

## Review article

### PRESCRIBING SEX IN THE MIDDLE AGES

Beryl Rowland

Pierre J. Payer, *Sex and the Penitentials: The Development of a Sexual Code, 950 to 1150* (Toronto: University of Toronto Press, 1984). xi, 219.

Pierre J. Payer, *The Bridling of Desire: Views of Sex in the Later Middle Ages* (Toronto: University of Toronto Press, 1993). x, 285.

The code of Christian ethics was developed and transmitted from the mid-sixth to the mid-twelfth centuries in penitential manuals. These manuals identified various misdemeanours that the confessor might use to prompt the penitent to confess. They also assigned all the penances. These were not primarily regarded as punitive; in Payer's view, the priest was allowed to take into account the circumstances of the action and the social status of the sinner.

The action that these manuals entailed was "private" as opposed to the more ancient practice of "public" confession, espoused by the older churches of the Mediterranean. Payer dismisses the earlier ritual briefly, remarking on the severity of a rite that usually imposed total sexual abstinence for life on the penitent and prevented him from entering either the church or the military as a profession. Indeed, Caesarius of Arles, early in the sixth century, proposed that the penitent might postpone a penance for major sins — such as murder and adultery — until the end of his life. While this proposal

might explain the emergence of incriminating autobiographies written later in life, presumably the ruling of the Fourth Lateran Council (1215) on annual confession would prevent such a practice.

Public penance whether solemn or non-solemn, according to Mary C. Mansfield's *The Humiliation of Sinners: Public Penance in Thirteenth Century France*, persisted well beyond the thirteenth century in a limited degree. Payer's task is to examine the sexual contents of Welsh, Irish, Anglo-Saxon, and Frankish texts and trace the development of the penitential tradition to the point where the material could be incorporated in the subsequent collections. The intention is to provide "a reliable mapping of the handling of sexual behaviour during an important phase of the development of Western culture" (6). Neither Payer nor other theological scholars could have anticipated the ultimate debasement of that culture. A disk put out by the Cologne-based Lazarus society now invites the penitent to select his sin from a list of some two hundred failings, and the computer searches out the appropriate penance.

Few scholars, if any, can have studied the manuals so extensively as Payer has done or brought more sympathetic insight into the complex task of elucidating them. He stresses that their prime function was instructional. They prescribed rules controlling sexual behaviour, which pertained largely to the normal routine of married life, but they also dealt with circumstances that were the results of negligence or crime. The woman who carelessly overlaid her child would begin her penance with forty days of sexual abstinence; the same penalty was imposed (28) for one who committed "deadly wounds on a man." Some penitential canons demanded sexual abstinence throughout the period of penance; others found this requirement too draconian. The Council of Worms (868) was tolerant in the case of patricide and fratricide:

If they have wives, they are not to be separated. However, if they do not and are not able to be continent, let them take lawful women in marriage lest they are seen to fall into the abyss of fornication. (28)

At the end of the century, however, the Council of Tribur (895) established sexual abstinence as part of the penance for murder during the first forty days.

In his delineation of the sexual content of the penitentials and their transmission and incorporation into later canonical collections, Payer occasionally introduces views of his own. For example, he suggests that the relative absence of prostitution reflected the social organization and the level of sophistication of the society of the time. Prostitution occurred in the more

developed societies of the twelfth and thirteenth centuries when the canon lawyers would give ample treatment to the phenomenon. In the *Penitential of Cummean* a ten-year old boy, sexually abused by an older one, was required to fast for a week or, if he had consented, for twenty days. Payer, remarking that such a sentence was unusual, observes, "Perhaps this canon was meant to serve an educational function and was not simply punitive" (42).

The subject of sexual intercourse between two unmarried lay persons is not often dealt with in the penitentials. Lesbianism and homosexuality within marriage are considered important, but even more attention is paid to the sexual life of the married woman as a whole. Some of the penitentials discuss the length of time that must elapse between the woman's giving birth and having intercourse with her husband. Gregory wished to distinguish between women who nurse their children after birth and those who give them up to others for nursing, the latter for reasons of incontinence. In the case of the latter there is to be no intercourse, for the same reason that it is prohibited during menstruation, i.e., because there is no chance of procreation. The church is, of course, very much occupied with various aspects of contraception. But Payer states (118) that in the early penitentials that he is treating there is no evidence of a consciously held anti-contraceptive stance. The absence of a specific condemnation of contraception may be due, he considers, to the presence of canons condemning activities that happen to have anti-contraceptive results. When he does deal with contraception in *The Bridling of Desire*, Payer shows that he is very familiar with the work of J.T. Noonan. He also notes the opinions of certain theologians such as Peter Lombard, and he puts forward a reason for Robert Grosseteste's extremely harsh penance for administering or accepting a potion ("If a woman drinks or eats something so as not to conceive, she shall do a penance for five years"). The thinking was that the potion, rather like creating an abortion, might kill an unborn child who was already "ensouled" (73).

Like its successor, *Sex and the Penitentials* is a work for the specialist and it is not addressed even to the general, well-informed reader. It provides the scholarly detail that reveals the striking effect of the early church on the lives of ordinary people. The endnotes, the bibliography, the entire critical apparatus, with lengthy citations of the original Latin texts, provide the tools for those wishing to do further research into the church's attitudes toward sex in the early Middle Ages and what it taught its parishioners. Exceptionally useful for the scholar are the appendices. They consist of General Areas of Sexual Behaviour Covered in the Penitentials; Periods of

Sexual Abstinence; Penances as Measures of Gravity; Homosexuality and the Penitentials; Notes on the Language of the Penitentials.

*The Bridling of Desire* examines many of the same issues, with the focus being on the mid- and late-thirteenth century theologians' and canonists' views. While clearly showing the development from the earlier penitentials, Payer organizes this study around three issues: sex in paradise and after the Fall; married life in the present fallen state; and the virtue of temperance.

Payer tackles the first subject with enthusiasm and presents the various scholastic views with remarkable clarity. The philosophers accepted the patristic view that sexual intercourse had a place in God's plan and was therefore natural. Its original purpose, however, was exclusively procreation, to fulfill God's injunction to "be fruitful and multiply." Post-lapsarian sex introduced lust and the burden of original sin. It also contributed a further purpose for sex beyond procreation: it was to be a remedy against lust. If the question posed by medieval scholastics ("What would have been the case if Adam and Eve had not sinned?") was indeed central to theologians' thought as Payer seems to imply, then the esoteric nature of the discussion would make them incomprehensible to most of the people for whom the penitentials were primarily intended. As Payer himself says, these views on sex are "the intellectual, dialectical elaboration of a shared mythos of truly cosmic proportions" (59).

Payer explores comprehensively the four reasons for marital intercourse: to have children; to pay the marital debt; to avoid fornication; and to satisfy lust or for the sake of pleasure. The first two reasons are legitimate and the last two problematic. Payer manages to make sense of the various arguments that often seem conflicting in themselves and to steer the bemused reader toward an understanding of the most essential features of the texts. Because of latent ambiguities, the occasional use of the authorial "I" may come as a relief. Payer concludes the chapter on "Problematic Reasons for Marital Relations" thus:

I am not aware of any evidence showing that married people in the Middle Ages actually believed and observed this teaching about the inviolable link between intercourse and procreation when conception was possible. We know more about attitudes towards the link between intercourse and marriage. There is considerable evidence of widespread belief that what was called simple fornication was either sinless or at most a venial sin. (131)

The previous paragraph is more equivocal. Payer states that by the end of the thirteenth century there existed "a theology of the impersonal natural forces of reproduction that were thought to be immune to deliberate

interference." The recognition of the "remedial character of marriage" by canon lawyers and theologians meant that intercourse was morally acceptable in cases of sterility in a married couple whether due to infertility, old age, or pregnancy. Payer continues:

It apparently did not occur to anyone to argue that since it was permitted to use nature in circumstances in which nature was incapable of culminating in conception, it might be permissible to render nature incapable of conception through deliberate contraceptive techniques. (131)

Surely the belief that contraception was against nature and the will of God would deter further considerations.

In the subsequent chapters, beginning with that on "the virtue of temperance," the consequences of Payer's frank acceptance of Catholic dogma are clearly perceived. He considers the treatment of temperance from Cicero to the fourteenth century. He notes that these views were given further dimension by the introduction in the thirteenth century of recently acquired Aristotelian learning. He remarks with approval that "Albert [Albertus Magnus] highlights the special need for temperance because of the particular difficulty that the human animal has in controlling the base drives of his lower nature" (144). This last section, dealing with abstinence, continence, chastity, and virginity, displays Payer's talent for disputing with the schoolmen and his full command of the arguments. Frequently one is uncertain whether the view expressed is Payer's or that of the academic disputants. For example, a certain virgin who is about to be consecrated has masturbated. She is a virgin in Albert's full sense of the term but, overcome by temptation, she masturbates without receiving any pleasure from it. According to Albert's definition, she has not lost the "integrity of the flesh," but Payer considers that this integrity does not "attest to incorruption of her mind" and he gives the impression that in his view she has chosen to abandon her virginity. With regard to a raped virgin, Payer appears to accept a general presumption at that time, but whether he would agree with Astesanus is unclear:

the genitals are quite compacted with nerves and so, touching them causes titilation and consequently inclines to pleasure. This attracts consent or at least hinders a person from entirely taking a contrary position. Therefore, since complete dissent cannot be clear to the Church, it was established that such women humbly abstain from consecration. (166)

At this point one might expect the author to comment on the absurd presumption of theologians pronouncing judgment on a woman involved in an

experience of which they know nothing. Pleasure in rape? In being brutally forced to have intercourse? A million victims would cry out their denial.

When Payer deals with virginity he defines it as "the abstinence from voluntary sexual experience over all time frames (past, present and future) and with all persons" (173). The question of whether virginity was a virtue had to be treated in detail because Aristotle had defined that virtue was the mean between excess and absolute abstinence. Definitions of virginity and its relation to virtue might vary, but the certainty was that with sex — even legitimate sex — came a certain corruption. When the rewards given to virgins, martyrs, and certain preachers are discussed, Payer appears to be in favour of giving the customary virgin's coronet to the virgin raped against her will (but remaining in the formal sense a virgin). The *Glossa Ordinaria*, however, denies this privilege.

Detached as Payer's approach is to both books, his own views are implicit and convey a personal assurance that, though subtle, may be continually present. Although seemingly disinterested in the various speculations concerning that nature of sex in a sinless paradise, his own values come through: the act of generation would have been necessary because of God's directive, but the pleasure involved would have been different and sex would have been under man's control. He uses the traditional image: "Sex in paradise would have been like a well-behaved horse, obedient at every turn to its master."

Adam's tragic fall brought all this to an end; his legacy to us of original sin insures that sex as it is can never be as it ought to have been. That will always remain, perhaps, a distant ideal, impossible of complete realization because of the impossibility of eliminating lust. (59)

Some of the views on sex that were enunciated repeatedly by the Church Fathers in the thirteenth and fourteenth centuries prevail to this day among believers. Intercourse is evil, unless excused by the two goods of marriage: procreation and fidelity. Semen, which once was compared to leprosy because it was thought to have an infectious nature, might still be regarded as the transmitter of original sin. The male was the transmitter and the result of male semen on the matrix might be a corrupted, disordered flesh (58). The purpose of sexual relations was either for procreation or to repay the marital debt. The question of love seldom arose; the focus of the theologians was on lust. Sex for pleasure, even that between married couples, was thought to be either venially or mortally sinful. Here and elsewhere we are reminded that such dogmatic statements proceed from an exclusive world set apart from the romance of literature and of music, and without any reference to

the exhaustive toil daily undertaken by ordinary men and women, or indeed to their major concerns, other than sexual.

Within the parameters that Payer has set himself, his explication of the doctrinal arguments of the Fathers is an impressive achievement. He presents with astonishing clarity the various interpretations and complex, labyrinthine disputations. Taking issue with the popular, present-day view that the sexual codes were devised by neurotic misogynists, obsessed by sex and an overwhelming sense of personal guilt, Payer skillfully argues the contrary view that the writers were for the most part learned, dispassionate philosophers and that the nature, intention, and morality of sex as conceived by them was positive and reasonable.

York University and University of Victoria