

November 1991

## Medicine, Law and Compassion

David P. Reid

Follow this and additional works at: <http://epublications.marquette.edu/lnq>

---

### Recommended Citation

Reid, David P. (1991) "Medicine, Law and Compassion," *The Linacre Quarterly*: Vol. 58: No. 4, Article 9.  
Available at: <http://epublications.marquette.edu/lnq/vol58/iss4/9>

# Medicine, Law and Compassion

David P. Reid, SS.CC., SSL, STD.

*The author is a priest-brother of the Congregation of the Sacred Hearts. He is adjunct professor of the New Testament at St. Bernard's Institute, Rochester, NY.*



---

## Introduction

The program committee handed me three words: medicine, law and compassion and invited me to sort out their juxtaposition.

The reason I am asked to consult the Bible on the issues is that the Bible is taken to be, in fact, relevant, even normative. If I address myself to what the Bible *meant* to those for whom it was first composed, I must also address the question of what the Bible *means* to those for whom it continues to be testimony to the action and power of God in people's lives today. So I offer these reflections situated as I ought to be on the bridge that goes from what the text meant to what the text means.

In addressing the material, the discussion must be both true to the biblical material and also answerable to our contemporary search for meaning. This is not to claim that the Bible answers our questions; the Bible offers frameworks out of which we may a) critique the adequacy of the questions and b) begin a process of answering which is rooted in biblical reflections and which reaches beyond the biblical testimony. Were we to claim that the Bible answers our questions without remainder, we would compromise the very historical character of God's self-disclosure to humankind.

## Biblical Text

This reflection is built on a text from the book of Sirach. Even scholars not accepting the canonical status of this work marvel at the ingenuity of its composition and the density of its reflection. The perspective I use in interpreting the juxtaposition of medicine, law and compassion is rooted in this all important perspective of Sirach, that is, the perspective of *Torah*-wisdom. I cite here 38:1-8.

Hold the physician in honor, for he/she is essential to you, and God it was who established their profession. From God the doctor has his or her wisdom, and the king provides for the doctor's sustenance. Knowledge makes the doctor distinguished, and gives the doctor access to those in authority. God makes the earth yield healing herbs which the prudent person should not neglect; Was not the water sweetened by a twig that people might learn God's power? God endows people with the knowledge to glory in God's mighty works, through which the doctor eases pain and the druggist prepares medicines; Thus God's creative work continues without cease in its efficacy on the surface of the earth.

There are many notes to be shared about this passage. Allow me to remark on two points. One, the passage is shot through with traditional retribution thinking and follows close on a passage, 37:16-30, close to the heart of any practicing physician, which calls the reader to a temperate use of food.

Two, the punchline of the passage under consideration comes early and leaves no doubt as to its message: "from God the doctor has his or her wisdom."

Read in the context of the entire book of Sirach, this reference to wisdom truly receives its impact. In 24:1-31, Sirach has extolled wisdom. Then the author bonds Torah and wisdom. On the one hand, in 24:8, Sirach unites God the lawgiver and God the creator: "The Creator of all gave me his command . . ." and, on the other hand, in verse 22, unites the person who obeys the law with the person whom wisdom will never fail:

"the one who obeys wisdom will not be put to shame, the one who serves wisdom will never fail."

This combination of the law and wisdom is *Torah*-wisdom, the God-given tool with which to investigate God's creation and to obey the patterns of God's wisdom found in creation. With the juxtaposition of law and wisdom in place, Sirach sets *Torah*-wisdom within a framework of compassion, the loving kindness of a covenanted God. In verse 23 Sirach writes: "All this is true of the book of the Most High's covenant, the law which Moses commanded us as an inheritance for the community of Jacob."

In 38:1-8, the author returns to the image of wisdom. The reader is meant to recall that wisdom is gift of God, lawgiver and creator. Medicine functions within the framework of *Torah*-wisdom, itself embedded in covenantal compassion.

We need to explore at more depth the frameworks evoked by the words: medicine, law and compassion.

## Biblical Reflections

### 1. *Law and Compassion.*

Compassion is the most telling characteristic of being a sovereign and is especially a testimony of God's sovereign relationship with humankind. Such divine sovereignty is but faintly echoed in the power of the governor of a State to offer clemency. For all its being sovereign the exercise of such power is no less law. It is in fact such sovereign compassion that grounds the possibility of law. Within Israel there developed a whole vocabulary for

referring to this compassion of God for Israel. The deliverance from Egypt was the paradigm of compassion, a story marvelously told over and over again. God's compassionate hearing of the crying out of the enslaved Hebrews is the framework within which any framework of law is found (See Exodus 2:23-24).

*Torah* is the tracking of this very relationship between a sovereign, compassionate God and humankind. This relationship was transformed into a body of law as the people allowed that relationship to affect many and varying aspects of their lives. Common sense, experience, homespun wisdom came together in that reflection and got absorbed into the relationship. But at the head of Israel's code alone can stand those uniquely identifying self-revelatory words: "I, the Lord, am your God, who brought you out of the land of Egypt" (Ex 20:2).

Law is always response to the prior action of God, an all powerful, present and superbly promising God (Ex 3:14). Law did not become a law unto itself; it served a relationship, not a relationship of the lone individual to God but a relationship of an individual as part of a community with God. Without a community of shared experience there is no law. The laws are not arbitrary, capricious ways for God to test humankind and find humankind wanting. The laws grow out of what is deemed appropriate response to God, constructive of God's *shalom*, upbuilding of God's community. Compassion is always related to sharing in that community. It is not enough that Israel be a nation of laws; Israel will be a people-nation of relationship, of compassionate togetherness. Law will be always *reformanda* to adequately reflect this new framework.

To be sure, laws, knowledge of whose context has been lost, can sound irrelevant, capricious. But laws, statutes and decrees understood in their respective contexts, promote the human agenda for a community acted upon by God's covenant choice.

That special relationship between God and humankind could be expressed forensically and this is one of the great anthropological achievements of the Bible. There is a common ground of rationality then between God and God's people, the creator and the creature, the only wise one and the recipients of that wisdom. *Torah* and the concomitant challenge to ever interpret is truly *Torah-become-wisdom*, the most precious tool of the creature.

The framework of law for Israel then is the ongoing discovery of how God chooses to be with humankind. An overstress on redemption to the eclipse of creation has caused us at times to slight the fact that *Torah* is not only a way of redemption but also a way of being God's creature.

Here I repeat the pattern of how God as creator is related to us as creatures. Made in the image and likeness of God, humans are creatures endowed with intellect and will, with rationality. The biblical shorthand for this understanding is that humans are hearers of the word. Humankind is particularly the hearer of the word that God speaks in creating the world. The bonding between redemption and *Torah*, creation and wisdom is

the challenge made in the words: "God spoke and it was made."

Hear Sirach again:

"the first human never ended comprehending wisdom, nor will the last succeed in fathoming her. For deeper than the sea are her thoughts; her counsels than the great abyss." 24:26

## 2. *Medicine and Compassion*

*Torah*-wisdom within the compassionate relationship of a creator/redeemer God with God's people, I submit, is the framework for the religious meaning of all science. Is not this especially true of medicine? I recall the words of Sirach:

God endows people with the knowledge  
to glory in God's mighty works,  
Through which the doctor eases pain  
and the druggist prepares medicines;  
Thus God's creative work continues without cease  
in its efficacy on the surface of the earth.

The physician claims to know the creative and redemptive patterns of the human body so he or she can suggest how one can activate the body's own patterns of healing. The religious wonderworker, socially legitimated by a given worldview of folk medicine and the modern physician, schooled in the capacity of the human body-person to heal himself or herself, are on the same continuum. If the modern physician answers more natural questions with natural answers, it is not that he or she is less religious than the religious wonderworker. It is rather that over the course of the years, human intelligence has discovered and handed on knowledge of the God-given processes of healing within the human body and within the human environment. If there are no atheists in foxholes, there are no atheists in the offices of caregivers who know the marvel at *Torah*-wisdom at work in healing a human body.

Medicine is a wonderful example of both the discovery of this pattern and of its employment, as Sirach says: doctors know what herbs to use! We can push our point further to claim that this pattern, discovered within the body-person, functions within a sphere that is limited by human mortality. The deepest meaning of the person as body is to relate to the self-manifestation of God in glory.

Ultimately, the issue is healing, not cure. The function of medicine is not to defy death but to move to wholeness, to *shalom*. Often it is said that physicians hate to lose; that to lose a patient to death is the ultimate defeat. But is that true?

I have often heard physicians bemoan the limits of their knowledge, wishing that they could activate more of the body-person of the patient in the healing process. The could-have-beens and the should-have-beens of the physicians' vocation are not acts of hubris but acts of profound humility in face of a body of knowledge about the body of humankind.

God is always with us but it is in the marginalized experiences of life

that law-become-wisdom and wisdom-become-law of compassion come into play. To be marginalized, to be in biblical terminology in the "shadows," is to be with-out community. Few areas touch more deeply our lives in marginalization than medicine. Healing is the restoration of wholeness, a summons to *shalom*. Restoration to *shalom* and restoration to community are one and the same thing. Sickness, unwellness is separation from the community, the inability to take one's place in the community where the praise of God is sung. Health and restoration is participation in the community. Medicine is therefore a radically social function, a function of the community in its self-preservation. Medicine is a function of *Torah* in its community building responsibilities.

### Conclusion

Medicine has as its goal the enablement of participation in the community. How could one reflect on this wisdom if one stood apart from the community? Radical individualism is a symptom of deep illness, not just a counter premise to those on which *Torah*-wisdom within compassion is found. Such individualism is a serious malady to be overcome.

Thus if the contemporary debate on medical ethics is to be biblically oriented, the debate needs to be community centered. Body, of its very self, connotes social relationship. We are each other's body. No one is one's own body.

Many of our questions are thus recast by the biblical frameworks of a compassionate community both celebrating and challenging its *Torah*-wisdom.

Challenging because often the question needs to be refocused, away from the individual and onto the community into which medicine reintegrates a person even in their marginalized condition. Note, however, in celebrating, the wider ownership by the community at present of a so-called handicapped body-person.

Note the great acceptability in our culture of adopting a child, perhaps a Downs Syndrome or a child with AIDS, not by way of possession but by way of being a community of body-persons.

Note the ever growing numbers of persons — whose wisdom in medicine comes from God — who donate time in the Third World that people may no longer live in shame and ostracization because of the simplest maladies, such as a cleft palate.

Long before I could speak of my body, my parents spoke of our body.

Long before we documented the evidence against "passive smoking" we noted the reality that if any part of the body is sick, so too is the entire body.

Long before the words "social medicine" with their contemporary overtones were coined, medicine was already accepted in its profoundly social function.

"Thus God's creative works continue without cease in its efficacy on the surface of the earth."

SAINT LOUIS UNIVERSITY MEDICAL CENTER  
CENTER FOR HEALTH CARE ETHICS

INSTITUTE FOR CLINICAL HEALTH CARE ETHICS

APRIL 27 - MAY 9, 1992

*In its sixth year, this institute presents an integrated two week program of clinical experience, lectures and discussion, and theological reflection.*

*CLINICAL EXPERIENCE*

*Morning sessions will feature participation in various clinical experiences. Participants will attend medical rounds and clinical conferences in:*

- \*Cardiac ICU*
- \*Geriatrics*
- \*Medical ICU*
- \*Neonatal ICU*
- \*Neurology*
- \*Ob/Gyn*
- \*Pediatrics*
- \*Psychiatry*
- \*Surgery*

*DIDACTIC EXPERIENCE*

*Afternoon sessions will feature lectures and discussions with physicians, nurses, pastoral care professionals and health care ethicists concerning such contemporary topics as:*

- \*AIDS*
- \*Allocation of resources*
- \*Applying principles of medical ethics*
- \*Brain death & organ transplantation*
- \*Ethics committees*
- \*Genetic research & therapy*
- \*Knowing & doing ethics*
- \*Personal & proxy consent*
- \*Sexuality & reproduction*
- \*Withholding/withdrawing life support*

*Saint Louis University  
Medical Center  
CENTER FOR  
HEALTH CARE ETHICS  
St. Louis, Missouri*

For more information contact: Donna Troy (314) 577-8195