



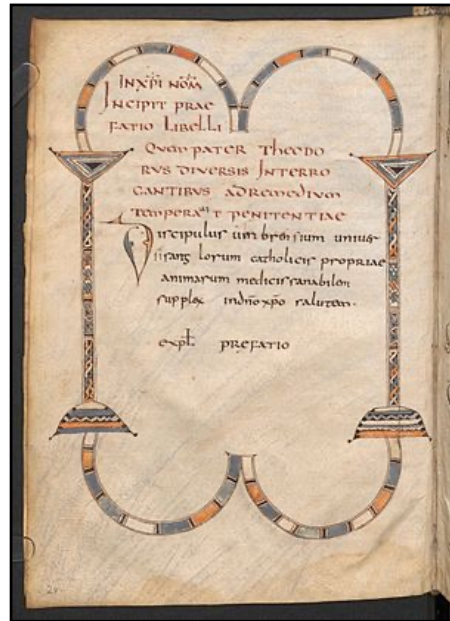
David B. Smith, BCDSS, University of Bonn

1. Abstract

How did the sexual and gender norms codified in early medieval penitential literature generate new and undergird extant socio-religious structures of asymmetrical dependency concerning masculinities and homoeroticism in both ecclesial & civil law?

In ways both dissimilar and parallel to our own era, religious-cultural sexual and gender norms acted upon early-medieval individuals who deviated from proscribed behavioural patterns in both covert and overt ways. The moral imagination of the late antique and early medieval periods left little social space for self-differentiation, uncritical awareness of sexual orientation, or reflection on gender identity as those concepts are understood today. While the aim of this project is not to suggest that these 'modern' ideas fail to accurately describe the lived experiences of people in the past, one cannot assume that said abstractions would be intelligible in different eras or across contexts. The 'sexual code(s)' outlined in the early-medieval Penitentials offer examples of how the foundations were laid for sexualized/gendered dependency structures in law, theology, and liturgical praxis.

A monastic worldview may have heavily influenced the Penitentials, but their development cannot be confined to the spiritual communities that birthed their driving ideas. When the convictions of the cloister were exported to the lands of the laity, they became entangled with the complicated lives of the people they sought to edify. Centuries of redaction, synodal reformation, and situational adaptation produced the documents collectively described as *libri penitentiales* today.



Folio 2v, Vienna manuscript, Lat. 2195, *Umbrense*.

2. Primary Sources



Origins & Influence:

- Penitential Handbooks arose out of a broader tradition of penance and pastoral care that dates to the period of the early church and were actively used in Europe between the 6th and 12th centuries.
- The earliest examples of penitential literature are from Ireland c. 450s/500s.
- The documents spread throughout Europe via pilgrimage and other forms of monastic & clerical correspondence.

Purpose:

- The Penitentials were resources for pastoral formation, tools for pastoral care and instruments of social control. Different early handbooks may have been used for divergent purposes, but most appear to be a point of translation between monastic values and life in the world.
- Bishops and (eventually) priests used the handbooks to help them proscribe the appropriate penance for specific sins.
- Despite the relative paucity of in-depth theological reflections (especially in early manuscripts), their detailed descriptions of sins open a window into the ethical and social thought of the people who wrote, compiled and used them.

Socio-Historical Significance:

- The proscriptive content of the penitentials sheds light on how specific behaviors, individuals and groups were viewed and thus upon the lives of diverse cohorts.
- The church's views on the texts waffled between endorsement, regret and outright condemnation. The relationship between these texts and ecclesial law has implications for the way institutionalization is understood in the western church.

3. Three-Fold Hypothesis

Rather than detracting from their ongoing relevance, the practical focus and applied theology of the Penitentials make them valuable for gender and sexuality research.

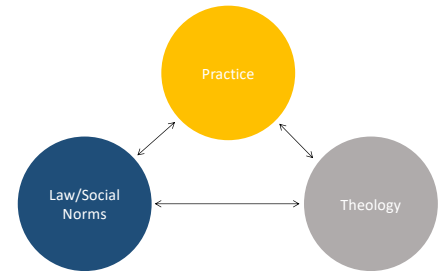


The three-fold approach of the research group (legal, theological, praxiological) provides a useful framework for interpreting the power relationship between the norms enshrined in the Penitentials and a specified cohort; males who engaged in homoerotic behaviour.



This project will provide valuable insights into the complex relationship between gender, sexuality and structures of (covert?) asymmetrical dependency in early-medieval Christianity.

4. Theory



This project, along with others in the *Structures of Dependency in the Late Antique and Early Medieval Western Church* Research Group asserts that the interlocutions between praxiological, theological and legal/normative concerns are foundational to understanding historical developments in church and society.

As stated in the overview of the research group's aims, 'the traditional view of early medieval religious power structures is based mainly on normative texts such as canon or secular law, synodal decisions, church orders, or statements of doctrine.' While these sources are hermeneutically useful, they 'represent or define idealized views of order within church and society. Therefore, a closer approximation to social reality may be achieved by examining a broader range of sources like the Penitentials, which may shed light on the lived experiences of the period.'

5. Method

- The primary methodology employed will be that of historical-critical content analysis of the physical, syntactical, referential, and thematic units within extant penitential manuscripts.
- To complement readings of source materials, this project will draw upon hagiographies, classical historiographies, synodal records and ecclesial correspondences.
- The methodological goal is to map the conceptual, legal, and praxiological development of 'fornication' as it relates to homoeroticism and gender construction (specifically focused on masculinities) on the micro, mezzo, and macro levels of human development in church and society.



Egerton 881, F.141v, 'Lamant,' British Library

6. Example:

Paenitentiale Umbrense, II – De Fornicatione

- Qui coierit cum masculo post XX annos, XV, peniteat.
- Si masculus cum masculo fornicate, X annos peniteat.
- (A) Sodomite VII annos peniteant, (B) et molles sicut adultera.
- Item: hoc uirile scelus semel faciens III annos peniteat; si in consuetudine fuerit, ut Basilius dicit; si sine, XV, sustinens I annum, ut mulier. Si puer sit: primo libus annis; si iterat III.
- Si in femoribus, uno anno uel III annos.

The five verses referenced here from the *Paenitentiale Umbrense* reveal the complexity of penitential discourse about the nexus of human sexuality and gender identity.

- Verse four sheds light on the author's apprehension of late antique ideas about human development regarding age and culpability for actions.
- The author's differentiation between *fornicate*, *sodomite* and description of some men as 'molles' in five and six reveals a subtle awareness of diverse expressions of homoeroticism.
- The quote of Basil's *Epistola canonical ad Amphiloichium* in verse seven exemplifies the compiler's familiarity with the patristic tradition.

- He who after his twentieth year defiles himself with a male shall do penance for fifteen years.
- A male who commits fornication with a male shall do penance for ten years.
- Sodomites shall do penance for seven years, and the effeminate man as an adulteress.
- Likewise he who commits this sexual offense once shall do penance for four years. If he has been in the habit of it, as Basil says, fifteen years; but if not, one year less as a woman.
- If he does this "in *Femoribus*" [in the thighs], one year, or the three forty-day periods. (McNeill/Gamer with adaptations)

- The assertion in verse seven that the man who is "in consuetudine fuerit" (in the habit of) committing sexual offenses should be punished "ut mulier" (as a woman) is also revealing. It exemplifies the complicated relationship between sexual activity and gender identity within the texts.
- The reference to a sexual act that is "in femoribus" (in the thighs) in verse eight may also point toward the author's cognizance of classical discourse about homoerotic interaction.