

## Zacchia Consilium XXIV

Translated by Alice Browne  
23 June 2017

### **About midwives, and whether they can administer anything by mouth to women who are pregnant or in labour, without a doctor's advice, in cases of extreme necessity.**

When Victoria Alfana was seven months pregnant, she unexpectedly fell to the ground while getting up from rather a high seat, miscarried the fetus, and suddenly fell into a flow of blood which was so extreme that she frequently lost consciousness, was bathed in a cold sweat, and seemed on the verge of death. In addition to ligatures and some other mild remedies, the midwife who was called gave her some kermes in raw egg to drink, and applied cupping glasses to her breasts; with these remedies she immediately stopped the flow of blood. But then the mother developed an acute fever, and since she could not be brought back to her normal state by repeated bloodletting or any other remedies, she died on the twelfth day after giving birth. The midwife was accused and thrown into prison; the question was whether she should be punished with the severest penalty, because they thought that the retention of the menses, which she had brought about by force, was the reason for the woman's fever and death. But they decided to deal with her more leniently, in spite of the reasons adduced on behalf of the Fiscus. First:

#### **Summary.**

1. It is not blameless to go beyond one's capacity in administering medicine.
2. Midwives cannot give anything by mouth to women in labour or pregnant women.
3. Surgeons, midwives and others are obliged to call physicians in more difficult cases, or be punished.
4. How fearful the symptom of syncope is.
5. Death is nothing other than established syncope.
6. It is enough for a person administering medicine to act in accordance with reason.

We have proved at length elsewhere that it is not blameless to go beyond one's capacity in administering medicine: *Quaestiones medico-legales* book 6, question 1, number 2, and question 24, number 19, and following. We have also said that it is always culpable when a person of lesser skills encroaches on those things which are prescribed by people of higher skills. Midwives must absolutely be punished when they dare to administer anything by mouth; we ought to add, that this should happen even in cases where no harm comes to the patient, and how much more should this happen when the patient not only suffers harm, but even suffers the worst of harms, death, as in our case, where it is clear that the extraordinary flow of blood was stopped suddenly and violently by the administration of the medicine,

with its great contracting power, and so an acute fever was kindled, followed soon after by sudden death. So the rashness of this midwife should be punished severely, as the patient certainly perished as a result of her rashness.

Second: this midwife seems all the more deserving of punishment because she was hasty and bold and did not call a doctor. This is not only the rule for midwives, but even for surgeons (unless they are also physicians), who are far more expert in the art of medicine than midwives: they are constrained to this by their oath, and their licence to administer medicine has the limitation that they are obliged to call a physician in harder cases where a physician's skill is required. So how much more shall we say that midwives are obliged to do this, when they have no ability to administer medicine, but are rash and hasty, and do everything improvisationally [per accidens], without applying any rule.

This is all the truer in our case, for this was not a simple birth. It was induced violently, by an external cause, that is, the fall; for that reason it required the care of a physician, and a person of more skill, since it was a miscarriage, accompanied by a violent flow of blood, and besides, there was bruising of the parts as a result of the fall, so even if it seemed necessary to restrain the rapid flow of blood, it was no less necessary to consider the ailments that were present and that might develop, as well as the bruising of the parts. Tumours, inflammations, and damage to the bruised parts, as well as other things of the kind, needed to be prevented, and for this reason it was wrong to make so much of even copious bleeding, because this could be a remedy and preventive for the ailments which are to be feared in this situation. So it was wrong to suppress the bleeding so suddenly and violently, even if the woman was losing consciousness from it, for she could have been helped in other ways; or if it was necessary to restrain the bleeding, it could have been done gently and gradually, in the way that a physician would have done it. But these things were beyond the midwife's capacity; so, with the inborn rashness of women, she set her hand to administering medicine, spurning any advice from doctors, and with the highest degree of culpability took the sick woman from us.

This midwife appears all the more culpable, because even though the servants were busy fetching the doctors, she did not wait for them to arrive, but she gave the kermes powder with raw egg to the mother, who was reluctant, even though other women and the maidservants were urging her to take it, and also, which is much more serious, applied the cupping glasses to her breasts. The mother herself did not want to take anything until the doctor, who she trusted greatly, arrived and agreed to it; but finally she took it, after the midwife urged her to, and promised it would certainly restore her health. Although she recovered her strength for a while after taking it, and said herself that it had restored her health, soon afterwards she and those with her realised that the powder and the application of the cupping glasses had induced a powerful and acute fever. After only an hour or two, or even less, her purgative bleeding completely stopped, and the mother, shuddering, felt her whole body afflicted with intense heat, as if she was being thrown into a furnace; she herself insisted on this description. Undoubtedly the reason for this is that the

violent retention of the blood caused a preternatural heat, and an acute fever, which ended in her death. It caused inflammation in the bruised internal parts, which that bleeding was the best remedy for, even though it was violent, as we have said, and as is clear from what followed, because stopping the flow of blood immediately induced inflammation there.

But even if we grant, as the other side says, that midwives are allowed to give some common medicines by mouth to women in labour and other women, and granted that there is no culpability in this act, yet it has to be said that the application of the cupping glasses was excessively rash. The midwife could not have understood what aspects of the case could allow or forbid the application of the cupping glasses, because this is a major, extreme, and violent remedy, which even the wisest and most perspicacious doctor would only have used in great and urgent necessity, and with extreme caution. There is always a danger that the sudden, violent restraint of bleeding will cause exactly the effects that happened to this mother: that is, acute fever, internal inflammation, and even sudden and unexpected death. Therefore it seems as if the midwife should be punished with the utmost severity, as an example, to restrain the rashness of other common women, which is so harmful to the human race.

However, despite these arguments, I have decided it is more in accordance with justice to treat this woman more leniently. First, because the situation was critical, and demanded immediate and timely help. If there had been any delay, and she had waited for the doctor who had been called, the mother would certainly have breathed her last, as she was losing consciousness, and was bathed in cold, thin sweat, as is usual in people who are very close to death. She had experienced a violent syncope, which is such a serious symptom that it can kill immediately, because a powerful syncope precedes every death, and death never occurs without syncope, so that death is nothing other than an established syncope, since this is the dissolution of the bond of nature, as Aretaeus says, *Acutorum [De causis et signis acutorum morborum]* book 2, chapter 3. Therefore, who is so irrational as not to allow a woman with a lot of obstetric experience to try something in such a case? Even if the mother was certainly bound to die of these remedies, the midwife was able to delay death, which is greatly preferable to dying suddenly, for both body and soul. It is clear that the mother was on the verge of dying suddenly, for she was showing all the signs of imminent death: that is, loss of consciousness, dissolution of forces, chilling of the body, thin, cold sweating around the head, and the pallor of death, all of which appear when the soul is leaving the body.

But there is all the more reason for us to say it was lawful for this midwife to use these remedies, because they were all very well known, widely used, and safe. In regard to administering the kermes, we all know that midwives use it everywhere every day, and even without a midwife's advice pregnant women use it on their own when they are afraid of miscarriage, to inhibit menstrual flow and to strengthen and retain the fetus; it is considered extremely efficacious for this, and has no quality

which would give grounds for fearing any adverse effect, apart from the constriction, which is what is needed in such cases. Raw egg has no harmful property in itself, for it is completely harmless, and is given in this case to increase constriction and thicken the flowing blood; but it is unquestionable that there is nothing to be feared from it, and nothing that could cause any harm to a woman.

There remain the cupping-glasses applied to the breasts, which draw blood back from the uterus with some violence, and this remedy does seem to be beyond the competence of midwives; however, it is an approved remedy in such cases, as we see from Hippocrates himself, *Aphorisms* 50, section 5. As long as it was used at the right time, in an illness requiring it, it cannot be said that it was rash for the midwife to use it; it was applied reasonably, for the illness was dire, and required a powerful and extreme remedy, in accordance with Hippocrates, *Aphorisms* 6 [text gives 5 in error], section 1. The woman was dying, and even any ignorant person, not just an expert midwife, was obliged to help her if they could contrive anything to save her. Besides, this remedy does not require any preparation or purgation of the body or the humours, or anything else before it is done.

In response to the arguments adduced to the contrary: first, the midwife did not go beyond her capacity, because this remedy is among those which Mercurius [Girolamo Mercurio] allows midwives to use when necessary: *La commare*, book 2, chapter 32. It is also untrue that she could not administer anything by mouth, because Mercurius allows midwives to administer several stronger and more powerful remedies than this, in cases of extreme necessity, like this one [ibid.]. Mercurius himself allows midwives to use these remedies in precisely this condition. The fact that the midwife did not wait for the doctor is not her fault; it is the fault of the illness, which gave no respite, for the woman could have died in the meantime, as she was afflicted with so many very serious symptoms. As for the other objections rehearsed above, we have disposed of them completely. So it follows not only that our midwife should be spared accusation and punishment, but she deserves great praise, because she knows how to administer reasonable remedies in sudden and doubtful cases. Even if death follows the use of remedies of this kind, we should say that it results from the bad condition of the body, not the violence of the remedies. It is enough for a [medical practitioner] to do everything according to reason; as long as he acts according to reason, he should not worry about anything else, as Hippocrates teaches in the *Aphorisms*.