae, ubi agitur [p.137 = f. 175r] de placando Deo, et emendatione, quivis qui abortui quovis modo ansam praeberit, homicidam se putare debet. Hoc passu enim *maxime eligenda est via tutior, atque in dubiis tenendum, quod existimamus certius, c. juvenis de sponsal. et matrim bonarumque est mentium, ibi culpam timere, ubi culpa non est, c. ad ejus vero dist. v.* [31] Quanquam vero haec recte habeant, reperti tamen fuere ab omni fere aevo, qui contrarium licere, certis effectis casibus certisque adductis limitationibus, persuadere nobis sategerunt. Inter eos alii licitam voluere abortus concitationem, si mulier parva sit et tenella, nec partus laboribus suffectura, si uterus foetae sit parvus, qui foetum ob parvitatem usque ad justum pariendi terminum continere nequeat, si collum uteri sit angustum, aut intra se condyloma habeat aut ἐμβόλιόντι unde in partu possit periclitari, si vesica sit debilis ut ex incumbente utero pleno timeatur ruptura, aut denique foetus ex sesit moriturus, ut videre est apud Aëtium tetrab[ibloi] IV serm. IV cap. XVI Theod[orum] Priscianum lib. III cap IV Moschionem De Adf[ectionibus] Mul[liebribus] cap. XLIII Avicennam lib. Fen. XXI tract. II cap. XII et XVII nec dissentiunt Rhases lib IX Contin[ens] Halyabbas lib. IIX Pract[ica]. cap. IIX.

contentious forum -where it is lead to punishment, [and] interpretation could be done towards the softer part. L[ex] XLII, interpretatione, D[igesta] de poenis.^{lvi} In the forum yet of consciousness, where it is led out of [p.137 = f. 175r] reconciliation and emendation with God, anyone who may have offered the chance for abortion in any way, he must think himself as a homicide. In this stance indeed, “the safer way must be chosen above all, and in being doubtful what we consider more certain”, c. juvenis de sponsal et matrim. “it belongs to the good minds to be afraid of the fault where there is no fault”, c. ad ejus vero dist. v.^{lvii} [31] Though they indeed have these things correctly, they learned yet since almost forever that those who permitted the opposite had trouble to convince us with certain portrayed cases and certain induced limitations. Among them others wanted free sedition for abortion if the woman is small and delicate, and could not be put into labour; if the uterus of the pregnant [woman] is small, which could not contain the foetus until the righteous time of delivery due to its smallness; if the neck of the uterus is narrow or inside it has condyloma or reliefs from which [she] could be put at risk at the delivery; if the bladder is weak that a rupture is feared because of the full-carrying uterus and then the foetus will die from it, as it is to see from the writings of Aetius in Tetrabiblion IV, serm. IV chapter XVI; Theodorus Priscianus book 3, chapter 4^{lviii}; Moschion in De Adfectionibus Muliebribus, Chapter XLIII,^{lix} Avicenna in lib. Fen. XXI tract. II chapter XII et XVII.^{lx} and do not disagree with Rhases lib. IX Continens^{lxi} and Halyabbas lib. IIX Practica [?] chapter

^{lvi} D. 48, 19, 3. “Idem libro quarto decimo ad Sabinum. Praegnantis mulieris consumendae damnatae poena differtur quoad pariat. Ego quidem et ne quaestio de ea habeatur, scio observari, quamdiu praegnas est.”

^{lvii} Perhaps another wording from the letters of Innocentius III. PL 215, 810b: *quia bonarum mentium est ibi timere pro culpa, ubi minime reperitur, effundas.*

^{lviii} PRISCIANUS, Gynaecia ad Salvinam, p. 141. Chapter is *De atretis* or the women closed either since birth or by cicatrization. The problem could be solved either by softening medicaments or by surgery.

^{lix} MOSCHION, de morbis muliebribus liber unus, p. 7. μγ. Ποία εἰσὶ σημεῖα τὰ πρὸς ἔκτρωσιν συμβαίνοντα; (Which are the signs that correspond to miscarriage?).

^{lx} AVICENNA, Canon Medicinae, (GW 3127). Chapter XII: *De clisteri bono ad aillud et ad ventositatem*, where many recepies are given to avoid the *ventositas* of the uterus and therefore to preserve the foetus, for example, p. Qq iii r– e. “Tertio dicit quod he medicine que fetum observant in utero matris sunt he que sunt ad cor dicte cordiales.... Sexto dicit quod in conservatione foetus et perservatione ne abortiantur cause ventositatis conferunt...” P. Qq v v, Chapter XVII: *De extractione secundine*. About the topics mentioned by Meibom see from p. Ppp v [4v] chapter VIII: *De aborsu* until p. Rrr ii v chapter XXXI: *De regimine nausee*.

^{lxi} RASIS, Continens Rasis. Most probably book XXII, f. 216 v -237v. “Liber XXII continentis Rasis de his quod ad matricem spectant tractans dividitur in vii tractatis...” f. 227 v ss. “Tractatus sextus est de pregnatione et de aptitudine atque ineptitudine ad generandum: et

Recentiores addunt morbum acutum, si eo corripiatur praegnans, nec subveniri possit aegrae sine foetus ejectione: inter quos Thomas Cornacchinus Tabulae Medicinae I, Mart[inus] Akakia De Morb[is] Mul[ie]bribus] lib. II cap. IV Anton[ius]. Guainerius lib. De Aegritud[ine] Uteri cap. XXX. Alii cum Hippocrate et Aristotele inter effluxiones et abortum distinguentes, abortionem quidem procurare nefas esse, effluxiones autem prolicere licitum putarunt. [32] Trahunt huc insuper Hippocratem, qui lib[ro] De Natura Pueri part. IV psaltriaae compressae consuluit, ut in terram desiliret, atque ita genituram ejiceret. [33] Nec longe ab his abeunt, qui ex loco Exodi XXI *supra adducto,* versionem sequuti septuaginta interpretum, ut vocant, elicete conantur, ἐμβρύον ἐξεικονισμῆνον, seu *foetum formatum*, ejici non debere, conceptum vero nondum formatum

IIX.^{lxii} More modern authors added the acute disease: if the pregnant woman may be attacked by it and it could not be relieved without the expelling of the foetus of the sick woman, among them are Thomas Cornacchinus in *Tabulae Medicinae* I;^{lxiii} Martin Akakia in *De Morbis Muliebribus* lib. II cap. IV^{lxiv}; Antonius Guainerius lib. *De Aegritud[ine]* Uteri cap. XXX. Others who together with Hippocrates and Aristotle differentiate between fluxes and abortions thought that it is something abominable to procure an abortion, but it is permitted to incite fluxes. [32] They pull out moreover Hippocrates, who in the book *De natura pueri*, part 4,^{lxv} recommended to the restrained harpist²⁴ that she would discharge²⁵ it down into the earth and so she would expel the creature. [33] And they do not go far away from these cases, those who followed the version of the translators in the Septuagint, as they call it, from Exodus 21^{lxvi} * above-mentioned*.²⁶ They try to bring out the [meaning of] ‘fully formed embryo’ or ‘formed foetus’ as they call them. The conceived indeed not yet formed or [p. 138 = f. 175 v] unformed with a rational soul must not be expelled, [nor] can it be expelled without crime in order to save the mother.

duo habet capita...” f. 232v ss. “Tractatus septimnus et ultimus libri XXII es de partu et aborsu et eis concomitantibus, et duo habet capita.”

^{lxii} HALY ABBAS, *Liber totius medicine necessaria continens*, p. 267v. The chapter that speaks about the same topic is: XXVI *De difficultatis partus medela*. Either by unbalance of humours in woman, thinness or because the foetus is too big or too small and light or it is not well positioned for delivery.

^{lxiii} CORNACCHINUS, *Tabulae Medicae*, p. 2-3. The pages correspond to Table I but I couldn't find Meibom's reference. I review the rest of the work with help of the index, still unsuccessfully. The topic of the first table, however, has to do with the Hippocratic Oath, that is, the things that the Physician must know before he begins his praxis. These advises continue in the next table and they are a perfect manual for a successful consultation.

^{lxiv} AKAKIA, “*de Morbis muliebribus Libri II*”, p. 745-802. For the chapter, p. 781-782. Second book, Chapter IV: *De symptomatis Gravidarum, praecipue vero de abortu*. For Meibom's mention, p. 782. “Quinta causa est morbus acutus, hinc aphorismo 20 libris 5 mulierem utero geretem, morbo acuto corripit lethale: evenit tamen interdum ut supersint mulieres gravidae ex morbo acuto, quanquam raro, cum constat ex historia mulieris parte 30 sectione 3 libri Epidemiarum.” Online: <https://hdl.handle.net/2027/ien.35552000250497> (26.10.2022)

^{lxv} Hipp. *Nat. Puer.* XIII.

²⁴ Through the tradition this woman has been called *psaltria*, that is, ‘a female player on the cithara’ or ‘a lutist’. The Latin word comes from the Greek ψάλτρια which means a female harper. The word used in the *corpus hippocraticum* is μουσοεργός, that is someone who cultivates music, a singer or a musician.

²⁵ Desiliret > desillare?> desigillare? = Signum vel sigillum dissolvere, eximere notam (Du Cange).

^{lxvi} Ex 21:22.

²⁶ In the intended second version (Meibom 4) this reference was erased. In this edition the passage is preserved in the notes.

[p. 138 = f. 175 v] nec anima rationali informatum, sine crimine ad salvandam matrem elici posse. [34] Hoc docent Canones, cap. sicut ex litterarum de homicidio XXXII Quaest II cap. quod vero et cap. Moyses. Hoc voluerunt Antoninus in Summa part. III tit. VII cap. II § II Silv[ester] Prieras [sic], verbo Medicus. Quaest. IV. Navarrus in Manuali cap. XXV num. LXII atque alii. [35] Nec delictum esse capitale volunt, Carolus V Imp. Peinlicher halsgerichts ordnung art. CXXXIII

[34] The Canons teach that in chapter sicut ex litterarum de homicidio XXXII Quaest[i]o II c[h]apter] quod vero and in chapter Moyses. Antoninus in Summa part. III tit. VII chapter II § II^{lxvii}, Sylvester Prierias, verbo Medicus question iv,^{lxviii} Navarrus in Manuali chapter XXV num. LXII^{lxix} and others wanted this. [35] And they wanted that it is not a capital crime: Carolus V Imp. Peinlicher halsgerichts Ordnung art[icle] CXXIII^{lxx}

^{lxvii} ANTONINUS OF FLORENCE, *Summae sacrae Theologiae*, p. 88v. “Medici vero vel alii in dando medicinas praegnantibus ad procurandum aborsum et mortem eius ut occultetur peccatum, mortaliter peccant...” The text is one column long and besides having some of the arguments also displayed by Meibom, like it is better to stay neutral if by helping someone you may hurt another one, the text focuses in the problem if the product is animated or unanimated. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb113-01824-6> (26.10.2022).

^{lxviii} MAZOLINUS DA PRIERIO, *Summae Sylvestrinae*, p.171. “Secundum. Dare medicinam praegnantem ut abortiatur, et lateat peccatum est mortale, ad praeservandum vero praegnantem...distinguendum est. Nam si foetus erat animatus rationali anima est peccatum mortale...Si vero nondum erat anima tali animatus: posset tunc et deberet dare talem medicinam: quia licet impediret animationem futuram faetus, non tamen esset causa mortis alicuius hominis, et unum hominem liberaret a morte. Haec ex illo. Sed si dubium sit, utrum sit animatum necne dando medicinam videtur peccare mortaliter...quia exponit se periculo peccati mortalis.” Online: <https://www.digitale-sammlungen.de/view/bsb10686036?page=174,175> (26. 10. 2022).

^{lxix} AZPILCUETA, *Enchiridion sive manuale confessoriorum et poenitentium*, p. 771. “Et qui propter salutem corporalem, contra salutem animae consulit, ut illicite coeat, aut se inebriet, aut abortiat, etiam per ignorantiam id consulat: immo, et si non consulat, sed dicit, ego non tibi consulo, sed si tale quid faceres, saneris. Quarto peccat, qui praegnantem praebet aliquid, quo abortiat, etiam si praebeat, ut eam a morte servet: si credit, vel dubitat foetum esse animatum, sed si probabiliter credit, non esse anima rationali animatum, in quo investigando debet diligentiam maximam adhibere, licite poterit illud praebere, quo vitam matris servet, cum non sit culpa mortis alienae, nec corporalis nec spiritualis.” Online: <http://resolver.staatsbibliothek-berlin.de/SBB00016CFA00000000> (26.10.2022).

^{lxx} KOCH, *Hals oder peinliche Gerichtsordnung Kaiser Karls V*, p. 65. Straff der ihnen so schwangern weibßbilden kinder abtreiben. Cxxxiii Item so jemandt eynem weibßbild durch bezwang, essen oder trinken, eyn lebendig kindt abtreibt, wer auch mann oder weib unfruchtbar macht, so solch übel fürsetzlicher und hoßhafftiger weiß beschicht, soll der mann mit dem schwert, als eyn todtschläger, unnd die fraw so sie es auch an ir selbs thette, ertrendt oder sunst zum todt gestrafft werden. So aber eyn kind, das noch mit lebendig wer, von eynem weibßbild getriben würde, sollen die urtheyler der straff halber bei den recht-verstendifen oder sunst wir zu eud diser ordnung gemelt, radts pflegen. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10621598-4> (26.10.2022).

et Augustus Elector Sax[oniae] Ordinatus part. IV constit. IV. Quanquam autem speciose horum pleraque proferantur, tamen specie recti fallunt, et facile corruunt, ubi ad verae rationis trutinam expenduntur. [36] Quia vero pene omnia hoc nituntur fundamento, licere foetum ejicere, ut mater ab imminente periculo vindicetur; merito omnibus in genere Divi Paulli illud opponimus, ex Epist[ula] ad Rom[anos] cap. III vers. IIX *Non esse facienda mala, ut inde eveniant bona: quod talium damnatio*, ut addit Apostolus, *sit justa*. Valde enim fallitur Plutarchus lib. de sera numinis vindicta, quando ait in Medicina τὸ χρήσιμον καὶ δίκαιον εἶναι, *quod utile sit, etiam justum esse*. Licet namque in iis forte, quae Plutarchus ibi adducit, id locum habeat, dum ridiculum esse notat si quis injuste fieri dicat, quod coxendicibus laborantibus inuratur pollex, aut jecinore vitiato venter incidatur circa umbilicum; tamen in is quae cum vitae fiunt discrimine, et conscientias cauterio inurunt, idem tentare minime licebit. [37] Atque hoc posito facile fuerit ad argumenta adducta respondere. Nam quod primo de faemina tenella, et uterum parvum sortita, adferebatur; satius esse, ut si conceperit, ante tempus conceptum excutiat, quam in partu illa periculo exponatur:

and Augustus Elector Saxony Ordinat part. IV constit. IV^{lxxi}. But although most parts of them are mentioned splendidly, still the appearances cheat and easily fall down, when they are weighed in the balance of true reason. [36] Because indeed almost all things rest upon a basis, to permit to expel the foetus so that the mother is set free from the imminent danger; we deservedly reply that of the Divine Paul in general to all things, from Epistula ad Romanos chapter III verse IIX,^{lxxii} “Bad things must not be done for good things to happen, because a condemnation of that kind” as the Apostle added, “is just”. Indeed Plutarchus is strongly mistaken in the book, *De sera Numinis vindicata*,^{lxxiii} when he says that in Medicine “the useful is also just”, “what is useful, is also just”. Although certainly in these matters, which Plutarchus brings up here by chance, there is room for everything. While he indicates that it is ridicule if someone says that he did unjustly because a protuberance in an afflicted hipbone is burned or that the belly with a sick liver is opened near the navel; still it will not be permitted at all to try the same [things] in these [cases] which happen during a decisive moment of life and mark the consciousness with a branding-iron. [37] And this being set, it was easy to respond to the mentioned arguments. So, in the first [case] about the delicate woman and who obtained a small uterus, it was adduced that it is preferable that if she may have conceived, the conceived may be taken out before term because

^{lxxi} CARPZOVIO, *Iurisprudentia forensis Romano- Saxonica*, p.1303 ss. The beginning of the law says: *De poenis procurandum abortum*. “Foetum in utero viventem hausta potionem vel alio modo, deliberato et dolo malo si abigat mater, tam ipsa quam illi, vel alio quocunque modo, factum promoverunt, gladio puniantur. Sin vero foetus vitalis nondum fuerit, et ante dimidium temporis a conceptione numerandum eiectionis sit, vel id, quo ei debuit, effectu caruit, vel denique id, quod eiectionis est, infans non fuerit, pro arbitrio iudicantis, vel fustigatione vel relegatione aut carere mulier mulctabitur.” Online: <https://books.google.de/books?id=8npmAAAcAAJ&lpg=PA1283&ots=cpzRbOw3EJ&dq=ordinationes%20augustii%20saxonis%20electoris&hl=es&pg=PA1303#v=onepage&q&f=false> (26.10.2022).

^{lxxii} Ro 3:8 et non sicut blasphemamur et sicut aiunt nos quidam dicere faciamus mala ut veniant bona quorum damnatio iusta est.

^{lxxiii} Plu. *De sera*. 559 E 7 – 559 F2. καθόλου δ' εἰπεῖν, ὥσπερ ἐν ἰατρικῇ τὸ χρήσιμον καὶ δίκαιόν ἐστι, καὶ γελοῖος ὁ φάσκων ἄδικον εἶναι τῶν ἰσχύοντων πονούντων καίειν τὸν ἀντίχειρα καὶ τοῦ ἥπατος ὑποῦλου γεγονότος ἀμύσσειν τὸ ἐπιγάστριον καὶ τῶν βοῶν, ἃν εἰς τὰς χηλὰς μολακιδῶσι, προσαλείφειν τὰ ἄκρα τῶν κεράτων...(Tr. Klaerr & Vernière. D'une manière générale, d'ailleurs, vous voyez qu'en médecine utilité et justice se confondent et qu'il serait reidicule de crier à l'injustice sous prétexte que, pour une douleur de hanche, on cautérise le pouce, que, pour un abcès au foie, on sacrifie l'épigastre, et que dans le cas de bœufs, on oint l'extrémité des cornes pour remédier au ramollissement des sabots).

id tanti non est, ut abortum suadere debeat aut possit. Uteri quidem ob parvitatem abortum aliquando contingere, Hippocrates jam olim docuit lib. I de morb[is] mul[ierum] et lib. de superfoet[atione][+] cui consensit etiam Galenus lib. III De Faculta[tibus] Natur[alibus] cap. XII eoque nos negamus, frustra que repugnat Hier[onymus] Mercurialis lib. I De Morb[is] Mul[iebribus] cap. II et J[ulius] C[ae]sar Claudinus Consult[at]iones Med[icinales] XXXIV contra quos pluribus disputantes vide Alex. Masserian. Pract. Lib. IV. cap. IX et Jo[hannem] Bap[tistam] Cortesium part. III. cap. XIII. [+]

she may be exposed to danger in the delivery. This is not of such importance so that he should or could recommend an abortion. Hippocrates already taught in other time in book *De morbis mulierum*^{lxxiv} and book *De superfetatione*^{lxxv} that indeed sometimes the abortion arrives due to the smallness of the uterus [+], also Galen agrees with him in book 3, *De naturalibus facultatibus*, chapter 12,^{lxxvi} and because of it we deny it [abortion]; and in error defend it Hieronymus Mercurialis in the book 1 of *De morbis muliebribus*, chapter 2^{lxxvii} and the J[ulius] C[aesar] Claudinus in *Constulationes medicinales*. 34.^{lxxviii} Against these, see the disputants in many things Alex. Masserian, *Pract.* Book 4, chapter 9 and Johannes

^{lxxiv} Hipp. *Mul.* XXV 30-33; CCXXXVIII.

^{lxxv} Hipp. *Mul.* 27.

^{lxxvi} The problem is not the smallness of the uterus but its incapacity to distend or grow. Gal. II 184, 5-13. κοινὸν δ' ἀπασῶν τῶν διαθέσεων ἡ ἀνία καὶ ταύτης αἴτιον τριττὸν ἢ ὄγκος περιττὸς ἢ τι βάρος ἢ δῆξις· ὄγκος μὲν, ἐπειδὴν μηκέτι φέρωσι διατεινόμεναι, βάρος δ', ἐπειδὴν ὑπὲρ τὴν ῥώμην αὐτῶν ἢ τὸ περιεχόμενον, δῆξις δ', ἐπειδὴν ἦτοι τὰ πρότερον ἐν τοῖς ὑμέσιν ὑγρὰ στεγόμενα ῥαγέντων αὐτῶν εἰς αὐτὰς ἐκχυθῇ τὰς μήτρας ἢ καὶ σύμψαν ἀποφθαρὲν τὸ κύημα σηπόμενον τε καὶ διαλυόμενον εἰς μοχθηροὺς ἰχῶρας οὕτως ἐρεθίζῃ τε καὶ δάκνην τὸν χιτῶνα τῶν ὑστερῶν. Communis autem omnibus his affectibus ipsa est offensio; atque hujus ipsius triplex est causa, aut moles nimia, aut pondus aliquot, aut morsus: moles, ubi amplius distendi uterus non fert; pondus, quum supra vires ejus fit, quod continet; morsus, ubi vel humores, qui pirus in membranis continebatur, his ruptis, in ipsum uterum sunt effusi, vel etiam totus partus corruptus et putris ac in noxia, saniem dissolutus uteri tunicam sic irritat ac mordet.

^{lxxvii} MERCURIALIS, *De morbis muliebribus* praelectiones. The quoted chapter is about sterility, here understood not only being unable to conceive but to always loose the product. p. 4 ss. Causes of sterility, p. 7, Because of the narrowness of the uterus and other problems discussed by Meibom, p. 9 Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12bsb10166372-6> (26.10.2022).

^{lxxviii} CLAUDINUS, ...responsionum et consultationum medicinalium, p. 82-85. *Consultatio XXXIII Pro perillustri foemina abortum patiente*. For the specific reference, p. 82 H. “De angustia nil dico, quando ego in ea sim sententia, ut non faciat ad abortum, quoniam uteris is a natura constitutus fuit, ut usque ad tempus partus extendi sufficienter possit et esto quod contra foetum aliquid ageret, dicerem augmentum, et magnitudinem foetus impedire, non tamen vitam, unde sub ea parvi foetus gignuntur, quod manifeste tradiderunt Aristoteles decima probl[emata] 14 et Rasis 9 Continentis. Et quamquam contra videatur esse Hippocrates libro de superfetatione et sterilitate inquires...Respondeo ad primum, libros illos haud esse Hippocratis germanos, sed cuiusdam sui discipuli, cuius ego auctoritates ex iisdem decerptas parvifacio. Ad secundum vero Respondeo, angustum uterum facere ad abortum quia supponit vasa angusta et paucum nutrimentum ut quia in abdomino valde angusto locatur.” Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb1199913-8> (26.10.2022).

non tamen perpetuum id est, aut necessarium, sed contingens Experientia enim docet, saepius foeminas tenellas, et debiles satis, hoc aevo, praesertim [p.139 = f. 176r] in magnatum familiis, duodecimo aut tertio decimo anno nuptum locari, annoque vix evoluta foetum vivum parere citra detrimentum. Unde Aristoteles loco adducto, puellas parvas facile quidem abortire dixit, et in partu magis laborare, et earum plures obire, non tamen semper, neque omnes: quibus proinde optime consuluit oraculum Tro+ez+enum, ne immaturae nuberent. [38] Si historias consulere velimus, exempla occurrent, quae fidem pene omnem superent, multasque anno v, vi, vii, viii, ix, x peperisse aut parere solitas dicemus, ex Plinio lib. VII cap. II. Arriano Rer[um] Indic[a] cap. CLXXIV. Sigismundo Barone, Comm[entario] Rer[um] Moschovit[icharum] pag. CIV. Alberico Rosate, in Indice, in verbo Matrimonium. Aloyso Cadamusto, Navigat[ione] [+] Lib. III [+] cap. LXXV. Augerio Busbequio, Legat[ione] Turc[ica] Epist. III.

Baptista Cortesius, part 3, chapter 13.^{lxxix} [+] Still, this [case] does not constantly nor necessarily happen but indeed [Hippocrates], attaining [it] from Experience, teaches that more frequently delicate women and sufficiently weak, in these times, particularly in the families of great men, [p.139 = f. 176r] are married at twelve or thirteen years old; and having barely passed one year, they give birth to a living foetus without damage. Whence Aristotle in the mentioned passage^{lxxx} indeed said that small women easily abort; in delivery, they suffer more, and many of them perish, still not always and not all [of them]. He even consulted the best oracle of the Troezenians about them: and the immature [women] should not marry. [38] If we may want to consult stories, examples will come up, which may surpass almost all belief; and we will say that many, last year five, six, seven, eight, nine gave birth or delivered alone according to Pliny, book 7, chapter II;^{lxxxi} Arrianus in Rerum indica, chapter 184;^{lxxxii} Sigismundus Baron in Commentarius rerum Moschoviticharum, page 104;^{lxxxiii} Albericus Rosate, in Indice, in word Matrimonium^{lxxxiv}; Aloysius Cadamustus, in Navigatio, *book 3* chapter 75^{lxxxv}; Augerio Busbequo, Legatio Turcica Epist. III.^{lxxxvi};

^{lxxix} CORTESIUS, ...Practicae Medicinae pars tertia. Third part has the topic *De morbis mulierum* in which chapter 13 (f. 84-88) deals with *De abortu, de causis abortus, de signis abortus, de præservatione ab abortu, de curatione abortus* all in relation to Meibom's argument. The specific passage however is in f. 86. "Tertio, quia potest quidem parvitas nocere foetui, sed non vitam auferre, quod confirmat autoritate Aristotelis, Rhasis et Rabi Moise. Ad Hippocratis auctoritatem respondet libros de sterilitate et superfoetatione non fuisse illius germanos. Sed aliter sentio; puto enim uterum usque adeo parvum posse procreari, ut nequeat foetum usque ad perfectionem continere; neque enim est alienum a ratione ob exiguitatem alimenti, atque alias causas, neque posse perfici."

^{lxxx} There is no previous mention to this passage. Arist. *Pol.* 1335A 15 ss.

^{lxxxi} The story of multiple births Plin. *HN.* VII, 33. On reproduction and the time of gestation, more proper for this passage, Plin. *HN.* VII, 38.

^{lxxxii} Arr. *Ind.* IX.

^{lxxxiii} VON HERBERSTEIN, Rerum moscoviticharum. About marriage and women, p. 46 ss. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10150104-5> (26.10.2022).

^{lxxxiv} DE ROSATE, Dictionarium Iuris tam Civilis quam Canonici. The whole article about marriage, p. Ff – Ff4v. For Meibom's reference, p. Ffv. "Matrimonium. ii. qui possunt contrahere, an pueri dicit Ray. aetas apta in masculo est an. xiiii in puella xii...Et si impuberes proximi pubertati, vel pubes cum impubere contrahant simul per verba de praesenti, an sit matrimonium, no. ibi. Quando dicatur proximus pubertati. Et dicit ibi Albe. se vidisse puellam novem annorum quae filium pepererat." Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11200593-8> (26.10.2022).

^{lxxxv} CADAMOSTO, Alvise, "Aloysii Cadamusti navigatio ad terras ignotas, Archangelo Madrignano interprete", for the Chapter, p. 69-71. LXXV: "De aedidifiis urbis Calechut item de eius incolis, qualem habeant vestitium ac incessum, deque eorum religione ac republica, qui rex et magistratus, item de mulierum monstrosa licentia, deque aliis mirandis ritibus, ex aequo et iniquo, honesto ac in honesto premixtis." For the alluded passage, p. 70. "Quinque

[F] Jo[hann] Alb[recht] a Mandelslo in Epist[ula] De Intinere Indico ad Adam[um] Olear[ium], [F] Jo[hannes] Schenckio, Observ[ationibus] Lib. IV¹⁶ + quibus adde, quae habet Laur[entius] Joubertus part. I lib. II de Error[ibus] Vulgar[ium] cap. V.+ Quae omnia docere poterunt, non impossibile esse, foeminam parvam, aut uteri parvi, parere sine periculo, et fere proportionem correspondere utero magnitudinem foetus, nec majus hunc sumere incrementum, quam uterus ambiens, ejusque capacitas, ipsi concedat, quod manifeste tradidit Aristoteles, sect. x probl[emata] XIV cui adde, quae docet Carsias [sic] Carrerus, Disp[utationes] Med[icae] ad Gal[enum] De loc[is] Adf[ectis] LXXV cap. III num. IX.

¹⁶(1643): et alis, ut pluribus docuimus in Disquisit[ionum] Medic[arum] De Utero Geren-
t[ibus] III.

[F] Jo[hann] Alb[recht] a Mandelslo in Epist[ula] De Intinere Indico ad Adam[um] Olear[ium]^{lxxxvii} [F] Johannes Schenckius, Observationes Book 4^{lxxxviii} 27+ to which add those things that Laurentius Joubertus, part 1, book 2, De erroribus vulgum chap. 5.^{lxxxix} has + All these things will be able to teach, that it is not impossible that a small woman or of small uterus delivers without danger; and for the most part the size of the foetus is appropriate, in proportion to the uterus, and itself does not allow to add more growth than the ambient of the uterus and its capacity, which Aristotle clearly transmitted in sect. X Problemata XIV.^{xc} To him add the things that Carsias Carrerus teaches in Disputationes Medicae ad Galneum

aut sex mulieres uni viro nubunt: quos habent chariores, eos coniuges comprimere volunt, et id es benevolentiae argumentum apud eos maximum. Nullus est eis pudor, nulla verecundia, continentia nulla: natae illorum ante puberes annos corpora prostituunt sua: cum annum octavum egerint, nudaе ipsae aequae ac viri incedunt”. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10200881-7>. (24.10.2019).

^{lxxxvi} DE BUSBECQ, Ogier Ghislain, ... legationis turcicae Espistulae quatuor, p. 137. Some description of women customs though not mentioning precisely Meibom’s topic. Online: <https://books.google.de/books?id=zf3KRC7i2OIC&dq=inauthor%3A%22Ogier%20Ghislain%20de%20Busbecq%22&hl=de&pg=PA1#v=onepage&q&f=false> (Accessed 27. 10. 2019).

^{lxxxvii} MANDELSON, Johann Albrecht, “...Er seine Reise auß Persien nach Ost Indien”, p. 1-27. Online: <http://diglib.hab.de/drucke/263-1-hist-zf/start.htm?image=00587> (18.02.2020).

^{lxxxviii} SCHENCK VON GRAFENBERG, Johannes, ... Observationum medicarum, p. 610. The part is called *De muliebris partibus genitalibus internis*. First chapter *De utero conformatio naturalis et monstrosa*. In which there is one observation p. 613 *Calli in utero nati sterilitatem inducentes*. Also next chapter p. 616 - 617 *Aetas concipiendi et generandi*. (29.10.2019) Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10069302-2>

²⁷ (1643): and others, as we taught to many in *Disquisitionum Medicarum De utero gerentibus* 3. This work is actually the draft of the Commentary or a part of NSTUB Gott Meibom 164. See 3.3.3. Maybe he wanted to print it before the Commentary but since it didn’t happen Meibom decided to erase the quote to himself.

^{lxxxix} JOUBERT, Laurent, ...erreurs populaires touchant la Medecine et le regime de santé, p. 63 -68. *S’il est possible qu’une fille conçoine à neuf ou à dix ans*. The chapter begins quoting examples of well-known cases of women who gave birth with nine year or little older. The explanation continues with notions of puberty, changes, and more examples. The fact of getting pregnant with only nine years of age has to do according to Joubert, with menstruation cycles and the blood to be purged or available. Online: <https://books.google.es/books?id=yPlfzKkzCqEC&hl=nl&pg=RA1PA63#v=onepage&q&f=false> (07.11.2019).

^{xc} The passage does not have these topics although it speaks about generation and size. Arist. Pr. 892A 23 - 892b 4.

[39] Et quibus quaeso signis foeminam cognosces uterum habere parvum? Nulla enim auctores ab omni aevo consignarunt, nulla hactenus novimus. Nisi cum Lud[ovico] Mercato dicere velimus, parvi uteri signum esse absentiam omnium signorum, quae aliis adsignantur caussis lib. IV De Adf[ectionibus] Mul[ierum] cap II. Pone tamen foeminam esse tenellam, quam scias uterum habere parvum, & concepisse. Ea, quum & sine periculum possit parere, ut exempla docent, forte etiam periculum incurrere, annon rectius feceris, & melius consulueris conscientiae, si totam rem naturae committas, atque ea adhibeas remedia, quae foetum matremque confortare, uterum dilatare, ac partum suo tempore facilitare [p. 140 = f. 176v] queant, quam si maximo conscientia vulnere vitam adimas foetui, vitaeque periculum una eademque opera accersas matri. Recte D[ominus] Ambrosius [+] quamquam diversa in re,[+] lib. de Offic[iis] ut refertur in cap. denique XIV quaest. V. *Si alteri, inquit, subveniri non potest, nisi alter laedatur, commodius est neutrum juvar+i+, [F] quam gravari alterum.*[F] [40] Quod de angustia colli uteri atque ei adnato tuberculo afferebatur, non majoris est ponderis. Angustia enim illa (sive a natura talis, sive a tuberculo) si magna fuerit in foemina, non conceptum tantum impedit, sed omnem etiam cum viro congressum.

De locis Affectis LXXV chapter III num. IX. ^{xci}[39] And by which signs do I seek that you know that the woman has a small uterus? The authors from all times did not consign anything; we know nothing so far. Unless we want to say together with Luis de Mercado in book 4 De adfectionibus mulierum chapter 2^{xcii}, that the sign of a small uterus is the absence of all signs that are assigned to other causes. Yet, consider that the woman is delicate, which you know that has a small uterus and gave birth. She, as she could deliver without danger, as the examples teach, also by chance falls into danger; would not you make it more correctly and would you not better consult your conscience, if you combine all benefit of nature, add to it remedies that assist the mother and the foetus to dilate the uterus and that are able to ease the delivery at its time; [p. 140 = f. 176v] than if you take away the life of the foetus with the highest wound in your conscience and you bring danger to life and at the same time labours for the mother. Master Ambrosius correctly said [+] though in a different matter [+] in the book De officiis as it is reported in chapter Denique XIV questio 5, ^{xciii}“if it could not assist one person” he said, “unless another one is hurt, it is more proper that neither is being helped [F] than to worsen one”[F] [40] What was reported about the narrowness of the neck of the uterus and the grown protuberance in it, it is not of greater importance. That narrowness indeed (whether by nature or by a protuberance), if it were big in a woman, it may not obstruct that much the conceived one, but also all meeting with a man. [41] For instance, what usually happens to those [women] which are

^{xci} GARCÍA CARRERO, *Disputationes medicae super libros Galeni*, p. 1221- 1223. *Disputatio LXXV De partu naturali. Capitulum 3: an uteri angustia debeat in hac re locum habere*. The chapter is a fine example of well-structured critique to previous knowledge and the organisation of dealing with medical cases because García Carrero not only argues that the abortion due to narrowness of uterus must not be treated under the section of natural birth but that it is not a cause for abortion because the foetus will not grow disproportionately to the size of women's uterus. Online: http://dioscorides.ucm.es/proyecto_digitalizacion/index.php?b17848167 (26.10.2022).

^{xcii} DE MERCADO, “Ludovici mercati de communibus Mulierum affectionibus”, p. 1049. “Verum si mulier uterum habeat parvum, ac densum, et constrictum ita, ut non facile dilatari possit ad foetus incrementum et ob id ipsum expellat: cognosces quidem ex privatione signorum aliarum causarum.” Online: <https://hdl.handle.net/2027/ien.3555200.0250497> (26.10.2022).

^{xciii} AMBROSIIUS, *De officiis ministrorum*. CCL 15, Liber III, 9. p. 175, no. 59. “Denique si non potest alteri subveniri, nisi alter laedatur, commodius est neutrum juvari quam gravari alterum.”

[41] Quale quid iis accidere solet, quae vitio laborant, quod Arabes *Araticam*, interpretes *clausuram* vocant; foeminas vero eo laborantes Graeci ἀτρήτους, seu imperforatas, Latini *concretas*, [+] Hier. Mercurialis ex Nicolo Florentino *velatas*, [+] adpellant Solinus. cap. IV *conserto virginali*, Cicero lib. II de Divinat[ione]. *obsignata vulva* natas dixit. Quo modo [F] in luce editam¹⁷ [F] Corneliā Gracchorum matrem. auctor est Plinius lib. VI cap. XVI memineratque adfectus ejus jam pridem Aristoteles Hist[oria] Anim[alium]. Lib. X cap. IV et lib. IV De Gen[eratione] Anim[alium] cap. IV et nos in duabus puellulis eundem observavimus, et ministerio λιθοτόμου corrigendum curavimus: [+] quibus curationes taliam alias, quas habet Guil[hemus] Fabricius Obs[ervationes] Chir[urgicae]. cent. III obs. LX et LXI. [+] Sin parva fuerit angustia, ignorabitur fere, nihilque aliud eam consequetur, quam partus forte difficilior, quem, si causam cognoscat Medicus, omnibus modis faciliorem reddere prudentiae suae industria adnitetur. At si non quidem magna sit angustia, talis tamen, quae periculum in partu minetur, id facile mulieri innotescet ex molestia et difficultate, quam in venerio congressa percipiet, atque ideo opem implorabit Medici aut Chirurghi, qui eam, si necdum conceperit periculo denunciato, jubebunt a congressu abstinere, donec debitis medicamentis impedimentum possit auferri:

¹⁷ (1643): Quo modo natam.

afflicted by a defect. So the Arabs call them “Aratica”, the translators “lock”; the Greeks [call] these women that suffered from it indeed “without aperture” or “non perforated”, Latins “grown together”, [+] Hieronymus Mercurialis from Nicolo Florentinus call them “concealed”^{xciv}, [+] Solinus calls them in chapter 4 “with a virginal hole”, Cicero book 3 *De divinatione* “sealed matrix”.^{xcv} The mother Cornelia of the Gracchus was born this way, Pliny is the author of it in book 5, chapter 16^{xcvi} and he remembers that Aristotle was already disposed [to this] back in his time in *De historia animalium*, book 10, chapter 6^{xcvii} and book 4 of *De generatione animalium*, chapter 4.^{xcviii} And we observed the same [case] in two girls and took care that it will be corrected by the service of the Stone-cutter [+]. Guilhermus Fabricius in his *Observationes Chirurgicae*, cent. 3, obs. 60 and 61^{xcix} has some remedies and other [things] for these [women]. [+] If the narrowness were small, nearly to be ignored, then nothing else may come to her than a stronger birth, which, if the Physician may know the cause, will try to render it easier by all means with the diligence of his prudence. And if indeed the narrowness may be big, which may threaten danger in the delivery; it will be easily known for the woman due to its uneasiness and difficulty which she noticed having meeting someone in love; and for that reason she will ask for the ability of the Physician or Surgeon, who will recommend her, once the danger has been announced, if she has not yet conceived, to abstain herself from intercourse, until the impediment could

^{xciv} MERCURIALIS, Hieronymus, *De morbis muliebribus*. At the *Index rerum et verborum notabilium* appears as *velatae mulieres quae*, but in the text itself the term is not used. See p. 197-198. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10166372-6> (26.10.2022).

^{xcv} Cic. *Div.* 2. 145. 1 – 2. 145. 5

^{xcvi} About tumors in the womb Plin. *HN.* VII 63. The mention to Cornelia with the genitals closed Plin. *HN.* VII, 69.

^{xcvii} Arist. *HA* 638a 11 ss. Though the topic is not a closure the problem is the same, some impediment of the way in or out of the uterus, in this case due to a hard formation or μύλη.

^{xcviii} Arist. *GA* 773a 15-20. Not called ἀτρητός as Meibom said but with words derived from συμφύω, ‘to grow together’, that means that the women are not much unperforated but closed, more similar to the Latin understanding of the problem.

^{xcix} FABRICIUS, *Observationum et curationum Chirurgicarum Centuriae*, p. 444- 445 *Observatio LX Ex imperforato utero gravissimorum symptomatum exempla aliquot*. With three exemplary cases & p. 446- 447 *Observatio LXI DE colli matricis clausi apertione*, with images of instruments, though not fitting exactly with the description of the text. Online: <https://books.google.es/books?id=ft5SAAAACAAJ&hl=es&pg=PP9#v=onepage&q&f=false> (22.10.2022).

sin jam conceperit, intervallo gestationis operam dabunt, ut quovis modo ante instans partus tempus tuberculum extirpetur, tanquam quod sui tantum amolitionem, non foetus deperditionem indicet: [42] aut si contumax id nimium fuerit, et rebelle, omnemque Medici operam respuat, potius, quam ut [p.141 = f. 177] abortum quis provocet, foetus jam maturus et ad exitum pronus, *sectione* illa extrahi curetur, quam *cesariam* vocamus, quamque citra periculum esse, si dextre administretur, ac foetum ea, matremque feliciter salvari pluribus docuere, qua rationibus, qua exemplis, Franc[iscus] Roussetus lib. De partu Caesar[eo] et Casp[ar] Bauhinus ibi in Adpend[ices] [+] quibus adde exemplum quod habet Sennertus.[+] [43] Ob vesicam debilem, ne ab incubitu et pondere uteri pleni rumpatur; aut si foetum ex se moriturum sciamus; Avicenna abortum provocare licitum putavit. At quaenam utriusque, tum vesicae adeo imbecillis, tum foetus morituri sunt τεκμήρια? Sane foetum saepe, quem moriturum ars ex signis conjiciebat, adhibita auxilia Deo favente sospitarunt. *Sanantur enim interdum aegritudines*, ut dicebat Averrhoës lib. VII Coll[iget]. cap. XXXI quibus *nec Medicus, nec natura videbantur ad curam sufficere*; Consimilique id modo fieri putat, quo *aliquando in rebus naturalibus monstra*. Vesica insuper licet imbecillis, ex sua natura oneri prementi cedit, et pressa subsidit, urinamque tantum saepius deponit, quod plerisque gravidis familiare esse novimus; et in non gravidis etiam usu venire, si uterus tumore praeter naturam correptus, vesicae incumbat, exemplo docet J[ulius] C[aesar] Claudinus, Consult[at]iones Med[icinales] XVI.

be taken away with medicaments; if she already conceived, they will give her a service during the period of gestation so that the protuberance is removed in any way before the actual time of delivery, just as he will indicate its removing and not the destruction of the foetus. [42] Or if it [narrowness] may have been too insolent and rebel and refuses all service of the Physician, [p. 141 = f. 177] it is preferable that it is taken care that the foetus already mature and inclined to the way out is extracted by that section, which we call “cesarian” and which is of little danger if performed skilfully; than that someone provokes an abortion. And so with reasons, so with examples Franciscus Rosetus in the book *De partu caesareo*, and Caspar Bauhinus there in the *Adpendices*^c, teach that with it [cesarean section] many times the foetus and the mother are happily saved, [+] to these add the example which Sennertus has. [+] [43] Avicenna thought that it is not permitted to provoke an abortion due to a weak bladder: it may be torn by the incubation and weight of the full uterus or if we know that the foetus will die because of it. But are there sure signs of one and the other thing, thus far, of the bladder’s weakness or that the foetus is going to die? Well, frequently the added remedies, God being favourable, help the foetus, which the art conjectured from signs, that is going to die. “The diseases” indeed “are healed” as Averrhoes said in book 7, *Colliget*, chapter 31^{ci} “in which nor the Physician nor nature seemed to be sufficient for healing”; and he thinks that it was made in a similar manner, when “at some time [there are] signs of misfortune in natural affairs.” It is permitted that the bladder is weak on the top. It yields by its own nature to the pressing burden, and pressed, it sits down and puts aside much urine more frequently, what we know it is familiar to most pregnant women. And in non-pregnant woman, indeed, it usually happens if the uterus attacked by a tumour beyond nature leans toward the bladder. J[ulius] C[esar]

^c The whole book deals with the cesarean section, why and when to use it. ROSETTUS & BAUHIN, *ΥΣΤΕΡΟΤΟΜΟΚΙΑ* Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb00080114-6> (26.10.2022).

^{ci} AVERROES, *Colliget* Averrois. In that chapter the most similar passage, p. 105v L. “Et sunt egritudines quarum correptio non sufficit a natura nisi per medicinas inventur et in hoc medicine potentia declarat. Et sunt aliquae egritudines sicut sunt febres et apostemata quibus natura et medicine sufficientes non existunt.” Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10147906-4> (26.10.2022).

Praterea foetus moriturus non certum simul ponit matris interitum: quum illo extincto, haec nihilominus salvari queat, nec fas sit, ad interitum ambiguum praecavendum, abortum concitare ac certo periculo ambiguum praevertere. [44] Multominus ob matrem morbo acuto laborantem abortivis utendum fuerit, quum illa hoc modo non tam saepe servetur, quam in manifestarium periculum data veluti opera praecipitur. Neque enim Medicus ullus in artis operibus tam exercitatus est, aut esse poterit, qui dum foetum corrumpit, certo sibi habeat polliceri, praegnantem superstitem mansuram. [45] Foetum siquidem corrumpentia medicamenta, tam matri quam foetui sunt inimica, faeminaeque fere semper in abortu plus laborant, quam in tempestivo partu, si Hippocrati eredimus [sic], lib. I De Morb[is] [p.142 = f. 177v] mul[ierum] Ita apud Ovidium lib. II Amor[es] Eleg.

Dum labefactat onus gravidi temerari ventris,
in dubito vitae lassa Corinna jacet.

Et subest ratio: partus enim secundum naturam fit, et natura cooperante; abortus contra naturam, naturaque renitente, et foetum, quantum in se est, salvum cupiente nec ante demittente, quam caussis, aut etiam medicaminibus corrumpentibus succumbat. [f. 178][□ o] *cum periculo etiam matris. Siquidem*

Saepe suos utero quae necat, ipsa perit.
Ipsa perit, ferturque rogo resoluta capillos;

Claudinus teaches it with an example in Consultationes Medicinales 16.^{cii} Besides, the foetus that is going to die does not set at once a determined destruction of the mother: Because once it had died, she is able to be saved nonetheless; and it is proper to incite an abortion and prevent the uncertain with certain danger to avoid uncertain destruction. [44] And by no means because the mother suffers an acute disease will abortive [medicaments] be used, for in this way she is not so frequently saved as she is hurried into manifest danger, for instance, by the given service [abortion]. And there is not such a Physician so experienced in the services of the art, or could it be, who then corrupts the foetus; he has certainly to promise himself that the [woman], who is to remain pregnant, survives. [45] Since indeed the corruptive medicaments are enemies of the foetus and the foetus' mother, and females almost always suffer more in abortion than in an opportune delivery, if we believe Hippocrates, book 1, De morbis mulierum.^{ciii} [p.142 = f. 177v] So according to Ovid in book 2, Amores Eleg.^{civ}:

“Now [she] destroys the weight of a pregnant imprudent womb,
Corinna lies exhausted in doubt of life.”

And the reason is at hand: delivery indeed happens according to nature and with a cooperative nature; abortion is against nature and with a reluctant nature that wants a sound foetus, and how much there is in him, and [nature] does not drop him before time but by causes or also [the foetus] falls down indeed by corruptive medicaments. [f. 178][□ o] * with danger indeed for the mother, since indeed*

“Frequently who kills her own in the uterus, she herself dies.

She herself dies, and she with loosened hair, is carried in a funeral pile;

^{cii} CLAUDINUS, responsionum et consultationum medicinalium, p. 42-45 “Consultatio XVI. Pro quadam egregia muliere mensibus omnino vitiatis, uteri tumore, necnon mutato situ eiusdem affecta.” The specific reference, p. 43 “A...quia tumefactus uterus in vesicam incumbit, et proinde est in causa, ut facultas expultrix pluries ad excernendum irritetur, ita ut in utero tumorem, eundemque scirrosum adesse certo certius existat, scirrosum quidem non legitimum, sed spurium propter praesentiam doloris.” Online: <http://mdz-nbnresolving.de/urn:nbn:de:bvb:12-bsb1199913-8> (26.10.2022).

^{ciii} Hipp. Mul. 72.16-22.

^{civ} Ov. Am. II, 13.1 - II, 13.2

et meruit, clamant, qui modo cunque vident:

inquit iterum Ovidius, loco laudato, Eleg. XIV. [+] Ad huc pertinet, quod D[ominus] Hieronymus scribit ad Eustachium, De Monialibus: Non nullae, quem se senserint concepisse de scelere, abortus venena meditantur, et frequenter etiam ipsae commortuae, trium criminum reae [~~xxx~~] ad inferius perducuntur homicidae sui, christi adultera[e], necdum nati filii parricidae. [+] [□ o] Periitque *eo modo* + ex concitato abortu + Tesimi uxor apud Hippocratem, lib. V Epid[emiarum] Aph. LIII et VII Epid[emiarum] aph. LXXXIII quum ultro pharmacum corruptorium hausisset. Et non sine causa Domitianum Imp[eratore]m fratris filiae, ut conceptum abigeret coactae, causam mortis exstitisse refert Suetonius in [vita] Domit[iani] cap. XXII ne alia exempla a Medicis petamus [46] Praeterea mulierem utero gerentem acuto morbo corripī, lethale pronunciavit Hippocrates sect. V Aph[orismi] XXX et edocuit exemplis duarum abortientium, lib. II Epid[emiarum] sect. I hist. X et XI item uxoris Olympiadae, lib. VII Epidem[iaarum]. Galenus duplicem reddit rationem in Comm[entario] Dicti[onum] Aphor[ismorum]

and she deserves it, they cry out, who see her that way.”

said Ovid again in the praised passage, Eleg. 14.^{cv} [+] To this is related what Master Jerome wrote to Eustachium, *De monialibus*:^{cvi} “Some [women], who felt that conceived from an evil deed; consider poisons of abortion and frequently indeed the same [women] die, as debtors of three crimes are conducted to the lower world, murderers of her[self], adulteresses of Christ and patricide of the non-born son.[+][□ o] And the wife of Tesimus died *in this manner* +out of the incited abortion+ according to Hippocrates in book 5 of *Epidemiae*, Aphorism 53, and book 7 *Epidemiae*, Aphorism 83,^{cvi} when she too drank a corruptive drug. And not without a cause, Suetonius mentions in [*vita*] *Domitiani*, chapter 22^{cvi} that the cause of death of the daughter of the brother of Emperor Domitian was that she was forced to drive away the conceived; and we do not require other examples from Physicians. [46] Besides, Hippocrates in section V *Aphorismi* 30,^{cix} proclaimed lethal that a woman, who carries in her uterus, is attacked by acute disease. And he taught examples of two [women] who aborted in book II, *Epidemiae*, section I, history 10^{cx} and 11,^{cx} also of the wife Olympiades in book 7 of *Epidemiae*.^{cxii} Galen delivered two reasons

^{cv} Ov. *Am.* II. 14. 38 – II. 14. 40

^{cvi} HIERONYMUS, *Epistolae*. PL XXII, p. 401. *Epistola XXII ad Eustochium, Paulae Filiam – De custodia virginitatis*, n. 13. The same passage quoted as before.

^{cvi} The same passages Meibom quoted before: Hipp. *Epid.* V, 53; VII, 74. The name of Tesimus is only found in two manuscripts of *Epidemics*. See Hippocrate, *Épidémies*, Tr. Jouanna, p. 24.

^{cvi} Suet. *Dom.* XXII. “Libidinis nimiae, assiduitatem concubitus uelut exercitationis genus clinopalen uocabat; eratque fama, quasi concubinas ipse deuelleret naretque inter uulgatissimas meretrices. Fratrī filiam adhuc uirginem oblatam in matrimonium sibi cum deuinctus Domitiae nuptiis pertinacissime recusasset, non multo post alii conlocatam corruptit ultro et quidem uiuo etiam tum Tito; mox patre ac uiro orbatam ardentissime palamque dilexit, ut etiam causa mortis extiterit coactae conceptum a se abigere.”

^{cix} Hipp. *Aph.* V, 30. Γυναῖκι ἐν γαστρὶ ἐχούσῃ ὑπὸ τίνος τῶν ὀξέων νοσημάτων ληφθῆναι, θανατῶδες. (It is mortal for a woman carrying in her belly to be attacked by any of the acute diseases).

^{cx} Hipp. *Epid.* III, I, 10. Γυναῖκα ἐξ ἀποφθορῆς νηπίου, τῶν περὶ Παντιμίδην, τῇ πρώτῃ πῦρ ἔλαβε· γλῶσσα ἐπίξηρος· διψώδης· ἀσώδης· ἄγρυπνος· κοιλίῃ ταραχώδης λεπτοῖσι, πολλοῖσιν, ὁμοῖσιν. Δευτέρῃ, ἐπερρίγωσεν· πυρετὸς ὀξύς· ἀπὸ κοιλίης πουλλά· οὐχ ὑπνώσεν. Τρίτῃ, μείζους οἱ πόνοι. Τετάρτῃ, παρέκρουσεν. Ἐβδόμῃ, ἀπέθανεν. Κοιλίῃ διὰ παντὸς ὕγρῃ διαχωρήμασι πολλοῖσι, λεπτοῖσιν, ὁμοῖσιν· οὔρα ὀλίγα, λεπτά. Καῶσος. (Tr. Jouanna. Une femme à la suite de l'avortement d'un petit – elle était de la maisonnée de Pantimides –, au premier jour fut prise de fièvre ardente; lange sèche à la surface; elle était assoiffée, nauséuse, insomniaque; ventre troublé avec des matières ténues, abondantes, crues. Au deuxième jour, elle eut des frissons: fièvre aiguë; du ventre (sortirent) beaucoup de matières; elle ne dormit pas. Au troisième jour, douleurs plus fortes. Au quatrième jour, elle fut

quia nempe, metu abortus, nec venae sectionem, nec purgationem in acutis praegnantium statim administrare, nec tenui victus ratione uti liceat. Quanto igitur, si praeterea data opera concitetur abortus, res periculi plenior erit? quum Hippocrates loc[o] cit[ato] Aph. L eas etiam faeminas,

in *Commentario Dictionum Aphorismorum*^{cxiii} why it is certainly not permitted to constantly perform phlebotomy nor purgation in acute diseases of pregnant women nor a poor diet for fear of abortion. How much therefore the matter will be fuller of danger if besides the given [medical] services the abortion is incited? As Hippocrates in the quoted fragment, Aphorism 50,^{cxiv} says that also those women, who abort in the time of

frappée de délire. Au septième jour, elle mourut. Le ventre continuellement humide avec des déjections abondantes, ténues, crues; urines en petite quantité, ténues).

^{cx} Hipp. *Epid.* III, I, 11. Ἐτέρην ἐξ ἀποφθορῆς περὶ πεντάμηνον, ἴκέτω γυναῖκα, πῦρ ἔλαβεν· ἀρχομένη, κωματώδης ἦν, καὶ ἄγρυπνος· ὀσφύος ὀδύνη· κεφαλῆς βάρος. Δευτέρῃ, κοιλίη ἐπεταράχθη, ὀλίγοισι, λεπτοῖσιν, ἀκρήτοις τὸ πρῶτον. Τρίτῃ, πλείω, χεῖρω· νυκτὸς οὐκ ἐκοιμήθη. Τετάρτῃ, παρέκρυσσε· φόβοι· δυσθυμία· δεξιῷ ἱλλαινεν· ἴδρω περὶ τὰ κεφαλὴν ὀλίγῳ ψυχρῷ· ἄκρεα ψυχρά. Πέμπτῃ, πάντα παρωξύνθη· πολλὰ παρέλεγε, καὶ πάλιν ταχὺ κατενόει· ἄδιψος· ἄγρυπνος· κοιλίη πουλλοῖσιν ἀκαίροις διὰ τέλους· οὐρα ὀλίγα, λεπτά, ὑπομέλανα· ἄκρεα ψυχρά, ὑποπέλια. Ἑκτῇ, διὰ τῶν αὐτῶν. Ἑβδόμῃ, ἀπέθανεν. [Φρενίτις]. (Tr. Jouanna. Une autre à la suite d'une fausse couche vers la cinquième mois, la femme d'Hikéteus, fut prise de fièvre ardente. *Au commencement*, elle était somnolente et inversement insomniaque; souffrance aux lombes; lourdeur de la tête. *Au deuxième jour*, le ventre se troubla, avec des matières en petite quantité, ténues, non mélangées au début. *Au troisième jour*, (déjections) plus abondantes, plus mauvaises; elle ne dormit pas du tout de la nuit. *Au quatrième jour*, elle fut frappée de délire; craintes; découragements; elle louchait de l'œil droit; elle avait des sueurs dans la région de la tête, en petite quantité, froides; extrémités froides. *Au cinquième jour*, tout s'exacerba; elle déraisonnait beaucoup, et inversement retrouvait vite la raison; elle n'avait pas soif; elle était insomniaque; ventre avec des matières abondantes, inopportunes, jusqu'à la fin; urines en petite quantité, ténues, un peu noirs; extrémités froides, un peu livides. *Au sixième jour*, même état. *Au septième jour*, elle mourut. [Phrénitis]).

^{cxii} Hipp. *Epid.* VII, XLI, 1. Μετὰ Πληιάδων δύσιν τὴν Ὀλυμπιάδew, ὀκτάμηνον ἔχουσιν, ἐκ πτώματος πυρετὸς ὅζως ἔλαβε· γλῶσσα καυσώδης, ξηρὴ, τρηχεῖη, ὥχρη· ὀφθαλμοὶ ὥχροι, καὶ τὸ χρῶμα νεκρῶδες. Διέφθειρε πεμπταῖη· ῥηϊδίως ἀπήλλαξε· καὶ ὕπνος, ὡς ἐδόκει, κωματώδης· δειλῆς διεγειρόντων οὐκ ἠσθάνετο· πταρμικῶ ὑπήκουσε, 3 Πόμα κατεδέξατο καὶ χυλοῦ· ὑπέβησε καταπίνουσα τὸ πόμα· ἡ φωνὴ οὐκ ἐλύετο, οὐδὲ αὐτὴ τι ἀνέφερεν· τὰ ὄμματα κατηφέα· πνεῦμα μετέωρον, κατὰ ῥῖνα σπώμενον· χρῶμα πονηρόν· 4 ἰδρῶς περὶ τοὺς πόδας καὶ σκέλεα τελευτώσης. (Tr. Jouanna. Après le coucher des Pléiades, la femme d'Olympiadès, enceinte de huit mois, fut prise, à la suite d'une chute, d'une fièvre aiguë; langue brûlante, sèche, râpeuse, jaune; les yeux étaient jaunes, et le teint cadavéreux. 2 Elle avorta quand elle en fut au cinquième jour, elle expulsa facilement (le fœtus); et son sommeil, à ce qu'il paraissait, était profond; dans l'après-midi, elle restait insensible à ceux qui essayaient de la réveiller; elle se laissa réveiller par un sternutatoire. 3 Elle accepta une boisson et du jus (de ptisane). Elle toussait légèrement en avalant sa boisson. Sa voix ne se libérait pas, et il n'y avait pas la moindre amélioration dans son état. Ses yeux étaient baissés; sa respiration haute, attirée par la nez; teint fâcheux. 4 Sueur aux pieds et aux membres inférieurs au moment où elle mourut).

^{cxiii} About the lack of food Gal. XVII b 820, 30; about the phlebotomy Gal. XVII b 821, 31 and purgatives Gal. XVII b 858-859, 60.

^{cxiv} The most similar topic is Hipp. Aph. V, 55. Ὁκόσαι ἐν γαστρὶ ἔχουσαι ὑπὸ πυρετῶν λαμβάνονται, καὶ ἰσχυρῶς ἰσχναίνονται, ἄνευ προφάσιος φανερῆς τίκτουσι χαλεπῶς καὶ

quae febribus lenioribus gestationis tempore tentatae abortiuntur, periclitari dicat. Unde si quis abortum per se periculosum concitare satagat, idque eo tempore, quo ob morbum acutum praegnans est in summo discrimine, quid aliud is aget, quam ut de industria, innocentis foetus caede patrata, matri insuper jam fatiscentem ereptum eat spiritum? Neque est quod dicas, foetu ejecto debitis medicamentis [p. 143 = f. 179r] expugnari posse acutiem morbi, matremque salvari. Nam id virium deiectio, tum abortum consequens, tum morbum ipsum, tum puerperii fluxus ex abortu copiosus, minime omnium admittent. Sit tamen, qui ex voto sibi successisse abortus provocationem; foetuque exturbato matrem a morbo vindicatam glorietur; id rectum ex errore erit iudicandum, inquit Rod[rigo] a Castro De [universa] Morb[orum] Mul[iebrum] lib. III cap. XXI in Schol. quod imitari non licet, nec prudentiae Medici tribuendum est, sed mulierum robori quod erratum medicantis valuit suferre. [47] Verum et iis satisfacere oportet, qui distinctionem Hippocratis et Aristotelis, inter effluxionem et abortum urgentes, si non abortum tamen effluxionem citra scelus procurari posse contendunt, & Hippocratis de Psaltria exemplo sententiam suam stabiliunt, quique eodem fere collimant,

gestation urged by softer fevers, are in danger. Whence if someone made enough to excite the abortion, dangerous in itself, and at the same time the pregnant woman is in the most critical point due to an acute disease, which another thing may he do, once the carnage of the innocent foetus was executed, but besides to diligently go to take away the already deceased spirit of the mother? And it is not what you may say that the acuteness of the disease could be reduced [p. 143 = f. 179r] once the foetus was expelled with proper medicaments and the mother could be saved. For they minimally admit the ejection of all strengths, either that follows the abortion, the same diseases or the abundant discharge from the abortion of the woman in labour. Still, may it be, that someone prides himself of succeeding in the provocation of abortion out of the promise to her/him and of freeing the mother from the disease once the foetus was driven away; “this will be judged as correct from a mistake”, said Rodrigo de Castro in *De [universa] muliebrium morborum*, book 3, chapter 21 in Scholia^{cxv}, because it is not permitted to be imitated, nor must be attributed to the prudence of the Physician, but to the power of women, who are strong to suffer the error of the medicaments. [47] Indeed it is necessary to satisfy those who urge on the difference of Hippocrates and Aristotle between flux and abortion; if they dispute that not much an abortion but a flux can be procured setting aside the evil deed, and established their opinion by the example of Hippocrates about the harpist, and they almost aim to the same

ἐπικινδύνως, ἢ ἐκτιτρώκουσαι κινδυνεύουσιν. (Many [women] carrying in the belly are attacked by fever and are thinned exceedingly without apparent cause, they give birth with difficulty and danger or they may possibly miscarry).

^{cxv} CASTRO, *De universa muliebrium morborum medicina... Pars secunda sive Praxis*, p. 440. “Secundo quia in morbis acutis praegnantium abortus lethalis est, nam cum unterque affectus per se semper sit periculosus, si coniungantur, ac malum malo addatur, res in extremum periculum deducetur. Sic Hippocrates mulieri uteri erisypelatae correptae, pharmacum bibendum dat, si modo gravida non sit. Quod si oppositum nonnunquam successerit, id rectum ex errore iudicandum, id imitari non licet, nec rationi illud tribuendum, sed robori mulierum, per quod erratae medicorum tolerare potuerunt: Securiusque semper fuit, et foetus et matris summam habere rationem, sic enim plerumque factum, ut uterque supervixerit. At si foetum in utero iam esse mortuum, certo cognoverimus, medicamento od illum educat, ac purgatione audacius praevenire oportebit extrahendi foetus et peccantis humoris gratia.”

atque ex adducto Exodi loco foetum nondum formatum excuti salva conscientia opinantur. Sane distinctio inter effluxionem illa, atque abortum, aut foetum formatum, et non formatum, recte suas ob causas admittitur. Interim id, quod utero conceptum, etiam eo tempore, quo effluxionis nomine adhuc censetur, vel nondum formatum creditur, medicamentis aut quovis alio modo corrumpere, non magis licet, quam abortum concitare. Siquidem ista omnia, si finem spectes cui fiunt, eodem prorsus tendunt. Ut enim procurato abortu vita tollitur animantis: ita effluxione prolecta spes vitae et hominis praeciditur, argum. L[ege] Si quis § qui. Abort. D. de poenis. et parum profecto interest, primis an postremis mensibus occidas, praesentemve, aut mox affuturam hominis animam perdas, et foetum sive anima rationali jam informatum, sive conceptum tantum, qui dispositionem tamen habeat, et potentiam proximam ad animam rationalem formamque ultimam recipiendam, nefario abigas conatu. [48] Qui Christiani sumus, audiamus Tertullianum Apologetico. Nobis homicidio semel interdicto, etiam conceptum utero, dum adhuc sanguis in hominem delibatur, dissolvere non licet. Homicidii festinatio est, prohibere nasci: [p. 144 = f. 179v] nec refert natam quis eripiat animam, an nascentem disturbet. Homo est, et qui est futurus hominis jam in semine est. [*] quem vide aliam in exhortatione Castitatis Circa fin. ex. Lib. de orig.(?) elandis.(?) et hoc homicidium cum chiolagent(?) aliqui nominant homicidium anticipatum. [*]

thing, and think that from the quoted fragment of the Exodus^{cxvi} the foetus not yet formed is driven out with an unhurt conscience. Truly that distinction between flux and abortion or between formed and the non-formed foetus is admitted justly because of its causes. In the meantime, it is not more permitted to corrupt that which was conceived in the uterus with a medicament or in whatever another way than to incite an abortion, even in the time in which thus far it is considered by the name of fluxes, or it is believed that is not yet formed. If indeed you look at the end by which all these things happen, they aim directly at the same thing; that the life of the animated thing is acknowledged in the administrated abortion. So the hope of life and of a man is cut off by the incited flux in Argm L. Si quis qui Abort. D. de poenis.^{cxvii} And too little separates [them] from the thing intended: whether you kill in the first or last months; whether you destroy the soul of the man at present, soon or in the future; whether [you destroy] the foetus not already formed with a rational soul or so the conceived that it has a disposition and the faculty near to the rational soul and the last form to be received; you may drive it away with an abominable effort. [48] We, who are Christians, listen Tertullianus in *Apologeticus*:^{cxviii} “Once the homicide has been prohibited by us, indeed, it is not permitted to dissolve the conceived in the uterus, while the blood is still being gathered into a man. A hastening of the homicide is to prohibit it from being born: [p. 144 = f. 179v] and he may not carry the born soul back, whoever may tear it and destroy the soul to be born. It is a man, and what will be a man is already in the seed.” [*] See this other matter in the *De exhortatione Castitatis*,^{cxix} near the end, book de orig. Elandis,(?) and others call this murder together with *chiolagent*(?) ‘anticipated murder’. [*]

^{cxvi} Ex 21:22.

^{cxvii} The *Index legum corporis iuris civilis* led us to D. 48, 19, 38, 5. see. n. xxi, though the content is not related to Meibom’s argument.

^{cxviii} Tert. *Apol.* IX, 8.

^{cxix} Tert. *De exhortatione castitate*. XII, 33-34. “Quid ergo facies, si nolens uxorem de tua conscientia impleueris? dissoluas medicaminibus conceptum? puto nobis magis non licere nascentem necare quam et natum.”

Neque [49] *sed hanc [xx]* +H+istoria de Pfaltria, cui saltum dicitur consuluisset Hippocrates, ut foetum perderet, patrocinari huic sententiae [F] de effluxionis concitatione, non potest. [F] Neque opus erat tam operose praeceptorem excusare, ut fit a Mauritio Cordaeo, lib. I De morb[is] Mul[iebribus] comm[entario] text III. Joh. Matthaeo, Quaest[iones] Med[icae] LXXXVII. Hier[onymo] Mercuriali, lib. I De Morb[is] Mul[iebribus] cap. II Theod[oro] Zuingero, Comm[entrarius] in jusjur[andrum] Hipp[ocratis] atque aliis. Homo fuit Hippocrates, et humani aliquid potuit pati; Ethnicus fuit, verae religionis ignarus; nec factum ejus quodpiam, nisi ex se justum fuerit, pro exemplo nobis obtrudi debet. [50] Ego vero, nisi contrarium mihi demonstretur, +L+ibellum de +N+atura pueri, in quo Psaltria historia habetur, genuinum Hippocratis foetum esse vix ausim affirmare.

[49] And not but because of this Story of the harpist, to which it is said that Hippocrates advised jumping in order to lose the foetus,^{cxx} [F] can this opinion about the hastening of flux be protected. [F] And there was no need to excuse the master with so much trouble, as it happens from Mauritius Cordaeus in the book I *De morbis Muliebribus commentarius* Text 3;^{cxxi} Johannes Matthaeus, *Quaestiones Medicae* LXXXVII;^{cxxii} Hieronymus Mercurialis, the book I *De Morbibus Muliebribus* chapter. II;^{cxxiii} Theodor Zwinger, *Commentarius in jusjurandum Hippocratis*^{cxxiv} and others. Hippocrates was a man and could undergo anything of a human; he was pagan, ignorant of the true religion, and anything made by him must not be forced as an example for us, unless it may have been just by itself. [50] Indeed, unless the opposite is proved, I may venture to affirm that hardly the fruitful book *De natura pueri*, in which the story of the harpist^{cxxv} is contained, was genuine of Hippocrates. Although indeed it

^{cxx} The same passage above mentioned: Hipp. *Nat. Puer.* XIII.

^{cxxi} CORDAEUS, “Mauricii cordaei rhemi in librum priorem Hippocratis Coi de muliebribus”. For the mentioned passage, p. 500-501. Online: <https://hdl.handle.net/2027/ien.35552000250497> (26.10.2022).

^{cxxii} MATTHAEUS, *Quaestionum medicarum et iucundarum*, p. 110-117. *Quaestio XXIX: An hominibus, ut ceteris animantibus, certum sit partedi tempus. Concl.* See from, p. 122 ss. It begins with the same problem here also stated by Meibom about the righteous time for delivery but instead of simply say that Hippocrates contradicts himself, Matthaeus quotes different Hippocratic treatises together with other authors without really justifying Hippocrates. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10138021-5> (26. 10. 2022).

^{cxxiii} MERCURIALIS, *De morbis muliebribus praelectiones*, p. 4ss. The chapter is *De sterilitate* where Mercurialis reviews some ideas of different medical authorities like Avicenna, Aristotle, Hippocrates and Galen, always stating that either one or the other is right, or thinks opposite to the other one, or even that the opinion is not clear on whatever matter he is dealing with. It is difficult to say in which part he is excusing Hippocrates, because he disagrees partially with all of them and agrees with them also. The disagreement is marked either by the opinion of another medical author or by the authority of the Bible. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10166372-6> (26.10.2022).

^{cxxiv} ZWINGER, *Hippocratis...viginti duo commentarii tabulis ilustrati*, p. 59. “Nondum natos, sed in utero matris etiamnum latentes. Foetus ejiciendi causa nec consilium, nec medicamentum daturum. N. 24. Quomodo ergo com. De Natura pueri, psaltria abortum saltu septies repetitio procuravit. Annon Hip. Sed Polybi id factum est, atque scriptum. Caeterum ne de auctore disputemus, Hier. Mercur. Lib. 4. Var. hist. cap. 10. iis temporibus foetus nondum animatos corrumpere, ne vitam adipiscerentur, lege non fuisse vetitum ex 7. Polit. Aristot. Capt. 16 probat. Quod si id non sponte, nocendive studio, sed petente domina, penes quam vitae necisque eran in servam potestas, Hipp. fecit, neque in seculi sui mores, neque in legem suam peccavit.”

^{cxxv} Same passage above mentioned: Hipp. *Nat. Puer.* XIII

Quamquam enim a Galeno lib. De Sem[ine] cap. IV ut Hippocraticus adducatur, tamen ab eodem lib. De foet[us] Format[i]one cap. I non tam Hippocratis quam Polybi nomine citatur. Andreas vero Caesalpinus, vir doctissimus, Artis Medicae lib. IIX cap. I Al+cm+eoni Crotoniatae tribuendum censet, quod pullum in ovo nasci ex luteo, augeri ex albumine, in eo statuatur. Hanc enim sententiam Alcmaeonis fuisse, Aristoteles testis est, lib. IIII De Gen[eratione] Anim[alium] cap. II Stilus profecto maiestatem Hippocraticam non sapit, sed luxuriat, ut saepe etiam ταυτολογεῖν videatur. Tum ratio+c+inandi¹⁸ modus, ut Theod[orus] Zuingerus ait, Comm[entario] ad hunc locum, crebras ἀναλήψεις et anacephalaeoses, repetitiones item, et collectiones ratiocinationum continens, longioribus digressionibus interjectis, ab ejusdem brevitate est alienus. Tum vero illud, ut pergit Zuingerus, quod longa admodum digressionem Physicam disputationem de terrae calore et frigore interjicit, [+] etsi [+] ἀπροσδιόνυσον non sit, ἐξώτερον tamen est. Computatio insuper mensium in praegnantibus ex mensibus solaribus deducitur,

¹⁸ Correction of letter c that was not clear in the printing.

was adduced by Galen in the book *De semine*, chapter 5,^{cxxvi} as Hippocratic, still from the same author in the book *De foetus formatione*, chapter 1,^{cxxvii} it is quoted not much under the name of Hippocrates but of Polybius. Andreas Caesalpinus, a most learned man, in the *Artis Medicae*, book 8, chapter 1,^{cxxviii} considers that it must be attributed to Alcmeon of Crotona, because in it is stated: "a chicken is born in an egg from the yolk, it is nourished from the egg white." Indeed, Aristotle is who attests in book 3 *De generatione animalium*, chapter 2,^{cxxix} that this opinion is of Alcmeon. The style actually does not resemble the Hippocratic greatness, but it abounds to excess, so it also seems to repeat itself frequently. "The way of arguing" as Theodor Zwinger said in *Commentarius*^{cxxx} to that passage, "containing numerous entertainments and summaries, also repetitions and collection of ratiocinations, with longer digressions that have been sent in the middle, is alien to his brevity. Then indeed that" as Zwinger continues, "which he adds between the Physical disputation about the warmth and coldness of the earth as a long digression, [+] though [+] it does not go to the point, is still more popular" The counting of the months in pregnant

^{cxxvi} Gal. IV 525, 1-3. ἄμεινον δὲ Ἱπποκράτους ἀκοῦσαι περὶ τῶν αὐτῶν λέγοντος ἐν τῷ περὶ φύσεως παιδίου γράμματι. (tr. De Lacy. But it is better to hear what Hippocrates says on the same subject in his work On the Nature of the Child) Gal. IV 600, 10-12. μὴ τοίνυν ἔτι πρὸς Ἱπποκράτην ζυγομαχεῖτωσαν εἰπόντα κατὰ τὴν ἀρχὴν τοῦ περὶ φύσεως παιδίου γράμματος. (Tr. De Lacy. Then let them not quarrel with Hippocrates, when he says at the beginning of the treatise On the Nature of the Child).

^{cxxvii} Gal. IV 653, 14-17. ἐκταίαν γονὴν ἐκπεσοῦσαν ἰδὼν ὁ γράψας τὸ περὶ φύσεως παιδίου βιβλίον, εἴτ' αὐτὸς Ἱπποκράτης ἐστὶν εἴθ' ὁ μαθητὴς αὐτοῦ Πόλυβος, ἀκριβῶς τε ἅμα καὶ σαφῶς διηγῆσαι κατὰ τήνδε τὴν ῥῆσιν. (Tr. Nickel. Nachdem der Verfasser des Buches Über das Werden des Kindes, sei es, daß es Hippocrates selbst, sei es, daß es sein Schüler Polybos ist, einen sechs Tage alten Samen gesehen hatte, der abgegangen war, berichtete er (darüber) genau und deutlich zugleich in folgendem Wortlaut).

^{cxxviii} CAESALPINUS, *Speculum artis medicae hippocraticum*, p. 579. "Qui sunt Alcmeonis Crotoniatae, ut colligitur ex sententia, quae habetur in libro de natura pueri, pullum in ovo nasci ex luteo, augeri ex albumine, quam Aristoteles tribuit Alcmaeoni." Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11268152-5> (26.10.2022).

^{cxxix} Arist. GA 752b 23-28.

^{cxxx} ZWINGER, *Hippocratis ...viginti duo commentarii tabulis illustrati*, p.167. "Consideranda – Inscriptio – Hippocratis. Ipsius etiam Gal. assensu, 5 aphor. 37. Alii Polybo, et fortasse rectius tribuunt. Λέξις enim ita luxurians, ut saepe etiam ταυτολογεῖν videatur, τάξις quin etiam et ratiocinandi modus, crebras ἀναλήψεις et anacephalaeoses, repetitiones item et collectiones ratiocinationum continens, longioribus digressionibus interiectas, ab Hippocrate brevitate aliena videtur esse. Tum vero etiam illud, quod longa admodum digressionem Physicam disputationem de terrae calore et frigore interjicit, etsi non ἀπροσδιόνυσον, ἐξώτερον tamen. Nisi quis ab Hippocrate etiamnum tuene scriptum contendat."

quam fieri ex mensibus lunaribus oportere, solide ostenderat Hippocrates lib. De septim[estri] Partu. Quin vel ipsa hac historia, Hippocratis [p. 145 = f. 181r] iuramento, vitaeque, quanquam Ethnici, illibatae, ac morum sanctimoniae adversissima, foetus adulterini suppositionem arguere suffecerit. Neque aliter praeter Zuingerum, sensere non pauci, iique non ex vulgo Medici; Jo[hannes] Bapt[ista] Silvaticus Controvers[iae] Medic[ae] LXXXII. Horatius Augenius Epist[olae] et Consult[ationes] Medic[ae] tomo I lib. XII cap. V Franc[iscus] Ranchinus Comm[entarius] in Jusjur[andum] Hipp[ocratis] Lege V Quaest. I quo etiam inclina+n+t praeceptor+es+ olim et amic+i+ noster honorand+i+,¹⁹ Caesar Cremoninus liber de orig[ine] &

¹⁹ Simple change of singular to plural.

women is deduced moreover from the solar months, which Hippocrates clearly showed in book *De septimestri partu*^{cxxxi} that is proper to be done from lunar months. Or why this same story, [p. 145 = f. 181r] most directed to the virtuousness of practice²⁸ and of unharmed life, in the Oath of Hippocrates, although [he was] pagan, is not enough to prove the underestimation of the foetus of the adulterous. And elsewhere besides Zwinger,^{cxxxii} not a few felt [it] and they were Physicians not of the common people: Johannes Baptista Selvaticus in *Controversiae Medicae* 82^{cxxxiii}; Horatius Augenius in *Epistola et Consultationes Medicae* volume 1, book 12, chapter 5;^{cxxxiv} François Ranchin in the *Commentarius in jusjurandum Hippocratis*, law 5, quaestio 1,^{cxxxv} to what also our teachers in other times and honourable friends are favourable, Caesar Cremonius, book *De origine*

^{cxxxi} A passage with that information does not exist in the Hippocratic texts so I searched for a possible reading Meibom could have done with this idea. BONAVENTURA, *De partus octimestris natura*, p. 350a (Liber Septimus, Cap. XVII) “Qua in re ab Hippocratis mente ipsum [Fernelium] recedere arbitror, dum asserit, Lunares tantum menses illi fuisse compertos, cum ipse Hippocrates non semel triginta dierum spatium mensem solet appellare, ut infra sui loco planum faciam.” CASTRO, *De universa muliebrium morborum*. Pars Prima Theorica, p. 176-183. “Liber Quartus, Capitulum II: Quo tempore contingat naturalis partus, et a quo liegitima computatio sit ineunda.” For the specifics about the solar and lunar months in Hippocrates and the difference between both enumerations, p. 180-181.

²⁸ Could also be interpreted as a religious statement “most directed to the moral purity of manner”.

^{cxxxii} ZWINGER, *Hippocratis...viginti duo commentarii tabulis illustrati*, p. 59.

^{cxxxiii} SILVATICUS, *Controversiae Medicae numero centum*, p. 355- 363. The chapter is called *Abortum procurare, an medico liceat*. Meibom offers the same information with the same quotes as Silvaticus but in a shorter and not so fully explained version. For the specific passage about Hippocrates’ authority and his posture about abortion, p. 357. “Ergo ab eo, quod in Iusjurando Hippocrati adscripto legitur, incipiamus, per quod, ne medicus abortivo utatur medicamento, cavetur. Hippocratis genuinum non esse opus illud certum sum, neque cuiusnam vere fuerit, intelligere nunc laboro, mihi cum sufficiat sola antiquissimi cuiuspian medici autoritas, id quod rationi consonum est, affirmans...” Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11200082-6> (26.10.2022).

^{cxxxiv} AUGENIUS, *...epistolarum et consultationum medicinalium. Prioris Tomi Libri XII*, p. 115H. (Volume 1, book X, Letter 1 - “De curatione icteritiae citrinae). Quod vero attinet ad Hippocratem, petis ut dicam, quae nam sint illae quatuor Icteri species, quas libro de internis affectionibus describit: unam vocant aestati propiam; aliam hyemis, tertiam popularem, quartam vero nuncupavit Icterus album. Ego sane in eam opinionem venio, eum librum [de internis affectionibus] non esse Hippocratis, quia a proprio divini huius hominis dicendi genere plurimum evriat, et quamplurima continet, quorum veritas est ambigua: me tamen no fugit Galenum in Aphorismis meminisse huius liber inter Hippocraticos.” Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb1199874-6> (26.10.2022).

^{cxxxv} RANCHIN, *Opuscula Medica*, p. 31-32.

principatu membro[rum], dictatum XVII [F] et Dan[iel] Sennertus Hypomn[emata] Phys[ica] IV cap. XIV.[F] [51] Superest ut Exodi locum consideremus, quo illi se tuentur, qui nondum animatum foetum excutere, licere contendunt. Graeca quidem versio, quam Septuaginta vocant, huc manifeste inclinat. Ἐὰν δὲ μάχωνται δύο ἄνδρες, καὶ πατάξωσι γυναῖκα ἐν γαστρὶ ἔχουσαν, καὶ ἐξέλεθῃ τό παιδίον αὐτὸ μὴ ἐξεικονισμὴνον, ἐπιζήμιον ζημιωθήσεται, καθ'ὅτι ἂν ἐπιβάλῃ ὁ ἀνὴρ τῆς γυναικὸς, καὶ δώσει μετ' ἀξιώματος. Ἐὰν δὲ ἐξεικονισμὴνον ᾗ, δώσει ψυχὴν ἀντὶ ψυχῆς. Latina versio vulgata quae inepte D[omino] Hieronymo adscribitur, aliquantum variat: Si rixati fuerint viri, et percusserit quis praegnantem, et abortivum quidem fecerit, sed ipsa (mulier) vixerit, subjacebit damno, quantum maritus mulieris expetierit, et arbitri judicaverint. Sin autem mors ejus fuerit subsequuta, reddet animam pro anima. [52] Graeci nempe interpretis sensus est, si foetus abortu rejectus nondum fuerit animatus, percussorem ad postulationem mariti, et arbitrium Judicis, sin animatus, vita puniri debere. Quam interpretationem sequitur [#] Philo Judaeus lib. De Congressu Quaer[endae] erud[itionis] Gratia

et principatu membrorum, lesson 17^{cxxxvi} [F] and Daniel Sennertus in *Hypomnemata Physica* 4, chapter 14^{cxxxvii} [F][51] It remains that we consider the fragment of the Exodus,^{cxxxviii} in which those protect themselves, who contend that it is permitted to kill the not yet animated foetus. Indeed the Greek version, which is called Septuagint, clearly inclines to this: “If two men fight, and they beat a woman who has in the belly, and there is proof that the same child was not fully shaped, [the action] is liable to be punished, according to what the man of the women imposes and gives [them] by the aid of the decree. If it was fully shaped, he would give a soul for a soul.”²⁹ The Latin Vulgate version which was improperly ascribed to Master Jerome, varies considerably: “if men quarrelled and someone hit a pregnant woman, and abortion has happened, but this same (woman) survived, he will be subject to the damage, as much as the husband of the woman will desire and the judges consider. If on the other hand, it followed the death of her, it is administered a soul for a soul.”³⁰ [52] The meaning of the Greek translators is to be sure that, if the foetus removed in the abortion was not animated, the attacker must be punished with regard of the demand of the husband and decision of the Judge; if animated, with life. This interpretation is followed by [#] Philo Judaeus, book, *De Congressu Quaerendae Eruditionis Gratia*^{cxxxix} and book *De Specialibus*

^{cxxxvi} CREMONINI, *Apologia dictorum aristotelis de origine et principatu*, p. 69. “*Primo observe, quod ignoratur cuius sit ille liber [de formatione foetus], Hippocratisne, an Polibi, in quo haec eadem historia narratur; Stante hac suspitione, ut nesciatur cuius sit ille liber, non est ita credendum historiae, quae inde accipitur.*” Online: [http://bibdig.museogalileo.it/Teca/Viewer?an=395538&pag=Pagina: 69 \(26.10.2022\).](http://bibdig.museogalileo.it/Teca/Viewer?an=395538&pag=Pagina: 69 (26.10.2022).)

^{cxxxvii} SENNERT, *Hypomnemata physica*, p. 331-352. The chapter is called *Contrarium Objectionum Solutio*. There Sennert argues many things about the soul, its immortality, where does it come from in a child, etc. The chapter is a medical-theological discussion about soul and conception. Online: [https://books.google.de/books?id=HWc5AAAACAAJ&hl=es&pg=P7#v=onepage&q&f=false \(26.10.2022\).](https://books.google.de/books?id=HWc5AAAACAAJ&hl=es&pg=P7#v=onepage&q&f=false (26.10.2022).)

^{cxxxviii} Ex 21:22.

²⁹ Ex 21:22 Meibom's text has an error. The correct text says: τό παιδίον αὐτῆς, that is not ‘the same child’ but ‘her child’.

³⁰ Ex 21:22 “et percusserit quis mulierem praegnantem.” Meibom did not have the word ‘woman’ in the first sentence. That is why in his version of the Bible he has to introduce it later on in parenthesis.

^{cxxxix} Ph. [539] 136.1-138.8 ἡ μὲν οὖν ἀσφαῖς καὶ ἀδελουμένη προσβολὴ ἔοικε τῷ μήπω κατὰ γαστρὸς ἐμβρύῳ διατυπωθέντι, ἡ δὲ ἐναργὴς καὶ τρανὴ μάλιστα τῷ διαπεπλασμένῳ καὶ καθ' ἕκαστον τῶν ἐντός τε καὶ ἐκτός μερῶν τετεχνητευμένῳ καὶ τὴν ἀρμόττουσαν ιδέαν ἀπειληφότι. νόμος δὲ ἐπὶ τοῖς ἐγράφη πάνυ καλῶς καὶ συμφερόντως τεθεῖς οὗτος: ...[Ex 21: 22-23] ... οὐ γὰρ ἦν ὁμοίον, τέλειόν τε καὶ ἀτελὲς διανοίας ἔργον διαφθεῖραι, οὐδὲ εἰκαζόμενον καὶ καταλαμβανόμενον, οὐδὲ ἐλπίζομενον καὶ ἤδη ὑπάρχον. διὰ τοῦτο ὅπου μὲν ἐπιτίμιον ἄδελον ἐπ' ἀδελῷ πράγματι, ὅπου δὲ ὠρισμένον ἐπὶ τελείῳ νομοθετεῖται, τελείῳ δὲ οὐχὶ τῷ πρὸς

et lib. De Special[ibus legibus].[#] Theodoretus Quaest[io] XLIIX in Exodum et
lib. De Curandis affection[ibus] Graecor[um] *qui est de natura hominis,*
+S+erm. V ut et Augustinus Tomo IV Quaest. *LXXX.* +86.+ [f. 18ov]

legibus;^{cxl} [#] Theodoretus *Quaestio* 48 in *Exodo*^{cxli} and book *De Curatione affectionum Graecorum* * which is *De natura hominis** +S+erm. 5^{cxlii} as also

ἀρετήν, ἀλλὰ τῷ κατὰ τινά τέχνην τῶν ἀνεπιλήπτων γενομένων· κυοφορεῖ γὰρ αὐτὸ οὐχ ἡ λαβοῦσα, ἀλλ' ἡ ἐν γαστρὶ ἔχουσα, οἷσιν πρὸ ἀτυφίας ἐπαγγελλομένη. καὶ γὰρ ἀμήχανον ἀμβλίσκειν τὴν ἐν γαστρὶ λαβοῦσαν, ἐπεὶ τὸ φυτὸν ὑπὸ τοῦ σπεύραντος ἐμπρεπὲς τελεσφορεῖσθαι· τὴν δὲ ἔχουσαν οὐκ ἀνοίκειον, ἅτε νόσῳ χωρὶς ἰατροῦ κατεσχημένην. (Tr. F. H. Colson. When the vision thus presented is indistinct and ill-defined, it is like the embryo not yet fully formed in the depths of the womb; when it is distinct and definite, it bears a close analogy to the same embryo when fully shaped with each of its parts inward and outward elaborated, and thus possessed of the form suited to it. Now there is a law well and suitable enacted to deal with the subject which runs thus ... [Ex 21:22-23] ... This was well said, for it is not the same thing to destroy what the mind has made when it is perfect as when it is imperfect, when it is guesswork as when it is apprehended, when it is but a hope as when it is a reality. Therefore, in one the thing in question and the penalty are alike indefinite, in the other there is a specified penalty for a thing perfected. Note however that by “perfected” we do not mean perfected in virtue, but that it has attained perfection in some one of the arts to which no exception can be taken. For the child in this case is the fruit of one who has in the womb, not has received in the womb, one whose attitude is that of self-conceit rather than of modesty. And indeed miscarriage is impossible for her who “has received in the womb”, for it is expected that the Sower should bring the plant to its fullness: for her who “has in the womb” it is natural enough; she is the victim of her malady and there is no physician to help her).

^{cxl} Ph. *De specialibus legibus*, III, 108-109. ἐὰν δὲ συμπλακεῖς γυναῖκι τις ἐγκύῳ πληγὴν ἐμφορήσῃ κατὰ τὴν γαστέρα, ἡ δὲ ἀμβλώσῃ, ἐὰν μὲν ἄπλαστον καὶ ἀδιατύπωτον τὸ ἀμβλωθὲν τύχῃ, ζημιούσθω, καὶ διὰ τὴν ὕβριν καὶ ὅτι ἐμποδὼν ἐγένετο τῇ φύσει ζωογονῆσαι τὸ κάλλιστον τεχνιτευούσῃ καὶ δημιουργούσῃ ζῶον, ἄνθρωπον· εἰ δὲ ἤδη μεμορφωμένον, ἀπάντων μελῶν τὰς οἰκείους τάξεις καὶ ποιότητας ἀπειληφότων, θνησκέτω. τὸ γὰρ τοιοῦτον ἄνθρωπός ἐστιν, ὃν ἐν τῷ τῆς φύσεως ἐργαστηρίῳ διεχρήσατο μήπω καιρὸν εἶναι νομιζούσης εἰς φῶς προαγαγεῖν, εοικὸς ἀνδριάντι | ἐν πλαστικῇ κατακειμένῳ, πλέον οὐδὲν ἢ τὴν ἐξω παραπομπὴν καὶ ἄνεσιν ἐπιζητοῦντι. (Tr. F. H. Colson. If a man comes to blow with a pregnant woman and strikes her on the belly and she miscarries, then, if the result of the miscarriage is unshaped and undeveloped, he must be fined both for the outrage and for obstructing the artist Nature in her creative work of bringing into life the fairest of living creatures, man. But, if the offspring is already shaped and all the limbs have their proper qualities and places in the system, he must die, for that which answered to this description is a human being, which he has destroyed in the laboratory of Nature who judges that the hour has not yet come for bringing it out into the light, like a statue lying in a studio requiring nothing more than to be conveyed outside and released from confinement).

^{cxli} Theodoret, *Quaest. On Ex. 48* (300 Hill). *τί ἐστιν ἐξεικονισμένον*; Φασί, τοῦ σώματος ἐν τῇ μήτρᾳ τελείου διαπλασθέντος, τότε ψυχοῦσθαι τὸ ἐμβρυον· καὶ γὰρ τοῦ Ἀδάμ τὸ σῶμα πρότερον ὁ ποιητὴς διαπλάσας, οὕτως ἐνεφύσησε τὴν ψυχὴν. Κελεύει τοίνυν ὁ νομοθέτης, γυναικὸς ἐγκύμονος ἀμβλωσάσης ἐν μάχῃ, εἰ μὲν ἐξεικονισμένον ἐξέλθοι τὸ βρέφος, τοῦτέστι μεμορφωμένον, φόνον τὸ πρᾶγμα καλεῖσθαι καὶ τὴν ἴσῃν ὑπέχειν τιμωρίαν τὸν δεδρακότα· εἰ δὲ μὴ ἐξέλθοι μεμορφωμένον, μὴ λογιζεσθαι φόνον, ἐπειδὴ περ οὐδέπω ψυχωθὲν ἐξημβλώθη, ἀλλὰ ζημίαν τίειν τὸν αἴτιον. (Tr. Robert C. Hill. What is the meaning of “with human features? It is the general opinion that life is communicated to the foetus when its body is fully formed in the womb. Thus, right after forming Adam’s body, the Creator breathed life into him. So, in the case of a pregnant woman who suffers miscarriage in the course of a

[□ +] *Et* Sequutus vero est interpres leges Graecorum, qui tum et in Aegypto vigeant, quas Aristoteles etiam respexit Politica libro VII capitulo XVI quando ait: Πρὶν αἰσθησιν ἐγγενέσθαι καὶ ζῶν, ἐμποιεῖσθαι δεῖ ἄμβλωσιν. Τὸ γὰρ ὄσιον, καὶ τὸ μὴ, διωρισμένον τῇ αἰσθήσει, καὶ τῷ ζῆν ἔσται. Ante quam vitam et sensum accipiant, foetus abortum fieri oportet. Nam quid justum sit, quid minus, ex sensu et vita determinatur. [[□ +] [53] +Sed et+ *At* Latinus interpres percussorem ob concitatum abortum nisi mulier ipsa pereat, arbitraria saltim poe*e*na vult adfici, sin perierit, capitali. [54] Verum Graeca translatio (non auctoritate Philadelphi Regis, ut creditum, sed Judeorum suadente utilitate conscripta, qui parum Hebraice sciebant, Graece vero loqui & scribere a Regibus cogebantur) mendosa admodum est, nec semper [p. 146 = f. 181v] ad Hebraici textus veritatem accedit, ut ex ipso judaeorum Thalmud Petrus Galatinus pluribus docet, lib. de Arcanis Cathol[icae] verit[atis]. [f. 182r.][□○] De latina versione minime audiendi sunt Gregorius de Valentia Tomo III. Disp[utatio] I Pun. VII § XLII. Jac[obus] Gretserus Defens[io] Bellarm[ini]. Lib. II cap. XI. Ian Pineda Praefat. In Jo[hannem] Cap. II num. IV aut

Augustine Tomo IV Quaest. *80* +86.+ [f. 180v] [□ +] *And* it follows indeed the interpreters of laws of the Greeks, who bloomed then and in Egypt, to whom Aristotle turned his attention in *Politica*, book 7, chapter 16 when he says: "before the sensation and life appears, it is necessary that the abortion is made. The allowed or not [allowed] will be delimited by perception and life"^{cxliii} "Before they get life and sensibility, it is permitted that the abortion of the foetus happens. For what is just and what less [just], it is determined by life and sensation." [53] +But+ *Yet* the Latin translator anyhow wants that an arbitrary punishment is afflicted upon the striker on account of the provoked abortion if the woman does not die, if she died, capital. [54] Indeed the Greek translation (composed not for the authority of the King Philadelphus, as believed, but for the recommended use of the Jews, who knew little Hebrew; they were forced by the kings indeed to write and talk Greek) is in this manner full of errors [p. 146 = f. 181v] and does not always get to the truth of the Hebrew text, as Petrus Galatinus teaches many things from the same Thalmud of the Jews, in book *de Arcanis Catholicae veritatis*^{cxliv} [f. 182r] [□o] About the Latin version there are minimally to be heard Gregorius of Valentia, volume 3, disputatio I Pun. VII and XLII^{cxlv}; Jacob Gretser in *Defensio Bellarmini* book II chapter XI;^{cxlvi} Ian Pineda in Praefat. in Jo[hannem] Cap II num. Iv or Thomas

fight, the lawgiver ordains that if the infant comes out with human features – that is, fully formed- the case is to be considered murder, and the guilty party must pay with his own life. But if it comes out before it is fully formed, the case is not to be considered murder, since the miscarriage occurred before the animation of the child. Nonetheless, the party responsible is to make recompense).

^{cxliii} Theodoret, *De curatione*, V, 52. περὶ γὰρ δὴ τῆς ἐγκύμονος τῆς ἐκ τίνων πληγῶν ἀμβλωσκοῦσης γιαλεγόμενος, διαμορφοῦσθαι πρότερον ἐν τῇ νηδύϊ λέγει τὸ βρέφος, εἴθ' οὕτω ψυχοῦσθαι, οὐ θύραθεν πόθεν τῆς ψυχῆς εἰσκρινομένης, οὐδέ γε ἐκ τῆς γονῆς φυομένης, ἀλλὰ τῷ θείῳ ὄρω κατὰ τὸν ἐξ ἀρχῆς ἐντεθέντα ἐν τῇ φύσει ὡμόμον δεχομένης τὴν γένεσιν (Tr. Clemens Scholten - Als er über die Schwangere spricht, die infolge von Schlägen eine Fehlgeburt hat (Ex 21,22), sagt, er, daß der Embryo in Mutterleib als erstes seine Gestalt erhält, dann in dieser Weise beseelt wird, daß die Seele nicht irgendwoher von außen in ihn eingeführt wird und sich auch nicht aus dem Samen entwickelt, sondern daß sie ihre Entstehung durch die göttliche Vorschrift empfängt, welche dem seit Anfang in die Natur hineingelegten Gesetz entspricht).

^{cxliii} Arist. *Pol.* 1335b, 24-25.

^{cxliv} GALATINO, Petri Galatini Opus de arcanis catholicae veritatis. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10197926-8> (30.10.2019).

^{cxlv} DE VALENTIA, Sacrae theologiae ...Commentariorum theologicorum tomus tertius, p. 417ss. "Disputatio prima: De fide et ei annexis et vitiis contrariis. Questio secunda: De interno actu fidei, qui es credere. Punctum VI: An sufficiat ad salutem credere explicite unum aut alterum praecipuum mysterium fidei, aut omnia quae sunt in symbolo, etiam si

Thomas Fienus lib. de Format[rice] foetus, quaest. IIX circa fin. Qui ita eam efferunt, ut Hebraeum codicem, si a Latina versione discrepet, ex hoc corrigendum velint, nihilque sacre auctoritate esse, quam quod in Latino codice vulgata habemus, quem Ecclesia, seu Pontifex Romanus ad legendum nobis permisserit, affirmant. Credamus potius Ioan[ni] Azorio Jesuitae, qui libere et diserte. Instit[utionibus] Moral[ibus] lib. IIX cap. III. *Multi, inquit, sunt, qui post Concilium Tridentinum scripsere, ut Vega, Sixtus Senensis, Andradius, Lindanus, Canus, et fatentur esse in vulgata Latina errores non solum vitio Scriptorum, sed etiam ipsius Interpretis incuria vel ignorantia.* Et sequamus Augustium lib. XV de C[ivitate] D[ei] cap. XXII et Hieronymum Epist. XXIIIX ad Lucinium, et Ep. CXXXV ad Suniam et Fretellam, itam Comm[entario] In cap. Zach[arias] IIX,

Fienus book *de Formatrice foetus*, quaest. IIX^{cxlvii} near to the end; who thus exalt that [version] for them assert the Hebrew codex; if it differs from the Latin version, they want it to be corrected from it [the Hebrew codex] and [they assert] that there is nothing holy in the authority that we have in the Latin codex of the Vulgate, which the Church or the Pope gave us to read. Let us believe better Ioannes Azorius Jesuit, who freely and eloquently said in *Institutiones Morales*, book 8 chapter 3;^{cxlviii} “many” he said “are who wrote after the Council of Trient as Vega, Sixtus, Andradius, Lindanus, Canus and they said that there are errors in the Latin Vulgate not only due to the fault of the Writers but because of the ignorance or negligence of the same Translators.” And we follow Augustine in book 15 of *De civitate dei*, chapter 22,^{cxlix} and Jerome, *Epistola 28 ad Lucinium*,^{cl} and *Epistola 135 ad*

circa alia fidei dogmata quis erret. Vel requiratur fides undequaque sana et integra”. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb00007386-9> (26.10.2022).

^{cxlvi} GRETSE, Controversiarum Roberti Bellarmini... Tomus primus de Verbo Dei, p. 561-577. The chapter is: *Solvuntur objectiones Haeticorum contra vulgatam Latinam editionem*. About the translation and the Hebrew and Greek text, p. 563 C. “Quod Witackerus clamat; Ecclesiam non habere potestatem declarandi interpretationem alicuius hominis, quantumvis accuratam esse autenticam; id tantum asseverat; non autem probatur sicut et illud tantum asserit; licet non sine mendacio: *Ecclesiam hanc solam editionem declarasse autenticam*. Non enim solam praecise, sed solam ex translationibus declaravit esse autenticam. De Hebraea et Graeca editione, nemo dubitat, quin authenticae sint, si ut Canonicis scriptoribus prodierunt incorrupte perseverant; de quo nihil nobis Ecclesia generali aliquo decreto exposuit. Nec illud mendacio caret, quo dicit; ab Ecclesia ipsis fontibus vulgatam editionem praelatam esse, non enim puris fontibus praelata est, sed summum aequata quo ad infallibilitatem fideique et morum doctrinam.” Online: <https://books.google.de/books?id=dNjYt-wBtPoC&hl=es&pg=PA561#v=onepage&q&f=false> (26.10.2022).

^{cxlvii} FEYENS, De formatrice foetus. For the whole chapter p. 158-220. For the specific passage here mentioned p. 217 ss. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb1-1347305-5> (16.10.2019)

^{cxlviii} AZORIUS, Institutiones Morales, p. 639. “Quarto quaeritur, an vulgata latina editio tantae sit auctoritatis, ut omni careat errore? Respondeo, pro certo habendum apud Catholicos, eam omni errore vacare in Fide, et moribus.... Item, aliqua esse male traducta, aliqua in contrarium, et alienum sensum conversa, id probant testimonio Catholicorum virorum, qui post Concilii Tridentini decretum scripserunt, videlicet... Sixti Senensis... Payanae... Lindani... hi omnes farentur aliquos esse in latina vulgata editione errores, non solum vitio scriptorum, sed etiam ipsius interpretes incuria, vel ignorantia”. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11205146-7> (25.10.2019)

^{cxlix} AUGUSTINUS, De civitate dei, CCL 48 for the passage according to Meibom, p. 487. But the content of chapter 22 does not correspond to the topic. The title in PL XLI, p. 467 but not preserved in CCL 48 is: “De lapsu filiorum Dei alienigenarum mulierum amore captorum, unde et omnes, exceplis octo hominibus, diluvio perire meruerunt” In the same book 15, chapter 13 (the title is again from PL XLI p. 452): “An in dinumeratione annorum, Hebraeorum magis quam septuaginta interpretum sit sequenda auctoritas,” there is at least a passage that could work with Meibom’s argument, CCL p. 471, 31-40.” Itaque illa diversitas

qui statuant in discrepantia versionum recurrendum ad eam linguam, unde per interpretem facta est translatio et fidem versionis ad Hebraea volumina, Hebraeamque veritatem examinandam. Non tantum enim *Gratius ex ipse fonte libentur aquae: sed et omnis lingua quaedam propria habet loquutionum genera, quae si in aliam transferantur videtur absurda.*²⁰ [55] Textum igitur Hebreum quod attinet, ut ad verbum [□○] rectissime verterunt *Xantus* +Sanctes+ Pagninus, Arias Montanus, Emanuel Tremellius, Franciscus Iunius, aliique Hebraeae linguae peritissimi, ita habet:

²⁰ The new passage is to substitute the following one. Note that the information is the same. (1643): *De Latina, diserte et libere Joan. Azorius Jesuita, Instit. Moral. lib. IIX cap. III. Multi, inquit, sunt qui post Concilium Tridentinum scripsere, ut Vega, Sixtus Senensis, Andradius, Lindanus, Canus, et fatentur esse in vulgata Latina errores, non solum vitio Scriptorum, sed etiam ipsius Interpretis incuria, vel ignorantia. Operae igitur pretium fuerit textum Hebraeum consulere, atque ad ejus veritatem, tanquam obrussam, versiones examinare. Is autem, ut ad verbum*

Sunniam et Fretelam,^{cli} also Commentary on chapter Zacharias 8, who established the difference of the recurring versions for that language, where the translation was done by a translator and by the confidence of the version to the Hebrew volumes, and [where] the Hebrew truth must be examined.^{clii} Indeed not much Gratius “the waters were taken from the same fountain: but every language has its own certain type of expressions, which if are transferred into another [language] they seem absurd.”³¹ [55] Therefore the text which preserves the Hebrew, as the *Xantus* +Holy+ Pagninus, Arias Montanus, Emanuel Tremellius, Franciscus Iunius, and other high experts of Hebrew language quite correctly translated;^{cliii} so it

numerorum aliter se habentium in codicibus graecis et latinis, aliter in Hebraeis, ubi non est ista de centum annis prius additis et postea detractis per tot generationes continuata parilitas, nec malitiae Judaeorum, nec diligentiae vel prudentiae Septuaginta interpretem, sed scriptoris tribuatur errori, qui de bibliotheca supradicti regis codicem describendum primus accepit. Nam etiam nunc, ubi numeri non faciunt intendum ad aliquid quod facile possit intelligi, vel quod appareat utiliter disci, et negligenter describuntur, et negligenter emendantur.”

^{cl} HIERONYMUS, Epistola LXXI ad Lucinum, PLXXII, p.668-672. Meibom's reference, p. 671-672: “Canonem Hebraicae Veritatis, excepto Octateucho, quem nunc in manibus habeo, pueris tuis et notariis dedi describendum. Septuaginta interpretum editionem et te habere non dubio; et ante annos plurimos diligentissime emendatam, studiosis tradii. Novum Testamentum Graece redidi auctoritati. Ut enim veterum librorum fides de hebraeis voluminis examinanda est; ita novorum Graecae sermonis normam deiderat.”

^{cli} HIERONYMUS, Epistola CVI ad Sunniam et Fretelam, PL XXII, p. 837-867. Meibom's reference, p. 838-839. “Sicut autem in novo Testamento, si quando apud Latinos quaestio exoritur, et est inter exemplaria varietas, recurrimus ad fontem Graeci sermonis, quo novum scriptum est Instrumentum: ita in veteri Testamento, si quando inter Graecos Latinosque diversitas est, ad Hebraicam confugimus [al. recurrimus] veritatem: ut quidquid de fonte proficiscitur, hoc quaeramus in rivulis.”

^{clii} HIERONYMUS, “Commentariorum in Zachariam Prophetam ad exsuperium tolosanum episcopum”, CCL - 76A. For the fragments, p. 812, 250-252. “Septuaginta ad futurum tempus omnia rettulerunt, sed melius ad prateritum, ut in Hebraico habetur, et expositionis veritas approbabit. Also p. 820, 526-527. Cogimur igitur ad Hebraeos recurrere, et scientiae veritatem de fonte magis quam de rivulis quaerere.”

³¹ (1643): About the Latin [Vulgate] Johannes Azorius Jesuit says clearly and freely in the *Institutiones Morales*, book 8, chapter 3: “many are who after the Council of Trent wrote, as Vega, Sixtus Senensis, Andradius, Lindanus, Canus, and said that there are mistakes in the Latin Vulgate not only because of the fault of the Writers but also because of the negligence or ignorance of the same Translators.” Therefore the value of the work was to consult the Hebrew text and to examine the versions to proof so to speak the truth of it. This on the other hand, as in words...

^{cliii} Meibom is making a reference to the revised versions of the Vulgate, also to that of Emmanuel Tremellius (1510-1580) and Franciscus Junius (1545-1602) published in Frankfurt in 1581. Although he is not quoting literally this version, it is clear that he considered the changes on it. Perhaps he took the text from some other version of the textual story and revision of the Vulgate that definitively considered the fidelity of the translation to the

Quum rixati fuerint viri, et percusserint mulierem utero gerentem, ut exeant nati ejus, et non fuerit mors, aut exitium, puniendo punietur, quemadmodum imposuerit illi maritus mulieris, dabitque juxta judices. Sin autem mors fuerit, dabit animam pro anima. Neque aliter habet Onkelos, sive Chaldaicus interpres, in translatione, quam Targum vocat. Verba enim illa, אִם לֹא יָהִי מוֹתָא , *si non fuerit mors*, et postea אִם מוֹתָא יָהִי *si fuerit mors*; indefinite proferuntur, [56] ut propterea et Rabbi Abenezra, et Rabbi Salomon in Comm[entario] et Latinus Interpres, male ea ad mortem solius mulieris restrinxerint. [57] Hoc enim vult et Chaldaeus interpres: si percussione mors nulla fuerit subsequuta, puta nec foetus, nec mulieris, percussorem arbitraria poena puniendum, quod praeter voluntatem mulierem sibi occurrentem percusserit: sin mors alterutrius, aut etiam utriusque fuerit subsequuta, capitali supplicio adficiendum. Quanquam enim percussor imprudens matrem aut foetum privarit vita, tamen animi atque intentionis ratio habenda, quae fuit vitam proximi petere. [58] Hinc Dionysius Richel, Carthusianus, Comm[entario] ad hunc locum, *mortem* interpretatur *vel matris vel foetus jam animati*. Et Thomas de Vio, Cajetanus Cardinalis, *Pondera*, inquit,

has: “When men quarrelled and hit a woman who carries in the uterus so that her offspring get out and death did not happen nor an egress [of the offspring], he is punished by a penalty, in whatever manner the husband of the woman will dispose and will sentence together with the judges. If on the other hand there was death, he will give soul for a soul.”^{cliv} And not differently has Onkelos, or the Chaldean translator, in the translation that he calls Targum. Those words indeed, אִם לֹא יָהִי מוֹתָא, “if there were no death”, and afterwards אִם מוֹתָא יָהִי “if there were death”, they are mentioned in an indefinite way, [56] as therefore Rabbin Abenezra and also Rabbin Salomon in *Commentarius* and also the Latin translators restricted it badly only to the death of a woman. [57] This also wanted the Chaldean translator: if following the beating there were no death, you must think not of the foetus nor the woman, the beater must be punished with an arbitrary penalty because he beat a woman against her will that came across him; if the death of either or also of both followed, it must be bestowed with capital punishment. Although indeed the imprudent beater may have deprived the mother or the foetus from life, the reason of intention and also of the inclination must be considered; that was to assault the life of a fellow man. [58] Hence Dionysius Richel, Carthusianus in *Commentary* on that passage, “death” is interpreted “whether of the

original Hebrew text. See LOREIN, “The Latin version of the Old Testament from Jerome to the *Editio Clementina*”, p. 125-145.

^{cliv} Testamenti Veteris Biblia ... ab Immanuele Tremellio et Francisco Iunio, p. 90-91 (Ex 21: 22-23). I put in parenthesis what was marginalia and added the notes that are in a separate page. Italics come from the edition. “22 Item certantibus hominibus, si (k – Heb. percusserint) percusserit unus illorum mulieren gravidam, ita ut (l – Heb. Exeant nati ejus) ejiciatur foetus ejus, nec tamen sit ‘exitium: (m – Heb. Mulctando mulctator) omnino mulctator prout imposuerit ei maritus ipse mulieris, et’ per judices dato. 23. Sin autem exitium sit, tum reddito’ (n – Heb. Animam pro anima, anima pro vita, ut infra ver. 30 metonymia) vitam pro vita. – ANNOTATIO: 22 Exitium] mulieris aut foetus, personae totius aut alicujus partes in ea corruptio. Mulctator] poena arbitraria: nam praeter voluntatem mulierem sibi occurrentem concussit. Per judices] tum ut materiam contentionis et privatae ultionis praecidant, tum ut statum sit quod eorum interventis transactum fuerit. 23 Vitam pro vita] nam etsi imprudens matrem aut foetum privavit vita, consilii tamen et ocasionnis ratio habenda est: consilium autem fuit vitam proximi petere, qua occasione vita privavint istum.” Online: http://gateway.proquest.com/openurl?ctx_ver=Z39.88-2003&res_id=xri:eebo&rft_id=xri:eebo:image:173732 (26.10.2022).

et non erit mors: quoniam negatur mors [p. 147 = f. 183r] tam matris quam prolis. Considerat enim lex ista de percussore mulieris gravidae duos casus. Alterum, si non erit mors, sive matris, sive prolis, et tunc punietur percussor poena arbitraria: alterum, si intervenerit mors, et tunc punietur poena homicidi. Neque aliter sentiunt, aut rem explicant Corn[elius] a Lapide, Thomas Fienus De Format[ice] Foetus Quaest. IIX sub fin[e] Tremellius, Iunius, *et doctissimus* +ὁ πᾶνυ Grotius, et+ Sixtinus Amama, Anti Barbari Biblici lib. II qui addit,

mother or the foetus already animated". And Thomas de Vio, Cardinal Cajetan^{clv}, "Consider," he said, "and there will be no death because the death [p. 147 = f. 183r] of the mother and the progeny is denied. That law about the beater of a pregnant woman indeed considers two cases. One, if there will be no death, neither of the mother nor the progeny and then the beater is to be punished by an arbitrary penalty; the other if death will come upon [any], then it is to be punished by the penalty of homicide." And they do not perceive it differently nor explain the matter Cor[nelius Cornelii] a Lapide^{clvi}; Thomas Fienus in *De Formatrice Foetus, Quaestio 8*, at the end^{clvii}; Tremellius, Iunius, *and most learned* + 'excellent' Grotius, and+ Sixtinus Amama in *Anti Barbarus Biblicus* book 2,^{clviii} who added:

^{clv} DE VIO CAJETANUS, ...Opera Omnia quot quot in sacrae scripturae expositionem reperiuntur, p. 214. "Si rixati fuerint viri" [the vers of Ex 21:22 in the same version Meibom has] "...luxta Hebraeum habetur: Et exhibunt infantuli eius, et non erit mors, subiacebit damno, quantum experierit maritus mulieris, et arbitri iudicaverit. Pondera [words quoted by Meibom]...punitur poena homicidii. In utroque autem casu vita, seu mors prolis, ex egressu prolis manifestatur: propterea enim dicit: et exhibunt infantuli eius. Et dicit pluraliter: quia contingere potest, quod mulier habeat plures proles in ventre. Meminit quoque foetus sub nomine infantuli, seu puelli, ad differentiam aborsus foetus non formati in puellum aut puellam. Si enim percussa mulier gravida foetum informem emitteret, nulla esset mors hominis quoad prolem: quia homo in potentia, non est homo." Online: <https://books.google.de/books?id=Fpwpnu9f3OAC&hl=es&pg=PA214#v=onepage&q&f=false> (26.10.2022).

^{clvi} LAPIDE, Commentaria in Pentateuchum Mosis, p. 511 2b-d. "SIN AUTEM MORS EIUS (mulieris praegnantis) FUERIT SUBSECUTA, REDDET ANIMAM PRO ANIMA (vitam suam pro vita mulieris, quam occidit) OCULUM PRO OCULO, DENTEM PRO DENTE, etc. Idem erat iudicium, si percussus non occidisset praegnantem, sed illi prolem iam animatam excussisset, itaque eam necasset. Hic enim, utpote infanticida, perinde reuserat mortis atque matricida. Id differre significant Septuaginta qui pro Hebraeo וְיָצִיא, ason, quod noster mortem vertit, videntur legisse וְיָצִיא, ischon, id est virunculus, (uti flandrice puerum vocamus manneken) vertunt enim, ἐὰν ἐξέικονισμὸν ᾗ, sciet τὸ παῖδιον, id est, si effigiatum vel efformatus sit puer, quasi dicant, Si proles perfecta habeat membra, ita ut sit plene effigiatum, et quasi parvus quidam vir, sive virunculus; tunc qui illam matri praegnantem sua percussione excutit, animam dabit pro anima, id est vitam suam, cuius anima est causa, dabit pro vita prolis, ut, sicut eam excussit et occidit, ita occidatur et ipse. Ex hisce verbis Septuag. Pater, foetus simul atque formatus est animari: ideo enim censetur et punitur hic ut homicida, qui eum excusserit. Idem docent medici". Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10326647-2> (26.10.2022).

^{clvii} Same passage quoted before: FEYENS, De formatrice foetus. For the whole chapter p. 217ss. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11347305-5> (26.10.2022).

^{clviii} AMAMA, Anti-Barbarus biblicus. For the quote, p. 563. For the whole commentary on Ex 21:22 which is exactly what Meibom puts in here, p. 562-563. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10409791-5> (26.10.2022).

legem totam esse supervacaneam, si mors de sola muliere sit intelligenda, quum hujus occisor lege generali teneatur. Quae quidem omnia docent textum Hebraeum, sive fontem ipsum, nihil discriminis ponere inter foetum animatum, vel non animatum, nihilque ex ipso elici posse, quod foetus nondum animati excussionem suadeat, sive permittat, aut praedictae opinionis sectariis patrocinetur. Ponamus tamen, licere foetum nondum animatum aliquam ob causam perdere. Quaero, quo tempore is animetur? [59] Si enim ex traduce, ut loquimur, propagatur anima, satim traducta cum semine ab initio conceptionis aderit; licet propter organorum defectum operationes ne quidem minimas exercere possit; et propterea excussio eius, quod conceptum est, etiam primis diebus non abibit ab homicidio. Sin divinitus creando infunditur, et infundendo anima creatur, quae plurimum et olim, et hodie est sententia, quaero iterum, quo tempore praecise infusio ista fiat, quam exacte sciri necessum est, ne animatus foetus pro inanimato excutiat? [60] Dicunt communiter, fieri id intra XXX et XLV diem, quod temporis spatium Hippocrates lib. De Nat[ura] Foetus, et ex hoc Medici caeteri, id definiverunt, quo foetus jam plene conformatus est, omnibusque partibus, quas informare anima debet, insignitus. [61] At quid prohibet, animam etiam ante id tempus infundi, partibus tantum praecipuis delineatis, operationes tamen suas tum primum exercere, ubi organa debitam pro operationibus perfectionem fuerint indepta? Neque enim foetus XL aut circiter dierum, licet plene conformatus, ratione utitur, quae rationalis animae propria est [p. 148 = f. 183V] operatio, immo nec statim in lucem editus, licet pridem anima id temporis corpori putetur infusa; ut propterea ex partium perfecta conformatione, de animae praesentia, aut absentia, nihil certi colligi possit.

“all law is unnecessary if the death about a single woman is to be understood because the murder of her is included in general law”. All these things indeed teach that the Hebrew text, or the source itself, puts no difference between an animated or non-animated foetus, nor that something could be drawn out from the same [text] that recommends or allows the expulsion of the not yet animated foetus or supports the leaders of the mentioned opinion. Lets put yet that it is permitted to lose the not-yet-animated foetus for any other cause. I ask, at what time is it animated? [59] If indeed, from the vine [sc. origin], as we say, the soul is propagated, it is sufficiently present from the beginning of conception, having being carried over with the seed. It is permitted and not possible indeed to also perform the minimum operations on account of a flaw of the organs, and on that account the shaking off of it, what was conceived, in the first days, does not depart from a homicide. If by divine providence the soul is poured by creating and by pouring is created, that is the opinion of many either before or today; I ask again, in which precise time does that pouring happen, which is necessary to know precisely, and may the animated foetus not be shaken off instead of the unanimated? [60] They generally say, that it happens between the 30th and 45th day because Hippocrates in the book *De natura foetus*^{clix} and from it other Physicians defined that period, in which the foetus is already fully conformed and marked with all the parts that the soul must form. [61] But what prohibits that the soul is also poured to the parts so particularly delineated before that time to perform then for the first time her operations? when did the organs obtain the due perfection for the operations? And no indeed the foetus at the 40th day or so approximately, although completely conformed uses reason, which is a proper operation of the rational soul, [p. 148 = f. 183v], and also no indeed immediately after having been brought forth, although it is thought that the soul was poured to the body long ago at that time. So, therefore, from the perfect conformation of the parts, nothing of truth

^{clix} Hipp. *Nat. Puer.* 18, 1 – 18, 5. Καὶ γέγονεν ἡδὴ παιδίον καὶ ἐς τοῦτο ἀφικνέεται, τὸ μὲν θῆλυ ἐν τεσσαράκοντα ἡμέρησι καὶ δύο τὸ μακρότατον, τὸ δὲ ἄρσεν ἐν τριήκοντα ἡμέρησι τὸ μακρότατον· ὥς γὰρ ἐπιτολὸν ξυμβαίνει ἐν τούτῳ τῷ χρόνῳ ἢ ὀλίγῳ μείονι ἢ ὀλίγῳ πλείονι ταῦτα διαρθροῦσθαι. (Tr. Joly – Voici l'enfant déjà formé: il y arrive, la fille en quarante-deux jours, le garçon en trente jours au plus. C'est en ce laps de temps, un peu plus un peu moins, que normalement ils sont articulés).

Itaque difficultates [+] sive has, sive alias perpendens Albertus M[agnus] lib. IX. De Animal[ibus]. tract. II cap. V. animam aliquando quamquam raro, XXV. die infundi concessit.[+] *hasce perpendens* Ferdinandus Mena, Comm[entarius] ad lib. Hipp[ocratis] De Septim[estri] Part[u] cap. XIV. [E] Prosper Martianus vir summae eruditionis, comm[entario] in lib[rum] Hipp[ocratis] de Carnib[us] textu CCXVI et Jo[hannes] Hueberus De Sterilit[e] lib. III voluerunt [E] *foetum voluit* animari anima rationali die septimo. Nuper vero Thomas Fienus, vir doctissimus, lib. De Foetus Format[rice] quaest. IIX conclus. XI pluribus docuit, foetum animari rationali anima circa diem tertium, aut etiam citius. [62] Immo Sennertus, ὁ πᾶν, Hypomn[emata] Phys[ica] IV

could be deduced about the presence or absence of the soul. And so [+]
Albertus Magnus in the book 9 of *De animalibus*. Treatise 2, chapter 5,^{clx}
considering these difficulties or others confirms that the soul is poured at
some time though rarely at the 35th day[+] *considering these* Ferdinandus
Mena in the Commentary on the Hippocratic book *De septimestri partu*,
chapter 14^{clxi} [and] [E] Prosper Martianus, a man of highest erudition, in
the commentary on the Hippocratic Book *De carnibus*, text 216;^{clxii} and
Johannes Hucherus *De sterilitate* book 3^{clxiii} [E] wanted *he wanted that the
foetus* to be animated with a rational soul at the seventh day. Recently
Thomas Fienus, most educated man, in the book *De formatrice foetus*,
question 8, conclusion 11,^{clxiv} taught through many things that the foetus is
animated by the rational soul near the third day or also more quickly. [62]
On the contrary Sennertus, the excellent, in *Hypomnemata Physica* 4,

^{clx} ALBERTUS MAGNUS, *De animalibus libri XXVI*, p. 723 - 727. “Et est digressio declarans tempus et ordinem quo conceptum formatur in creaturam speciei hominis.” Meibom reference p.723 §121-122; §124-125. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11171813-0> (26.10.2022).

^{clxi} MENA, “Libellus Hippocratis περὶ ἐπταμήνου...enarratore Ferdinando Mena”, p. 53. “Unde tametsi olim in publicis theatris docens, probabilem esse censuerim eam opinionem, quae foetum humanum rationali anima formatum esse putat, quam primum carnis speciem induit, quod fieri septem a concepti diebus nunc dicebat Hippocrates in eadem etiam perstandum esse mihi paulo longaeuiori effecto, jure videor iudicasse, tum propter plures demonstrationes” The explanation goes for four more pages based on the division of the soul by Aristotle. The argumentation is quite clear and straightforward, supporting the idea of the rational soul at the seventh day. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bv:12-bsb10166360-0> (26.10.2022).

^{clxii} MARTIANUS, Magnus Hippocrates Cous Prosperi Martiani medici romani notationius explicatus Opus desideratum, p. 50-52. Vers. 216. “Porro cita hominis septem dierum est”. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11199286-0> (26.10.2022).. A note about this book in relation to Meibom’s Commentary is that the title page has an image of Hippocrates in the same angle and perspective as it appears in the upper medallion of the title page of NSUTB Gött Meibom 4.

^{clxiii} HUCHERUS, ...*De sterilitate utriusque sexus*, p. 414. “Illa vero conceptio septem dierum est: a quibus inchoatur formatio partium foetus: hinc ab Hippocrate libro de carnibus et de genitura proditum est: si quod in utero conceptum est, intra septem dies excidat: nullam prae se ferre partium delineationem, si vero post septem dies excidat, id ipsum in aquam immissum quandam evidentem partium delineationem exhibere, oculorum, oris, pudendorum et principum viscerum.”

^{clxiv} FEYENS, *De formatrice foetus*, p. 199 ss. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11347305-5> (26.10.2022).

cap. X solidissimis fundamentis ostendit, animam humanam, sive per traducem propagetur, sive a summo Numine inspiretur, satim ab initio, et in ipsa conceptione, aut conceptionis momento adesse, operationesque suas, qua licet, exercere. [F] quod et veterum aliquos jam olim statuisset, testis est Cassiodorus lib. De Anima, cap. XIV. [F] Qua de re etiam vide virum *doctissimum* eleganter doctum, Vop[iscum] Fortun[at]um Plem[p]ium, lib. II De Fundam[entis] Medic[inae] cap. VII. Consideret vero haec Medicus, atque id eligat, quod est tutius, neque ullo tempore abortum provocare in animum inducat. [63] Rectissime enim censuisse autumo Sixtum V in Bulla, cujus paulo ante meminimus, *ut sine discrimine tum illi, qui foetum sive animatum, sive inanimatum abegerit, ut homicidae puniretur: tum eii etiam, qui sterilitat[i]s[ic] venena, et potiones mulieribus propinaverint; vel que minus foetum concipiant impedierint; aut talia facienda vel exequenda curaverint, sive quovis modo in his consuluerint.* Ac, licet minus omnino videatur peccatum, sterilitatem inducere, [+] quod aliquando licere putavit Ep[iscopu]s Ferdinandus Theorem[at]a Med[ica] lib. III theor. XI, [+] aut effluxiones ciere, quam abortum prolicere; aliudque sit pessus corruptorius, aliud effluxio, aliud ἀτόκιον, seu *sterilitatis medicamentum*: tamen Pontificem, ut aequali poena in delicta singula animadverteret, vel illud movisse puto, quod tum effluxionum citatio, tum sterilitatis inductio, sit res mali exempli,

chapter 10^{clxv} exposed with a very solid basis that the human soul is generated either by the vine [sc. origin] or is inspired by the supreme Numen, sufficiently from the beginning and in the conception itself or that is present in the moment of conception; and because of it, it is permitted that it [the soul] performs its operations. [F] Cassiodorus in the book *On the Soul*, chapter 14,^{clxvi} attests that also other of the ancient [authors] already in the past established it [F]. About this matter, see the *most learned* finely instructed man, Vopiscus Fortunatus Plempius, book 2 *De fundamentis medicinae*, chapter 7.^{clxvii} The Physician may consider these things and also may choose what is safer, and he may not put in the spirit to produce the abortion at any time. [63] I gather that indeed Sixtus V in Bulla most correctly considered what we remembered little ago, that “without a difference, it should be punished as homicide; either to that who may have driven away the foetus animated or unanimated, or to the other one also who may have given venoms of sterility or drinks to women or; a little less, to him who may have hindered the [women] from conceiving the foetus or may have taken care that such things are to be done or performed, or may have advised [them] in any way in these matters.” And although in general, it seems that it is less a fault to induce sterility [+] which at some time Epiphanius Ferdinandus in *Theoremata Medica*, book 3, theorem 11^{clxviii} thought it was permitted, [+] or to rouse up fluxes than to produce an abortion. One thing maybe a destructive pessary, the other a flux, another ‘to cause barrenness’ or “medicine of sterility”, I think that the Pope still promoted that each of the crimes is punished with the same penalty, because either the rise of fluxes or the induction of

^{clxv} SENNERT, *Hypomnemata physica*, p. 289-307. The chapter is called *De propagatione animae humanae*. Sennert explains the origin of the soul and how it is related to the foetus, for example that the membranes of the foetus are formed from the soul, p. 296. Online: <https://books.google.de/books?id=HWc5AAAAcAAJ&hl=es&pg=PP7#v=onepage&q&f=false> (26.10.2022).

^{clxvi} CASSIODORUS, *De anima*. CCL 96, p. 539-545.. Chapter II: De definitione animae.

^{clxvii} PLEMPIUS, *De fundamentis Medicinae libri sex*, p. 110-147. At the beginning it seems like the chapter is about humours and their transmutation but further on there is *Sectio Quarta: De spiritibus et calido innato* (p. 111) which has seven chapters, all of them dealing with the innate heat and the soul, its beginnings, functions, etc. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb11219389-2> (17.10.2019).

^{clxviii} FERDINANDUS, *Theoremata medica et philosophica*, p. 230-231. Online: <https://books.google.de/books?id=8hJNkXr4bFoC&hl=es&pg=PA230#v=onepage&q&f=false> (26.10.2022).

quod in caussa esse solet, ut gravius crimina puniantur, arg. Can. Praecipue. XI quaest. III. Siquidem *plus aliquando malo exemplo, quam peccato, noceatur*, ut ait Cicero lib. III de Leg[ibus] [64] Itaque ut finiam, sive [f. 184 loose piece of paper with no mark to bind it to the text, here not transcribed - quotes][p. 149 = f. 187r] abortum Medicorum quispiam procuret, aut effluxiones proliciat, aut sterilitatem inducat, idque animo deliberato, quocunque etiam modo id fiat, quibusve mediis, sive etiam ejus rei conscientiam saltim habeat, is nefario scelere vitam artemque contaminabit, dignus eas sustinere poenas, quas criminibus istis leges ultrices destinarunt. *Sunt enim caeli qui arguunt, elementa quae saeviunt, et si non aliud, superest in posterum cruciatus gehennae*, ut ex Jo[hanne] Mesue, in praef[atio] lib. De Morb[is] Particul[aribus] Jason a Pratis hic ait, lib. II De Uteris cap. V. caveat vero Medicus ab astutis etiam mulierculis, nec nimium iis sit credulus, dum varia saepe remediorum genera, sub praetextu gravium morborum, pro absentibus a Medicis petunt. Nec facilis sit in vehementioribus purgantibus, aut menses ducentibus praescribendis remediis, nisi omnia prius exacte perpenderit et de laborantis persona, morboque ipsi constiterit, ne abutantur iis malitiosae ad foetuum expulsionem nefarias, et festina homicidia. [f. 185v.]

sterility, the matter belongs to a bad example, which used to be in the cause so that the crimes are punished more seriously. *Arg. Can Praecipue* 11, question 3.^{clxix} If indeed “an injury is sometimes done more by a bad example than by a fault” as Cicero said in book 2 *De Legibus*.^{clxx} [p. 149 = f. 187r] [64] And so I finish, either any of the Physicians procure an abortion or incite fluxes, or induce sterility, and also does this deliberately in whatever manner and with whatever means or have the sufficient awareness of this matter; he will pollute his life and his art with a terrible evil and is deserving to bear those punishments which the avenging laws assigned to these crimes. “Heavens are indeed who declare, the elements [are] who rage, and if not another thing, at last, the torment of Gehenna remains” as from Johannes Mesue in the introduction to the book *De morbis particularis*^{clxxi}, Jason from Pratis said this in book 2 *De uteris* chapter 5.^{clxxii} The Physician indeed may also beware of the clever little women and never be too credulous of them, when they frequently seek different types of remedies in absences of Physicians under the excuse of acute diseases. And is not easy to depend upon stronger purgatives or remedies to be prescribed in the shaping months; unless he may have examined previously and exactly all things and may have established the disease itself from the character of the one suffering, and the malicious [women] may not make use of them for the abominable expulsions of the

^{clxix} See also D. 48, 8, 3, 2. “Adjecto autem ista ‘veneni mali’ ostendit esse quaedam et non mala venena. Ergo nomen medium est et tam id, quod ad sanandum, quam id, quod ad occidendum paratum est, continet, sed et id quod amatorium appellatur: sed hoc solum notatur in ea lege, quod hominis necandi causa habet. Sed ex senatus consulto relegari iussa est ea, quae non quidem malo animo, sed malo exemplo medicamentum ad conceptionem dedit, ex quo ea quae acceperat decesserit.”

^{clxx} Cic. *Leg.* 3. 32. 4 – 3. 32. 9.

^{clxxi} MESUE, *Opera medicinalia*, (GW M23017), p.1. Fifth work; Johannis Mesue Medici Singularis de Medicinis particularum egritudinum Liber feliciter explicuit. “Sanat solus langones deus: et de frugalitatis solo perduxit in largitate sua medicinam. Benedictus gloriosus et excelsus. Tantum tamen auxiliari non definens curandi doctrinam timentibus eum explicavit. Totus igitur dei timor praeveniat et felicitabit ea. Tunc considera ne te amor: aut odium circumveniat ne declines a recto. Est enim excelsus gloriosusque iudicat. Sunt et celi qui argunt. Elementaque sevinunt. Et si no aliud superest in posterum cruciatus gebenne.”

^{clxxii} PRATIS, *De uteris libri duo*, p. 258-259. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10369206-8> (29.10.2019) The exact same words used by Meibom but preceded by the story of Hippocrates and the harpist, here just called a servant or slave (*ancilla*). Most probably there was a previous edition of the book. I only found one from 1657, that is two years after Meibom's death.

[□ Ø] Immo cavere etiam debet, ne dum satisfacturum (se) ~~poten~~ petentibus simulat, atque innoxia praescribit, nihilominus male res cedat, atque ipsius infamiae maculam incurrat. Ejus rei exemplum habet Fortunatus Fidelis, lib. de Relat[ionibus] Med[icorum] cap. X. Puellam scribit se novisse florentem aeate, quae quum de foetu ante tempus ejiiciendo cogitaret, et medicum consuleret, atque hic, ut impium illius institutum falleret, pia simulatione pro~~xx~~(mitteret,) se daturam quod petentis expectationem exploret, daret autem antiodotum, qua foetui robur ac firmitudinem adjiceret, nihilominus medicamento hausto, vehementi ~~panm~~ +abortiendi+ desiderio incensa, certoque sibi persuadens, quod promissum sibi fuerat, eventurum, foetum ejecit non sine ignominia medici, ac si ipsius abortivum ipsi dedisset. Tantum potest imaginatio fortis praeconcepta. [□ Ø][65] Elegans vero est, et aurea Hippocratis sententia, qua ea, duae praesenti ac superiori capite explicavimus, concludit, rationemque reddit, quare nec medicamentum mortiferum, nec pessum suppositorium, aut dare aut commonstrare velit aitque, ἀγνῶς καὶ ὀσίως διατηρήσειν τὸν βίον τὸν ἐόν, καὶ τέχνην ἐμήν, *tum vitam suam, tum artem, castam et ab omni scelere puram se praestiturum*. [66] Et Ἀγνῶς *quidem*, ut ait Zvingerus in Comm[entario] *ut semet ipsum castum atque purum conservet ab omni animi libidine, ὀσίως vero, ne quem artis suae operibus quomodocunque laedat*: [+]*atque ita post corpori castitatem vitae morumque etiam castitati unice studeat operamque novet.*[+] Eruditissimus tamen, Heurnius, Notis ad Iusjur[andum], τὸ ἀγνῶς καὶ ὀσίως etiam de illis accipit, qui *Innocentia et Justitia duce medicinam faciunt, non vero gemmatis et inique appreciatis remediis in alienas opes degrassantur*.

foetus and hastened murders. [f. 185v] [□ Ø] By no means, he should also beware and not pretend that now he is going to give satisfaction to the ones begging [him] and will prescribe harmless things, nonetheless, may he share things wrongly and fall in the spot of the same disgrace. Fortunatus Fidelis, in the book *De relationibus medicorum* chapter 10^{clxxiii} has an example of that matter. He writes that he knew a girl blossoming in age, who consulted a physician when she thought about the expulsion of the foetus before time; and he, in order to cheat her impious set up, promised [her], with pious deceit, that she was going to be given what fulfilled the expectation of [her] requesting, but gave her an antidote, in that manner he put vigour to the foetus and strength. Nonetheless, once the medicament had been taken on, [she] burned by a strong desire of abortion, persuaded herself with certainty that it will come what was promised to her, she expelled the foetus not without shame for the physician as if he himself would have given her the abortive. Of so much is capable the strong preconceived imagination. [□ Ø] [65] And certainly it is right, that the golden opinion of Hippocrates also concludes, by which we explained in this and the superior chapter two things, and also that it gives back the reason why he did not want to give lethal medicaments, nor suppository pessaries nor show them; and he said “holy and pure [I] will preserve my life and my art”, “he will maintain his life and art, holy and pure from all evil” [66] and “indeed -‘holy’-” as Zwinger said in *Commentary* “as he may preserve himself holy and pure and away from all pleasure of the soul, - ‘pure’ - indeed, he does not injure anybody in any way with operations of his art,”^{clxxiv} [+] and so less important than the purity to the body, he may especially be eager for the purity of manners and also of life, and he may perform the work [+]. The very much educated Heurnius, in his notes to the Oath “the holy and pure”, also observes about them, “they make Medicine with the head Justice and Innocence, and do not attack foreign abilities unequally with valued remedies and gems”.^{clxxv}

clxxiii FEDELE, *De relationibus medicorum libri quatuor*, p. 316. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10289911-3> (26.10.2022). There is a previous edition of 1602 (Panormi, Apud Johannem Antonium de Franciscis) but I couldn't consult it.

clxxiv ZWINGER, *Hippocratis...viginti duo commentarii tabulis ilustrati*, p. 59. N 25 & N 26.

clxxv HEURNE, *Hippocratis prolegomena... brevis commentariis*, p. 8. Q.d. “maligne nulli morborum differam, abreptus plutophilia: aut remediis falso gemmatis et ainique appreciatis (quae iam verar noctuae ad aucupia crumenarum) degrassabor in alienas opes: sed Innocentia et Iustitia duce medicinam faciam.”

Quales hodie sunt vulturii illi, et noctuae ad aucupia crumenarum, qui credulos magnates et imperitum vulgus circumducunt passim, et pecunia προμύστουσιν sive *emungunt*, quo verbo apposite hac in re utitur Hippocrates in παραγγελίαις. Qui non auri tantum ac gemmarum, sed quarumvis aliarum [f. 186 loose piece of paper with quotes but without any symbol to bind it to the text, here not transcribed] [p. 150 = f. 187v] rerum mera jactant secreta chymica, quae non nisi a se solis peculiari cheirotechnias, et *pynotechrias* +pyrotechnias+ modo elaborari queant. Qui his iisdem miracula se confecisse gloriantur, ac propterea αἰετοὶ ἐν νεφέλαις haberi volunt, prae quibus alii velut umbrae volitent. Quorum tamen si scrinia excutiendi facultas forte se sistat, aut occasio, mera saltem deprehendas aliorum inventa, ac remedia in vulgus etiam nota, quae si tollas,

Aut si forte suas repetitum venerit olim

Grex avium plumas,
nihil offendas reliqui praeter jejunam maciem,

Aut apinas tricasque, et si quid vilius istis,

quibus eruditiorum choro [□ attached on p. 150]

----- *deplumis moveat cornicula risum.*

Of what kind are those vultures today, and the owls lying in wait for the small bags of money, who deceive the unlearned people and the credulous important men randomly and ‘pushes [them] out’ or ‘drain [them] off’ the money. Hippocrates, in this matter, in *Precepta*^{clxxvi}, uses that applied verb. They throw no that much gold but stones and any other thing to the pure secret chemicals, [p. 150 = f. 187v] which cannot be elaborated not only by them alone with a particular way of handicraft and pyrotechnics. They brag that they made miracles with these same things and besides want that the “eagles in the clouds” are taken, in front of which, others fly just like shadows. Still, if the possibility or the opportunity of shaking the book-box present itself, you may catch anyhow the pure inventions of others and remedies known to the public, which if you may acknowledge:

“or if by chance the flock of birds may have come in other times demanding their feathers.”^{clxxvii}

and you may find that nothing remains beyond the fasting thinness:

“or worthless things and trifles, and if something [is] cheaper than these”^{clxxviii}

about which in the choir of learned people: [□ attached on p. 150]

“.... a little crow without feathers causes to laugh.”^{*32*}

^{clxxvi} Hipp. Praec. IV, 7-10. νόσου γὰρ ταχύτης καιρὸν μὴ διδοῦσα ἐς ἀναστροφὴν οὐκ ἐποτρύνει τὸν καλῶς ἡτρεῦοντα ζητεῖν τὸ λυσιτελές, ἔχεσθαι δὲ δόξης μᾶλλον· κρέσσον οὖν σωζομένοισιν ὀνειδίζειν ἢ ὀλεθρίως ἔχοντας προμύσσειν. (The quickness of the disease, that does not give opportunity for delay, does not urge the physician to seek advantage, rather to have honour; and certainly better to make a reproach to the ones being saved than to extort money from the ones in danger).

^{clxxvii} Hor. Ep. I, 3, 18-19. “ne, si forte suas repetitum venerit olim / grex avium plumas, moveat cornicula risum”.

^{clxxviii} Mart. I, 113.

³²(1643): But let us return to Hippocrates and his reflection together with Erasistratus, from the Isagoges, chapter 1 from Soranus of Ephesus we say: “that he is the most fortunate man if he achieves either; to be a perfect Physician in the art or to be the best in manners. [67] The following after our Hippocrates, to whom therefore in *The life of Hippocrates* Zeno from Alexandria calls to be “honourable in manners”. Julian the Emperor in *Epistola written to the same* [Jul. Ep. 58], said that not much that “he reaches up to the highest [point] of the medical art” also indeed “of the manner, of fairness, and temperance of life, consistently [he] has [them] for the art.” “He came not so much to the highest degree of medicine but added to it the temperance of life and equal moderation of manners”. So Daphnus Ephesius, whom Athenaeus makes him among the speakers in ...

5. Texts and editions

Lector, ubi visum fuerit, adire poterit de id genus hominibus discernentem virum doctissimum Jac[obum] Promerosium lib. I De Vulgi error[ibus] in Medic[ina] cap. XII. Nos ad Hippocratem revertimur, cujus sententiam, de vite ac morum puritate ac sanctimonia a Medico praestande, pluribus (ex Erasistrato) explicat Soranus Ephesius, aut quis alius est auctor Isagoges Med[icas] cap. I. *Disciplinarum, inquit, et virtutum caeterarum minime expers sit Medicus, sed et circa mores habeat diligentiam. Iuxta enim Erasistratum, felicissimum quidem est, ubi utraeque res conveniunt, uti et in arte sit perfectus, et moribus sit optimus. Si autem unum de duobus defuerit, melius esse videtur bonum, quam artificem perfectum mores habentem malum, et improbum esse. Modesti siquidem mores, quod in arte deest honestate repensare videntur. Culpa autem morum perfectam artem corrumpere atque improbare possunt.* Et cap. III. *Sit itaque moribus ornatus et modestus, cum decenti ac debita honestate, nec desit ei sanctitas nec sit superbus etc.* Ut enim eruditionem quamcumque

---- boni mores facile factis comprobant:

ita vicissim eandem, quantum vis perfectam.

---- turpes mores pejus coeno collinunt,

inquit Comicus Poenuli act. I. Sc. II. [67] Ejusmodi autem medicus qua eruditionem, qua mores perfectus fuit Hippocrates noster, quem propterea Soranus, verus ille, et minime suppersililius [sic- recte superciliosus], in vita Hipp[ocratis]

The reader, when he pleases, could approach the most learned man Jacobus Primerosius, book 1 *De vulgi erroribus in medicina* chapter 12,^{clxxix} who distinguishes those species in men. We return to Hippocrates, whose opinion about the life and purity of manners and the virtuousness, that must be maintained by the Physician explains Soranus Ephesius with many things (from Erasistratus), or whoever is the author of *Isagoges Medicae* in chapter 1: “the Physician” he said “maybe an expert at least in the rest of the virtues and disciplines but also may he have carefulness in respect to manners. Certainly, together with Erasistratus, he is indeed very fortunate when both matter agree that he may be perfect in the art and the best regarding manners. If however one of the two shall be absent, it seems that it is better to be good than [to be] a perfect physician who has bad manners and is bad. If indeed the manners are moderate, whatever may be absent in the art they seem to make it up with honesty. However, they can establish or destroy the perfect art of manners with guilt.” And Chapter 3,^{clxxx} “May he be modest and furnished with manners, with decent and proper honesty, and may his purity not be absent, nor may he be arrogant, etc.” As indeed

“the good manners confirm easily with facts” every learning;

So, on the contrary, as much as you want

“....ugly manners, unfortunately, pollute worse than dirt” the same perfect [learning]

said the Comic of the *Poenulus* in act 1, scene 2^{clxxxi} [67] Yet our Hippocrates was a perfect physician of such a kind in learning as in the manners, to whom therefore Soranus calls true and not at all strict in *vita*

^{clxxix} PRIMROSE, *De vulgi erroribus in medicina*, p. 23 – 25. “De iis qui Secreta habere creduntur.” Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10474049-6> (26. 10. 2022).

^{clxxx} Soranus of Ephesus, “...in artem medendi Isagoge, hactenus non visa”. For both, p. iv. The text is the exact same of Meibom. The only changes are for chapter I: instead of *uti*, the quote has *ubi*; for chapter III: *ergo* instead of *itaque*. Online: <http://mdz-nbn-resolving.de/urn:nbn:de:bvb:12-bsb10197841-0> (26.10.2022).

^{clxxxi} Plaut. *Poen.* 306 -307. “Pulchrum ornatum turpes mores peius caeno conlinunt; / Lepidi mores turpem ornatum facile factis comprobant.” (Ugly manners pollute worse the beautiful attire than dirt / Pleasant manners easily prove the attire stupid with facts.) Verse 306 is also found in Plaut. *Most.* 291. Meibom broke the verses to make it work with his discourse. It is also noticeable that the words taken belong to a female courtesan and not a great male figure, such as a physician.

σεμνὸν τρόποις, moribus sanctum, +vocat. Talis post ipsum Zeno, quem Julianus Imp[erator] In epist[ola] ad ipsum scripta, ait non tantum ἱατρικῆς τέχνης εἰς τὰ πρῶτα ἀνήκειν, ἀλλὰ καὶ ἥθους, καὶ ἐπιεικείας, καὶ βίου σωφροσύνης συμφώνως πρὸς τὴν τέχνην ἔχειν, ad summum medicinae gradum pervenisse, sed ei parem morum moderationem ac vitae temperantiam adjunxisse.^{21*}
 [68] Talis Daphnus Ephesius, quem unum ex [□][f. 188v = p.150][□ ο] dipnosoph[ista] et Auctor Epitomes in Athenaeum ait fuisse, ἱερὸν τὴν τέχνην καὶ τὰ ἥθη, *qua vitam qua mores sanctum*. [69] Talis demum Iamblichus in quem sequens Leontii Scholastici tetrastichon exstat, Anthologia²² Graecorum lib. IV +tit.+

Ὁ γλίκις ἐν πάντεσσιν Ἰάμβλιχος, ὃς ποτὶ γῆρας

Ἦλυθεν, ἀγνὸς ἐὼν κυπριαδίων ὁάρων.[□ ο]

[p.151 = 189r]

Ἔργα τ' ἀκεστορίης ἐφέπων, σοφίην τε διδάσκων,

Κέρδεσιν οὐδ' ὁσίοις χεῖρας ὑποστόρεσεν.

In cunctis Iamblicus amabilis, attigit aevi

Ultima, contemptis illecebris Veneris.

Idem artem exercens, Sophiamque professus, iniquis

Dicitur a lucris abstinuisse manus.

Loquitur tamen Hippocrates in textu jam explicato, potissimum de animi castitate et morum puritate; nam de corporis castitate infra monebit.

²¹ The new big passage is to substitute the following one. Note that this information was preserved but with many added quotes in between. (1643): Sed revertamur ad Hippocratem, et ad ejus mentem cum Erasistrato, ex Sorani Ephesii Isagoges cap. i dicamus, *felicissimum esse si utrumque coincidat, ut et in arte sit Medicus perfectus, et moribus optimus*. [67] Talis post Hippocratem nostrum, quem propterea in Hipp[ocratis] Vita σεμνὸν τρόποις vocat fuerit, Zeno apud Alexandrinos. Eum Julianus Imp[erator] in Epist[ola] ad ipsum scripta, ait non tantum ἱατρικῆς τέχνης εἰς τὰ πρῶτα ἀνήκειν, verum etiam καὶ ἥθους, καὶ ἐπιεικείας, καὶ βίου σωφροσύνης, συμφώνως πρὸς τὴν τέχνην ἔχειν. *Non ad summum tantum medicae artis gradum pervenisse, sed ei parem morum moderationem, ac vitae temperantiam adjunxisse*. Talis Daphnus Ephesius, quem unum ex interloquutoribus facit Athenaeus in

²² (1643): Epigrammatum

Hippocratis, “honourable in manners”, “inviolable in manners”.^{clxxxii} So after the same author, Zenon, to whom Julian the Emperor in *Epistola written to the same*,^{clxxxiii} said that not much “[he] reaches up to the highest [point] of the medical art but also of the manner, of fairness, and temperance of life, consistently [he] has [them] for the art.” “[he] came to the highest degree of medicine, but added to it the temperance of life and equal moderation of manners” [68] So Daphnus Ephesius, from the *Dipnosophistae* and the Author of *Epitome in Athenaeum* said that he was the single one “holy regarding the art and manners” “holy in both the life and manners”. [69] Of such kind only Iamblichus, who follows after him [Hippocrates]. It remains a tetrastich of Leontius Scholasticus in the +*Anthologia*+33 *Graeca*, book 4 +title+:

“Iamblichus was delightful among all,
he arrived to old age, being holy separate from the songs of the Cypriot,

[p.151 = 189r]

and practising the works of the healing art, and teaching [his] skill,
but did not hold out his hand for the holy profits.”^{clxxxiv}

“Iamblichus was lovely in all things, he reached the last
age, having despised the charms of Venus
also practising the art, and taught Wisdom. From
unjust profits, it is said that he kept away the hands.”

Still, Hippocrates speaks in the already explained text about the chastity of the soul and the purity of manners of the most capable [men], but now he will advise below about the chastity of the body.

^{clxxxii} Sor. 14. 1 ἀφιλάργυρος δὲ καὶ τοῖς τρόποις σεμνὸς καὶ φιλέλλην ὑπῆρχεν. (He was a not-lover-of-money, an honourable in manners and lover- of -Greeks).

^{clxxxiii} Jul. Epist. 58.

³³ Only changed the name of the work. See n. 22 to the latin text.

^{clxxxiv} Antologia Graeca, book 16, epigram 272, line 1: Ὁ γλυκὺς ἐν πάντεσσιν Ἰάμβλιχος, ὃς ποτὶ γῆρας / ἤλυθεν ἀγνὸς ἐὼν Κυπριδίων ὀάρων· / ἔργα δ' ἀκεστορίης ἐφέπων σοφίην τε διδάσκων / κέρδεσιν οὐδ' ὁσίοις χεῖρας ὑπεστόρεσεν.

5.1.5 Draft of Meibom's Commentary on the Hippocratic Oath (NSUTB Gött Meibom 164)

Some of this text was not included in the printed version (1643), but I considered it important enough to be delivered to the reader. I decided to present it here and mark the passages found in Meibom's Commentary, whether literally or by contents. The former is also included in a table to compare it better to the printed version (1643); the latter have footnotes to indicate the corresponding passage.

About the edition:

The text between stars (*) is crossed out in the original, as to mark that the text was not useful. Most of these passages were published in the printed version (1643).

The corrections of single words are also crossed here (~~xxx~~)

All marginalia are marked between square brackets with the symbol most similar to the one used by Meibom, if it was an independent piece of paper it will be marked with a square (□).

The interlinear addenda are in brackets.

The uncertain readings are marked with a question mark between brackets (?).

I repeated the catchword in both folia, the present and the following since most of the times the word was divided and once it gave us a clue that the following page was not the consecutive page.

[f.1r]

IVSIVR. NOTAE

CAP. XVI.

ta tam foetui quam matri sunt inimica, foeminaeque semper in abortu plus laborent quam in legitimo partu [F- ut es apud Hippocratem I de morb. mul.] (eo,) quod (partus) secundum naturam fiat et natura coeppante, abortus contra naturam et natura renitente et foetum saluum cupiente nec ante quam medicamentis corruptivis succumbit,⁸⁸⁴ dimittende [F - quod in abortu dolores sint vehementiores, quam naturales Insinuat Avicenna fen. XXI. I. III tr. I? c. IIX]. Ita autem succumbit Tesimi uxor apud Hippocratem lib VII Epidem. quum ultro pharmacum corruptorium hausissit, et non sine causa Domitianum Imp. Fratris filiae ut conceptum a se abigeret coactae, caussam mortis exstitisse, refert Suetonius in ejus vita cap. XXII ne alia exempla, quae e Medicis et quotidiana experientia depromi posserat, recensere opus habeam. [□ - Abortiones majorem violentiam afferte solent quam partiores. Neq[ue] n[on] citra violentiam abortio contingit, sive ex medicamento, sive potione aut cibo aut subdiditis, et ex re alia quapiam contingat. Vis autem mala est. Hipp. I. I de morb.mul.]⁸⁸⁵ Totam hanc rem eleganti similitudine illustrat Galenus, lib. IV. aph. Comm. 8 aitq[ue] foetuum cum utero connexionem eandem habere proportionem, quam habeat fructu[m] cum plantis connexus; et sicut acerbi fructus a plantis difficillime avelluntur, maturi vero vel sponte decidunt: ita immaturos foetus difficulter expelli, maturos vero facile prodire. Sed dicas, Galenus eodem in loco hoc quoque ait, fructus in prima generatione capulis debilioribus plantis inhaerere ac facile decidere vel vento consussos: atq[ue] eadem ratione et conceptus a prima seminis ejectione, leviter utero adhaerentes, ex levi occasione abrumpi. Itaq[ue] tempus conceptionis observari debere contendunt, qui sine periculo foetum ejicere cupiunt faciliq[ue] id fieri jactura putant nonnulli, si menstruus foetus abigatur, aut bimestris; cui tamen Aëtius

[f.1v]

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Aëtius lib.ult.cap. XXIX praegert trimestrem, quod dies impares aptiores sint ad abortum, in diebus vere paribus naturalis quaedam sit mora et difficultas. [F - neque tertio mense prius aut posterius tempus convenire]. Huc trahi etiam posset Hippocratis ille locus, qui es lib.II.Epid.sect. II ubi ait Ejectus ab ortu foetus sexaginta dierum in partuum suppressionibus

⁸⁸⁴ Similar wording to: JHM, jusjurandum, p. 141 - 42 nr. 45. See Comparison table.

⁸⁸⁵ The addenda of the piece of paper is more similar to the topic of number 9 of chapter XV, JHM, jusjurandum, p. 134 ss. About the different types of abortives see Chapter XV, nr. 1-10. JHM, jusjurandum, p. 132-133.

salutaris: qua sententia abortum suaderi persuasum sibi habent Mart. Akakia lib.II. De morb.mul.cap. IV⁸⁸⁶ et Jo. Matthaus, quaest. Med. LXXXVI. Verum mimnero, recte hic quaerit Jo. Bapt. Silvatico controv.Med. LXXXII⁸⁸⁷ quibus signis conceptus menstruus cognosci possit? Licet enim multa Medici multi consignerint conceptus inchoati signa, tamen omnia illa fallacia et infida esse experientia docet, ut Hippocrates quoque jam olim lib.de octim.parti.in princ. hac in re mulieribus ipsis fidem arbitrandam censeat, quod solve sciant quid in se sentiant, si tamen ut mox addit, fuerint peritae et saepius pepererint. Ad locum vero ex Hippocrate adductum dico, eo ~~loei~~ non suaderi abortum, sed tradi potius prognosticum salubre sexagenario die facti abortus masculinis atque hoc innui, ut loquitur L. Mercatus, de mul.adf.lib. III.cap XII quid is abortus matri sit salubrior, qui minorem projicit foetum, praesertim masculum: quod foemellae non pari felicitate ejusdem diebus corrumpantur, quia in totum et parus et corruptiones habent graviores. Verum ~~xxx(?)~~ haec ita ~~sese~~(recte) habeant, ~~velut aute etiam dixi~~

[f.2r]

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(reperte eam fuere) qui contrarium ~~statuerent~~ certis effectis casibus et limitationibus (persuadere nobis. Sategerunt) ~~reperta fuere nihilominus non pauciorum(?)~~. Inter eos, ~~ut die Medicis saltim dicamus, ex Graecis fuit Aëtius, in tetrabill.iv.serm.iv.cap.xvi.~~⁸⁸⁸ qui cum iis mulieribus, quae vel ob uteri parvitatem [F – ut ibid foetum perficere non possit], vel colli uteri angustiam aut tuberculum [F- Marg.- aut tale quiddam] collo innatum in partu periclitantur commode agi censeat, si ver a conceptu omnino sibi caveant, aut si conceperint foetum corrumpt. Huic consenta nec loquitur Moschion, lib.de adf.muliebr.cap. XLIII. Si condyloma,⁸⁸⁹ inquit, αὐτὸ ἐμβόλιοντι, seu impedimentum habuerit mulier in orificio matrici et conceperit, satius est abortivus abigere quod conceptum est: si namq[ue] pariendi dies venerit periculum mortis mater foetusq[ue] sustinebunt. His adde Aristotelem, ut Philosophum ita et Medicum alias praecellentem, qui lib. VII. Polit.cap.XVI si civitas civibus nimium repleatur Sabinam aut Colociinthidem propinare jubet quid ~~quid dicat Casus ibid~~ [+ - et suffragari (vide hoc) Aristoteli Lud. Bonacciolus qui Enneade de mul.cap. III. v. VI ostensi abortifero ex Braneo(?) Phalegii(?) none(?) ait, si de solo illo mune-

⁸⁸⁶ Same reference in JHM, jusjurandum, p. 137.

⁸⁸⁷ Same reference in JHM, jusjurandum, p. 145.

⁸⁸⁸ Same reference in JHM, jusjurandum, p. 137, nr. 31.

⁸⁸⁹ Same reference in JHM, jusjurandum, p. 137, nr. 31.

re fas duxisse, quod qua nudam faecunditas liberis pena tali venia sit indigas.] Ex Arabibus Avicenna lib. III. fen III (XXI) tract. II cap. (XII et) XVI causas addit alias, si nempe praegnans fuerit puella parva et tenella admodum ~~debilisque complexionis~~, nec ad pariendi labores suffectura, ob quam caussam Aristoteles loc.cit. Troecenorum mulieres abortibus saepe tentari, in partu laborare et plures interire notavit: aut vesica praegnanti, cui foetus quasi incumbit, plane fuerit debilis ut ex incumbente pondere ruptura ~~et mors~~ (ex incontinentia vesicae) matri veniat pertimescenda⁸⁹⁰

[f. 2v]

CAP. XVI.

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pertimescenda: aut denique ex se foetus sit moriturus. In pandemi eunt sententiam Rhases lib. IX Contin. Et Halybbas lib. IIX (tract.)cap. IIX.⁸⁹¹ E latinis auctoribus Theod. Priscianus, Medicus Methodicus, ejusdem est opinionis, auqm ex lib.cit.cap VI ipsius verbis dabimus. Abortivum, inquit, dare nulli fas est. Ut enim Hippocrates attestatur, tam diri reatus Conscientia Medicorum innocens officium non decet maculari. Sed quando matricis vitio, aut aetatis porpie frequenter eveniat, ut partus aut foeminae periclitentur; expedit praegnantibus in citae discrimine constitutis, unius partis saepe jactura salutem alterius mercari certi simam. Sicut arboribus arescentium ramorum accommodatur salubris absciscio, et naves Pressae onere, cum gravi tempestate jactantur, solum habent ex damno remedium. Recentiores addunt morbum accutum, quo si laboret praegnans, vitaeque immineat Periculum, nec subveniri possit aegrae, nisi remedia in usum trahantur agerosa, venaesectio et purgatio, quae tamen utraque metu abortus Hippocrate habentur suspecta, sect. IV.aph.I et sect. V. aph.IX et XXXI⁸⁹² satius esse putant remedia ista tentare, foetuque posthabito matri restituendae operam dare, quam permittere ut una cum foetu et ipsa male pereat. Nituntur vero hi eodem plane fundamento quo superiores. Si namque conceptum abigere licet ne mulier in partu pereat, quid ni idem facere liceat, si ex acuto morbo ante partum

⁸⁹⁰ The whole page is a resemblance to JHM, jusjurandum, p. 137, nr. 31. The references to Aëtius and Moschion are the same.

⁸⁹¹ Same reference is given in the printed version but without the quote. JHM, jusjurandum, p. 137, nr. 31.

⁸⁹² Similar wording to: JHM, jusjurandum, p. 137, nr. 31. See Comparison table.

[f. 3r]

IVSIVR. NOTAE

CAP. XVI.

partum mulieri portendatur detrimentum. Hoc velle puto Guainerium, ubi lib. de aegritud. uteri cap. XXXIIX duas ob causas ait licere Medico abortum provocare, si metus sit de matri morte, aut foetus jam fuerit mortuus. Ubi tamen risum meretur quod de foetu mortuo dicitur, quum abortus non sit foetus mortui sed viventis immatura ejectio, foetusq[ue] mortuus nihil nisi sui expulsionem indicet, ut qui res sit toto genere praeter naturam: nisi mendum esse dixeris in textu et pro mortuus legeris moriturus, ad mentem Avicennae, cujus verba jam dedimus. Apertius leguntur Alij interque eos Cornaccinus, Tab. Med. I ubi ait, Medicus non enecet foetum, nisi quum est necessitas ob praegnantem acuto morbo laborantem. [F - consentit Mart. Akakia de morb. Mul. I. 2.6.4 et fortunam non prodituram in lucem quo matris saluti consulatur non ()? in humanum videri ait.] *Caeterum ut ijs omnes qui abortum aliquando moliri, nefas esse non ducunt, Hippocratis Etiam auctoritate opinionem suam muniat, vulgatam illam subinde in ore habent de psaltria historiam, ex lib. de nat. pueri. part. IV. cui ille, ut volunt, quum se concepisse arbitraretur ob intus remanentem a congressu genituram, consuluit⁸⁹³ ut in terram desileret, quo septies facto, genitura cum sonitu in terram deciderit. Ut subtilitatem etiam mirere et acumen ingenii humani, inventi sunt qui abortus procurationem detestati, confessique data opera atque animo deliberato non debere abigi conceptum, si tamen abortus nihilominus consequatur ad medicamenta ea adhibita quae necessitas*

[f. 3v]

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morbique magnitudo requirit, id lucro deputandum censent, rationemque ita se putant invenisse promptissimam, qua se tueantur impietatemq[ue] omnem et foetus internationem abs se amoveant, conscientiamq[ue] savent. Si enim, inquit Mercurialis, vir, cetera doctissimus, lib I de morb. mul. cap II⁸⁹⁴ conceptus jam sit grandiusculus et mulier lethaliter aegrotet, dico nunquam licere Medico uti prima intentione foetum interimat. Licet sane curare milierem medicamentis necessarijs et inimicis foetui sed licet nunquam hoc animo mederi ut interimatur. Quum facile vero et auspiciato ex tam difficili labyrintho te extricaveris, si Dis placet! ~~Alii tamen se curiosi adhuc tramite ingressuri, cum Hippocrate et Aristotele distinguunt~~

⁸⁹³ JHM, jusjurandum, p. 137, nr. 32.

⁸⁹⁴ JHM, jusjurandum, p. 144, nr. 49.

~~inter effluxiones et abortum~~ ut ab initio monebamus.⁸⁹⁵ atq[ue] effluxiones quidem, quae tum fiunt, ubi quod conceptum est nondum anima rationali est informatum, atque ideo nec homo dici potest, sine crimine elici posse; in foetu vero firmati, animaue rationali informato, adeoque in homine idem non licere. Huic probando ex sacris literis adducunt quod es Exodi cap.XXI v. XXII et XXIII [abrev.?] ubi ita habet vulgata versio quam Hieronymi esse nonnullo contendunt.⁸⁹⁶ ~~Si quis percusserit mulierem utero gerentem, atq[ue] abortiatur, si foetus formatus fuerit animam dabit pro anima. Sexaginta interpretes hic habent ἐμβρυόν ἐξευκονισμένον, cui opponi queat παιδίον ἀκολούγηστον, quod~~⁸⁹⁷

[f.4r]

IVSIVR. NOTAE CAP. XVI.

ita vocatur Psal. CXXXIIX sive πρὶν ἄγσθῃσιν ἐγγενέσθαι καὶ ζῶην, ante quam sensu vitaq[ue] fruatur, ut loquitur Aristoteles loc. cit. Atque huic sententiae Canones quoq[ue] adstipulantur eorumq[ue] interpretes, quando peccatum quidem ajunt esse mortale si medicina exhibeatur praegnanti abortum provocans, ut lateat et celetur corruptio: si vero eadem ad mulierem servandam exhibeatur, secundum Juan. de Neapoli, quodlib.X. distinguendum censet. Peccatum enim mortale exhibitionem illam pharmaci esse volunt, si foetus sit animatus anima rationali: soteu vero nondum animato licere impedire animationem futuram, quum eo modo mater liberetur a marte nec tamen perpetretur homicidium, quia mori non possit quod vitam non habuerit ex privatio semper praesupponat habitum; cap. Sicut ex litterarum, de homicidio XXXII quaest II cap. quod vero et cap Moyses.⁸⁹⁸ *Demique si nec abortum ~~provocare~~(concitare) nec effluxiones conscientiae consultum putaveris, invenies, quae aliud agere te docebunt, et ea saltem administrare quae sterilitatem, sive perpetuam, sive etiam ad tempus indicant conceptumq[ue] non excutiant, sed tantum praepediant, ex legitima tamen justaque causa, ante quam vir foeminaq[ue] inter se congregiantur, conceptuiq[ue] ullum fiat initium.* Id licere, ait P. Bayrus Praef. lib. XV cap II neq[ue] negat Mercurialis lib.i de morb. mul. cap II⁸⁹⁹ qui eam in rem ex Aristotele lib.VII de hist. anim. cap. HX (III) limitum cedrinum, modumque geminum

⁸⁹⁵ Similar wording to: JHM, jusjurandum, p. 137, nr. 31. See Comparison table.

⁸⁹⁶ Similar wording to: JHM, jusjurandum, p. 137, nr. 32. See Comparison table. Topic also in JHM, jusjurandum, p. 143, nr. 47.

⁸⁹⁷ JHM, jusjurandum, p. 137, nr. 32.

⁸⁹⁸ JHM, jusjurandum, p. 138, nr. 33.

⁸⁹⁹ JHM, jusjurandum, p. 144, nr. 49.

[f. 4v]

CAP. XVI.

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geminum alium ex Avicenna lib. IV. de animal. ex Lucretio lib. VI commendat. Certos insuper casus in quibus hoc locum habeat supponit Epiphan. Ferdinandus Theorem. Med. part III thoer. XI. Atq[ue] ipse etiam Hippocrates, ne quid omittatur quod in rem faciat, in eandem trahitur sententiam et ἀλόκιον sive sterilitatis inducendae pharmacum prescripsisse notatur, lib. I de morb. mul. sect. VII. *Quamquam autem speciose horum pleraque ita dicantur, ut minus cauto etiam imponere queant, tamen facile corrueant, si ad vera rationis tentimam? Singula expenderis, quod nobis quidem ordine nunc fiet. Quia vero pene omnia illa quibus abortus provocationem suaderi posse putant hoc nituntur fundamento, unum a matre imminens periculum avertant, eamque per foetus amolitionem sospitent; in genere merito impis illud D. Paulli in Epist. ad Rom. cap. III v. IIX opponimus: Non esse facienda mala ut inde eveniant bona; quod talium, ut addit (p – Apostolus) damnatio sit iusta. Valde enim fallitur Plutarchus lib. de sera. num. vindict. quando in Medicina ait τὸ χρήσιμον καὶ δίκαιον εἶναι, quod utile sit, etiam justum esse. Licet namq[ue] in ijs forte quae Plutarchus ibi adducit, id locum habeat, dum ridiculum esse notat, si quis injuste fueri dicat, quod coxendicibus laborantibus iniuratur pollex, aut jecinore vitato venter incidatur circa umbilicum; tamen in iis quae cum vitae fiunt^{*900}

[f. 5r]

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* periculo possit parere, ut exemplis cocuimus, forte etiam periculum possit incurrere, atque ita res sit in dubi, an non rectius feceris et melius ~~tuus~~ (tua) consulueris conscientiae, si naturae re committas atque ea adhibeas remedia, quae foetum matremque confortare, uterum dilatare et partum suo tempore facilitare queant, quam si cum conscientiae laesione vitam adimas foetui, vitaeque periculum una eademque opera accersas matri.⁹⁰¹ Quod de angustia colli uteri, annatoque tuberculo adferebatur, ~~parvi etiam est moneri~~ (non majoris est ponderis). Si enim angustia illa, sive a natura talis, sive a tuberculo, magna fuerit in foemina, non conceptum tantum impedit, sed omnem etiam cum uni congressum, quale quid iis accidere silet, qua vitio laborant, quod Albucasis,⁹⁰² * Medicus Arabs, Chirurg. lib. VII cap. LXXII vocavit Alratricam interpres Avicennae lib. III fen. XXI tract.

⁹⁰⁰ Similar wording to: JHM, jusjurandum, p. 138, nr. 35-36. See Comparison table.

⁹⁰¹ Similar wording to: JHM, jusjurandum, p. 139, nr. 38. See Comparison table.

⁹⁰² Similar wording to: JHM, jusjurandum, p. 140, nr. 40. See Comparison table.

IV. cap. I. lib. VII. cap. XXIX reddidit clausuram; foeminas ipsas ita adfectas Aëtius [F- tetrab. 4.I 4. c. 9. 6] lib.XVI cap XCIII vocat ἀτρήτως (ou(?)), hic est, ~~im~~(non)perforatas [+ - agitque de iisdem Paullus Aegineta lib. VI cap. LXIII. Corn. Celsus lib. VII. Cap XXIX]. Sin parva *fuerit angustia illa, ignorabitur fere nihilque alid eam consequetur, quam partus forte difficilior, quem si caussam cognoveris, prudentiae tuae fuerit omnibus modis faciliorem reddere. Quod si vero angustia non quidem maxima, notabilis tamen sit et quae periculum possit minari, id facile mulieri innotescet ex molestia et difficultate quam in venerio congressu percipiet, atq[ue] ideo opem implorabit Medici, qui eam, si necdum conceperit periculo denuntiato jubebit a congressu abstinere donec medicamentis debitis impedimentum possit auferri⁹⁰³ [marg. Left lower corner without introducing it in the text – Latini concratus(?) ~~aut consertes(?)~~. Ita Plin. l. 7. c. 16 de Cornelia Grachus matre⁹⁰⁴ et Solius cap. 4. Cicero l. 2, de divinat. dixit obsignatam habere rum(?.) vide quod de signan(?) naturae alieni collegimus]

[lower margin – quia tetrabiblo utitur Pholon seg. I.3. c.16. Et I.4 c. 4]

[f. 5v]

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*auferri: sin jam conceperit, tempore gestationi operam dabit ut quovis modo ante instans tempus partus tuberculum extirpet, ut quod sui tantum amolitionem, non foetus deperditionem indicet: aut si contumax nimium id fuerit et rebelle, omnemque medici manum respuat, potius quam ut abortum quis provocet, foetum jam maturum et ad exitum paratum sectione illa extrahi, curarem, quam Cesariam * vocant⁹⁰⁵ [F - Ut est suadet Fr. Ranchin comm. in Jusjur. Hipp. Leg. V. quaest. I.] quamque, si dextre administretur, citra periculum esse ac foetum eam matremque feliciter salvare pluribus docuerunt qua rationibus, qua exemplis Franc. Ronssetus xxx (lib. de partu Caesar.) et xx Casp. Bauhinus ibid. in adpend. noviterque notabili exemplo CL. Sennertus confirmavit Inst. Med. lib. II. Sect. . cap. . et alio insuper Phil. Hechstetterus observat. Med. Dec. VI casu III in schol.⁹⁰⁶ *Verum alias duas addit Avicenna caussas, propter quas excuti possit conceptum; si nempe vesicam mulier habeat imbecillem, cui omne

⁹⁰³ Similar wording to: JHM, jusjurandum, p. 140, nr. 41. See Comparison table.

⁹⁰⁴ JHM, jusjurandum, p. 140, nr. 41.

⁹⁰⁵ Similar wording to: JHM, jusjurandum, p. 140-141, nr. 41-42. See Comparison table.

⁹⁰⁶ Similar wording to: JHM, jusjurandum, p. 141, nr. 42. See Comparison table.

infantis concepti pressae ruptura immineat, aut si foetus sit moriturus quam posteriorem caussam idem* Avicenna iterum inculcat fen. citat. tract. I cap. XI, * At utriusque tum foetus morituri, tum vesicae adeo imbecillis aequae incerta est praescientia ~~quum~~ saepe foetum, quem certo moriturum eis ex suis signis conjiciebat, adhibita auxilia Deo favente sospitent.⁹⁰⁷ Vesica ~~etiam~~ (insuper) licet imbecillis ex sua natura oneri prementi facile cedat et pressa subsidat, urinamque ~~eo~~ (tanto) saepius deponite ~~eo~~ ~~gat(?)~~, quod plerisque ~~xxx(?)~~ gravidis* foetu grandescente familiare [lower margin - ~~quod in non gravidis etiam fieri soleri, si uterus tumore praeter naturam corruptus vesicae incumbat ut exemplo docet Jul. Caes. Claudius consult. Medicin. XVI~~] esse novimus.⁹⁰⁸ [F - Artes strangurias etiam sub finem illi accidere notavit] quem admodum vicissim iisdem Paulo ante partum 1.7 de hist an. c. 4. utero

[f.6r]

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utero ad inferiora incipiente prolabi et collum vesicae compimente urina saepe suppressi consuevit [donec foetus in lucem edatur] *Adde quod foetus ~~certa(?)~~ (porro) moriturus non certum simul supponat matris interitum; quum illo extincto hec nihilominus salvari queat, nec gas sit ad interitum ambiguum praecavendum abortu concitato certo persiculo ambiguum ~~super inducere periculum~~ (praevertere).⁹⁰⁹* Neque vero huc quadrat illa a Prosciano adducta similitudo quum non ejusdem sint rationis navis onere pressae exoneratio arborisque ramorum arescentium aut luxuriantium amputatio cum foetus immaturi violenta excussione. Arescentes enim rami praeter naturam quid sunt arboribus, quemadmodum et nimium luxuriantes, atque iceiico citra periculum amputari queunt: navis etiam onere pressa, sola allenatione oneris salvatur, non sacus atque habitus plethoricus sanguinis abundantis eductione solvitur. At foetus utero conceptus secundum naturam inest donec maturitatem suam consequatur et expulsionem ipsa es se moliatur natura, unde, si ante maturitatis tempus propellere ipsum coneris vim inferes naturae, quae non, nisi abortivis civta et prostata, eum tibi concedet, maximumque mulieri per vim exoneratae arcesses periculum.* Facile etiam fuerit eos refellere, qui ob matrem acuto morbo laborantem, ut ea servetur abortivis utendum censent. Iam enim ante ostendi, quanto praegnantis periculo foetus immaturus expelli soleat, quum non nisi suam? Violentia summa ligamenta, quibus utero calide al-

⁹⁰⁷ JHM, jusjurandum, p. 141, nr. 43.

⁹⁰⁸ Similar wording to: JHM, jusjurandum, p. 141, nr. 43. See Comparison table.

⁹⁰⁹ Similar wording to: JHM, jusjurandum, p.141, nr. 43. See Comparison table.

ligatur, abrumpanitur. (Deinde) Mulierem vero utero gerente acuto morbo corripitur lethale^{*910}

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*lethale pronunciavit Hippocrates sect. V aph. XXX ~~docetque~~ (et ostendant) exemplis duarum abortientium lib. III Epid. sect II histor X et XI. item uxoris Olympiadae, quod es lib. VII Epidem. Cujus quandem periculi (Galenus) duplicem reddit rationem Galenus in comm. dist. Aphor. quod (quia) ~~videlicet~~ (nempe) metu abortus nec venae sectionem aut purgationem eo casu administrare, nec tenui victus ratione uti liceat. ~~Quod~~ (Quanto) ~~iam~~ (igitur si) superveniat abortus, id ~~adhuc periculosius erat~~ (res periculi plenior erit), quum Hippocrates loc. cit. aph. L. eas quoque foeminas, quae febribus lenioribus et calore praeternaturae gestationis tempore tentantur si abortum patiantur periclitam dicat. ~~Hæc~~ ~~extur~~(?) (Itaque si quis) abortum per se periculosum concitare cupiat (satagat), idq[ue] eo tempore quo ob morbum acutum praegnans in summo discrimine versatur, quid aliud is aget, quam ut de industria innocentis ~~eripiat~~ (ereptum eat) spiritum. Neque es quod dicas, foetu ejecto debitis medicamentis oppugnari posse acutum matris morbum, eamque salvam nam id virium dejectio tum abortum consequere, tum morbus ipse, tum puerperij etiam fluxum copiosum ex abortu proveniente minime omnium admittet. Licet etiam ex certo^{*911} ~~ali quo~~ (~~quodam~~) signo praescias, quod quidem an fieri queat ignoro, naturam ipsam in hoc casu ex aliquo intervallo abortum facturam, tamen neque sic licebit graviore irritatione et cum periculo praevertere atq[ue] anticipare id tempus quo natura ipsa

[f. 7r]

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ipsa se exonerabit. Alia profecto pietate fuit Hippocrates, qui ne tali scelere conscientiam artemq[ue] suam certaminaret, in muliere illa, lib. de nat. muliebri, quae gravida erat et uteri erusipelate correpta, quod sect. V aph. XLII pronuntiaret lethale, uti jubet non alijs cibis et porionibus, quam quibus foetus minime perdat; neq[ue] purgans exhibet medicamentum, quod tamen in non praegnantibus eodem morbo adflictis comendat: satius esse ratus in tali casu naturae? Negotium committere et Deo confidere, qui praeter spem nostram conceptum, quem ipse forma vit, conservare novit.

⁹¹⁰ JHM, jusjurandum, p. 141, nr. 44.

⁹¹¹ Similar wording to: JHM, jusjurandum, p.142-143, nr. 46. See Comparison table.

~~Quod si nihil xxxx(?) (est iamxxx(?))~~ Sed tenere, qui ex) *voto aliquando sibi successisse ~~qui dicat quod abortus conciliant~~ (conciliationem), foetuque expulso matrem a morbo vindicatxx(?) [F- gloriatur] id rectum erit (3) ex(1) errore (2) judicandum, nequit Rod. A Castro, de morb.mul. lib. III cap. XXI in schol. quod imitari non licet nec [marg.- prudentiae medici] rationi trubuendum est, sed robori (2) mulierum (1) ~~per~~ quod errata medicanti ~~xxx(?)~~(voluit) sufferre.^{912*} ~~Patxxx(?)~~(xxx(?)) Sed veniamus porro ad exemplum de psaltria nobis objectum. Sane liber de nat. pueri, in quo historia illa habetur,⁹¹³ a Galeno quidem lib. de sem. cap. Iv ut Hippocraticus adducitur; ab eodem vero lib. de foet. format. cap. I non tam Hippocratis quam Polybi ejus discipuli et generi nomine citatur. Ego vere tum alias ob caussas (quod stilus majestatem)[et gravitatem Hippocraticum non (?) se ferut (?) computationem praetera mensium in praegnantibus ex mensibus solaribus in eo deductant, quam fieri ex mensibus Lunaribus docuerat Hipp. I de septim. partu.] tum maxime ob hanc de psaltria historiam et juramento Hippocratis et ejus vitae illibatae morum[ue] sanctimoniae adversissimam, librum illum Hippocratis⁹¹⁴

[f.7v]

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tis non esse adfirmaverum. Nam qui ridicule excusare Hippocratem volunt, quasi abortum per φθορὴν seu corruptionem ejurarit in ὀρκῷ, non vero per saleum, quem psaltriae, si Dis placet, consuluit, aut quasi quidem non adprobarit corruptionem, sed modum tantum ostenderit quo fueri possit, nugas agunt; quum jam ante ostenderim sub pesso corruptorio omnem corrumpendi modum Hippocratem comprehendisse et in medicamentis periculosus etiam ὑψηγεσίαν, seu conscientiam aut commonstrationem prohibuisse.⁹¹⁵ Neque vero ludibundus saltum psaltriae consuluit, ut qui a Venerijs rebus, tanquam agresti et furioso Domino jam pridem profugerit, quod Cordaeus putat, lib. I de morb. mul. Hipp. comm. III text III. Nam quis quaeso fuisset Vir ille divinus si sui oblitus in re tam seria ludibundus id suasisset quo et alios et suam ipsius conscientiam gravasset? Nec magis rem confiscit Jo. Matthaeus quaest. Med. LXXXVII qui, ut excuset Hippocrate[m] ait, id temporis Dominos habuisse potestatem vitae nescisq[ue] in servos, psalteriam vero servam fuisse, cujus Dominae roganti Hippocrates paruerit ut quod in serva conceptum erat corrumpere. Nam foemi-

⁹¹² Similar wording to: JHM, jusjurandum, p. 143, nr. 46. See Comparison table.

⁹¹³ JHM, jusjurandum, p. 143, nr. 47. Same motive though he went in different direction.

⁹¹⁴ Similar wording to: JHM, jusjurandum, p. 144-145, nr. 50. See Comparison table.

⁹¹⁵ JHM, jusjurandum, p. 134-135, nr. 19-20. Same motive, different direction.

nam illam, quae psalteria vulgo vocatur aut psalteriam fuisse aut servam ; non statim illi concedet ~~ae. Segerra comm, in Gal, lib. de nat. fac. Lib. (Jo. Gorhaeus sect. VI in lib de nat. pueri.)~~ (Thomas Linacer F)[F - et Fabius Calvus. Hi] enim τῆς μουσοῦργου vocabulum quod est (ibi) in contextu ~~lib. de nat. pueri.~~ (lib. de nat. pueri.) licetl psaltriam
[lower margin – Suidas μουσουργοί. Ψάλτριάι]

[p. 8r]

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triam aut fidicinam aut cantricem significare [noverit]—~~possit~~, tamen ~~nomen proprium ibi esse foeminae~~ (vocem Musungos [et addit mulier] retenuit, questi proprium) ~~contendit, quae Musurgos fuerit vocata~~ (ea non cum mulieris fuerit ita vocatae): idque colliget ~~xxx(?)~~ [possis ex] verbis mox sequentibus, ubi dicitur, illam minime decuisse esse gravidam, ne viliore loco haberetur; quod de serva [F - ut erant fidicinae et cantrices] dici com- mode posse ~~negat~~ (non poterat), ut quae viliore loco haberi non posset, quam ob servitutem habebatur et in quam ut servam non cadebat ignomi- nia, quamadmodum etiam de jure civili in servos omnes ita statutum scimus L. _____[line with a space to fill in the reference] [marg. Servi caput non (?) Sed capite sunt diminute(?) § servus Instit. De cap. Dim.] [□ - Arnis. Polit. p. 231. p. 87. Servi consensu omnium gentium pro nullis habent 1.3.§.1 in fin. De cap. min. 1.2. de jur. delib. 1.34 de R 1.1.1.§. 1 un. de cogn.] At fuerit serva, non video tamen quia sic Hippocrates excusari queat, qui hoc ipso jurejurando conceptis verbis tam sancte adfirmat, se a quavis injuria sibi temperaturam tum in liberis, tum in servis corporibus. Majoris videatur momenti excusatio altera illa, quam uterq[ue], Cordaeus nempe et Matthaeus, loc. cit. cum Mercuriali lib. I de morb. mul. cap. II [+ - andr. Laurentio lib. IIX Anat. Questi. XIX et alijs] adferunt ajuntque Hippocratem genituram excussisse non foetum, neq[ue] pessarium prae- scripsisse ad corruptionem, sed saltum ad seminis effluxionem: quod olim licuisse ex Aristitle pobatum eunt lib. VII. Polit. cap. XVI: [F - atque etenim (?) licere putat Fr. Ranchinus Comm. in jusjur.] Verum et hoc pacto pietati sanctimoniaeque Hippocratis insignite fit injuria, quasi is nescierit non minus occidi hominem primis quam postremis conceptus diebus, et quod conceptus est statim vivere ab ipsa conceptione, si non animalis aut hominis tamen plantae vita: ~~quod si etiam unum fere xxenxxque unxx~~ (neque piaculum(?)) putaverit vel praesentem

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praesentem vel mox futuram hominis vitam perdere, ut libidinoso saltim scortillo prostituta constaret fama. Neque vero ex Aristotelis adducto loco intelligere est licuisse olim non foetum quidem excutere, sed seminis effluxionem, quum potius contrarium ibi dictatur, multitudine nempe in civitate augente praevenire oportere ne fiat conceptus sin factus is fuerit, negas esse attingere. Itaque ut ante dixi, etiam ob psaltriae illam historiam, sive Musurgi, librum de nat. pueri Hippocraticum minime censeo, mecumque idem sentiunt non pauci aliquot non ex vulgo Medici inter quos est Silvaticus controv. Med. LXXXII [+ Horat. Augerius Epist. et consult. Med. Tom. i lib. XII cap. V. Fr. Ranchinus comm. In jusjur. Hipp. leg. V. quaestio III in quam sententiam etiam inclinat praeceptor noster Caesar Cremonius lib. de orig. et princip. membr. dictat. 17.]⁹¹⁶ *atq[ue] alii. Absurda vero sunt que Mercurialis, et qui cum illo idem sentiunt, in medium progerit, quando urgente morbo acuto praegnanti, remedia necessaria atque inimica foetui audaciter administranda fas esse putant, nec referre an foetus iterimatur, modo intentio prima Medici non sit ea, neque eo animo medicamenta exhibeat, ut foetum perditum ne(?) cupiat. Nam si remedia quibus in praegnante aegrota es usus novis foetui esse inimica et abortiva, si abortus deinde ad ea consequatur aut etiam mulier ipsa pereat, miserabilis erit ella excusatio, ex tua intentione iis non ita evenisse. Non est sapientis dicere non putaram ajebat ille. Et quis ~~xxx~~ credit ~~xxx~~ non esse intentionem Medici procurare abortum, si sciens volens abortum facientia adhibeat? Apagr cum tali*⁹¹⁷

⁹¹⁶ JHM, jusjurandum, p. 145. References are the same.

⁹¹⁷ JHM, jusjurandum, p. 141, nr. 44-45.

- Comparison table between NSUTB Gött Meibom 164 and printed version (1643) of Meibom's Commentary

f.	NSUTB Gött Meibom 164	p.	Printed version (1643)
1r	tam foetui quam matri sunt inimica, foeminaeque semper in abortu plus laborent quam in legitimo partu [F- ut es apud Hippocratem I de morb. mul.] (eo,) quod (partus) secundum naturam fiat et natura cooperante, abortus contra naturam et natura renitente et foetus saluum cupiente nec ante quam medicamentis corruptivis succumbit	141- 142 nr. 45	Foetus siquidem corrupentia medicamenta, tam matri quam foetui sunt inimica, faeminaeque fere semper in abortu plus laborant, quam in tempestivo partu, si Hippocrati eredimus, lib. I de morb. Mul. ... Et subest ratio: partus enim secundum naturam fit, et natura cooperante; abortus contra naturam, naturaque renitente, et foetus, quantum in se est, saluum cupiente nec ante demittente, quam caussis, aut etiam medicaminibus corrupentibus succumbat.
1r	Ita autem succumbit Tesimi uxor apud Hippocratem lib VII Epidem. quum ultro pharmacum corruptorium hausisset, et non sine causa Domitianum Imp. Fratris filiae ut conceptum a se abigeret coactae, caussam mortis exstissee, refert Suetonius in eius vita cap. XXII ne alia exempla, quae e Medicis et quotidiana experientia depromi posserat, recensere opus habeam	142 nr. 45	Tesimi uxor apud Hippocratem, lib. v Epid. Aph. LIII et vii Epid. Aph. Lxxxiii quum ultro pharmacum corruptorium hausisset. Et non sine causa Domitianum Imp. fratris filiae, ut conceptum abigeret coacte, caussam mortis exstissee refert Suetonius in Domit. Cap. XXII ne alia exempla a Medicis petamus
2v	Recentiores addunt morbum acutum, quo si laboret praegnans, vitaeque immineat Periculum, nec subveniri possit aegrae, nisi remedia in	137 nr. 31	Recentiores addunt morbum acutum, si eo corripatur praegnans, nec subveniri possit aegrae sine foetus ejectione: inter quos Thomas Cornacchinus Tab.

	usum trahantur agerosa, venaesectionis et purgatio, quae tamen utraque metu abortus Hippocrate habentur suspecta, <u>sect. IV.aph.I et sect. V. aph.IX et XXXI</u>		Medic. I Mart. Akakia de morb. Mul. Lib. II cap. iv Anton. Guainerius lib. de aegritud uteti cap. Xxx
3v	Alii tamen se curiosi adhuc tramite ingressuri, cum Hippocrate et Aristotele distinguunt inter effluxiones et abortum ut ab initio monebamur: atq[ue] effluxiones quidem, quae tum fiunt, ubi quod conceptum est nondum anima rationali est informatum, atque ideo nec homo dici potest, sine crimine elici posse; in foetu vero firmati, anumaque rationali informato, adeoque in homine idem non licere. Huic probando ex sacril literis adducunt quod es Exodi <u>cap.XXI v. XXII et XXIII</u> [abrev.?] ubi ita habet vulgata versio quam Hieronymi esse nonnulli contendunt:	137- 138 nr. 31- 33	Alii cum Hippocrate et Aristotele inter effluxiones et abortum distinguunt, abortionem quidem procurare nefas esse, effluxiones autem prolicere licitum putarunt.[32] Trahunt huc insuper Hippocrate, qui lib. de nat. pueri part. iv psaltria compressae consuluit, ut in terram desiliret, atque ita genituram ejiceret. [33] Nec longe ab his abeunt, qui ex loco Exodi xxi. Supra adducto, versionem sequuti septuaginta interpretum ,ut vocant, elicete conantur, ἐμβρύον ἐχεικωισμὴνον, seu <i>foetum formatum</i> , ejici non debere, conceptum vero nondum formatum [pg 138] nec anima rationali informatum, sine crimine ad salvandam matrem elici posse.
4 v	*Quamquam autem speciose horum pleraque ita dicantur, ut minus cauto etiam imponere queant, tamen facile corrueant, si ad vera rationis tentimam? Singula exponderis, quod nobis quidem ordine nunc fiet. Quia vero pene omnia illa quibus abortus provocationem suaderi posse putant hoc nituntur	138 nr. 35- 36	Quamquam autem speciose horum pleraque proferantur, tamen specie recti fallunt, et facile corruunt, ubi ad verae rationis trutinam expenduntur. Quia vero pene omnia hoc nituntur fundamento, licere foetum ejicere, ut mater ab imminente periculo vindicetur; merito omnibus in genere Divi Paulli illud opponimus, ex Epist.

fundamento, un a matre imminens periculum avertant, eamq[ue] per foetus amolitionem sospitent; in genere merito impsis illud D. Paulli in Epist. ad Rom. cap. III v. IIX opponimus: Non esse faciend[m] mala ut inde eveniant bona; quod talim, ut addit (p – Apostolus) damnatio sit justa. Valde enim fallitur Plutarchus lib. de sera. num. vindict. quando in Medicina aito τὸ χρήσιμον καὶ δίκαιον εἶναι, quod utile sit, etiam justum esse. Licet namq[ue] in ijs forte quae Plutarchus ibi adducit, id locum habeat, dum ridiculum esse notat, si quis injuste fueri dicat, quod coxendicibus laborantibus iniuratur pollex, aut jecinore vitiato venter incidatur circa umbilicum; tamen in iis quae cum vitae fiunt*

5r *periculo possit parere, ut exemplis cocuimus, forte etiam periculum possit incurrere, atque ita res sit in dubi, an non rectius feceris et melius ~~tuis~~ (tuae) consulueris conscientiae, si naturae re committas atque ea adhibeas remedia, quae foetum matremque confortare, uterum dilatare et partum suo tempore facilitare queant, quam si cum conscientiae laesione vitam adimas foetui, vitaeque periculum una

ad Rom. Cap. iii vers. iix. *Non esse faciend[m] mala, ut inde eveniant bona: quod talim damnatio, ut addit Apostolus, sit justa*. Valde enim fallitur Plutarchus lib. desera Num. Vindicta, quando ait in Medicina τὸ χρήσιμον καὶ δίκαιον εἶναι, *quod utile sit, etiam justum esse*. Licet namque in iis forte, quae Plutarchus ibi adducit, id locum habeat, dum ridiculum esse notat si quis injuste fieri dicat, quod coxendicibus laborantibus inuratur pollex, aut jecinore vitiato venter incidatur circa umbilicum; tamen in is quae cum vitae fiunt discrimine, et conscientias cauterio inurunt idem tentare minime licebit.

139- Ea, quum & sine periculum possit
140, parere, ut exempla docent, forte
nr. etiam periculum incurrere, annon
39 rectius feceris, & melius consuluetis conscientiae, si totam rem naturae committas, atque ea adhibeas remedia, quae foetum matremque confortare, uterum dilatare, ac partum suo tempore facilitare [p. 140] queant, quam si maximo conscientia vulnerare vitam adimas foetui, vitaeque periculum una eademque opera accersas matri.

eademque opera accersas
matri.

5r Quod de angustia colli uteri,
annatoque tuberculo
adferebatur, ~~parvi etiam est~~
~~moneris~~ (non majoris est
ponderis). Si enim angustia
illa, sive a natura talis, sive a
tuberculo, magna fuerit in
foemina, non conceptum
tantum impedit, sed omnem
etiam cum viro congressum,
quale quid iis accidere silet,
qua vitio laborant, quod
Albucasis*

140, Quod de angustia colli uteri atque
nr. ei adnato tuberculo afferebatur,
40 non majoris est ponderis.
Angustia enim illa (sive a natura
talis, sive a tuberculo) si magna
fuerit in foemina, non conceptum
tantum impedit, sed omnem
etiam cum viro congressum.
Quale quid iis accidere solet, quae
vitio laborant, quod Arabes

5r Sin parva *fuerit angustia illa,
ignorabitur fere nihilque alid
eam consequetur, quam partus
forte difficilior, quem si
causam cognoveris,
prudentiae tuae fuerit
omnibus modis faciliorem
reddere. Quod si vero angustia
non quidem maxima, notabilis
tamen sit et quae periculum
possit minari, id facile mulieri
innotescet ex molestia et
difficultate quam in venerio
congressu percipiet, atq[ue]
ideo opem implorabit Medici,
qui eam, si necdum conceperit
periculo denunciato jubebit a
congressu abstinere donec
medicamentis debitis
impedimentum possit auferri*

140, Sin parva fuerit angustia,
nr. ignorabitur fere, nihilque aliud
41 eam consequetur, quam partus
forte difficilior, quem si causam
cognoscat Medicus, omnibus
modis faciliorem reddere
prudentiae suae industria
adnitetur. At si non quidem
magna sit angustia, talis tamen,
quae periculum in partu minetur,
id facile mulieri innotescet ex
molestia et difficultate, quam in
venerio congressa percipiet, atque
ideo opem implorabit Medici aut
Chirurgi, qui eam, si necdum
conceperit periculo denunciato,
jubebunt a congressu abstinere,
donec debitis medicamentis
impedimentum possit auferri:

5v *auferri: sin jam conceperit,
tempore gestationi operam
dabit ut quovis modo ante
instans tempus partus

140- sin jam conceperit, intervallo
141, gestationis operam dabunt, ut
nr. quovis modo ante instans partus
41- tempus tuberculum extirpetur,

<p>tuberculum extirpet, ut quod sui tantum amolitionem, non foetus deperditionem indicet: aut si contumax nimium id fuerit et rebelle, omnemque medici manum respuat, potius quam ut abortum quis provocet, foetum jam maturum et ad exitum paratum sectione illa extrahi, curarem, quam Cesariam * vocant</p>	<p>42</p>	<p>tanquam quod sui tantum amolitionem, non foetus deperditionem indicet: [42] aut si contumax id ninium fuerit, et rebelle, omnemque Medici operam respuat, potius, quam ut [p.141] abortum quis provocet, foetus jam maturus et ad exitum pronus, <i>sectione</i> illa extrahi curetur, quam <i>cesariam</i> vocamus,</p>
<p>5v quamque, si dextre administretur, citra periculum esse ac foetum eam matremque feliciter salvari pluribus docuerunt qua rationibus , qua exemplis Franc. Ronssetus xxx (lib. de partu Caesar.) et xx Casp. Bauhinus <u>ibid. in adpend.</u> noviterque notabili exemplo CL. Sennertus confirmavit <u>Inst. Med. lib. II. Sect. . cap. .</u> et alio insuper Phil. Hechstetterus <u>observat. Med.</u> <u>Dec. VI casu III in schol.</u></p>	<p>141, nr. 42</p>	<p>quamque citra periculum esse, si dextre administretur, ac foetum ea, matremque feliciter salvari pluribus docuere, qua rationibus, qua exemplis, Franc. Roussetus lib. De partu Caesar. et Casp. Bauhinus ibi in Adpend. [+] quibus adde expemplum quod habet Sennertus.⁹¹⁸</p>
<p>5v Vesica etiam (insuper) licet imbecillis ex sua natura oneri prementi facile cedat et pressa subsidat, urinamque eo (tanto) saepius deponite (ut) eogat(?), quod plerisque xxx? gravidis* foetu grandescente familiarie [lower margin] -</p>	<p>141, nr. 43</p>	<p>Vesica insuper licet imbecillis, ex sua natura oneri prementi cedit, et pressa subsidit, urinamque tantum saepius deponit, quod plerisque gravidis familiare esse novimus; et in non gravidis etiam usu venire, si uterus tumore praeter naturam correptus,</p>

⁹¹⁸ This last sentence, does not appear in the printed version (1643) but it does in Meibom 4, which shows how Meibom wasn't sure about how many nor which references to add to the argument. He had this reference to Sennert, then took it away, the reconsidered it.

		vesicae incumbat, exemplo docet IC. Claudinus, Confult, Med. Xvi
6r Adde quod foetus certa (?) (porro) moriturus non certum simul supponat matris interitum; quum illo extincto hec nihilominus salvari queat, nec gas sit ad interitum ambiguum praecavendum abortu concitato certo persiculo ambiguum super inducere periculum (praevertere)	141, nr. 43	Praterea foetus moriturus non certum simul ponit matris interitum: quum illo extincto, haec nihilominus salvari queat, nec fas sit, ad interitum ambiguum praecavendum, abortum concitate, ac certo periculo ambiguum praevertere.
6 v lethale pronunciavit Hippocrates <u>sect. V aph. XXX</u> docet que (et ostendant) exemplis duarum abortientium <u>lib. III Epid. sect</u> <u>II histor X et XI. item uxoris</u> <u>Olympiadae, quod es lib. VII</u> <u>Epidem. Cujus quidem</u> periculi (Galenus) duplicem reddit rationem <u>Galenus in</u> <u>comm. dist. Aphor. quod</u> (quia) videlicet (nempe) metu abortus nec venae sectionem aut purgationem eo casu administrare, nec tenui victus ratione uti liceat. Quod (Quanto) iam (igitur si) superveniat abortus, id adhuc periculosius erat (res periculi plenior erit), quum Hippocrates <u>loc. cit. aph. L.</u>	142- 143, nr. 46	Praeterea mulierem utero gerentem acuto morbo corripi, lethale pronunciavit Hippocrates Sect. v aph. xxx et edocuit exemplis duarum abortientium, lib. II Epid. Sect. I hist. x et xi item uxoris Olympiadae, lib. vii Epidem. Galenus duplicem reddit rationem in comm. Dicti aphor. quia nempe, metu abortus, nec venae sectionem, nec purgationem in acutis pragnantium statim administrare, nec tenui victus ratione uti liceat. Quanto igitur, si praeterea data opera concitetur abortus, res periculi plenior erit? quum Hippocrates loc. Cit. Aph. L eas etiam faeminas, quae febribus lenioribus gestationis tempore tentatae abortiuntur, periclitari

eas quoque foeminas, quae febribus lenioribus et calore praeternaturae gestationis tempore tentantur si abortum patiantur periclitam dicat. ~~Hæ~~ ~~xtur~~(?) (Itaque si quis) abortum per se periculosum concitare cupiat (satagat), id[ue] eo tempore quo ob morbum acutum praegnans in summo discrimine versatur, quid aliud is aget, quam ut de industria innocentis ~~eripiat~~ (ereptum eat) spiritum. Neque es quod dicas, foetu ejecto debitis medicamentis oppugnari posse acutum matris morbum, eamque salvari nam id virium dejectio tum abortum consequere, tum morbus ipse, tum puerperij etiam fluxum copiosum ex abortu proveniente minime omnium admittet. Licet etiam ex certo

7v voto ~~aliquando~~ sibi successisse 143,
~~qui dicat quod~~ abortus nr.
~~concliant~~ (conciliationem), 46
 foetuque expulso matrem a morbo vindicat~~xx~~(?) [F-
 glorietur] id rectum erit (3)
 ex(1) errore (2) judicandum,
 nequit Rod. A Castro, de
morb.mul. lib. III cap. XXI in
schol. quod imitari non licet
 nec [marg.- prudentiae
 medici] rationi tribuendum
 est, sed robori (2) mulierum
 (1) ~~per~~ quod errata medicanti
~~xxx~~(?) (voluit) sufferre.

dicat. Unde si quis abortum per se periculosum concitare satagat, idque eo tempore, quo ob morbum acutum praegnans est in summo discrimine, quid aliud is aget, quam ut de industria innocentis foetus caede patrata, matri insuper jam fatiscentem ereptum eat spiritum? Neque est quod dicas, foetu ejecto debitis medicamentis [p. 143] expugnari posse acutiem morbi, matremque salvari. Nam id virium deiectione, tum abortum consequens, tum morbum ipsum, tum puerperij fluxus ex abortu copiosus, minime omnium admittent.

Sit tamen, qui ex voto sibi successisse abortus
 provocationem; foetuque exturbato matrem a morbo vindicatam glorietur; *id rectum ex errore erit judicandum*, inquit Rod[rigo] a Castro De [universa] Morb[orum] Mul[iebrium] lib. III cap. XXI in Schol. quod imitari non licet, nec prudentiae Medici tribuendum est, sed mulierum robori quod erratum medicantis valuit sufferre.

7r	computationem praetera	144-	Computatio insuper mensium in
-	mensium in praegnantibus ex	145,	praegnantibus ex mensibus
7v	mensibus solaribus in eo	nr.	solaribus deducitur, duam fieri ex
	deductant, quam fieri ex	50	mensibus lunaribus oportere,
	mensibus Lunaribus docuerat		solide ostenderat Hippocrates lib.
	Hipp. I de septim. partu.] tum		De septim. Partu. Quin vel ipsa
	maxime ob hanc de psaltria		hac historia, Hippocratis [p. 145]
	historiam et juramento		jurajuramento, vitaeque,
	Hippocratis et ejus vitae		quanquam Ethnici, illibatae, ac
	illibatae morumq[ue]		morum sanctimoniae
	sanctimoniae adversissimam,		adversissima
	librum illum Hippocratis [f.7v]		
	non esse adfirmaverum		

5.2 Full texts and Translations of the introductory text of Meibom's commentary

5.2.1 Title Page

Hippocratis Magni ORKOC sive jusjurandum. Recensitum, et libro commentario illustratum a Joanne Henrico Meibomio. Lugduni Batavorum. Ex officina Jacobi Lauwiickii. CIOICXLIII.

From the great Hippocrates, the Oath [Greek] or Oath [Latin], reviewed and illustrated with a commentary book by Johann Heinrich Meibom, Leiden, from the workshops of Jacobus Lauwiickius, 1643.

5.2.2 Dedicatory letter

Latin text:

Magnificis, Nobilibus, Amplissimis viris, D. CHRISTOPHORO GEHRDES IVD., D. HENRICO WEDEMHOVIO, D. OTTONI BROKES, D. ANTONIO COLERO, IVD, consulibus; totique ordini senatorio, Reipublicae Lubecensis, dominis et amicis meis honorandis, S. P. D.

Anni hodie sunt septendecim, & quod excurrit, Consules Amplissisimi, Senatores gravissimi, quum illustis Guelforum Academia Jubileum suum, sive diem natalem quinquagesimum auspatura, [p. 2v] metu grassantis militis, hostiliumque direptionum, repente dissipari coepit, coetusque Scholasticus, & Collegae fere omnes in loca tuta se recipere, donec tempestas illa aut sedaret, aut Deus meliorque fortuna benigniore vultu communis patriae res adspectarent. Mihi in trepidatione illa non licebat esse tam felici, ut cum ceteris statim fuga me periculo subducerem. Exspectandus

erat nutus Serenissimi Principis, FRID-HULDERICI, cujus vices commodum sustinebam, magistratumque Scholasticum tempore turbatissimo, ut poteram, administrabam. Habita tamen licentia, ut me quoque cum meis in locum tutiorem reciperem, Suerinum diverti, ad socerum meum, virum clarissimum IOANNEM OBERBERGIUM, Consiliarium & Procancellarium Megapolitanum. Verum, quum & ibi mox omnia turbare viderentur, nec tempestas desaevire, novus hospes Vestrae Reipublicae accessi; certus animi fortunam in ea periclitari, & quid de me, porro fata decernerent, praestolari. Vix pedem, intra urbem posui, & undique mox clara mihi signa benivolentiae & adfectus singularis adfulsere, nec saltem a civium praecipuis, sed maxime [p. 3r] a vobis, qui ad clavum sedendo non nisi rectam statuebatis Reip[ublicae] navem. Nec vero amore tantum ac benivolentia venientem excepistis, haerentem fovistis; sed biennio nondum elapso, nihil tale cogitantem, ad capessendum locum Medici Reip[ublicae] Ordinarij, ultro invitastis, & luculentiori quidem stipendio, quam ante cuiquam alii obtuleratis. Neque nunc etiam cessat me fovere vestra ista benivolentia, non tam merito meo, quod sentio quam sit exiguum, quam benefico animi mihi bene cupientis impulsu. Igitur rationem mihi rerum mearum ineunti, & occasionem quaerenti, qua observantiam erga Vos meam possem contestari, Aelii Aristidis Sophistae illud occurrit. quo dicebat: Templum Deis esse consecranda, Viros eximios librorum dedicatione honorandos. Quod sequuturus, quum nihil aliud esset ad manum, IUSJURANDUM HIPPOCRATIS, libro commentario illustratum, vestro nomini, o eximii virorum, inscribere & dedicare animus impulit. Exiguum id scio esse munus, & nullam partem favoris demerendi, aut gratiae exsolvendae; pignus tamen erit, & debitae in vos observantiae ac [p. 3v] cultus, publicum & sincerum monumentum. Accipite igitur id Consules Senatoresque magni, & inprimis TU, CHRISTOPHORE GEHRDESI, qui caput hodie es, & agmen ducis sanctioris Consilii, & fere unus ex primis favoribus mihi superas, & ut diu supersis, precor. De tuis virtutibus non meae est jurisdictionis, nec hujus loci, sententiam ferre. Gaudent omnes, & credunt, TE Superum favore huic Reip. in id reservatum, ut novus Atlas fulcias ejus caelum, periculoso hoc tempore, quo fatalis calamitas, & vis major, toti Romano Imperio incumbit, DEUS OPT[IMUS] MAX[IMUS] TE, Collegas, Senatoresque ad unum omnes, Reip. bono salvos incolumesque servet, ut salutaribus ei consiliis in civium bellorum his flammis praesse, & sartam tectam in posteros feliciter transferre possitis.

LUBECAE proprid. Kal. Martias. Anno cld l b c xLiii.

Magnif. Nobil. Amplit.

Vestrae addictissimus

JOANNES HENRICUS MEIBOMIUS.

Translation:

[p.2r] To the magnificent, noble and most great men Sir Christophorus Gehrdes,⁹¹⁹ Doctor of both laws; Sir Heinrich Wedemhövius,⁹²⁰ Sir Otto Brokes⁹²¹ / Sir Antonius Colerus,⁹²² Doctor of both laws; to the consuls an all the Senate of the Republic of Lübeck, to the Sirs and my friends to be honoured, many greetings.

Today have been seventeen years and counting, great consuls, important senators, since the famous Academy of the Welf on the inauguration of its 15th birthday or jubilee [p. 2v] began suddenly to be dissipated because of the fear of violent soldier[s] and a hostile plundering. The Scholar Company and almost all Colleagues began to retire themselves to all places until that storm either ceased or God and a better fortune looked the things of the common fatherland with a kinder look. During that confusion, it was not allowed for me to be so fortunate so that I would draw me up from danger with the others in the spot of the fleeing. The called Serene Prince, FRIEDRICH- HULDERICUS⁹²³ was to be expected, the fortune of which I supported at the moment and in most troubled times, I managed the Scholar Magistrate as I could. Having permission nonetheless also to retire me with my people to a safer place, I deviated to Mecklenburg-Schwerin to my father-in-law, the illustrious Sir IOANNIS OBERBERGIUS, councillor and vice-chancellor megapolitanus. In fact, then and afterwards all things appeared disturbed, and the storm did not cease raving; I came to your Republic as a new host, determined in my soul to try fortune in it and whatever fate[s] determined afterwards for me. Hardly I put a foot in the city and not only the clear signs of good-will soon shined everywhere

⁹¹⁹ Christoph Gerdes, Jurist and councilor in Lübeck, where he was born; he studied in Jena. DNB, online <http://d-nb.info/gnd/132039796> (01.11.2022).

⁹²⁰ Heinrich Wedemhoff was Jurist and councilor in Lübeck, where he was born, studied in Strassburg. DNB, online <http://d-nb.info/gnd/124836674> (01.11.2022).

⁹²¹ Otto Brokes (April 13th 1574- August 24th, 1652) became councilor in 1628 and mayor of Lübeck in 1640. He was married to Gertrud von Straten and he was known as *Cato Lubecensis*. An epitaph can be read in the Marien-Kirche in Lübeck besides his portrait "*D.O.M.S. et Memoriae Magnifici et Ampl. Domini Ottonis Brokes, Con. Reipubl. Lub. post patrem Joannem et Hinricum fratrem Con. postquam is, pero XXIV annos Reipubl. summa integritate administrata, ad meliores evocatus priscae fidei meritorumque in civem optimam reliquisset memoriam, filii nepotesque hoc monum. posuerunt.*" DITTMER, Genealogische und biographische Nachrichten über Lübeckische Familien aus älterer Zeit, p. 20.

⁹²² Anton Coler (1585-1657) born in Lübeck he studied Law in Helmstedt and Jena. He carried out many official posts in Wolfenbüttel and Ratzeburg, and in 1642 he was also mayor of Lübeck. DNB, <http://d-nb.info/gnd/100729282> (01.11.2022).

⁹²³ Friedrich Ulrich (April 5th, 1591- August 11th, 1634) was Duke of Brunswick-Lüneburg and from 1613 prince of Wolfenbüttel until his death.

clear to me but also a singular affection, not even from distinguished persons among the citizens but most particularly [p. 3r] from you, who established the straight ship of the Republic only by settling it into firmness. And not only with love but with such good-will you received the one coming, foster the one remaining, not yet having passed two years; moreover, you invited to the one not-thinking about such thing to take the position of *Medicus Ordinarius* of the Republic and also with a more splendid payment than what you offered before to any other. And now also this good-will of yours does not cease to foster me, not because of my merit, which I feel is small, but because of the good impulse of well-disposed spirit to me. Therefore it came up to me the Sophist Aelius Aristides⁹²⁴ while considering my things and searching for the occasion in which I could call my works as a witness of my attention to you, because he said: “The temples are to be consecrated to the Gods, the distinguished men are to be honoured with the dedicatory of books.”⁹²⁵ Which follows, since nothing else was at hand; my soul urged me to write and dedicate to your name, oh distinguished among men!, the Oath of Hippocrates illustrated with a commentary book. I know that it is a small service and that no part oblige your favour nor undo your grace: it will be still a pledge and not only proper attention[s] to you but [p. 3v] an honouring, public and sincere monument. Accept it accordingly, great consuls and senators, and you among the first ones, CHRISTOPHORUS GEHRDES, you who are the head today and lead the number of the more holy Council and almost alone you surpass my principal favourers and I pray that you will surpass them for a long time. It is not of my jurisdiction to carry a judgment about your

⁹²⁴ Aelius Aristides (117-181) was a Greek orator and philosopher of the second sophistic. The fragment here quoted by Meibom belongs to the *Sacred Tales* (*ιεροὶ λόγοι*), where the author narrates dreams revealed to him by Asclepius. In the dream from which the fragment was taken, he describes a vision near the Lyceum where there was a temple with a statue of Plato. One of the followers of the philosopher said against Aristides’ implication of the novelty of the cult that there must be three more temples devoted to Plato. Aristides answers with the fragment quoted by Meibom. See.. P. Aelius ARISTIDES, *The complete works*, tr. Behr. BEHR, *Aelius Aristides and the Sacred Tales*.

⁹²⁵ Aristid. 361, 5-9 ἀλλ’ ἴσως, ἔφην, τοὺς μὲν νεὼς τοῖς θεοῖς προσήκει καθιεροῦν, τοὺς δὲ ἄνδρας τοὺς ἐλλογίμους τῇ τῶν βιβλίων ἀναθέσει τιμᾶν, ἐπεὶ καὶ αὐτῶν, ἔφην, ἡμῶν τιμιώτατα ἂ φθεγγόμεθα, ὡς δὴ τοὺς μὲν ἀνδριάντας καὶ τὰ ἀγάλματα τῶν σωμάτων ὄντα ὑπομνήματα, τὰ δὲ βιβλία τῶν λόγων. (But perhaps -I said- it is proper on the one hand to devote temples to the gods, on the other hand to honor high reputed men by dedicating books since -I said- the uttered things are also the most valuable to us, for statues and sculptures are reminders of the bodies, the books of words.) I decided to quote the complete phrase of Aristides because it includes the idea of monument (*monumentum*) or reminders (ὑπομνήματα) later recalled by Meibom.

virtues, nor is this the place. All rejoice and believe that you were preserved by the favour of the Gods of this Republic for it, that you as a new Atlas secure their heaven in this dangerous time in which fatal calamities and a greater strength press upon the whole Roman Empire. May God *Optimus Maximus* keep you, the Colleges and Senators safe and sound all at once for the good of the Republic so that you [all] can be present in these flames of the civil wars with beneficial consultations for it and successfully carry the mended shelter to the coming generations. Lübeck, two days before the Calends of March [February 27th], the year 1643.

To the most magnificent, noble and great men,
Yours most devoted,
Johann Heinrich Meibom.

5.2.3. Letter to the reader

Latin text:

Benivolo Lectori S.

Sanctissimum Hippocratis Iusjurandum, benivole Lector, mihi quidem dignum semper visum fuit pleniori aliqua enarratione, e qua Medicinam facturum discere posset, quis in artis exercitatio esse deberet. Praegnans siquidem est materialium, et multa paucis includit, quae a nemine hactenus pro rei necessitate fuerunt explicata. Nam quae *Theodorus Zuingerus*, *Ioannes Heurnius*, *Ioannes Obsopoeus*, *Petrus Memmius*, *Franciscus Ranchinus*, Viri Clarissimi, in id notarunt, in universum pauca admodum sunt, et concisa. Quae vero Henrico Monantholius in idem scripsisse, Praefatio in *Mechanica* Aristotelis commemorat, aut superiori seculo *Blasius Holerius*, et non ita pridem *Franciscus de Francisci* commentati sunt, nec videri huc usque a me, nec investigari potuere. Operae igitur precium me facturum putavi, si laborem eum mihi sumerem, a quo et fructus in plures manare, et mihi taedium leniri posset, quod ex continuis fere perambulationibus aegrotorum, in populo urbe, animo obrepit. Nec tamen plane adcuratum quid, numerisque omnibus absolutum exspectaveris, sed tale, cui nihil aliud temporis a me potuit impendi, quam occupationibus, quas dixi, et quarum multitudine distingor, fas erat suffurari. Quod si cui prolixior fuisse fors videbor, quam res postulaverit, is sciat non *Notas* in Iusjurandum, me [p.] conscripsisse, sed *Commentarium*, aut potius *Discursum*. Sciat nunquam nimis inclulcari ciquam id posse, quod in vita sequi debeat. Si cui etiam nimius fuisse videar in Etymologiis, aut aliis minutiis, cum eo non magnopere contendam. Nec tamen id feci sine exemplo summorum Scriptorum, Platonis, Aristotelis, Philosophorum Principum; Varronis, Ciceronis, Romanorum illius doctissimi, hujus eloquentissimi:

cum quibus hac equidem in re malim errare, quam cum eo, qui ista reprehenderit, bene sentire. Hoc vero semper cavi, ne quid a quoquam sumerem, cujus non simul adscriberem nomen; ne quem laude sua videar intervertisse. Tu boni ista, Lector, consule, et, si faveris, alia propediem a me expecta, ubi vitam mihi prorogarit Deus. Vale.

Translation:

[p.6] To the benevolent reader,

The holiest Oath of Hippocrates, benevolent reader, seemed indeed for me always worthy, more complete than any other exposition from which the future practitioner could learn Medicine, who would be in the practice of the art. Indeed, one is filled with topics and included many things in a few that so far were not explained by anyone on account of the exigency of the matter. For the things that Theodor Zwinger, Jan van Heurne, Johann Obsopaeus, Peter Memm, and François Ranchin,⁹²⁶ most brilliant men, annotated in it are as a whole very little and concise. What indeed Henricus Monantholius⁹²⁷ wrote about the same, he mentioned it in the preface to the Mechanics of Aristotle; or in the past century Blasius Hollerius and thus not long ago Franciscus de Franciscis⁹²⁸ studied it, and these could not be investigated nor seen thus far by me. Therefore I thought that I would make the value of the work if I assumed that task, from which the fruit could flow into many and the tediousness could be lightened for me, which suddenly comes in the soul out of the almost continuous visits to the sick in a crowded city. And by no means, you shall have expected something studied simply and detached from all imperfections, but such for which nothing else of time could be devoted by me than in its employments, which I mentioned and in which I engage myself in a great measure, it was right to filch it. For if by chance I will appear to someone that the matter was more extended than it would have required, let him know that I did not write notes to the Oath [p.7] but a commentary or even more a discourse. Let him know that it could never be excessively inculcated to

⁹²⁶ For all the commentaries of these authors See 1.3.3.

⁹²⁷ Henri de Monantheuil (1536? -1606) was a French mathematician and physician born in Reims. He was professor of Mathematics in the *Collège de France* (1574) and died in Paris. About the passages here referred by Meibom, there are only two mentions to Hippocrates of little importance in the first and last page of the preface. In the commentary itself there is a reference to a commentary on the Hippocratic Oath wrote by Monantheuil, a work I could not find. Monantheuil, Henri de, *Aristotelis Mechanica graeca, emendata, latina facta et commentarius illustrata*, Parisiis, apud Ieremiam Perier, 1599, p. 3. *Et in nostro commentario Iurisiurandi Hippocratis de Hippocrateo medico...*

⁹²⁸ See Chapter 2.3.3.1 and 2.3.3.7.

anyone what he must follow in life. If I appear to someone that I also was excessive in etymologies or in other smallness, I will not contend against him too much. By no means had I done it without the example of the greatest authors, of Plato, Aristotle, prince of the philosophers; Varro and Cicero, a most instructed man among Romans, the most eloquent of them; with which I certainly prefer to err in this matter than to agree with him, who might reprehend me in this matter. I always beware of this, that I would not ascribe something to anyone, to which I did not add a note at once, nor do I appear to alter him because of his glory. If you, good lector, consul, favour this matter, very soon expect other things from me as long as God extends life to me. Farewell.

5.3 Chapter's index translations

[p.1] First Chapter – 'About Hippocrates'

Summary

1. The intention of the author. 2. If it is to be sought about the author of the book. 3. Many Hippocrates. 4. How they were transmitted by the word of the son of Hippocrates. 5. Cardanus' alluded. 6. Hippocrates for the physician's profession. 7. The great Hippocrates. 8. His genealogy. 9. The disagreement by Reineccius and Henningesius 10. The glory of the great Hippocrates. 11. If the Oath is his. 12. If the same was known by Galen. 13. The commentary on the Oath supposedly of Galen. 14. It seems that Galen has known the Oath. 15. Author of the commentary on the Aphorisms of Hippocrates attributed to Oribasius. 16. Testimonies of Scribonius Largus about the Oath. 17. of Soranus of Ephesus. 18. Of Erotian. 19. Of Master Jerome and Gregorius Nazianzenus. 20. Of Theodorus Priscianus. 21. Of Suidas. 22. Of the Arabs. 23. Hippocrates author of the Oath. 24. For whom was it laid down? 25. And for what reason.

[p.14] Second Chapter – 'Oath'

Summary

1. ὅρκος, ὅρκιον. [both words mean oath] 2. ὅρκος different etymologies. 3. "*Jusjurandum, jurandum*" [both words mean oath] 4. Jupiter -sworn 5. The Erinyes, clamant of a false oath. 6. Jupiter ἐπώμοτος (witness of the oath) 7. The trustier deity 8. Oath [*Sacramentum*] 9. The etymology of *sacramentum* 10. *Juramentum* (oath) 12.[sic] [Lorenzo] Valla alluded and the Palermitan [Antonio Beccadeli] 12. *Dejurium* (oath) 13. of the small speech: About the meaning in different compositions. 14. Which Oath? 15. Aristoteles explained 16. Religion 17. To be bound and freed from religion. 18. The scruple of Mynsingerius 19. Negation is sometimes included under

affirmation. 20. Aristoteles illustrated 21. Franciscus Philelphus praised 22. Oath ἔπακτον (imposed), ἐπώμοτον (sworn), κατώμοτον (sworn in an affirmation), ἀπώμοτον (abjured). 23. Oath negative (*abnutivus*) and affirmative (*adnutivus*). 24. The species of oath according to legal experts. 25. To which species belongs the Oath of Hippocrates?

[p.21] Third chapter – ‘I swear by Apollo’

Summary

1. Three parts of the Hippocratic Oath. 2. The etymology of swearing. 3. To give an Oath (Greek) 4. to give an Oath (Latin) 5. to say 6. to do 7. to execute 8. to swear an oath, pleonasm 9. Swearing, asseverations on oath 10. common Greek pleonasms 11. Testimony of the numina in the Hippocratic Oath 12. The cause of the multiple gods among gentiles 13. Other cause 14. The opinion of Macrobius about the plurality gods of the ancient. 15. Also of Philippus Claverius 16. The opinion and proposal of the author.

[p. 26] Fourth chapter – ‘Apollo the healer’

Summary

1. Apollos, four or six 2. The third amongst them, the inventor of medicine. 3. From him, the art of medicine is Apollonian 4. and Phoeban 5. Where does the name of Apollo come from? 6. from Phoebus also 7. Apollo, the physician 8. Apollo Paeon 9. the Paeonian art 10. The Paeonian hymn 11. Apollo healer 12. Many other surnames and epithets 13. its invocation in sicknesses 14. the holy gymnasium for Apollo among Athenians 15. The sacred septenary number for the same [Apollo]. 16. The function of foreseeing attributed to Apollo. 17 Medical prognosis 18. Temples of Apollo (Ἀπολλώνια) 19. The representation of Apollo physician. 20. Why is he represented with an unbearded face? 21. Among the Syrians truly bearded? 22. What do the added snakes mark? 23. Also the bow. 24. and the lyre? 24 [sic]. And why accompanied with the Graces? 25. Physician ‘graceful’ or agreeable.

[p. 35] Fifth Chapter – ‘and Asclepius’

Summary

1. The Aesculapius of Cicero are three 2. Aesculapius of Hippocrates 3. His mother is Coronis, [daughter] of Phlegya F. 4. or more possible Arsinoe Messenian 5. the things of Coronis firstly said 6. Uncertain father 7. But Apollo is credited for it 8. Frauds of the priests of Apollo 9. Medicine was in other times proper of kings and princes 10. Aesculapius, shortly after being born, was left outside to die (*expositus*) 11. The etymology of his name is manifold 12. Preceptors 13. The skill in making medicine 14. Praises

and commendations 15. Wife and children 16. It is believed he was stroke by lighting 17. About what it is doubted 18. When he was taken to the divine honours of heaven 19. Temples of Asclepius (Ἀσκληπιεῖα) 20. Many temples of Aesculapius 21. The opportunity of constructing a temple of Rome 22. ἐγκοίμησις (sleeping in the temple) or incubation 23. Why is Aesculapius bearded? 24. And according to Phliasios unbearded? 25. His knotty stick 26. Why was a serpent added to it? 27. and a dog? 28. Only one goat was immolated for Aesculapius 29. And hens with black beaks and feet and an odd number of fingers. 30. And a rooster 31. The representation of Aesculapius 32. Why is the chest naked, the rest of the body covered 33. The physician dressed according to the ancient men 34. Aesculapius dressed in a pallium 35. Likewise crowned and covered with felt. 36. Hymn to Aesculapius 37. Why did Hippocrates not promulgate the Oath by Paeon, physician of gods?

[p. 52] Sixth chapter - 'And Health, and Panacea.'

Summary

1. The triple meaning of the Name of Health. 2. Health (*sanitas*) according to Romans. 3. In the Oath of Hippocrates is to be read ὑγία 4. The sons of Aesculapius 5. the daughter 6. Among them, Rome or Valentia [*strength*] 7. From which was the daughter named. 8. All experts and practitioners of Medicine. 9. Aesculapius 'blest with children' 10. Women practitioners and learned in Medicine. 11. Cults and temples of Health 12. Welfare (*Salus*) according to Romans 13. Birthday of Welfare, Welfare-Door, Welfare-Village. 14. Health worshipped with [her] Father 15. also alone 16. Health cup-after-hand washing (μετάνιπτρον) 17. The omen of Welfare 18. Image of Hygeia 17.[sic] and matronal habit 20. Hymn of Ariphon to her 21. of Orpheus 22. Meditrina (Goddess of Healing) and Meditrinalia (festival in her honour) 23. Health worshipped with Minerva 24. Surnames of Minerva 25. Medical Minerva 26. Begging to Minerva in sickness 27. The sacred snake of Minerva 28. Guido Panciroli alluded 29. by Marcus Zuerius van Boxhorn disagreed. 30. Health, daughter of Aesculapius, wife of Orpheus 31. Panacea 32. The herb Panacea 34. Panacea Paraelsistarum [sic] 35. The worship of Panacea 36. Why Hippocrates so mentions two daughters of Aesculapius in the Oath? 37. Why did he disregard his sons?"

[p. 66] Seventh chapter - 'And all the gods and goddesses, making them witness'

Summary

1. Different readings in the text. 2. The intention of Hippocrates 3. The formula of the oath "for all the Gods and Goddesses collectively (συνλήβδην) 4. Other formulae, where firstly after being named some of them, it was then sworn by all. 5. Other, sworn indiscriminately by Gods and many Goddesses. 6. Gods summoned as testifiers (ἱστορες) 7. Gods as witnesses (μάρτυρες) 8. To swear by the mindful Gods 9. by the judgmental Gods 10. To call the Gods and to be called 11. The formula of swearing of Master Paul.

[p.71] Eighth chapter- 'that I will carry out, according to my capacity and judgment, this oath and written contract'

Summary

1. The perfect oath and to swear religiously an oath [Greek] 2. Perfect oath [Latin] 3. To make perfect an oath 4. Written contract (ξύγγραφή) 5. The agreement (συμφωνία) 6. Written by the hand (χειρόγραφος) 7. Syngrapha, Syngraphus (a written agreement) 8. Covenant 9. Covenant and contract differ from each other 10. The intention (*mens*) of Hippocrates 11. According to my capacity and judgment 12. In respect of the capacity and of the potential. 13. According to have known and be able 14. According to intelligence 15. with a sincere study 16. Faithfully and with the best diligence 17. With all strength 18. Reason and cause of the said formulae.

[p. 75] Ninth chapter - 'To hold my teacher of this art equal to my parents; to make him a partner in livelihood; when he is in need of things to give him a sharing.'

Summary

1. The second part of the Oath 2. Different reading in the text. 3. Which ancestors? (γινέται) 4. The parents must be honoured 5. After those, the teachers [must be honoured] especially 6. And deservedly 7. The examples of the honoured teachers 8. The tradition of consecrating to the teachers after God 9. The irreverence of the disciples to the teachers 10. Parents must be supported 11. Against-nourishing, against-adoption (ἀντιθρεπτήρια, ἀντιπελαργήματα) 12. The teachers must be supported 13. Make a common share of life 14. To show 15. P. Memm mentioned 16. Life (βίος), polysemantic 17. The necessary things (ἐπιτήδεια) 18. Need, lack 19. The part of Sira explained by Goldastus 20. To need things necessary 21. to make a sharing 22. The example of those who do good to the teachers.

[p.83] Tenth chapter - 'to consider his descendants as my brothers, and to teach them this art, if they want to learn it, without fee or contract.'

Summary

1. The vice of ingratitude 2. The gratitude of Hippocrates 3. of Aristotle 4. Why should good be done to the children of the teachers 5. etymology of brother. 6. Male brothers 7. disunion of brothers 8. What is masculine for Greeks 9. what is masculine for Latins? 10 The meaning of the words of Hippocrates 11. Different meanings in text 12. The children of the teachers are to be taught by the students without fee 13. Salaried to teach, and he is able to demand a teacher's fee (διδάκτρον) 14. Do the payment (μισθός) differ from the teacher's fee (διδάκτρον)? 15. Examples of the teachers that taught for free 16. There must be a reason for the poorer teacher, also for the salaried 17. It is not paid by merit to teachers and to the physicians, but it is worked for them by arrangement 18. When the free will is forgotten by students, it is permitted to receive from teachers 19. Moderation in receiving rewards 21. the greediness of Jacobus Silvius 22. the mistake of Andrea Aliciato.

[p. 93] Eleventh chapter - 'to impart the precept, oral lecture, and all the rest of the instruction.'

Summary

1. The teaching of Hippocrates more commonly reported 2. instruction (παραγγελία) 3. oral communication (ἀκρόασις) 4. The custom of the ancients to be gathered and collected. 5. selections (ἐκλογαί), compilations (παρεκβολαί), compilations (*excerpta*) 6. The double type of the writers of the ancients. 7. Aristotle exoterica and acromatica 8. From where it is called exoterica? 9. ordinary recurrent (ἐγκύκλια) 10. Vatablus, Montecatinius, Ramus, alluded. 11. The mystic sermons of the Pythagoreans 12. the election by hand (χειροτόνητα) of Democritus 13. The work *On nature* of Heraclitus 14. The letter of Darius to Heraclitus 15. The difference of the writings of Plato 16. and the Pythagoreans 17. and Hippocrate 18. The collection of the Aphorisms and the Epidemics 19. What is instruction (παραγγελία) and oral communication (ἀκρόασις) for Hippocrates 20. What does he mean by 'all the rest of the instructions' (λοιπὴν ἀπασὶν μαθησιν) 21. Hippocrates explained based on Aristotle 22. on Galen 23. Meaning of the words of Hippocrates.

[pg 100] Twelfth chapter - 'to my sons, the sons of my teacher, and to pupils who signed and sworn on the medical law, but to nobody else.'

Summary

1. The difference between the pupils of Hippocrates 2. Propagation of medicine through Asclepiads 3. Sons of physicians (Greek) 4. Physician of the Paeonian family 5. Pupils under contract (συγγεγραμμένοι) 6. sworn 7. the word 'law' is 'polysemic' 8. [meanings] of the word Law according to Plautus 9. The double oath of the pupils of Hippocrates 10. Hippocrates did not want to teach everyone 11. Envy to be fatten from Medicine 12. Hippocrates, an expert in envy 13. The sacred thing is not to be revealed to profanes 14. Orgies and mysteries? 15. The usage of transmitting the arts only to the initiated 16. Usage of the Armenians 17. Of Chaldeans 18. of Hebrews 19. of Druids 20. of Pythagoreans and Platonics 21. of Brahmins 22. Closed and open book of the Doctors to be 23. Initiated, not initiated 24. the light of Hippocrates from Villanova 25. from Tralles 26. The precepts and remedies of medicine are revealed badly to people 27. and with harm for the sick ones 28. The German translation of the civil law is insufficient. 29 Hippocrates wrote in his mother tongue, but not for everybody but the experts 30. and he was not understood but by himself and by the lecturer experienced in the art 31. The cause of the error of the commentaries on Hippocrates 32. Also of Galen himself 33. The opinion of Craton 34. The revocation of certain physicians and hence the repentance and penalty 35. and Galen did not write for everybody what he produced. 36 not also from certain Arabs like Haly Abbas 37. and Averroes 38 and Razes opinion about the suited for Medicine.

[p. 111] Thirteenth chapter - 'I will use the treatment of diet to help the sick ones, according to my ability and judgment, I will keep myself from injury and wrong-doing.'

Summary

1. Different reading in the text 2. for helping the sick ones (ἐπ' ὠφελείη καμνόντων) 3. What is regimen (διαίτημα)? 4. the word 'diet' (διαίτης) is ambiguous. 5. its origin 6. Diet in the oath, what does it indicate? 7. its use 8. The goddess *Victa* and *Potua* 9. the error or ignorance of Paracelsus 10. who is disproved by few 11. and he disproves himself. 12. the time of Hippocrates 13. according to my ability and judgement (κατὰ δύναμιν καὶ κρίσιν) 14. Faults in the diets of the sick ones 15. the hiding-places of impostors under their words 'according to my ability and judgment' 16. The function of a Magistrate in this part 17. The benefits in foods 18. what is 'mischief' (δήλησις)? 19. 'injustice' and 'fault' (ἀδικία and ἀμάρτημα) 20. what is εἶρ-ξεν? (to keep away - infinitive future) 21. the meaning of the words of Hippocrates 22. Fabius Calvus alluded.

[p.119] Fourteenth chapter – ‘I will not give any lethal drug to anybody when asked to, nor will I indicate such a prescription.’

Summary

1. Three negations among Greeks most highly negate 2. The double etymology of drug (φάρμακον) 3. and its double meaning 4. as also of medicament (*medicamentum*) 5. and of venom (*venenum*) 6. and poison (*virus*) 7. Lethal drug 8. The physician does not give venom not even to the enemy 9. Julius Alexandrinus alluded. 10. and Justus Velsius 11. but doubtfully 12. If Hippocrates was mistaken at some time in this allowance? 13. Romans cheaters of venoms did not test them not even against enemies 14. Fabricius Cos, a moral example of the Roman 15. The unproved deed of Manius Aquilinus 16. The evil deeds of physicians of Eudemius and Xenophon 17. of Fridancus 18. and Zedechia Judeus 19. and others 20. Pius deceit of the slave towards the house 21. and of Physicians according to Apuleius 22. Similar piety of Cleophantus 23. The punishment of the western physician 24. to conduct and indicate a prescription (συμβουλίην ἡγήσασθαι and ὑφηγεῖσθαι) 25. To put or take it into conscience 26. About venoms as it should be conducted by the Physician 27. What is poisoning? 28. Indeed the selling of venom is prohibited 29. The unproved incident of the State's Physician of Annaeus 30. If they distinguish between show and give a venom, as it is shown 31. The physician Archigenes, did he transgress the oath of Hippocrates? 32. Is it permitted for the physicians to try the strength of venom and antidote in the condemned to death? 33. The execution of Herophilus 34. and of [Berengario da] Carpi 35 and of [Leonardo] Fioravanti.

[p. 131] Fifteenth chapter - ‘Similarly, I will not give a destructive pessary to a woman. Pure and holy I will keep my life and my art.’

Summary

1. ‘oval stones’ (πεσσοὶ) and ‘chip-stones’ (πεσσὰ) generally 2. pessaries (*Pessi*) and oval medicaments (*pessaria*) for physicians 3. ‘Pessaries’ (πρόσθετα) 4. ‘Clysters’ (ἐγκολπισμοὶ) are different from pessaries 5. ‘Suppository’ (Πριαπίσκος) or pledget (βάλλανος) 6. Destructive pessary (πεσσοὺς φθόριος) 7. Destructive medicaments 8. to expel 9. ‘Abortion producers’ (ἀμβλωτικός) 10. ‘philtres’ (ἀγώγιμος) 11. Abortive potion 12. abortion 13. ‘Attempted abortion’ (ἐκτροσμός), ‘efflux’ (ἐκρυσίς), ‘abortion’ (ἄμβλωσις) 14. ‘Efflux’ is different from the others 15. ‘abortion’ and ‘premature delivery’ are different 16. The greatest duty of women, to take and take care of the conceived one. 17. To provoke an abortion is the greatest evil. 18. The piety of Hippocrates 19. Under the words ‘corruptive pessary’ it is also comprehended other types of abortives. 20. Hippocrates explained by Scri-

bonius 21. Galen agrees with Hippocrates 22. the punishment in the Holy Scriptures for driving out the fetus 23. In Canon Law 24. Bulla of Sixtus V 25. Censure of Solon and Lycurgus against executors of abortions 26. Many sanctions of Civil Law 27. the decree of Valentinian, Valens and Gratian 28. To put under an abortive pessary or give it to be put, do they differ? 29. Sentence of the Canon [Law] 30. Consciousness to deliberate? 31. When did some think the abortion was to be managed? 32. and some were sheltered by the example of Hippocrates 33. and by the passage in the Exodus about the difference of the formed and not formed fetus. 33. [sic] which the Canons also retained 35. and the Constitutions of the empire 36. Bad things must not be done for good things to happen. 37. The smallness of the uterus is not a cause by which the fetus must be driven out 38. Small women indeed give birth frequently without risk. 39. Are the signs of the smallness of the uterus certain? 40. The narrowness of the uterus does not indicate corruption of the fetus. 41. Women 'without aperture' or 'non-perforated' 52. [sic] Administration of the Caesarean section in pregnant [women] 43. the abortion is to be provoked due to the weakness of the bladder. 44. Nor because of acute disease of the mother 45. Abortion is by itself dangerous 46. and more happening in an acute disease. 47. The flux (ἔκρυσις) must not be induced in pregnant women 48. The opinion of Tertullianus about this 49. How do that certain people excuse the story of Hippocrates about the harpist? 50. Book *De natura pueri*, of Hippocrates? 51. The passage of the Exodus was placed in the balance. 52. The opinion of the Greek translator [p. 132] 53. And of the Latin [translator] 54. The Greek translation is not authentic 55. Hebraic translated word-for-word 56. Rabbis Avenezra and Salomon alluded 57. The meaning of the Hebraic text 58. The opinion of Dionysius Richel and others 59. at what time is the fetus alive 60. around 30th or 35th days? 61. It is more probable that a moving fetus is animated sooner. 62. and indeed instantly at the conception itself 63. The praised bulla of Sixtus V 64. Conclusion of the argument 65. The golden opinion of Hippocrates 66. Explained by Zwinger 67. The praise of Zenon Alexandrinus 68. and Daphnis the Ephesian 69. and Jamblichus.

[p. 151] Sixteenth chapter - 'I will not cut, not even the ones who suffer from stone, but I will give place to men practitioners of this operation.'

Summary

1.- Stones, in which part of the body they are generated 2. Stone generated in the cheeks 3. in the ligament of the tongue 4. stone disease or callosity within the eyelid (λιθίς and λιθίασις – both interchangeable) 5. How do λιθῶντες and λιθιῶντες differ? (both are 'one who has stones') 6. What did Hippocrates understand here by 'one who has stones' (λιθῶντας). The

cutting of the kidneys 8. Did Hippocrates know a remedy to break the stone? 9. Is the 'stone disease' (λιθίασις) curable without cutting? 10. Does the surgery or operation by the hands belong to Medicine? 11. the opinion of Avenzoar and Oribasius 12. true opinions 13. Surgery, a part of Medicine 14. Authors of surgery 15. Machaon and Podalirius' diverse studies 16. Apollo with soothing hand (ἡπιόχειρ) 17. Clinical physicians and surgeons 18. Surgical operations assigned to physicians 19. and surgical instruments 20. Hippocrates' surgical works 21. Galen engaged himself in surgery 22. Physician and also surgeon 23. Minister of physicians and surgeons 24. his requirements 25. Barbers today, do they deserve the name of surgeons? 26. Butcher of physician 27. With which regard for the hands does the Physician operate? 22. [sic] Physicians of the rest of the parts 29. Ocular, dental and auricular physicians 30. Lithotomists from the accounted [physicians] 31. What is 'work' (ἐργάται)? 32. The physician is an expert 'taking in hand' (ἐγχειρήσεως) 33. Did Hippocrates, considering the cruelty, set himself aside from the cutting of the stone? 34. more truthful cause 35. Two meanings of the words of Hippocrates.

[p. 164] Seventeenth chapter - 'To whatsoever houses I may enter; I will go in for the assistance of the sick ones, being away from all voluntary injustice and harm, and other especially of the sexual acts.'

Summary

1. The pleonasm is habitual for the Greeks 2. the manner of bad physicians 3. The letter ascribed to Pliny the second 4. Extorsion of profit during the torture of the disease. 5. the joke of Martial 6. and of Philip of Macedonia 7. it is prohibited for the physicians during the sickness to bargain with the sick one 8. The greatest infamy of the physicians, to seek for work. 9. The health of the sick is the supreme law of the physician 10. the learned physician can indeed sometimes be slightly mistaken 11. Especially at the beginning of the sickness 12. the example of Hippocrates 13. of Galen 14. of Avenzoar and of [Johannes] Matthaeus [de Ferraris] de Gradibus 15. And no indeed those make mistakes which are inexperienced. 16 the law of Egyptians carried by Bocchorides 17. the crime of Austrigildes 18. and of Alexander the Great 19. and of the emperor Antoninus 20. it is charged to the physician because he commits a fault because of ignorance 21. and it is punished but with an extraordinary punishment 22. the meaning of the words of Hippocrates 23. Different reading in context 24. Gorrhaeus is alluded, also the Glossae of Scaligeri 25. 'corruption' (Φθορή), seduction 26. Ulterior meaning of the words of Hippocrates 27. Gorrhaeus again alluded 28. what is 'distraction' (ἄλη)? 29. what is an impostor (*planus*)? 30. 'sexual acts' (ἐργα ἀφροδίσια) 31. 'to work', 'the work' (ἐργάζεσθαι, ἐργασία)

32. work, works (opus, opera) 33. to be in action (ἐνεργεῖν) 34. 'notoriously' (ἐπ' αὐτοφώρῳ) 35. Chastity must be preserved in the physician 36. Aesculapius Agnites 37. 'nettle' (κνίζα) according to the scholars of Theocritus 38. the lumbar zone of physicians, what is alluded? 39. Adulterous and lustful physicians 40. Didymon 41. Appollonides Cous and his punishment 42. Vettius Valens 43. Eudemus.

[p. 177] Eighteenth Chapter - 'upon the bodies of women and men, free or slaves.'

Summary

1. Different readings in text 2. the 'violent' (ὕβρεως) law of Solon 3. 'Slaved bodies' (σώματα οἰκετικά) 4. the condition of slaves according to the ancient 5. Why Hippocrates also did not want abuses to be made to slaves? 6. the opinion of the law consultants 7. things called in question 8. own opinion 9. the meaning of the words of Hippocrates 10. for which things it condemns the male sex (man to man) 11. The impurity of that and an impious crime 12. in other time familiar for the sodomites 13. and for Greeks 14. and for Persians 15. and Romans 16. and French 17. and unknown to the Germans of other times 18. Doubt about these [Germans], removed 19. the punishment of crime in the Holy Scriptures 20. Among Greeks 21. among the Goths 22. the Romans 23. Lex Scantinia 24. Examples of punishment from the Romans 25. The *Rescriptum* of Constantinus and of Constans and of the emperor Justinian 26. of Leon and Constantinus 27. of Valentin, Theodosius and Valentinianus 28. other opinions of Justinian 29. Ecclesiastical censorship against that crime 30. The *rescriptum* of Constantinus and Constans explained 31. to marry a female 32. to stretch, to encourage, aphrodisiacs 33. Disagreement with Dionysius Gothofredus 34. Law of Charondas 35. of Persians.

[p. 187] Nineteenth chapter - 'And what I shall see or hear during the treatment or outside of it about the life of men, which it is not necessary to be called out, I will keep it secret, considering such things not to be divulged.'

Summary

1. Different readings in text 2. In which form did Anacharsis Scythian sleep 3. the advise of Hippocrates about keeping silence 4. the counsel of Periander about silence 5. and of Siracides 6. and of Agamemnon 7. the use of silence 8. of the noxious chattering 9. and the abomination of it 10. the imposition of the silence of the philosophers 11. 'silence' (ἔχεμυθία) 12. The silence of Pythagoreans 13. the silence is most convenient for the physician 14. The image of Harpocrates in the temples of Isis and Serapis 15. The

silence of physicians is based in the natural law 16. Does the physician questioned by a judge have to reveal the secrets of the sick ones 17. The thrown scruple by Valleriola 18. which was removed 19. Medicine of Virgil why is it called silent 20. the opinion of some 21. own opinion 22. the meaning of the text of Hippocrates 23. Hippocrates explained, according to Master Hieronymus.

[p. 193] Twentieth chapter - 'If I do this oath completely and do not violate it, may I be [held in honour] to enjoy the benefits of my life and art'

Summary

1. The third part of the oath of Hippocrates 2. 'to be sworn' (Ἐμμένειν ὀρκῷ) 3. 'to swear truly, keeping one's oath' (εὐορκεῖν, εὐορκος) 4. the formulae to end oaths 5. 'to violate the oath' (συνχέειν ὀρκον) 6. those persons who bring ruin 7. 'to transgress the oath' (παραβαίνειν ὀρκον) 8. Double reading in text 9. 'enjoy the benefit' (ἐπαυρέσθαιτο) 10. double vow of Hippocrates 11. which follows of one and the other 12. The longevity of Hippocrates 13. and the success in practising the art 14. If the physician needs fortune in the practice of his art 15. the opinion of others 16. and of astrologers 17. what is fortune? 18. the decision of the inquiry 19. Where there is a lot of art, there is a lot of fortune 20. Apophthegm of Chilon [of Sparta] 21. For the physician, things do not always succeed according to the vow. [p. 194] 22. 'the physician heals' (Ἀκεσίας ἰάσατο) 23. Medicine the art 'that proceeds by guesswork' (στοχαστική) 24. The end is not in the power of the one which operates 25. another function of the artist, another end 26. Does nobody think that the physician is fortunate? 27. could he be truly fortunate? 28. Medicine grants [a place] to Gods 29. example of the Virgilian stone 30. opinions of others about the fortune of the physician.

[p. 203] Twenty-first chapter - 'May I be held in honour among all men forever.'

Summary

1. held in honour among all men (δοξαζομένῳ παρὰ πᾶσιν ἀνθρώποις) 2. for eternity (εἰς τὸν αἰεὶ χρόνον) 3. Hippocrates lover of glory 4. Glory, the prize of virtue 5. Glorious Hippocrates 6. Decree of the senate (*senatus consultus*) of the Athenians about Hippocrates 7. of the Prytanes of Athens 8. the king Artaxerxes summoned Hippocrates 9. the vigorous answer of the people of Cos in favour of Hippocrates 10. The honour of the Abderites for Hippocrates 11. Praises of Hippocrates 12. Cos, the island called 'to carry the gods' (θεοὺς φέρειν) 13. The Paracelsians have enough of regarding themselves under the authority of Hippocrates 14. The bees, settled in Hippocrates' tomb, press medicinal honey. 15. the bees settled in the

mouth of Plato and Stesichorus 16. in the inscription of the image of Hippocrates in Urbino 17. in the inscription of the tumulus of Hippocrates.

[p. 211] Twenty-second chapter - 'but if I transgress it and forswear, may the opposite of these [happen].'

Summary

1. 'to transgress the oath' (παράβαινοντι ὄρκον) 2. 'or fail' (ἐκλείπειν) 3. 'to swear falsely' (ἐπιόρκεῖν) 4. law of false swearing 5. 'to swear a false oath' (ἐπιόρκον ὁμνῶναι) 6. 'to swear a falsehood' (ψεύδορκεῖν) differs from 'to swear falsely' (ἐπιόρκεῖν) 7. lie (*mentiri*), from telling a lie (*mendacium dicere*) 8. what is a false oath (*perjuria*)? 9. from the lie, the fall to the false oath is easy 10. It is permitted for the physician to lie sometimes 11. Palladius a famous sophist. 12. Humanity is praised in physicians 13. The austerity of the physician Callianactis 14. The physician does not encourage a permitted lie with the false oath 15. it is allowed for the Physician to deceive the sick ones 16. ἀραὶ (*the curses*) in oaths 17. the formulae and examples of those 18. the false oath, most grievous crime 19. and certainly to be punished 20. The punishment of the swearer by the deities of the first man 21. In the false oaths (*perjuris* [sic]) by God, there is no punishment established from Civil Law 22. However, the censors between the Romans learned about the false oath 23. and Pope 24. Who punished the false oaths with capital punishment? 25. and why? 26. Other reasons. 27. the Canons equated the false oath to homicide 28. and pronounce the false oaths as dreadful 29. What Charles V did 30. and ordered the cutting of fingers 31. as Indians in other times used to 32. the punishment of the ones who swear falsely by the pagan gods 33. Why did antiquity invent it? 34. Hippocrates' curse against the false swearers 35. Admonition for the initiated of the art 36. for whom, before the swearing, it was sufficient to preserve the precepts of the oath 37. The goodness of manners is preferable than oath 38. Conclusion of the work.

5.4 Latin versed version of the Hippocratic Oath by Scévole de Sainte-Marthe (Sammarthanus)

Taken from: Scaevolae Sammarthani Poemata, ad Henricum III Galliae et Poloniae Regem. Lutetiae, Apud Mamertum Patissonium Typographum Regium: in officina Roberti Stephani, 1588, p.

Different readings from Meibom's Commentary are noted in square brackets.

Hippocratis Iusiurandum, Latino carmine redditunt. Ad Franciscum Vertunianum Medicum

[Idem Jusjurandum, Latis versibus expressum, a Scaevola Sammarthano, Silvarum Lib. I]

Te per ego hic, Phoebe o, Medicae pater artis et auctor, 1
Teque per hic juro, non inficiande parenti,
Asclepi, et geminas, dulcissima nomina, natas,
Hygeiam Panaceamque, Deosque Deasque per omnes,
Quos testes appello, fore, ut dum vitamanebit, 5
Quae nunc conceptis statuo promittere verbis,
Illa sequar vigil, et servem indefessus ad unguem,
Promissique fidem res ut jurata sequatur.
Qui me hanc instituit puerum praeceptor ad artem,
Ille mihi patris instar erit: non segnius illum 10
Usque colam, ac Ipsos qui me genuere, parentes:
Illum ego fortunas comitem complectar in omnes;
Illi, cum sors dura feret, miseratus, egeno
Succurram: totis opibus, tota arte juvabo.
Nec minus et fratrum instar erunt, quos pectore toto 15
Certus amem, firmoque mihi quos foedere jungam,
Tum nati illorum, tum qui nascetur ab illis.
Quorum si quis erit, pulchro qui incensus amore,
Virtutis, nostras animum convertat ad artes,
Hunc ego gratuito, et nulla mercede docendum, 20
Suscipiam. Quin et quovis genitore creati,
Omnia me discent omnes praecepta magistro;
Omibus unus ero ductor; Phoebeia princeps
Castra sequar, duce me vestigial figere discent:
Si modo militiae dederint sua nomina nostrae. 25
At sacris, Thymbraee, tuis quicunque teneri
Abnuerint, procul hinc illos, procul esse jubebo.
Omnibus hoc unum studiis, operaque fideli
Curabo, ut victus ratio quaecunque salubris,
Nec producendae fuerit male congrua vitae, 30
Hanc ego praescribam bonus, et contraria damnem:
Ut, quantum potero, maneant me vindice tuti
Mortales, fatique furens injuria cedat.
Non ego, vel pretio, vel iniqua petentis amici
Adducar precibus, cuiquam ut lethale propinem 35
Pharmacon, aut alius quisquam me auctore propinet.

Nec vero mulier temerati damna pudoris
 Si qua sit, abjecto cupiat quae extinguere foetu,
 Huic ego subjiciam pessos, animamue latentem,
 Conscius, et nondum viventia membra necabo. 40
 Faxo mihi sceleris purissima vita nefandi
 Semper eat, castique decus sine labe pudoris,
 Nec mihi sanctum ullo vitietur crimine munus.
 Vesica inclusus misere quos calculus angit,
 Haud ego sustineam crudeli excidere ferro. 45
 Ecquis enim furor est, qua sanas vulnera dextra,
 Hac eadem miseris membris inflingere vulnus,
 Saevumque infando sedare [sanare] dolore dolorem,
 Et lethum ut fugias, aliunde accersere lethum?
 Scilicet has verset caedens operarius artes, 50
 Durum hominum genus, et pietate insigne cruenta.
 Me quaecunq; domus venientem exceperit, omni
 Viderit hoc cura Satagentem, ut, quae aegra jacebunt [jacebant]
 Membra toro, dulci arte levem, mentesque dolore
 Oppressas recreem verbis solatus amicis. 55
 Femina virve fuat, nullo discrimine habebo,
 An domini, an servi: neque amor ne caecus habendi
 Interea, aut Veneris coget male- sanalibido.
 Sive vacem officio, seu quidvis moliar unquam,
 In vita si forte hominum quid videro, quod sit 60
 Celadum, celabo lubens, linguamque fideli
 Corripiam fraeno, nec grata silentia rumpam:
 Nec secus atque meae fidei commissa tenebo
 Arcana, et tacito sub pectore clausa recondam.
 Sic mihi divini faveat bona Numinis aura, 65
 Sic fortuna meis accedes prospera rebus,
 Quaeque mihi merces suscepti optata laboris,
 Laude vehar, vigeatque meum per secula nomen;
 Ut me nulla dies violantem haec viderit unquam:
 Sin minus, et vano perjuria turpia mendax 70
 Ore loquar, dubiique ferant haec irrita venti,
 Nulla mihi ex animo succedent vota, sed atrox
 Me miserum saevis merest Fortuna procellis,
 Tristiaque invisae capiant me taedia vitae.

5.5 Latin versed version of the Hippocratic Oath by Johann Heinrich Meibom

(NSUTB Gött Meibom 4, f. 10-12)

JVRISIVRANDI [10r]

Versio alia paraphrastica, auctore

JO. HENRICO MEIBOMIO.

Iuro sacram Phoebi et nunquam violabile numen,	1
Auspice quo medicas premimus feliciter artes:	
Iuro patris magni sobolem, seu dia Corois,	
Arssinoëve hujus, felicia pignora, natas,	
Spes aegrorum hominum et morbi sub mole gementam,	5
Divam Panaciem et fatipotentem Hygieiam:	
Tum Divum omne genus, quantum colit aetheris alti	
Sidera, perpetuo circumlabentia motu:	
Numina cuncata meis testatus conscia dictis:	
Me (quantum humanae vires, et debile mentis	10
Iudicium valeant) quae nunc pronusque volensque	
Promitto, et parili firmat manus addita scripto,	
Observatum studio sinceriter omni.	
Ac primum medicam qui me bene sedulus artem	
Edocuit, duxitque manu, praeiitque sequenti,	15
Allaxitque facem, ut sacrum penitralis Salutis	
Indogredi recte, nulloque errore liceret;	
Illum ego, ceu geminos, qui me genuere, parentes,	
A queis vita hihi et vitalis luminis aurae, [10v]	
Prosequar, et merito mactabo gratus honore.	20
Illi, pauperius si fors inimicis egentem	
Opprimat, et mentis conatus destruat altae	
Res angusta domi, sortem miseratus acerbam,	
Prospiciam solers; quae vitae debilis usus	
Exigit, e corpus mortale, alimenta ministrans.	25
Pignora tum vero fidi dilecta magistri	
Partem animi credam, et tanquam mihi sanguine junctos	
Indeclinato fratris complectar amore.	
Quique horum, clario perculsi numine mentem,	
Pulchro artis medicae flammantur pectus amore	30
Illis me facilem laetus praestabo libensque,	
Gratisque artem et nulla mercede docebo.	
Tum vero et nostris, si quos dabit arbitrer orbis,	

Doctorisque mei natis, quique ordine ab istis
 Nasquentur longo, tum nec minus omibus aequae, 35
 Militiae quotquot dederint sua nomina nostrae,
 Iurandisque fidem solenni more probarint,
 (His solis tamen, et nullis qui sucra cohortis [11r]
 Paeoniae spernunt) mysteria singula paudam;
 Sive παραγγελίην doctrinae ea, sive repostam 40
 Acroasin doctis, praeceptaque caetera spectent.
 Et quia non alias tam prompte noxia fallit
 Fraus hominem, quam dum, vitae quae postulat usus,
 Exhibet; hoc unum, divino numine fultus,
 Sempter agam, ut quantum rectae vel acumine mentis, 45
 Iudiciove acri potero, contraria morbo
 Sit ratio victus, sit congrua et utilis aegro,
 Instauretque simul lapsantia licia vitae,
 Ex simul haud secius communem pugnet in hostem,
 Quam facian pressis medicamina praebita succis: 50
 Atque perniciem secum ferat, et mala tristis.
 Semina producat morbi, contrarius illam
 Damnabo, impendamque operam non deside cura,
 A noxa ut maneant aegri me vindice tuti.
 Nec mihi tam blandus quisquam persuaserit auctor, 55
 Ut cuicquam diri medicamina certa veneni,
 Vel pretio adductus, precibus vel flexilis ullis,
 Exhibeam, aut tanti mens fiat conscia facti.[11v]
 Foemina nec si me fors ejectoria poscat
 Pharmaca, queis relevet gravium temeraria ventrem 60
 Excutiatque sinu concepti pondera foetus,
 Cromen corrupti male celatura pudoris,
 Illa dabo, teneraeque elidam exordia vitae,
 Haerentemque utero divinae particula aurae.
 Quin magis omni opera et pulchro coramine solere 65
 Annitar, puri ut mihi sint sine crimine mores,
 Vitaque labe carens, et nulla querquera culpa
 Transeat, et sanctam vitii nihil inguinet artem.
 Nec vero, si quos humano in corpore tristis
 Calculus exercet, diro ut devicta dolore. 70
 Vita labet, nec jam medicamina caetera doctae
 Proficirent artis, ferro crudeliur illos
 Aggrediar, lapidumque immania pondera caedam
 Impiger, atque ima penitus de sede revellam.

Ista sed artificii committam munia dextrae,	75
Quae ferro instructa, atque istis exercita rebus,	
Noverit extremam miseris praestare medelam. [12r]	
In quascumque domus veniam, aut quaelimina tanquam,	
Nunquam alio fine ingrediar, quam ut salva cuique	
Vita sit, et sospes peragat sua munia qui vis,	80
Membraque speratam obtineant consumpta salutem,	
Quantumcumque homini fas est praestare: nec unquam	
Transcensum rapiet me detestanda libido,	
Illicitique ignes, ut sancti foedera lecti,	
Aut etiam bruto naturae injurius aestu	85
In Ganymedeo despumem foedus amore:	
Serveque sive mihi sistant se corpora, sive	
Libera sint, nullo prorsus discrimine habebō.	
Quod si, dum medicas exerceo graviter artes,	
Aut fidei secreta meae fidentior aeger,	90
Castaque committant timidarum pectora matrum:	
Aut hominum si quae in communi videro vita,	
Quae proforme alibi, atque in vanum spargere vulgus	
Turpe sit, atque aegri valeant pessumdare famam:	
Illa arcana ratus, tacita sub pectore condam, [12v]	95
Nec secus ut ferrum, vel quercus dura tenebo,	
Tutaque commiscis praestabo silentia verbis.	
Haec ego si caste servem promissa, nec usquam	
Transgrediar, placidam liceat mihi ducere vitam	
Sponte mea, sanctaeque diu feliciter artis	100
Exercendo opera, aegrorum prodesse saluti,	
Et defecta novas redhibere in corpora vires:	
Famaque me late candentibus aurea pennis	
Differat, exoriens qua spargit lumina Titan,	
Et qua se Oceanas iterum demergit in undas.	105
Subdola sin falsa dicam perjuria lingua,	
Numina contemnens superum, contraria votis	
Eveniant nostris, ut vita turpiter acta	
Successus caream felici, et lumine cassum	
Excipiat nullis abolenda infamia seclis.	110

5.6 Poem from Heinrich Meibom the younger to his father

Meibom, Heinrich, *Epicedium in beatissimum obitum viri clarissimi doctissimi et experiensissimi Joannis Henrici Meibomi, Philosophiae et medicinae Doctoris et in inclyta Lubeca Physici ordinarii longe meritissimi filialis observantiae testandae causa scriptum ab Henrico Meibomio Lubecensi*. Lübeck: Typis Gothofredi Venatoris, 1655. (HAB 508 Helmst, Dr. 5)

Huc etiam vivi pervenimus! Optima proles	1
Asclepi, magnorum haud unquam indigna parentum,	
Et nostrae curaeque omnis, casusque levamen	
Occidit, et tristi sua lumina morte resignat.	
Poscimus officium: sed mens bene conscia luctus	5
Fastidit Musas, et quicquid vulnera sanat.	
Carmina proveniunt animo deducta sereno,	
Nostrum pectus habet luctus, maerorque coarctat.	
Heu quantum est carum terrae mandare Parentem!	
Heu quantum est blandos vultus amittere Patris!	10
Heu quantum est opera magni caruisse patroni!	
Hic dolo exossat, crudo hic bibit ore medullas.	
Ter conatus ego calamo supponere chartam,	
Ter tremulae cecidere manus: ter linquere coepi,	
Singultu medias interrompente querellas.	15
Scilicet effabor? tantis ero luctibus impar.	
Vulnera dissimulem potius? Sed rumpit acerbus.	
Frena dolor, tristisque animo, quodcunque tacetur	
Acrius imprimitur, miserumque immitius angit.	
Ignosce, o Genitor, si truncae murmure vocis	20
Et gemitu infanti tantum tua funera plango.	
Non mihi sunt, quae tu laudabas carmina quondam,	
Et quia laudabas, semper nova danda putabam.	
Omnia ferali tecum tumulantur arena.	
O dilecte Parens, qui te mihi casus ademit?	25
Occidis et fato superatus lampada tradis	
Portandam alterius manibus. Tibi summa parantur	
Gaudia, tu felix equidem: nos anxia plebes,	
Nos miseri sumus, et te ploramus ademptum,	
Hoc uno tantum curas solamur obortas,	30
Quod non sarcophago tecum tua gloria cedit,	
Sed semper mage crescit honos, et vivida laudis	
Fama novam prolem veteri prodicit ab igne,	

Qualis sub coelo Assyrio Phoebejus oscen,
 Haeres ipse sui et genitor, cum mille senectam 35
 Indefessam annis divino senserit oestro,
 Aeternum instaurat corpus, dum provocat ignem
 Aetherium et mortem recipit per saucia membra.
 Mox iterum venis sanguis redivivum inerrat,
 Et volat auratis circum per inania pennis 40
 Ignicolor, volucresque novo clangore salutat.
 Sic etiam, excellens doctorum turba virorum
 In pluteis dum stare videt, volvitque subinde
 Quae doctae peperere manus, quae vena subacti
 Protulit ingenii, vel quae mihi maxima restant, 45
 Semper honos, nomenque quum, laudesque manebunt,
 Gloriaque e tumultu nunquam interitura resurget.

Quae procul illae autem foedata pulvere crines
 Atque oculos? Nosco facies, formosaeque membra
 Pieridum, nosco Phoebum, intonsos capillos. 50
 Ensractos arcus fert aversamque pharetram,
 Atque hederam et laurum nulla mage parte virentem,
 Et frons laeta parum et dejecto lumina vultu.
 Stant moestae vittis et alumni funera plangunt
 Calliopeia chori praeses, (non Orphea natum 55
 Crediderim luxisse magis) tristi intonatorem
 Melpomene, maestos Erato, ceu praefica luctus,
 Ingemit, et reliquae, doctissima turba, Sorores
 Non questus potuere suos gemitusque tenere,
 Et numeri innumeri simul omnes collacrymarunt. 60
 Masculi quin etiam Pallas velamina sumit
 Pulla, et pacificam taxo permutat olivam.
 Aspice, projectis ut eat lacrymabilis armis,
 Casside non ultra splendet, nec Gorgone saeva.
 Veris honos rediit, Zephyrique faventibus auris 65
 Gramina luxuriant in amoenis roscida campis,
 Sed qua Phocaeus duplici petit arduus astra
 Vertice Parnassus, superatque cacumine nubes,
 Nullo flore viret tellus, non educat herbas
 Cespiti laetus ager, nec verno persona cantu 70
 Discordi volucrum strepitu virgulta loquuntur.
 Fontis Apollinei virtus exaruit omnis,
 Pimplaque mutatis defluxit salsior undis,
 Occulitque caput fulva Permessus arena.

Fallor? An ad tumulum moesto stat JULIA vultu, 75
 JULIA in Elmana tellure illustre Lyceum.
 Non illi species, non qui color ora decebat,
 Non comptae per colla comae: sed pectus anhelum,
 Et luctu pia corda dolent, salsisque querellis.
 LUBECA atrata gradiens per compita palla 80
 Insequitur, velitque comas et pallida vultum
 Verberat, et grandi tundit praecordia planctu,
 Haec altrix, tamen illa parens, Suspiria, planctus
 Et gemitus jungunt; Sicut certare videre,
 Utra magis posset famam sibi quaerere laude 85
 MEIBOMII, mox alma Julia caepit.

Illā ego doctorum tot doctis inclita scriptis
 MEIBOMIO patriamque dedi, patriosque penates.
 Eduxi, et varias blandus puer imbibit artes
 Me duce, praeceptis animumque implevit honestis. 90
 Incepit nostram mox ipse docere juventam,
 Et prudens medium rexit mea sceptrā per annum.
 Tunc ego gaudebam, tum me florere putabam,
 Gratabarque mihi. Sed non diuturna fuerunt
 Gaudia. Cum solitus strepitus Bellona cieret, 95
 Discessit. dolui, sed adhunc medicina dolori
 Una, quod in columen nossem salvumque vigere,
 Jam mihi subducunt nati me funera, flatusque
 Ora perennanti distinguunt uvida sulco,
 O anima, O felix anima, o dignissima vita, 100
 te viva vixi, Te te moriente fastiscam,
 Ni subeant nostri procures, releventque labantem
 At saltem sanctos nobis concredere manes
 Debueras, cineresque tuos. Felicior isses
 Ad nemus Elysium sedesque ac regna priorum. 105
 Hic tibi supremum solvissent carmine munus,
 Quotquor habet nostrum juvenesque senesque Lyceum.
 Finierat, simituque manu lacrymantia tersit
 Lumina, cum similes Lubeca orsura querellas
 Astitit, atque oculos paullum tellure moratos 110
 Ad tumulum flexit, singultantique resolvit,
 Ora sono, nec abest moestis quoque gratia dictis:
 Si me jam vestris quadrassent vota, severae
 Immitesque Deae, non vultu tristis et exspes
 MEIBOMIO nostro exequias et justa pararem, 115

MEIBOMIO insigni Medico, quo saepe solebam
 Uno me relinquo inter jactare sorores.
 Scilicet haud alia mortalia secula lege
 Vos regitis: nostrae mors ultima linea vitae.
 Viderat aegrotos servasse in limine fati, 120
 Et totiens victo duxisse Acheronte triumphos
 Morta ferox spissis caput endopedita tenebris,
 Et sibi laureolam quaesivit funere in isto.
 O anima, o praestans anima, o dignissima vita,
 Non equidem excepti pulcra te matre cadentem, 125
 Sed tamen usque meis fovi constanter in ulnis
 Quod si digna fui cunctis ex urbibus una
 Nobile depositum cinerum servare tuorum,
 Gratabor, ducamque imis nova gaudia fibris.
 Hippocratem Coi, Sennertum jactitet Albis, 130
 MEIBOMIO LUBECA tumet. Quod si Helladis urbes,
 Smyrna, Rhodos, Colophon, Salamin, Chios, Arhos, Athenae,
 Moenidem voluere sibi consciscere civem,
 Cur mihi non tribuo, quem agnoscit Julia natum?
 Dum meis aequoreum sulcabit navita marmor, 135
 Dum Cererem et Bacchum mediis portabimus undis,
 Posthuma Meibomi Lubecae fama virebit.
 Talibus inter se concertavere sorores
 Vocibus, et tales planctus, me vate, fuerunt.
 Assonat et pulsus cum foenore vallibus Echo. 140
 Et repetit gemitus, dicitque novissima verba.
 Nec mora longa fuit: postis ex ordine cippis
 Hunc tumulum et tumuli titulum posuere clienti
 Aonides Phoebusque suo, minioque notarunt:
 MEIBOMIUM HAEC TENET URNA, CUI SUA JULIA LUCEM
 MOX ETIAM LUB[E]CA DECUS, PRUDENTIA LAUDEM,
 VIRTUTES FAMAM DEDERUNT. IMITARE VIATOR,
 ET, NISI SI GRAVE SIC DIC: MOLLITER OSSA QUIESCANT!

5.7 Letters from and to Johann Heinrich Meibom. Latin text and translation

5.7.1 Gottfried Wilhelm Leibniz Bibliothek – Niedersächsische Landesbibliothek- Hannover

Ms. XLII 1877 - Nicolaus Bruggemann to Johann Heinrich Meibom, Leiden, October 22nd, 1642, f. 2-3

[f. 2r] *Salvere et bene rem gerere*

Grata humanitatis recordatio, qua me cum tibi adessem, frui voluisti, honorificam mihi saepe imposuit necessitatem, ut meam per literas erga te testarer observantiam; sed quo minus illico fecerim adductus sum reverentia, quae virtuti dignitatieque tuae debetur. Satius enim duxi, te inclusum huic pectori omni prosequi cultu, quam sine causa ineptire, et inanibus literarum formulis tibi obstrepere. Nunc autem protractus a te in viam officij, non possum quin tandem faciam id, quod iam diu dum factum oportuit, et affectui in me tuis, quem haud dubio ostendisti, uberes agam gratias copiosius tamen sentiendo quam loquendo. Esset unde gratularer mihi, si quid in hoc homine reperiretur, quo vicissim dignitati tuae condigne assurgere possem. Sed quia sequius cecidit, spero te facturum, quod benigni creditores solent, ut devoto hoc sustenteris animo, quo paratus sum omne militare bellum in spem tuae gratiae. Vel quod in coemptione librorum quos ex bibliotheca Meursiana desiderabas, ne ipsa comprobassem, nisi hanc felicitatem fortuna mihi invidisset. Iam ante enim distracta erat, quam tuae ad meas pervenire manus. Itaque qua spes hic fefellit, alia excussi loca, in quibus variores delitescere solent, sed frustra hactenus. Quantum [f. 2v]

in me erit idagare tamen no desistam, ut aliquot eorum quos catalogus tuus prae se fert exsculpam. Certe nihil in me desiderari patiar, quo minus votis tuis satisfiat. Ubinam felicior eventus conatus meos iuvaret. Commentarium tuum in Jusjurandum Hippocratis avide expecto. Quem si est ut ad me miseris, faxo appareat, me nihil prius et potius habere quam ut mandatum et receptum officij munus impleam. Sed opus erit festinatione, alias metus ne tibi operam meam

ex voto probare possum. Rogo igitur si poteris, ut eum matures nec diutius et alijs et tibi invidias, alijs ex lectione eius fructum, tibi nominis perennitatem; quam ex hoc monumento tibi affore.

Et reor et, viri si quid mens augurat opto:
Sed de huiusmodi operabus non nisi animo ante prae-
parato pronuntiandum. Et fas piumq[ue] non est ὁδοῦ πά-
ρεργον illis sacris operari. Reprimo itaq[ue] me, et ne
nimis intemperanter et benignitate et dignitate tua abuti
videar, finio cum humili voto, ut me quem inter cultores
tuos admittere dignatus benevolentia et favore tuo porro
honestare perseveres. In qua spe desino teq[ue] longum
Rep[ublicae] luterannae valere, et bene rem gerere ex animo
[f. 3r]
iubeo voveoq[ue]. Dabam Lugduni Batavorum
XXII Octob[ris] A[nn]o CIO IO CXLII
Observantissimus

Nicolaus Bruggeman [ornamental design]

Pretium librorum de quibus apud
elseviros inquirere iussistis tale
est ut hic videbis, si non est nimis
magnum fac sciam, et curabo ut habeas.

Chirurgiae scriptores ? 6 R[eichstaler]

Duretus in Hipp. Progn. 6 R

Prosperi Martiani Comment.

In Hipp. non prostat

[f. 3v]

VIRO

Clarissimo et excellentissimo

D[omi]n[o] Johanni Henrico Meibomio Phil[ologo]

et Med[icinae] Doctori et Reip[ublicae] Lubecensis

Physico dignissimo Patrono suo

Lubecam

Translation (line by line):

[f. 2r]

Good-day and may you carry things well

the dear remembrance of humanity, in which you wanted to delight
yourself
when I was with you, would set many times the honourable necessity for
me to attest
through letters my regard towards you, but at least there,
I may have done it led by reverence which is owed to your virtue and
dignity.
Indeed I preferably made that you accompany [me] confined in this chest
with
all culture, than to trifle without a cause and annoy you with empty
formulae of letters. But now drawn by you to the path
of service, I cannot but finally do now, what already a long ago was
necessary
to be done; and for your affection towards me, which by no means I doubt
you
displayed, I will give you many thanks more fully yet in [my] feeling than
in [my] talking. It would be from there that I rejoice myself if something
was found
in this man by which I could rise again to being wholly deserving of your
dignity.
But because he just so fell, I hope that you will do what the good creditors
use to do, that you will have sustained this with a devoted soul, by which I
am
prepared to fight every war in the hope of your grace. Or else because
in the pretended purchase of books that you wanted from the Meursiana⁹²⁹
Library,
I have not confirmed [them] in itself, but fortune would have refused me
that happiness.
It was indeed torn into pieces before your [letter] came into my
hands. And because of that deceived hopes, I searched in other places
in which many use to hide them, but still for nothing. As far as [f. 2v]
it will depend on me, I will not desist from investigating it so that I will
scratch out
some of those books which your catalogue shows. Certainty I
bear in me that nothing less is missing that satisfies your desires.
The result would benefit my efforts more happily. I am earnestly waiting
for

⁹²⁹ Probably from Johannes van Meurs or Meursius (1579-1639). Enciclopedia Britannica, 1911, p. 315. Online: https://en.wikisource.org/wiki/Page%3AEB1911_-_Volume_18.djvu/336 (01. 11. 2022).

your Commentary on the Oath of Hippocrates, that, if it is so that you have sent me

I made that it appears that I have nothing superior and better than to execute

the commanded and received duty of the service.

But there is a need for hurry; otherwise, I am afraid that I cannot make my work good for you, according to [my] promise. I beg therefore if you could

quicken and no longer envy others and you; others, the fruit from their text, and you, the

perpetuity of the name that will be yours by this written work.

And I believe and wish it, if the mind of men predicts anything, that yet it should not be said about the works of that kind, unless with the spirit

previously prepared. And so it is not proper and pious the secondary purpose of my journey,

to perform those sacred rites. I restrain myself indeed and not too much I am inclemently seen to take advantage of your kindness and dignity.

I finish with a humble desire that you persist in admitting me among your educated [friends], being worthy of [your] kindness and to adorn me in the future with your favour. In such hope, I leave, and I dedicate

and wish from [my] soul that you are strong for a long time for the Lutheran Republic and

that you carry things well. I gave it in Leiden

October 23rd 1642.

Most respectfully,

Nicolaus Bruggeman [ornamental design]

The price of the books which you told [me] to ask about at the Elseviers' is as you here will see, if it is not too much let me know loudly, and I will take care that you have [them].

Chirurgiae scriptores 6 R[eichstaler]

Duretus in Hipp. Progn. 6 R[eichstaler] and

Prosperi Martiani Comment.

In Hipp. not available

[3v]

To the most brilliant and excellent man
Sir Johann Heinrich Meibom, philologist and
Doctor of Medicine and physician of his most dignified
Patron of the Republic of Lübeck.
To Lübeck

> **Ms. XLII 1877** - Nicolaus Bruggemann to Johann Heinrich Meibom,
Leiden, February 16th, 1643, f. 4r-4v

Salvere et bene rem gerere

Doctissimum Comentarium tuum in Jusjurandum Hippocratis
recte ad manus meas pervenisse, ex Amplissimo Cassio nostris co-
gnovisse te arbitror. Cur autem non statim responderim, hac inti-
ma caussa, quod nefas putarem, meas ante ad te reverti, quam
certi quid de transmisso opere afferre possem. Itaque nunc scias
velim auspiciū eius iam esse factum. Calent operae imprimendo et
ego corrigendo. Habebis viginti quatuor exemplaria, pretij praeterea
quicquam addere negant hic moris esse. Excuditur in forma
ut voluisti, quarta apud Christianum Wilhelms, ita ut ea quae de
sumuarijs, cifris, numeris monuisti observentur. Omni affir-
matione pollicitus est typographus se curaturum, ut ante fe-
stum Paschatos operi finis imponatur. Rogo itaque ut ea, qua
adhuc desiderantur ad me maturare digneris, ne quid sit
quod operas sufflaminare et editionem morari possit. Ego quan-
tum in me erit et ad curandam promissi fidem et demerendum
prolixum in me affectum, quem Tuae ubertim spirant nihil desiderari
patiar eorum, quae a me poterunt expectari. Id quod per has
litteras veluti syngrapham testor. Vale et me tui obser-
vantissimum ama. Dabam, Lugduni Batavorum, XVI Feb[ruarii]
CIO IO CXLIII

Observantissimus

Nicolaus Bruggeman [ornamental design]

Ex libris quos tibi emi voluisti

hos accepi, qui sequuntur

R? B?

Paullus Aegineta	7 - 10
Aristoph[anis] opera	6 - 5
Hesychij Lexicon Grae[cum]	6 - 10
Thesaurus ling[uae] Graecae Gloss[ae]	
Vetus Bonay Vulcanij	5 - -

Manardi epist[olae] medic[inales] - - 8

Sa 25 - 13

Simul atq[ue] commoditus dabitur trans-
mittam eos et Duretum in Hipp[ocratis]
Progn[osticon] adiungam, sin minus affe
[a line lost; paper is broken]

[f. 4v]

VIRO

Clarissimo et excellentissimo
D[omi]n[o] Johanni Henrico Meibo
mio Phil[ologo] et Med[icinae] Doctori
et Reip[ublicae] Lubecensis Physico
amico et Patrono suo pluri
mum colendo
Lubecam

Translation (line by line):

[f. 4r]

Good-day and may you carry things well,

I think that you know that your most skilled commentary on the Oath of
Hippocrates

came to my hands from our most esteemed Cassius.

Why I did not answer immediately, because of this most
profound cause, that I thought it a crime that my [letters] were returned to
you

before I could report something of the settled [thing] about the dispatched
work. And indeed, I wanted you to know that the beginning was already
done. The works are being carried on, printing and me correcting. You will
have twenty-four volumes. They deny

that it is the custom to add something beyond the price. It is being
prepared in the shape

that you wanted, in quarto at Christian Wilhelm ['s workshops], so that
indeed attention

is paid to those things about the summaries, cyphers and numbers that you
commanded.

The typographer promised with all assertion that he will take care that

the end for the work is fixed before the celebration of Easter [April 5th]. I beg you also that you deign to dispatch those things to me that thus far are desired, may it not be that it could hold back the works and delay the edition. I promised with whatever is in me to nourish the faith and to deserve the favourable affection towards me that your [letters] abundantly show, I bear that nothing of those is desired which could be expected by me. I testify it through these letters or agreement. Farewell and be benevolent to me. Yours most respectful. I gave it in Leiden, February 26th, 1643.

most respectfully,
Nicolaus Bruggeman [ornamental design]

About the books that you wanted to be sent to you
I got those which follow:

	R B
Paullus Aegineta	7 - 10
Aristoph[anis] opera	6 - 5
Hesychij Lexicon Grae[cum]	6 - 10
Thesaurus ling[uae] Graecae Gloss[ae]	
Vetus Bonay Vulcanij	5 - -
Manardi epist[olae] medic[inales]	- - 8

Sa 25 - 13

And as soon as convenience is given
I will dispatch them, and I will add Duretus -
[Commentary] on Prognostics of Hippocrates⁹³⁰, if less adf
[a line lost, the paper is broken]

[4v]

⁹³⁰ Louis Duret (1527-1586) was a philologist and physician of king Charles IX and Henry III, admirer and commentator of Hippocrates. The work was probably *Interpretationes et enarrationes in mangi Hippocratis coacas praenotiones*, Paris, 1588. There are later editions. *Biographie universelle, ancienne et moderne, ou histoire, par ordre alphabétique de la vie publique et privée de tous les hommes quise sont fain remarquer par leurs écrits, leurs actions, leurs talents, leurs vertus ou leurs crimes*, Tome 12^{ième}, Paris, L.G. Michaud, 1814, pp. 566-568.

To the most brilliant and excellent man
SirJohann Heinrich Meibom,
philologist and Doctor of Medicine
and physician of his most dignified
much cherished friend and patron
of the Republic of Lübeck.
To Lübeck

➤ **Ms. XLII 1877** - Nicolaus Bruggemann to Johann Heinrich Meibom,
Hamburg, July 25th, 1643, f. 6r-6v.

[6r]
Salve et bene rem gerere

Me absoluta editione euditissimi Commentarij tui patrio redonatum caelo ex Amplissimo Cassio nostro haud dubie cognovisti. Cur autem partum tuum luci iam expositum parenti transmittere hactenus neglexerim fortean mirabere; sed scias velim non mea id factum culpa, qui eum Neptuno commissum tamdiu expectandum habui. Nunc ne voto tuo producerem moram, simul atq[ue] eum accepi, quinquaginta eius statim, ut voluisti exemplaria cum reliquis, quos hactenus apud me asservavi libris ad te properanda duxi. Si per ea quae instant agenda licet me brevi apud vos exspectabis ubi pluribus incoram, nunc non vacat. Interea bene vale et salve plurimum a Cl[arissi]mo Boxornio qui te amat aestimatq[ue]. Dabam festinans Hamburgi XXV Julij
CIO IO CXLIII

Excellentiae tuae
Observantissimus
Nicolaus Bruggeman [decorative design]

[6v]
VIRO
Clarissimo et excellentissimo
D[omi]n[o] Johanni Henrico Meibo
mio Phil[ologo] et Med[icinae] Doctori
et Reip[ublicae] Lubecensis Physi
co dignissimo Patrono suo
Lubecam

Translation (line by line):

[6r]

Good-day and may you carry things well,
You knew without a doubt that I was presented with the gift of
the complete edition of your most skilled commentary
in your native region by our most esteemed Cassius. Why indeed
thus far have I neglected to dispatch your brought to light and already
displayed [commentary] to the author, so that
you will be surprised by chance, but I wanted you to know that it was done
not by my fault. I had it commissioned to Neptunus for a long time, it is
[now] to be expected.

Now may I not produce a delay to your desire and so I accepted it at once:
fifty of it instead, as you wanted the volumes together with the rest of the
books,
which thus far I kept at my [place], I commanded that the things must be
quicken to you.

If by those things, that urge to be delivered, it is permitted that I am briefly
at your [home/office], you will expect me where [I'll be] in the presence of
many; now there is no time.

In the meantime, farewell and many regards from the most brilliant
Boxhornius

who loves you and cares for you. I gave it in a hurry in Hamburg

July 25th, 1643.

for your excellency

most respectfully,

Nicolaus Bruggeman [decorative design]

[6v]

To the most brilliant and excellent man

Sir Johann Heinrich Meibom,

philologist and Doctor of Medicine

and physician of his most dignified

patron of the Republic of Lübeck.

To Lübeck

➤ Ms XLII 1856 – Heinrich Julius Böckel to Johann Heinrich Meibom,
Wolfenbüttel, March 22nd, 1653, f. 6r-7r

I owe the transcription to Prof. Dr. Thomas Rütten and the Seminar -Lesen
alter Schriften. Paläographische Übungen für Neugermanisten (SS 2017)-
of Prof. Dr. Werner Wilhelm Schnabel.

[f. 6r] Ehrenvester großAchbar, hoch gelerter sonders groß-
gunstiger hochgeehten vielgeliebter Herr vetter
Sein geliebtes Schreiben, sub dato ab gewichenen
7. septem. des verlauffenen nun mehrs 52. Jahrs
ist mir erst den 17. 8br. annj ejusdem :/: beneben
seinen commentario super ὁρκov Hippocrat. da-
fur ich mich wie auch aller anderer sachen bechehene
Conjeation dienstwegerlich bedancke :/: eingelieffert
worden, darauß er sieht, daß es ihm wie mir vor
ergangen, daß die brieffe durch die posten nicht
richtig gehen müßten, waß die Ursach weiß ich nicht
und ob ich nun woll ehe wieder freundschaft zu-
erhalten an ihn schreiben sollen, so ist jedoch
verlieben, weil sein vetter des Meibomius Hilde-
sensis ein studiosus :/: so mir des herrn vettern
discursum de Theriaca in pharmacopolio vestro
gehabt wie auch tractatum de Herlingsbergâ
mitgebracht zu mir verehret:/: wieder hinauf
zu euch reisen wollen, aber nun mehr in sechs
wochen wir von ihm nichts gehort noch ihn gesehen
desowegen für dismal an ihn schreiben wollen
und zubitten was er noch von seins Herrn Pa-
parentis S[elig] wie auch seinen eigenen schriften so
schon gedruckt sein oder noch kunftig gedruckt
werden möchten mir, pro exornanda mea bi-
bliotheca zu conjeita, auch so er noch ein exemplar
ubrig von unsers H. Wendelini Sibalisten disputa-
tione Inaugurali mir unbewisser vrsachen
willen zu kommen laßen, er gibt für habe keins
mehr, ohn ein einiges so a manibus gantz erodirt
so er mir zwar conjciert, aber zu nichts nutze!
potissima a huius moderna scriptiones est sequens,
Est ist beÿ auch auf der Apotek ein gesell nahmens
Conrand Hildebrand weilandt Herren Burger Mei-
ster Conrad Holdebrands S. in Braunschweig
vatters bruder praeceptos, so meinen Sohn
für wahren von A[nn]o. 650 her mit 90 T[a]l[e]r. 13. mg
4 Pf[enig] schuld verhaft. Weiln nun er mein Sohn
ein junger angehender handelsman, solch gelder
[p.6v] hoch nötig als hat er mich gebetten an den herrn
vatten seinen wegen zu schreiben, das er ihn

möchte von sich fodern lassen und eingeligken
brief ihn zu stellen, und damit umb so viel
desto ehr und mehr erhaben möchte als hat mein
sohn dieses nun fingirt, wie das er gleich fer-
wechsl solge gelder, von der hernn vetten
hierselbst geldern, von seinem vatter dem studioso
gehaben und der Apoteker geselle ihm wieder
außzalen solte, welchs aber meinen sohn so war
gott lebet nicht gettan aber daß es so fingirt
hat ihn die nott darzugetrieben, und bittet das
es der herr vetter doch dabey mücht bewenden
lassen und die soluition acriter con und bey
ihm urgieren, und erwarte de o[mn]ib[us] rersonsum
ihn hiermit beneben alle den lieben seinen
sambt wnser aller groß in gottes schutz und
schirm getraulichst empfelende. In eil Wolf-
fenbutteln den 12. Mart. 1653

Meins Herren vetter alzeit

Dienstwilligst

Henricus Julius Böckel D[octor] mpp [manu propria]

[p.7r]

Dem hochedlen, vesten Groß-
achbaren und Hochgelarten,
Herrn Johan Heinrichen Mey-
baum, Medicinae Doctori und
practico celebri, auch der alten
löblichen Stadt Lubeck wolver-
ordneten Physico und Archiatro
meinem Hochgeehrten Herrn Vet-
tern und großgünstigen freundt.
Franco [in pencil: biß Luneburgk] Zu Lubeck

5.7.2 - Niedersächsische Staats- und Universitätsbibliothek Göttingen

➤ Cod Ms philos 110 I - Johann Heinrich Meibom to George Calixt,
Lübeck, November 9th, 1643, f. 342.

Admodum reverende clarissime et excellentissime vir,
Domine et amice unice honorande,

Iterum me beasti Ita vere loquor, opusculis quibusdam tuis, quae tabellarius vestras recte mihi tradidit. Amo enim tua omnia, et forte sine pari, ni fallor, quod penitiorem eruditionem sapiant, et qualem apud alios tuae professionis scriptores frustra aliquis quaesierit. Quid caussae vero est, vir amicissime, quod Apparatus Tuus, cujus jam olim pagellas non paucas mecum communicasti, non prodeat integer? Noli, quaeso, illum nobis amplius invidere, qui non sine cordolio illum expectamus. Commentarium nostrum in Jusjurandum Hippocratis puto te accepisse, sed mendis refertum, quarum pleraque in exemplari ad Conringium misso emendavi. Ego χαλκέα χρυσείων tecum permuto. Scripsi illum Medicinae faciendae tironibus, ut plenius per me intelligerent, quales praestare se debeant arti manum adplicaturj. Vitam Maecenatis ex omni antiquitate, dum aliud ago, collectam et digestam, forte brevi editurus sum. Opus erit philologicum, interdum etiam politicum. Ei versus aliquot praefigendos a Te peterem, si scirem Parnasum te adhuc scandere, aut peccare non viderer in publica commoda, qui hoc aude-rem. Ego certe ad omnia vicissim alia humanitatis officia me totum tibi defero. Vale viro-
rum summe, amicorum opt[ime] max[ime] et salve
Lubecae

IX. Novembris

Anno

CIO. IDC. XLIII

a Tuo

Meibomio

[342 v]

Viro

rev[eren]do admodum, cl[arissi]mo et
excell[entissi]mo, D[omi]n[o] Georgio Calixto,
S[anctis]s[imo] Theol[ogiae] D[octori] Et professori
celeberrimo, Abbati Regio Lo-
thaniensi digniss[im]o, D[omin]o
et amico veteri opt[imo] max[imo]
Helmaestadium

Translation:

Much honoured most brilliant and most excellent man,
Sir and only honourable friend,

Again you made me happy. Indeed I speak truly, with those works
of yours, which the courier of your (pl.) [letters] delivered directly to me.
I truly love all your [works], and perhaps without equal, and I am not
mistaken

that they know of [your] inner knowledge and of such kind
some have sought in vain among other writers of
your profession. What indeed belongs to the cause, oh man most friendly,
that Your Apparatus, of which you shared
with me in another time already not a few pages, did not go ahead whole?
Do not wish, I beg, that we envy it abundantly,
that we expect it not without sorrow.

I think that you received our
Commentary on the Oath of Hippocrates,
but it is filled with corrections and many of which
I emended in the volume sent to Conring⁹³¹.

I interchange with you the 'copper for the golden'. I wrote
it for the beginners in the practising of medicine, so that
they understand more fully through me how the ones about to add [their]
hand to the art
must behave.

I prepare then another [commentary] to
the life of Mecenas collected and from all antiquity and set in order,
I am casually going to edit. The work will be philologic,
sometimes also political. I desire that the verses for it
are to be fixed by you if I would appoint you to
climb the Parnassus⁹³² to such a degree or to do wrong,
I would not be regarded in the suitable public [affair],
that I would ask this. I carry me wholly to
all the other services of humanity for you. Farewell, the topmost of all men,
and goodbye the best of all friends by far.

In Lübeck

November 9th, 1643.

from your,

⁹³¹ Hermann Conring (1606-1681). NDB, "Conring, Hermann". Online: <https://www.deutsche-biographie.de/pnd11852190X.html#ndbcontent> (01.11.2022).

⁹³² As to say "to go and get the muses from this place".

Meibom

[354v]

Much honoured most brilliant and
most excellent Sir George Calixt
Doctor of Theology most renown professor,
Royal abbot lothaniensis, most dignified Sir
and the best greatest old friend
Helmstedt.

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Johann Heinrich Meibom – Chronological order

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VD17 3:017222E

Meibom, Johann Heinrich et al.: Amplissimis, clarissimis, consultissimisque viris domino Erico Clacio et domino Iulio Reichardo, potentissimi Brunsvicensium et Lunaeburgensium Ducis in aula Wolfenbutensi Consiliariis, supremam in untroque Iure lauream adeptis, gratulantur Meibomii, IV Eidibus Januariis. Helmaestadi: Iacobus Lucius, 1611.

VD17 23:252648F

Meibom, Johann Heinrich et al.: Clarissimo, consultissimo, amplissimoque viro domino Semastiano Treschivio, I.V.D. et consiliario guelfio, De consulari dignitate in Republica Hildesiensi nuper auspicato et tributa gratulantur amici. Helmaestadi: Iacobus Lucius, 1612.

VD17 3:315097A

Meibom, Johann Heinrich: Quod Bene Vortat. Disputationem hanc de Medicina et medico in genere sub praesido Clarissimi Viri Domini Joannis Wolfi, philosophiae et medicinae doctoris et professoris, in illustria Iulia, ante diem VII eidus Sextilibus, publicae disquisitioni subjicio, Ioann Henricus Meibomius. Helmaestadi: Lucius, 1613.

VD17 23:313101T

Meibom, Johann Heinrich et al.: In obitum praematurum Foeminae ut genere nobilissimae, ita omnium virtutum laude maxime conspicuae Godilae von der Schulenbugk, post primum suum 7. Februarii natum, denantum filiolum, 14. eiusdem placide in Christo obdormientis: cui maritus desideratissimus viduus nunc mestissimus nobilissimus vir Busso von der Asseburg, hereditarius Domini Neindorff, Falckenstein et Pesikendorff. 10. Martii Neindorfii. Exequias summo cum lucti facil. Helmaestadi: Iacobus Lucius, 1614.

VD17 23:271742T

Meibom, Johann Heinrich et al.: Memoriae Henningi treschovii, sebastiani icti filii, magna spei summaeque expectationis adolescentuli. Wittenberg?: s/d, 1614.

Meibom, Johann Heinrich et al.: Orationes, epicedia et programmata memoriae ac honori incomparabilis Herois Domini Henrici-Julii, postulati episcopi Halberstadensis, Ducis Brunsvicensis et Lunaeburgensis etc. diversis in locis consecrata, Dignum laude virum musa vetat mori. Helmaestadi: Iacobus Lucius; Samuel Brehm, 1614.

VD17 23:231486V

Meibom, Johann Heinrich et al.: Nuptijs secundis, viri reverendi et amplissimi, Domini Petri Windruvii abbatid Riddagshusani, et

lectissime foemina Annae vom Horn, Domini Gerhardi Abbatis Regiae Lothariae piae memoriae relictæ viduæ, Gratulantur Meibomii Pater et Filius. Helmaestadi: Iacobus Lucius, 1615. - VD17 23:25266oH

Meibom, Johann Heinrich: Quod bene vortat, sub praesidio, clarissimi et excellentissimi viri Domini Danielis Sennerti, philosophi et medicinae doctoris et professoris, disputationem hanc, de Arthritide publicæ disquisitione ante diem VI kalendas Februarias, in illustri academia Wittebergensi subijcio Ioann Henricus Meibomius. Wittebergæ: Gormann, 1615.

VD17 39:153921H

Meibom, Johann Heinrich et al.: Disputatui Inauguralis De scorbuto quam auxiliante trinuno ex consensu et decreo amplissimi senatus asclepiadei, in illustri Academia Julia sub praesidio magnifici clarissimi et excellentissimi viri domini Ioannis Henrici Meibomii, Medici Doctoris et Professoris P. et p.t. Prorrectoris, Collegiique Medici Decani spectatissimi. Pro summis in Arte Medica Honoribus consequendis in Acroaterio Majori ad diem 6. Octobris Publicis exponit duscursibus Wendelinus Siebelist Hala-Saxo. Helmaestadi: heredum Jacobi Luci, 1615.

VD17 29:730066S

Meibom, Johann Heinrich: Positiones Hasce Medicas De Phthisi amplissimi et celeberrimi Collegii Medici In Academia Basileensi Iussu Scituque pro summis in Medicina honoribus consequendis Publicæ Disquisitioni in auditorio Medico a.d. VII. Eid. Ianuar. subiicit Joan. Henricus Meibomius Helmaestadiensis Saxo. Basileae: Genathius, 1619.

VD17 1:062179E

Meibom, Johann Heinrich et al.:Auspice Deo Optimo Maximo De Colico Dolore, theses medicas, quæ sequuntur ex decreto amplissimæ facultatis medicæ. Decano viro clarissimo et excelentissimo Adamo Luchtenio, Philosophiæ et medicinae Doctore et professore Publico Episcoporum Osnabrug. Et Halberst. Nec non Ducum Brunsvic. Et Lun. Archiatro, Physico Halbestad. Praeside et promotore Henningo Arnisaëo, Philosophiæ et medicæ Doctore Et professore Publico Regis Daniae Archiatro, pro impetrando Gradu Doctoris Publica Disputationi et Examine subjectas vult, In illustri Academia Iulia, Ioachimus Findschovius pritzwald. Marchicus. In Iuleo novo maiore, die 22 [20] Aprilis anno M DC XX. Helmaestadi: Iacobus Lucius, 1620.

VD17 23:635528C

Meibom, Johann Heinrich: *Programma ad lectissimos Iuvenes, artis medicae studiosos, perscriptum a Ioanne Henrico Meibomio, Medicinae Doctore, et in illustri Academia Julia Professore publico. IV Kalendas Martias. Helmaestadi: Typis heredum Jacobi Luci, 1621.*

VD17 7:741975X

Meibom, Johann Heinrich et al.: *Leichpredigt bey dem Begrebnüs Weyland des Woledlen gestrengen und Desten Erichen von Rehden. Fürstl. Br. Alten Hoffmarschaln zu Wulffenbüttel. Drost zu Pattensen erbgessen zu Rheden und Ahlem. Welcher den 26. Januarii, morgens früe zwischen vier und fünff Uhren zu Ahlem sanfft und sel glich entschlaffen und folgens am 7. Marij alhier zu Pattensen in der Kirchen mit gewöhnlichen und Christlichen Caeremonien zur Erden bestetiget. Gethan und auff begehren in den Truck gegeb Durch Albertum Lüders Predigern und Superintendenten zu Pattesen. Helmstedt: Jacobi Luciji Erben, 1621.*

VD17 23:261688F

Meibom, Johann Heinrich et al.: *Orationes Funebres quatuor quas in memoriam viri clarissimi Cornelii Martini Andwerpui, philosophi celeberrimi et professoris in Academia Julia primarii, qui diem suum pie placideque obiit ano CIO IO CXXI A.D. XVI. Kal. Ianuar. Collegae eius habuerunt. Accesserunt carmina nonnulla, quibus optimi viri manibus parentatum fuit. Helmaestadi: heredum Jacobi Luci, 1621.*

VD17 23:235351Z

Meibom, Johann Heinrich et al.: *Leich Predigt. Getan bey der Begäbniß Des Ehrwürdigen, Andechtigen, Großachtbarn und Wolgelarten Herrn. Heinrichi, Abten des Closters Riddagshausen. Welcher am 14. October: dieses 1622. Jahrs selig endschlaffen und am 21. desselben Christlich zur Erden bestattet worden. Gethan durch M. Petrum Tückerman Hoffprediger zu Wolffenbüttel. Wolffenbüttel: Eliam Hollwein Fürstl: Brauns: Buchdrucker, 1622.*

VD17 23:271508B

Meibom, Johann Heinrich et al.: *Epicedia super obitu Clarissimi et cosultissimi viri domini Johannis Peparini IC eximii, serenissimi ducis brunsvicensis consilarii quodam praecipui et iudicii provincialis adsectoris, scripta ab amicis in Academia Julia. Helmaestadi: heredum Jacobi Luci, 1623. - VD17 23:634019X*

Meibom, Johann Heinrich et al.: *Exequiae honori et memoriae admodum reverendi, amplissimi, doctissimique viri, domini Petri Windruvi, illustris et antiqui coenobij Riddagshusani abbatis dignissimi, in*

illustri Iulia academia die Concordiae et Constantiae (qui Windruvij natalis) solenniter peractae ab Henrico Meibomio, Poëta et Historico. Addita sunt et alia diversorum auctorum scripta funebria. Helmaestadi: e typographo Jacobi Luci, 1625.

VD17 23:307053Z

Meibom, Johann Heinrich: Programma, Ad Litterarum, Et Virtutum studiosos, de emendandis moribus. Helmaestadi[i]: Lucius, 1628. - VD17 3:016471M

Meibom, Johann Heinrich and Worgerus, M. Bernhardus: Nuptiis Auspicatis Lectissimi Sponsorum Paris, Viri Magnifici et consultissimi Christophori Gerdesii, Jurisconstulti reipublicae Lubecos, et spectatissimae Virginis, Margaritae Ivngiae, gratulantur, Joannes Henricus Meibomius Doctor et M. Bernhardus Worgerus. Lubecae: Typis Valentini Schmalherzi, 1638.

Meibom, Johann Heinrich: De Flagrorum Usu in re Veneria, & lumborum renumque officio. Epistola Ad V. C. Christianum Cassium, Episcopi Lubecensis & Holsatiae Ducis Consiliarium. Lugduni Batavorum: Elsevir, 1643.

Meibom, Johann Heinrich: Hippocratis magni ORKOC sive Jusjurandum. Recensitum, et libro commentario illustratum a Joanne Henrico Meibomio. Lugduni Batavorum: Ex Officina Iacobi Lauwiickii, 1643. Online: <https://books.google.de/books?id=KixmAAAaCAAJ&hl=es&pg=PP5> (Accessed 01 Nov. 2022).

Meibom, Johann Heinrich et al.: Epicedia in honorem et memoriam Plurimum Reverendi et Clarissimi viri Domini M. Johannis Reichii, Pastoris Ecclesiae Lubecae ad D. Aegid. Vigilantissimi, et optime meriti, nunc pie et clacide in Christo Jesu defuncti, XXVI Decembris Hora 8, matutina, A.C. CIO IDC XLIIX aetatis LXI, συμπαθείας καὶ εὐνόιας ἔνεκα scripta ab Amicis. Lubecae: Ex officina typographica Gothofredi Jegeri, 1648.

Meibom, Johann Heinrich et al.: Viris Magnificis, amplissimis et cosultissimis Johanni stuckio, et Joanni Wisselio Jurisconsultis et oratoribus in Aula Guelphica Hannoverana Clarissimis, Dominis et amicis veteribus, de Conjugio Liebrorum auspicatissimo, Friederici Ulrici Wisselii, Jurisconsulti et Joannae Dorotheae Stuckiae, gratulatur Joannes Henricus Meibomius, D. Reipublicae Lübecensis Medicus Ordinarius. Hannover: excipsit Joh. Friedericul Graserus, 1648.

VD17 23:633188M

Meibom, Johann Heinrich: *De mithridatio et Theriaca discursus, Quum utraque Antidotus in praesentia Dominorum Praesidum et Praefectorum Officinae Pharmaceuticae, atque omnium Medicinae Doctorum dispensaretur*. Lubecae: Hakelmannus, 1652. Online: <https://books.google.de/books?id=pMlfAAAAcAAJ>. (Accessed 01 Nov. 2022).

VD17 14:694023C

Meibom, Johann Heinrich: *Mæcenas, Sive De C. Cilnii Mæcenatis vita, moribus & rebus gestis, Liber Singularis. Accesit C. Pedonis Albinovani Maecenati scriptum Epicedium, Notis illustratum*. Lugduni Batavorum: Elsevier, 1653.

Meibom, Johann Heinrich et al.: *Carmen Panegyricum, in exequiis funebribus Reverendissimo el Celsissimo Principi ac Domino DN. Johanni, Lubecensium nuper antistiti, norwegiae haeredi, sleswici Holsatiaeque duci et cetera Adornatis, conscriptum ab Johanne Henrico Meibomio, reipublicae lubecensis archiatro*. Lubecae: typis Gothofredi Jaegeri, 1655.

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VD17 23:235810T

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VD17 23:284667E

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Johann Heinrich Meibom (1590-1655), a physician from Helmstedt, wrote a complex and erudite commentary on the Hippocratic Oath (1643). This book approaches the commentary from different fronts; the author – his life and work–, the Hippocratic Oath and its textual tradition and Meibom's commentary as a text and a book. Thanks to the analysis of different sources and archives, it was possible to reconstruct the writing process of chapter 15th of Meibom's Commentary, devoted to the Hippocratic Oath clause about abortion. As part of the analysis, this book presents a new interpretation of this Hippocratic clause, not as an anti-abortion but anti-gynaecological-harm clause. This book also offers a reflection inspired by Meibom's sources to deal with the still-existing problem of abortion.

