

STUDIES IN MEDIEVAL AND EARLY MODERN  
BELIEF AND CULTURE

# DESIRE AND DISUNITY

Christian Communities  
and Sexual Norms in the  
Late Antique West



*Ulriika Vihervalli*

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CHRISTIAN COMMUNITIES  
AND SEXUAL NORMS IN  
THE LATE ANTIQUE WEST

ULRIIKA VIHERVALLI

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Ulriika Vihervalli





# Abbreviations

ACW	Ancient Christian Writers (Westminster, MD/New York, 1961–)
CCSL	<i>Corpus Christianorum Series Latina</i> (Turnhout, 1953–)
<i>C.J.</i>	<i>Codex Justinianus</i> , ed. P. Krüger (Berlin, 1877)
CSEL	<i>Corpus Scriptorum Ecclesiasticorum Latinorum</i> (Vienna, 1866–)
<i>C.Th.</i>	<i>Codex Theodosianus</i> , ed. T. Mommsen and P. Meyer (Berlin, 1905)
<i>De gub.</i>	Salvian, <i>De gubernatione Dei</i> , CSEL 8.1-200 (Vienna, 1883)
FCNT	The Fathers of the Church: A New Translation (Washington, DC, 1947–)
LCL	Loeb Classical Library (London/Cambridge, MA, 1912–)
Malaspina	Elena Malaspina and Marc Reydellet, <i>Avit de Vienne: Lettres</i> (Paris, 2016)
Mansi	G. D. Mansi, <i>Sacrorum Conciliorum Nova et Amplissima Collectio</i> (Florence, 1759–1771)
MGH AA	<i>Monumenta Germaniae Historica. Auctores antiquissimi</i> (Berlin, 1826–)
NPNF	P. Schaff, <i>Nicene and Post-Nicene Fathers of the Christian Church</i> (repr. Grand Rapids, MI, 1956–)
PCBE	<i>Prosographie chrétienne de bas-empire</i> (Paris/Rome, 1982–)
PG	J.-P. Migne, <i>Patrologiae cursus completus, series graeca</i> (Paris, 1860–1894)
PL	J.-P. Migne, <i>Patrologiae cursus completus, series latina</i> (Paris, 1844–1865)
SC	<i>Sources chrétiennes</i> (Paris, 1942–)



# Introduction

In the 440s, the Gallo-Roman presbyter Salvian of Marseille set out to write a treatise that would demonstrate God's control over the world. This work, *De gubernatione Dei*,<sup>1</sup> has subsequently become infamous for its sexual hyperbole and depictions of lust and illicit sex in the late Roman West. Salvian outlined his motivation for writing the treatise: 'Some men say that God is indifferent and, as it were, unconcerned with human acts, inasmuch as He neither protects the good nor curbs the wicked. They say that in this world, therefore, the good are generally unhappy; the evildoers, happy.'<sup>2</sup> For the rest of the treatise, Salvian argued that these 'good men' were being justly and divinely punished through the mediums of warfare and barbarian dominion for all kinds of sinning, but most of all for their immoral sexual habits.

Salvian's critique of Christian sexual standards is in many ways a synopsis of late antique sexuality, which this book examines. The late antique era is almost synonymous with the rise of the Christian church, which established itself as the focal point of society and culture – yet it failed in governing ancient sexual customs. Through detailed readings of moralising Christian authors, I examine clerical attempts to shift sexual norms. One must emphasise that these were, indeed, 'attempts' – for, as this book argues, efforts to change lay notions of sexual propriety were often met with resistance and disregard. Subsequently, moral failure was a recurring topic for ascetically influenced thinkers such as Salvian, but he was not alone in this. Many clerics discussed the highs and lows of Christian sexual habits, demonstrating varied ideas of approved and disapproved conduct. Contemporaries did not possess a unified set of sexual rules, but rather we find a fragmented, disunified, and confused effort to distinguish between Christian sexual standards and more widely accepted sexual norms rooted

<sup>1</sup> *De gubernatione Dei* (CSEL 8.1–200), trans. J. F. O'Sullivan, FCNT 3 (Washington, DC: Catholic University of America Press, 1947). Hereafter shortened as *De gub.* Some translations have been altered for clarity, and any such amendments have been noted.

<sup>2</sup> Salvian, *De gub.* 1.1, trans. FCNT 3.27: 'Incuriosus a quibusdam et quasi neglegens humanorum actuum deus dicitur utpote nec bonos custodiens nec coercens malos, et ideo in hoc saeculo bonos plerumque miseros, malos beatos esse.'

in the ethics of late Roman society. Importantly, confusion over sexual propriety was not a problem for lay Christians only, but also prevailed among clerics, who were unsure what moral rulings were applicable or correct. This was not a world in which a streamlined programme to Christianise sexual norms can be found.

Such a reading of sexual norms challenges some wider appraisals of the topic. In 1993, Catherine Edwards drew on the views of Foucault to argue that ‘Christianity brought with it the institutionalisation of morality.’<sup>3</sup> Her work does not cover this process, with the result that the long, winding, and confusing road to such institutionalisation, if it can be called such, is not examined in detail. The notion that early Christianity created a clear moral ‘code’ for believers might seem conclusive if one fast-forwards to the early medieval era, as from the mid-sixth and seventh centuries onwards British and Irish penitentials detailed penance for sexual excesses. These guidebooks covered penance for all manner of sexual misconduct, including bestiality, rape, homosexual acts, adultery, fornication, incest, and more.<sup>4</sup> Some of the first echoes of such punitive categorisation can be dated to the Council of Elvira in Spain, 305/6 CE, which produced canons on adultery, incest, fornication, sex work, homosexual acts, and further issues of sexual vice.<sup>5</sup> The production of rules and the articulation of subsequent punishments hints that a categorisation and codification of sexual morality was taking place in the late Roman era, which continued into the early medieval world.

Yet we must question to what degree such prohibitions influenced the communities they were aimed at, or if these views were ever perceived to be the final word on the matter. There is a tendency in scholarship to accept that Christianity was a successfully repressive force on late ancient sexuality, and that ascetically influenced moralists represented the views of the many and enjoyed broad communal support. This was not the case. Furthermore, we need to question what in each case prompted moralistic guidance and interpretation, as well as the lay reception of clerical demands. Ideal sexual

<sup>3</sup> Catharine Edwards, *The Politics of Immorality in Ancient Rome* (Cambridge: Cambridge University Press, 1993), 32.

<sup>4</sup> A thorough study on codifying sex in the penitentials is Pierre J. Payer, *Sex and the Penitentials: The Development of a Sexual Code, 550–1150* (Toronto: University of Toronto Press, 1984). See also Daniel A. Binchy and Ludwig Bieler, eds, *The Irish Penitentials* (Dublin: Dublin Institute for Advanced Studies, 1963); Peter Biller and A. J. Minnis, eds, *Handling Sin: Confession in the Middle Ages* (Woodbridge: York Medieval Press, 1998); Stephen Haliczer, *Sexuality in the Confessional: A Sacrament Profaned* (Oxford: Oxford University Press, 1996); Julie Ann Smith, *Ordering Women’s Lives: Penitentials and Nunnery Rules in the Early Medieval West* (Aldershot: Ashgate, 2001).

<sup>5</sup> See Samuel Laeuchli, *Power and Sexuality: The Emergence of Canon Law at the Synod of Elvira* (Philadelphia, PA: Temple University Press, 1972).

standards rarely reflect everyday behaviour – we might even make the point that they precisely do not, which is why they remain as ideals. The influence that Christian authors had on the sexual habits of their congregants in the late Roman and post-Roman eras needs further scrutiny and assessment. By doing so, we will develop a more nuanced context for ascetic views, enabling us to assess the impact of Christian moralising texts from a new perspective.

Between the late fourth and the early sixth centuries, we find many Christian writers reflecting on sexual *mores* in the West – some briefly and some more extensively. Of course, not all Christian writers addressed sexual vices – indeed, many writers had nothing to say about these matters at all, or at least no such material has survived. However, this makes what has survived even more worthy of examination, as such sources show what prompted clerics to discuss sex, frankly or euphemistically. By presenting these examinations, exhortations, and lamentations together, I intend to recapture moralistic disunity in the late Roman West, showing the clerical desire to root out sexual misconduct while not knowing exactly how to do so.

Salvian, whose passionate attack we started with, produced the most expansive account of late Roman sexual vice. Salvian's work has attracted scholarly attention on many points – on barbarian ethnicity, wealth distribution, almsgiving, pastoral care, Christian community development, and the status of the *coloni*<sup>6</sup> – but his overall work has been viewed as tarnished by colourful, anti-hedonistic rebukes that he aimed at fellow Gallic Christians.<sup>7</sup> His commentary on sexual habits, on the other hand,

<sup>6</sup> Jean-Pierre Weiss, 'Das Thema des guten Germanen bei Tacitus und Salvian von Marseille', in *Prinzipat und Kultur im 1. und 2. Jahrhundert: wissenschaftliche Tagung der Friedrich-Schiller-Universität Jena und der Iwane-Dshavachischwili-Universität Tbilissi*, ed. Barbara Kühnert (Bonn: Habelt, 1995), 56–62; D. J. Cleland, 'Salvian and the Vandals', *Studia Patristica* 10 (1970), 270–74; David Lambert, 'Barbarians in Salvian's *De Gubernatione Dei*', in *Ethnicity and Culture in Late Antiquity*, ed. Stephen Mitchell and Geoffrey Greatrex (London: Duckworth, 2000), 103–15; Peter Brown, *Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350–550 AD* (Princeton, NJ: Princeton University Press, 2012), 433–53; Cam Grey, 'Salvian, the Ideal Christian Community and the Fate of the Poor in Fifth-Century Gaul', in *Poverty in the Roman World*, ed. Margaret Atkins and Robin Osborne (Cambridge: Cambridge University Press, 2006), 162–82; Michael Maas, 'Ethnicity, Orthodoxy and Community in Salvian of Marseilles', in *Fifth Century Gaul: A Crisis of Identity?*, ed. J. F. Drinkwater and Hugh Elton (Cambridge: Cambridge University Press, 1992), 275–84; Walter Goffart, 'Salvian of Marseille, *De Gubernatione Dei* 5.38–45 and the "Colonnate" Problem', *Antiquité Tardive* 17 (2009), 269–88. The most detailed study on Salvian remains Jan Badewien, *Geschichtstheologie und Sozialkritik im Werk Salvians von Marseille* (Göttingen: Vandenhoeck & Ruprecht, 1980).

<sup>7</sup> See Raymond Thouvenot, 'Salvien et la ruine de l'empire romain', *Mélanges d'archéologie et d'histoire* 38 (1920), 145–63; F. Paschoud, *Roma aeterna: Études sur le patriotisme romain*

remains largely unexplored. Yet his observations hit the nerve of a very specific time and era: his critiques were aggravated by military conflict and uncertainty about the future, he based his arguments on a Christian idealisation of chastity and purity, and he reflected the continued adherence of lay Christians to Roman sexual ethics.

Salvian's frustrations in the 440s were intensified by the lack of any universal categorisation of sexual vice – although, as the Council of Elvira suggests, clerics in their own regions had been reflecting on such matters for a long time.<sup>8</sup> Instead of a clear understanding of what sexual conduct was sinful for Christians, clergy articulated moral rulings as necessitated by their localities, whether an incest scandal in a nearby congregation or the rape of local Christians at the hands of Vandal forces. There are two realities at play: what Christian writers considered as sexual excess and what lay Christians, on the whole, considered as excess. The moral assessments of Christian writers were not harmonious either: clerics disagreed with one another, and we will find both the relaxation of rules as well as their tightening. Like any period of growth and soul-searching, the evidence is often contradictory.

In isolation, then, Salvian's claims about lustful Christians performing all manner of sexual sins do, indeed, strike one as hyperbolic, but when his arguments are broken down, we find many of them echoed by his contemporaries. Studies of late Roman sexual norms have often focused on the views of specific authors or, if studies have been comparative, they have been so on a grand scale of centuries and/or empires.<sup>9</sup> Here a long fifth century is considered as its own period of Christian moral debates in order to allow the evidence to interact with its context. Such a shift is an important contribution to our understanding of the Christian formulation of sexual norms at this time. To facilitate this goal, this book makes use of

*dans l'Occident latin à l'époque des grandes invasions* (Rome: Institut Suisse de Rome, 1969); and especially Pierre Paul Courcelle, *Histoire littéraire des grandes invasions germaniques* (Paris: Études augustiniennes, 1964), 118–30. Courcelle painted Salvian as a barbarian sympathiser, who relished seeing 'the fall' of Rome, motivated by his supposed Germanic origins. While Courcelle's views are largely unfounded, his analysis has been hugely influential.

<sup>8</sup> It is also important to note that attempts to define proper and improper Christian conduct also occurred for other types of sinning: heresiologies are another example of Christian attempts to categorise and rationalise deviant behaviour. For more, see Todd S. Berzon, *Classifying Christians: Ethnography, Heresiology, and the Limits of Knowledge in Late Antiquity* (Oakland, CA: University of California Press, 2016).

<sup>9</sup> See Henny Fiskå Hägg, 'Contenance and Marriage: The Concept of *Enkrateia* in Clement of Alexandria', *Symbolae Osloenses* 81.1 (2006), 126–43; Paul Veyne, 'La famille et l'amour sous le Haut-Empire romain', *Annales* (1978), 35–63; Wolfgang Seibel, *Fleisch und Geist beim Heiligen Ambrosius* (Munich: K. Zink, 1958).

numerous western Latin writers who pre- and post-date Salvian. Authors such as Valerian of Cimiez and Maximus of Turin form a significant part of the analysis, as do more famed figures such as Augustine and Leo the Great.<sup>10</sup> While examining a broad range of clerics, I will offer granular analysis on local challenges to sexual norms, highlighting contextual and discursive cues.

## The Christianisation Question

Academic interest in late antique sexual norms has had a late start, but as this book delves into the topics of incest, fornication, *et cetera* – that is to say, topics that one might not immediately bring up in polite company – the delay in academic interest reflects society's attitudes and openness towards sex at large. The Christianisation of sexual norms in the centuries following the death of Christ and after the conversion of Constantine has fascinated less polite scholars for half a century now.<sup>11</sup>

The late antique period has been characterised as one of 'Christianisation' in which the Christian faith and the church were integral to sociocultural change, transforming the world into a Christian one.<sup>12</sup> One

<sup>10</sup> Augustine's views on sex and sexuality are used comparatively with his contemporaries. For indicative discussion of Augustine's views on issues surrounding sex and gender, see Peter Brown, *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity*, 20th anniversary reprint edn (New York: Columbia University Press, 2008), 387–427; David G. Hunter, 'Augustinian Pessimism? A New Look at Augustine's Teaching on Sex, Marriage, and Celibacy', *Augustinian Studies* 25 (1994), 153–77; John Cavadini, 'Feeling Right: Augustine on the Passions and Sexual Desire', *Augustinian Studies* 36 (2005), 195–217; Kim Power, *Veiled Desire: Augustine's Writing on Women* (London: Darton, Longman & Todd, 1995); David G. Hunter, 'Augustine on the Body', in *A Companion to Augustine*, ed. Mark Vessey (Chichester: Wiley–Blackwell, 2012), 353–64.

<sup>11</sup> Key studies that cover in full, or in part, the late antique period include Vern L. Bullough and James A. Brundage, *Sexual Practices & the Medieval Church* (Buffalo, NY: Prometheus Books, 1982); James A. Brundage, *Law, Sex, and Christian Society in Medieval Europe* (Chicago: University of Chicago Press, 1987); Paul Veyne, ed., *A History of Private Life*, vol. 1: *From Pagan Rome to Byzantium* (Cambridge, MA: Belknap Press of Harvard University Press, 1987). For the late antique era, see Judith Evans-Grubbs, *Law and Family in Late Antiquity: The Emperor Constantine's Marriage Legislation* (Oxford: Oxford University Press, 1995); Kathy L. Gaca, *The Making of Fornication: Eros, Ethics, and Political Reform in Greek Philosophy and Early Christianity* (Berkeley, CA: University of California Press, 2003); Brown, *Body and Society*; Kyle Harper, *From Shame to Sin: The Christian Transformation of Sexual Morality in Late Antiquity* (Cambridge, MA: Harvard University Press, 2013).

<sup>12</sup> For overviews of the Christian Western church between the years 350 and 550, see Judith Herrin, *The Formation of Christendom* (Princeton, NJ: Princeton University Press, 1987), 23–36; R. A. Markus, *The End of Ancient Christianity* (Cambridge: Cambridge

manifestation of this is that Christian commentaries on moral issues became more far-reaching in their aims than before, seeking to control the private lives of all believers.<sup>13</sup> Yet there was no single-paradigm model for Christian morality, nor a universally agreed end goal. Rather, multiple strands of influence account for layered perspectives at a time when ecclesiastical authority was still finding its strengths.<sup>14</sup> The composition of Christian communities was varied, with old Christian families and recent converts, although the actual number of Christians is difficult to quantify, as is, indeed, knowing what branch of Christianity such people adhered to.<sup>15</sup> Moreover, the dedication of believers to the Christian faith varied considerably, impacting their eagerness or reluctance to buy into the moral standards set before them. Questions regarding sex were ones of when, how, where, with whom, how often, and for what reason – questions that were not being asked for the first time,<sup>16</sup> but were now examined by clerics with complex Christian communities in their care.

There has been much debate over Christians and ‘pagans’ at this time, but the dichotomy of pagan/Christian has long been recognised as misleading.<sup>17</sup> In his landmark 1990 study, R. A. Markus remarked that ‘there just is not a different culture to distinguish Christians from their

University Press, 1990); Alan Kreider, ed., *The Origins of Christendom in the West* (Edinburgh: T&T Clark, 2001); Augustine Casiday and Frederick W. Norris, eds, *The Cambridge History of Christianity*, vol. 2: *Constantine to c. 600* (Cambridge: Cambridge University Press, 2007), 317–430; Peter Brown, *The Rise of Western Christendom: Triumph and Diversity, A.D. 200–1000*, 2nd edn (Malden, MA: Blackwell, 2013), 72–122, 145–54.

<sup>13</sup> See esp. Chapter 7 on polygyny.

<sup>14</sup> See the excellent study by Kristina Sessa, *The Formation of Papal Authority in Late Antique Italy: Roman Bishops and the Domestic Sphere* (Cambridge: Cambridge University Press, 2012).

<sup>15</sup> For moderate estimates, see Keith Hopkins, ‘Christian Number and its Implications’, *Journal of Early Christian Studies* 6.2 (1998), 185–226. For higher estimates, see Rodney Stark, *The Rise of Christianity: A Sociologist Reconsiders History* (Princeton, NJ: Princeton University Press, 1996), although his maximalist methodologies have been heavily criticised. For a more moderate estimate, see Ian Wood, *The Transformation of the Roman West* (Amsterdam: Amsterdam University Press, 2018), 57–73.

<sup>16</sup> Vern L. Bullough, *Sexual Variance in Society and History* (New York: Wiley, 1976); Edwards, *Politics of Immorality*; John J. Winkler, *The Constraints of Desire: The Anthropology of Sex and Gender in Ancient Greece* (London: Routledge, 1990).

<sup>17</sup> Some significant works include Markus, *End of Ancient Christianity*, esp. 27–62, 125–35; Ramsay MacMullen, *Christianity and Paganism in the Fourth to Eighth Centuries* (New Haven, CT: Yale University Press, 1997), 103–49; John R. Curran, *Pagan City and Christian Capital: Rome in the Fourth Century* (Oxford: Clarendon Press, 2000), 159–323; Maijastina Kahlos, *Forbearance and Compulsion: The Rhetoric of Religious Tolerance and Intolerance in Late Antiquity* (London: Duckworth, 2009), 1–54; Alan Cameron, *The Last Pagan of Rome* (Oxford: Oxford University Press, 2011), 14–32.



pagan peers, only their religion'.<sup>18</sup> More recently, Susanna Elm has argued that Christian/pagan are of little value as categories for late ancient studies, as the shared cultural ethos bound these people to essentially identical views of the world.<sup>19</sup> Ideas, beliefs, and customs bled from one to the other or were fundamentally the same. Consequently, Christian leaders had to be cautious. As argued by Keith Hopkins, Christianity was in a continuous process of integrating vast numbers of new recruits, and as such it 'always had to be questioning its members about the nature and degree of their adherence'.<sup>20</sup> Hopkins's study is concerned with Christianity prior to the fourth century, but if we accept that conversion work was making strides post-380, with Christianity's rise to the official religion of the Roman Empire, we also need to reflect on the religiosity of Christian communities in the fifth century and beyond. Through conversion, one entered a holy religious community – or, at least, one should have done. In a religion that valued the chastity of all believers, sexual norms needed to be addressed and monitored.

Instead of viewing late Roman society and culture as consisting of distinctive Christian and non-Christian groups, therefore, it is more helpful to approach these as people whose views, traditions, and beliefs represented a mixture of both. Maijastina Kahlos has described people who fall between adamant Christians and adamant pagans as *incerti*: these people's religious habits are inconclusive regarding their beliefs, or they practised both Christian and non-Christian worship.<sup>21</sup> Thinking of people as *incerti* is particularly useful as we examine how the clergy framed sexual norms for their audiences: a sermon is not necessarily delivered to a group of hardline Christians, but rather to people whose beliefs and habits lie somewhere between orthodox Christian thinking and more traditional Roman views. It is this multitude of differing and overlapping beliefs and moral standards that community leaders had to navigate.

However, a cohesive 'Christianisation' of sexual *mores* has held much sway in scholarship. In his seminal study *The History of Sexuality*, Michel Foucault argued that Christian views on sexuality derived from the need to care for the self: sexuality was part of an introspective self-analysis and improvement regime.<sup>22</sup> Peter Brown's pioneering 1988 study *The Body and*

<sup>18</sup> Markus, *End of Ancient Christianity*, 12.

<sup>19</sup> Susanna Elm, *Sons of Hellenism, Fathers of the Church: Emperor Julian, Gregory of Nazianzus, and the Vision of Rome* (Berkeley, CA: University of California Press, 2012), esp. 479–87.

<sup>20</sup> Hopkins, 'Christian Number', 221.

<sup>21</sup> Maijastina Kahlos, *Debate and Dialogue: Christian and Pagan Cultures c. 360–430* (Aldershot: Ashgate, 2007), 30–33.

<sup>22</sup> Michel Foucault, *L'usage des plaisirs* (Paris: Gallimard, 1984); Michel Foucault, *The History of Sexuality*, vol. 2: *The Use of Pleasure* (London: Allen Lane, 1985); Michel

*Society* took heed of Foucault, compiling views of Christian writers on ascetic values and bringing into focus the rise of ascetic ideology. Late Roman sexuality was a self-aware examination by Christian intellectuals, who used sex to explore the relation of the Christian to the secular world and the divine – and, certainly, this is a significant part of the phenomenon. However, there is much more that can be said of sexual morality if we shift some of our focus back to Christians at large.

In his 1988 work, Brown recognised the messier and more complex state of affairs, stating that ascetically inclined Christian writers were ‘a small and vociferous minority, in an ancient society that changed very slowly. Even the minority was divided in its opinions.’<sup>23</sup> Despite this caveat, Brown sought to outline a Christian idealism of sexual morality. Ramsay MacMullen has argued that, when examining what exactly Christianity changed in the late Roman world, the single answer is late ancient sexuality.<sup>24</sup> Kyle Harper’s 2013 work linked sexual morality to notions of free will and argued for a ‘distinctive sexual program’ that fundamentally broke away from pre-Christian ideas of sexual norms.<sup>25</sup> A question remains, however: whose lives did these ascetic opinions and ideals revolutionise, exactly?

This ‘Christianisation’ of ancient sexuality needs to be newly questioned. A focus on ascetic sources often assumes the success of these ideas in daily life and in shaping Christian behaviour. Similarly, examining codes and canons suggests organisation and consensus, but such legislation underlines that Christians were not living in ways that pleased ecclesiastical authorities. We need to break away from the notion of a systematic ‘movement’ when analysing the power of minorities with limited reach to turn idealism into practice. While it has been argued that ‘it is not possible to track the ongoing encounter, parish by parish, between Christian preaching and the customs of secular sexuality’,<sup>26</sup> this book aims to show that doing some of this legwork is not fruitless, but enhances our understanding of tensions and challenges in influencing sexual norms. We should also consider what, exactly, qualifies critiques as distinctly ‘Christianising’ instead of being more generally moralising, when many views put forward by the Christian clergy clung on to Roman sexual norms. We will enrich our understanding

Foucault, *Le souci de soi* (Paris: Gallimard, 1984); Michel Foucault, *The History of Sexuality*, vol. 3: *The Care of the Self* (London: Allen Lane, 1986); Michel Foucault, *Les aveux de la chair*, ed. Frédéric Gros (Paris: Gallimard, 2018); Michel Foucault, *The History of Sexuality*, vol. 4: *Confessions of the Flesh* (London: Vintage, 2022).

<sup>23</sup> Brown, *Body and Society*, 429.

<sup>24</sup> Ramsay MacMullen, ‘What Difference Did Christianity Make?’, *Historia: Zeitschrift für Alte Geschichte* 35.3 (1986), 322–43.

<sup>25</sup> Harper, *From Shame to Sin*, 11.

<sup>26</sup> Kyle Harper, *Slavery in the Late Roman World, AD 275–425* (Cambridge: Cambridge University Press, 2011), 324.

of late ancient sexuality by allowing more space for divided opinions and a multitude of perspectives that were not, necessarily, even very Christian.

## Textual and Social Realities

Past studies have examined late ancient sexuality especially in terms of genre. Virginia Burrus has demonstrated how sexual *mores* were idealised in hagiographies, while Jennifer Knust has argued that sexual slander was actively employed in creating friends and enemies, and that entire communities were framed in these terms.<sup>27</sup> Mark Masterson has argued that late Roman panegyrics and other homosocial literature were used to convey same-sex desire within well-educated male circles at a time when expressing such desire was otherwise becoming illicit.<sup>28</sup> These studies have demonstrated, first, that the sexual content found in literary sources can be examined in terms of functions, aims, and the context within which they were created. Secondly, late Roman cultural studies can produce intricate analyses of the complexities of ancient sexuality for the society under examination.

The current study does not focus on a singular genre, however, but rather draws upon a range of patristic writings: sermons, letters, treatises, and histories. On top of this, I also use late ancient law codes. All of these sources have genre-specific conventions and will pose differing challenges, especially for contextualisation and for considering reception.

Sermons are a rich source for clerical perspectives on sexual norms, as well as audience responses. Much late antique preaching sought to guide Christian flocks, providing a clerical platform for communicating how to live and what not to do. Determining who exactly was present when a sermon was delivered is not, however, straightforward: Ramsay MacMullen has argued that most congregational audiences were composed of the well-educated elite, leaving little room for the plebs and the lowborn, whereas Philip Rousseau has shown this to be too limited and that sermons most likely had a diverse group of listeners from the local religious community.<sup>29</sup> This latter view is more persuasive,

<sup>27</sup> Virginia Burrus, *The Sex Lives of Saints* (Philadelphia, PA: University of Pennsylvania Press, 2004); Jennifer Wright Knust, *Abandoned to Lust: Sexual Slander and Ancient Christianity* (New York: Columbia University Press, 2006).

<sup>28</sup> Mark Masterson, *Man to Man: Desire, Homosociality, and Authority in Late Roman Manhood* (Columbus, OH: Ohio State University Press, 2014).

<sup>29</sup> Ramsay MacMullen, 'The Preacher's Audience (AD 350–400)', *Journal of Theological Studies* 40.2 (1989), 503–11. Reactions include Wendy Mayer, 'John Chrysostom: Extraordinary Preacher, Ordinary Audience', in *Preacher and Audience: Studies in Early Christian and Byzantine Homiletics*, ed. Mary Cunningham and Pauline Allen (Leiden: Brill, 1998), 105–37; and Philip Rousseau, 'The Preacher's Audience: A

especially as studies on preaching have shown that sermons reflect the religious habits and experiences of lay Christians, functioning as a tool of communal change.<sup>30</sup> Jaclyn Maxwell's and Bella Sandwell's studies have explored John Chrysostom's sermons in this regard, with Blake Leyerle further demonstrating how Chrysostom sought to control the behaviour of Christians in Antioch and Constantinople through his preaching.<sup>31</sup> Éric Rebillard has also argued that sermons were attempts to change the views and habits of the people present.<sup>32</sup>

After the sermon and church service were over, however, the cleric had little control over the conduct of congregants. We see this in the West: Melissa Markauskas has noted how dispiriting preaching was for Augustine in Roman North Africa,<sup>33</sup> while William Klingshirn has studied the attempts of Caesarius of Arles to whip up a more vigorously Christian society in sixth-century Gaul.<sup>34</sup> Convincing people to adhere to the local preacher's rulings was hard work. Lisa Kaaren Bailey has observed that, despite clerical influences, lay Christians 'made their own decisions about what being a Christian meant in their daily lives'.<sup>35</sup>

More Optimistic View', in *Ancient History in a Modern University*, ed. T. W. Hillard and E. A. Judge (Grand Rapids, MI: Eerdmans, 1998), 391–400.

<sup>30</sup> See the collected studies in Cunningham and Allen, eds, *Preacher and Audience*, and Anthony Dupont, Shari Boodts, Gert Partoens, and Johan Leemans, eds, *Preaching in the Patristic Era: Sermons, Preachers, and Audiences in the Latin West* (Leiden: Brill, 2018).

<sup>31</sup> Jaclyn LaRae Maxwell, *Christianization and Communication in Late Antiquity: John Chrysostom and His Congregation in Antioch* (Cambridge: Cambridge University Press, 2006); Isabella Sandwell, *Religious Identity in Late Antiquity: Greeks, Jews, and Christians in Antioch* (Cambridge: Cambridge University Press, 2007); Isabella Sandwell, 'A Milky Text Suitable for Children: The Significance of John Chrysostom's Preaching on Genesis 1:1 for Fourth Century Audiences', in *Delivering the Word: Preaching and Exegesis in the Western Christian Tradition*, ed. William John Lyons and Isabella Sandwell (Sheffield: Equinox, 2012), 80–98; Blake Leyerle, 'John Chrysostom and the Strategic Use of Fear', in *Social Control in Late Antiquity: The Violence of Small Worlds* ed. Kate Cooper and Jamie Wood (Cambridge: Cambridge University Press, 2020), 173–87.

<sup>32</sup> Éric Rebillard, 'Interaction Between the Preacher and his Audience: The Case-study of Augustine's Preaching on Death', *Studia Patristica* 31 (1997), 86–96; reprinted in Éric Rebillard, *Transformations of Religious Practices in Late Antiquity* (Burlington, VT: Ashgate, 2013). See Maxwell, *Christianization and Communication*, 172–75, for similar conclusions.

<sup>33</sup> Melissa Markauskas, 'Coercing the Catechists: Augustine's *De Catechizandis Rudibus*', in Cooper and Wood, eds, *Social Control in Late Antiquity*, 256–74.

<sup>34</sup> William Klingshirn, *Caesarius of Arles: The Making of a Christian Community in Late Antique Gaul* (Cambridge: Cambridge University Press, 1994).

<sup>35</sup> Lisa Kaaren Bailey, *The Religious Worlds of the Laity in Late Antique Gaul* (London: Bloomsbury, 2016), 3. See also Lisa Kaaren Bailey, *Christianity's Quiet Success: The*

Sermons nevertheless offer glimpses not only into lay behaviour but lay responses. Some sermons indicate off-the-cuff delivery and the audience responding to the preacher in the moment.<sup>36</sup> In this way, preaching was an interactive dialogue, in which both recipient and orator influenced one another.<sup>37</sup> As will be examined later, preachers also incorporated imagined lay responses into their sermons, anticipating what counterarguments their audience was likely to offer and seeking to refute them.<sup>38</sup> Sermons thus had a primary audience of live spectators, but these orations were also transcribed and edited for circulation by the preacher or a later editor – in this way, sermons that articulated moralistic exhortations also had secondary, tertiary, and further audiences removed from the original context.<sup>39</sup> It is also likely that details of the original context were lost in editing processes, with later versions wishing to emphasise the exemplary rhetoric and Christian learning that the sermon contained. This makes reconstructing the lives of lay Christians more difficult. Close readings of sermons, however, show that this is not impossible.

Yet challenges remain. Sermons often cannot be firmly dated, and the exact occasion of preaching has been lost. This poses challenges in interpreting sermons that addressed sexual morality, where a local context or incident likely inspired the cleric's remarks, as will be examined throughout this book. The same is true for treatises such as Salvian's. Treatises allowed Christian writers to examine one or more topics at length, showing off their education, rhetorical skills, and command of Christian scripture and learning. Unlike sermons delivered in person to mixed audiences, treatises were commonly dedicated to fellow Christian intellectuals and intended for literary circulation among one's peers. Again, such sources would go on to have multiple audiences – and, often, it is likewise not clear what inspired the work at its origin.

Another common genre used in this book is late ancient epistolography. Letters were public documents, intended to be read by the recipient but also by their associates and friends.<sup>40</sup> A letter with commentary on sexual habits often responded to an enquiry from a fellow cleric or a Christian layperson who had sought advice. In this way, letters more easily indicate what specific scandal or situation had inspired the comments – even if the

*Eusebius Gallicanus Sermon Collection and the Power of the Church in Late Antique Gaul* (Notre Dame, IN: University of Notre Dame Press, 2010).

<sup>36</sup> See Wendy Mayer, 'Preaching and Listening in Latin? Start Here', in Dupont et al., eds, *Preaching in the Patristic Era*, 11–27, at 3.

<sup>37</sup> Maxwell, *Christianization and Communication*, 164–68.

<sup>38</sup> See Chapter 7 on polygyny.

<sup>39</sup> Mayer, 'Preaching and Listening in Latin?', 18–19.

<sup>40</sup> Pauline Allen and Bronwen Neil, *Crisis Management in Late Antiquity (410–590 CE): A Survey of the Evidence from Episcopal Letters* (Leiden: Brill, 2013), 18–21.

letter does not give us all the details that a historian might wish for. While a letter responding to an enquiry might suggest a more direct question-and-answer formula, late antique letters were also carefully crafted literary texts – authors were mindful of what they wrote down as much as what they chose not to write down.<sup>41</sup> Here, too, the historian must examine the epistolographer's intentions. Furthermore, the process of turning letters into collections has had a significant impact on how these texts are now preserved, often being presented in chronological or thematic compilations that form narratives, or try to, which were absent from the original texts.<sup>42</sup> We must not project narratives on to letter collections retrospectively.

Nevertheless, letters are some of our best evidence for Christian thinking on sexual conduct in the late Roman West. A response to an enquiry shows what behaviour troubled clerics and, at times, lay Christians – it allowed for the articulation of rules and boundaries. Many of these letters stem from crisis situations: about a third of surviving episcopal letters respond to contemporary pressures, disruptions, or other types of unrest – we will return to this shortly.<sup>43</sup> Letters are therefore illuminating for communal challenges and subsequent clerical interventions. However, with letters we are nearly always left without reception: while a letter might offer the writer's (curated) views on a recent sex scandal or a type of historical vice, we do not know how these views were received by the recipient or subsequent readers. What impact these epistolary reflections had, therefore, remains almost impossible to gauge.

Lastly, this study at times draws on histories and chronicles penned by Christians, which range from concise records of key events to broad historical narratives viewed through the lens of the Christian faith.<sup>44</sup> Here, too, an author's vision of history and of historical causation shaped the version of the past that was recorded. For sexual customs, historiographical sources rarely offer detailed discussion, but at times they record scandals (e.g. a priest caught in adultery) or include other sexual crimes (e.g. sexually

<sup>41</sup> A concise overview of late antique epistolography can be found in Cristiana Sogno, Bradley K. Storin, and Edward J. Watts, 'Greek and Latin Epistolography and Epistolary Collections in Late Antiquity', in Cristiana Sogno et al., *Late Antique Letter Collections* (Oakland, CA: University of California Press, 2017), 1–10.

<sup>42</sup> Roy Gibson, 'On the Nature of Ancient Letter Collections', *Journal of Roman Studies* 102 (2012), 56–78.

<sup>43</sup> Allen and Neil, *Crisis Management in Late Antiquity*, 25.

<sup>44</sup> Most pertinent to this study are the fifth-century western chronicles and the universal history of Orosius. For an overview, see G. Zecchini, 'Latin Historiography: Jerome, Orosius and the Western Chronicles', in Gabriele Marasco, ed., *Greek and Roman Historiography in Late Antiquity: Fourth to Sixth Century A.D.* (Leiden: Brill, 2003), 317–45. For history writing in the first millennium more broadly, see the studies in Deborah Mauskopf Deliyannis, ed., *Historiography in the Middle Ages* (Leiden: Brill, 2003).

violated clergy or holy women). These offer glimpses of perceived sexual anomalies and reflect Christian articulations of sexual boundaries – as such, they are useful for the current study. A challenge for Christian historiographers of this time was to create ‘a distinctively Christian perception’ of the past to meet the varied expectations of their readers.<sup>45</sup> We might expect, then, that such sources would especially push Christianised perspectives. However, Wolf Liebeschuetz has cautioned against inflating the Christianness of such texts purely on the basis of their authorship – this is wise counsel, as we will see that remarks on sexual customs in historical works were often heavily influenced by Roman sexual norms.<sup>46</sup>

The variety of sources used in this book all need their own approaches, with attention paid to genre conventions and genre-typical omissions and euphemisms. Some sources will be more helpful in analysing lay responses and habits; with others not much can be said of the reception of clerical views at all. Secular law will also be examined at points in this study, but this poises the same challenges of loss of original context and its actual enforcement in the Empire or, later, kingdom.<sup>47</sup> It remains a challenge to recapture lay religiosity from the texts of ascetically leaning clerical or imperial elites, no matter the genre – but it is not impossible to catch some valuable glimpses.

The fragmented materials on sexual habits across a variety of texts make it difficult to argue for a clear development of ideas – as such, it is more beneficial to question the social contexts that prompted clerical responses and examinations of appropriate moral conduct, and to examine contextually specific influences. In this book, fifth-century moralising discourses are examined in three sections, with each focusing on a different aspect: first, a contextual lens of unrest and crisis; secondly, a discursive lens of the perceived dangers of impurity; and, thirdly, a second discursive lens of Roman sexual ethics.

## Contextual Lens: Unrest and Crisis

The first part of this book focuses on a contextual lens shaping ideas of sexual morality. The Roman West witnessed a restless fifth century, with the infamous barbarian migrations and related war campaigns

<sup>45</sup> William Adler, ‘Early Christian Historians and Historiography’, in *The Oxford Handbook of Early Christian Studies*, ed. Susan Ashbrook Harvey and David G. Hunter (Oxford: Oxford University Press, 2008), 584–602, at 598.

<sup>46</sup> J. H. W. G. Liebeschuetz, ‘Ecclesiastical Historians on Their Own Times’, *Studia Patristica* 24 (1993), 151–63.

<sup>47</sup> For the Theodosian Code, see Jill Harries and I. N. Wood, *The Theodosian Code* (Ithaca, NY: Cornell University Press, 1993); John Matthews, *Laying Down the Law: A Study of the Theodosian Code* (New Haven, CT: Yale University Press, 2000).

permanently shifting the power structures of western Roman provinces. We can describe these developments as carrying a sense of crisis, which has gained renewed academic interest.<sup>48</sup> A ‘crisis’ is a multifaceted construct: it may be military, social, political, or religious; it can be material in the form of natural disasters, droughts, food shortages, plagues, or destruction of urban infrastructure; and it can have a personal or communal reach.<sup>49</sup> The term is used in such varied ways that, for Reinhart Koselleck, this constitutes a crisis of its own. When Koselleck examined ‘crisis’ as a historical category, he noted how historians examining Christian history gave ‘crisis’ teleological and eschatological overtones, but that this later shifted to viewing ‘crisis’ as a structural category.<sup>50</sup> A crisis does not, in other words, signal the end of something, but rather is a process of change. Neither is a ‘crisis’ constant, and certainly not for the late antique era. As such, it is more helpful to examine when contemporaries perceived some kind of crisis in their locality and what this meant to them – and some men, such as Salvian, clearly considered multiple crises to be unfolding.

For the most part, the fifth-century ‘crisis’ has been exclusively studied as a political and military phenomenon. Military conflict defines and transforms societies, and in modern contexts experiences of warfare often mark generations out from one another.<sup>51</sup> For the late antique period, the influence of war on contemporaries is still being articulated, but communities across the Roman West adjusted to challenges in numerous ways. Alexander Sarantis and Neil Christie have argued that in the late antique era, ‘warfare and its concomitant insecurity ... prompted change

<sup>48</sup> Olivier Hekster, Gerda de Kleijn, and Daniëlle Slootjes, eds, *Crises and the Roman Empire: Proceedings of the Seventh Workshop of the International Network* (Leiden: Brill, 2007); Stefan Rebenich, ‘Christian Asceticism and Barbarian Incursion: The Making of a Christian Catastrophe’, *Journal of Late Antiquity* 2.1 (2009), 49–59; Allen and Neil, *Crisis Management in Late Antiquity*.

<sup>49</sup> See, for instance, Averil Cameron, ‘The Perception of Crisis’, in *Morfologie sociali e culturali in Europa fra tarda antichità e alto Medioevo* (Spoleto: Presso la sede del Centro, 1998), 9–31. The influence of material crisis on religious texts in late antiquity is a field where not much work has been done. However, there is much potential here, as shown by recent works such as David C. Sim and Pauline Allen, *Ancient Jewish and Christian Texts as Crisis Management Literature: Thematic Studies from the Centre for Early Christian Studies* (London: T&T Clark, 2012); Julia Watts Belser, *Power, Ethics, and Ecology in Jewish Late Antiquity: Rabbinic Responses to Drought and Disaster* (Cambridge: Cambridge University Press, 2015); Phil Booth, *Crisis of Empire: Doctrine and Dissent at the End of Late Antiquity* (Berkeley, CA: University of California Press, 2014).

<sup>50</sup> Reinhart Koselleck, ‘Crisis’, *Journal of the History of Ideas* 67.2 (2006), 357–400, at 398–99.

<sup>51</sup> For an indicative selection of such studies, see Giorgio Ausenda, ed., *Effects of War on Society*, 2nd edn (Rochester, NY: Boydell Press, 2002).



on wider levels'.<sup>52</sup> Overall, however, there has been little focus on the impact of fifth-century societal disruptions on late antique culture and society.

As such, examining how local crises impacted moralising discourses and clerical notions of Christian sexual conduct is an important contribution, inviting the examination of fifth-century military disruptions from new perspectives. Military and political conflicts were external crises that evoked a communal crisis and, for some, spurred religious crisis as one's faith was tested. This made for a challenging ethos within which to Christianise locals, but also allowed for clerical examinations of morality.

There has been some suggestion in past studies that barbarian threats and ideas of morality influenced one another – this book aims to make this connection clearer.<sup>53</sup> In some cases, a contemporary crisis is self-evident: the destruction of a village at enemy hands, for instance. Some crises, however, are more intangible, such as moral corruption. In this way, clerics faced a double threat: an external one in the form of military violence, and an internal one in the form of Christian conflict. As noted by Geoffrey Dunn, the former threat was new for fifth-century western clerics, while the latter was as ancient as Christian communities themselves.<sup>54</sup> Clerical leaders, most often bishops, were thus newly challenged by fifth-century unrest, balancing these outside crises with internal ones. Pauline Allen and Bronwen Neil have argued that at this time, 'the bishop played a key role in defining what counted as a crisis and what did not'.<sup>55</sup> If we expand this observation to sexual morality, clerics had to 'expose' ongoing crises of sexual corruption to their audience: often lay Christians did not view a vice to be a vice, and as such this idea had to be introduced to them, if indeed this shortcoming had reached the proportions of a crisis. In this effort, some clerics entwined internal moral crises with external military crisis, suggesting causation.

In Part I of this book I examine the contextual lens of fifth-century military unrest and how this interacted with late ancient sexuality. The first chapter explores clerical responses to warfare, with many (although

<sup>52</sup> Alexander Sarantis and Neil Christie, eds, *War and Warfare in Late Antiquity* (Leiden: Brill, 2013), xvii.

<sup>53</sup> Rebenich, 'Christian Asceticism and Barbarian Incursion'. Related are studies on further clerical reactions to fifth-century warfare; see R. C. Hanson, 'The Reaction of the Church to the Collapse of the Western Roman Empire in the Fifth Century', *Vigiliae Christianae* 26.4 (1972), 272–87; W. H. C. Frend, 'Augustine's Reactions to the Barbarian Invasions of the West, 407–417', *Augustinus* 39 (1994), 241–55 (reprinted in W. H. C. Frend, *Orthodoxy, Paganism and Dissent in the Early Christian Centuries* [Aldershot: Ashgate, 2002]).

<sup>54</sup> Geoffrey Dunn, 'Episcopal Crisis Management in Late Antique Gaul: The Example of Exsuperius of Toulouse', *Antichthon* 48 (2014), 126–43.

<sup>55</sup> Allen and Neil, *Crisis Management in Late Antiquity*, 3.

not all) clerics highlighting Christian moral failings to account for the external threat of barbarian invasion. This kind of communal scrutiny during times of war and violent unrest demonstrates that when facing military crisis, clerics pointed to inadequate standards of Christian living. Substandard sexual ethics and a lack of chastity were common critiques in these discussions, voiced in sermons, letters, and treatises throughout the western provinces.

The second chapter builds on these contextual findings, showcasing how ongoing conflict in the West required clerics to adjust the rules on lay marriages and Christian treatment of rape victims. While military crisis resulted in demands for more chaste Christian living, therefore, clerics did not only react by seeking to restrict Christian sexual conduct. Indeed, clerics showed flexibility when dealing with scandals at home, including accidental bigamy and the rape of high-status women, providing reactive judgements that went against legal precedents and Christian conventions. In this way, clerics were accommodating in their responses to wartime realities. This contextual lens shows a new way in which to interpret Christian perspectives on late ancient sexuality, as responding to specific challenges at local levels.

This historical context is less discussed in Parts II and III, which focus on discursive lenses of sexual morality. Nevertheless, I will at times return to the military-political context when this is pertinent to understanding a specific source in these later chapters. The reader should, however, be mindful that the difficulties discussed in Part I – military threat, communal disruptions, the fear of violence, and the challenges these created for clerics guiding their flocks – form the broader context to most sources throughout this book. Not everyone felt these pressures equally keenly or as consistently – crisis, therefore, was localised, sporadic, as it was at times man-made, created by a cleric seeking to change local behaviours but, as we will discuss, often failing to do so.

### **Discursive Lens: The Problem of Impurity**

Societal and cultural paradigms for sexual behaviour are not fixed: the importance and significance of sexual roles and functions fluctuates and evolves from one society and culture to the next; they merge and dissolve according to time and place. In this study, sex encompasses physical intimacy, be that oral, manual, anal, vaginal, or intercrural. When not specified, ‘sex’ and ‘sex acts’ refer to any type of sexual intimacy in which the parties physically stimulate each other for sexual release and pleasure. For the sake of variation, however, ‘sexual behaviour’, ‘sexual acts’, and ‘sexual conduct’ will be used interchangeably. By using these terms to designate sex overall, the aim is not to let semantics distract us from the

wider framework of sexual activity. After all, clerics were largely unwilling to detail how sex was being conducted.

We have already used the terms *mores* and morality to designate ideas of sexual customs. For Romans, *mores* could signify a variety of concepts, customs, and habits without overly positive or negative connotations.<sup>56</sup> The Latin concept of *mores* lies somewhere between morality and ethics, which in turn are not interchangeable. In a sense, morality is a set of habits or attitudes with attached values, often semi- or subconscious, while ethics is ‘morality rendered self-conscious’.<sup>57</sup> Often clerics were challenged by this effort to shift something subconscious into a self-conscious value or ideal, for an audience who perhaps did not assign values to this concept or act in the same way.

Yet sexual purity, and as such the rejection of sexual impurity, was a long-held Christian ideal by the time we reach the fifth century. The high sexual standard of Christians was a favoured topic of early Christian apologists. In the East, the second-century Aristides of Athens proudly declared that, unlike others, Christians ‘do not commit adultery nor fornication ... and they abstain from all fornication and all impurity’.<sup>58</sup> Bold claims indeed! In the West, Tertullian expressed similar ideas:

We [Christians] are guarded by a chastity, supremely careful and faithful; we are safe from random intercourse and from all excess after marriage ... If you would realize that these sins are found among yourselves, you would see that they are not to be found among the Christians.<sup>59</sup>

In these early stages of the Christian faith, sexual morality was a powerful tool for demarcating Christian believers from others. In this way, sexual habits were a cornerstone of Christian self-definition; however, increasingly if not always, Christian sexual purity was aspirational rather than a true reflection of collective Christian conduct. By the fifth century, with many Christians exhibiting varied commitment to the faith, the standards of sexual morality were likely far from the claims of early apologists. Even so, the ideal of chastity remained central to Christian thought.

<sup>56</sup> As noted by Edwards, *Politics of Immorality*, 4.

<sup>57</sup> Wayne A. Meeks, *The Origins of Christian Morality: The First Two Centuries* (New Haven, CT: Yale University Press, 1993), 4.

<sup>58</sup> Aristides, *Apologia* 15: ‘οὐ μοιχεύουσιν, οὐ πορνεύουσιν ... ἀπὸ πάσης συνουσίας ἀνόμου καὶ ἀπὸ πάσης ἀκαθαρσίας ἐγκρατεύονται’, in J. Armitage Robinson, *Texts and Studies: Contributions to Biblical and Patristic Literature* (Cambridge: Cambridge University Press, 1891), 111, translation my own.

<sup>59</sup> Tertullian, *Apologeticum* 9.19–20 (LCL 250, 54–55): ‘Nos ... diligentissima et fidelissima castitas sepsit, quantumque ab stupris et ab omni post matrimonium excessu ... Haec in uobis esse si consideraretis, proinde in Christianis non esse perspiceretis.’

The discursive lens of moral impurity in Part II shows how Christian sexual ideals were balanced against the realities of fifth-century congregations. While Christian rhetoric is often overbearing in its ascetic advocacy, it yielded in the face of actual practices. Chapter 3 examines how sexual impurity was categorised and characterised, and how ideas of contaminating and polluting vice were set against the ideal of collective Christian purity. Outlining Christian moral ideals was important work, even if one feared failure. In the words of Wayne Meeks, ‘making morals means making community’.<sup>60</sup> The rhetorical tools employed, such as medical and agricultural allegories, explained to mixed Christian audiences how sexual vice was an infectious disease and why the adherence of all believers to high standards was important.

Part II examines how these ideas of purity and impurity were recognised to be aspirational, and that in practice fifth-century clerics were willing to negotiate the impact of polluting sexual sins. Chapter 4 establishes this with a study of late antique incest – a very ill-defined and confused concept, which nevertheless was universally condemned. Incest was tackled in secular law and in Christian canons – we especially see significant efforts to root out incestuous marriages in early sixth-century Gaul. However, many lay Christians remained perfectly ignorant of what constituted ‘incest’, and as such committed it. In response to this, we find flexible approaches that underline clerical willingness to negotiate vice despite broader Christian calls to idealised purity.

Chapter 5 explores a further ‘tainting’ vice: the late ancient sex trade. Rather than seeking to eradicate venal sex, clerical texts show the romanticisation of the sex worker. She was either a sinful woman who could attain salvation through Christ or, indeed, a lost woman who needed a good Christian husband to steer her on to the right path. These fantasies, as will be argued, were a reaction to the impossibility of rooting out the practice altogether.

The discursive lens of impurity allowed Christian moralists to explain why a sexual sin was a sin, and why rooting this out was important – at the same time, however, clerics struggled to abolish polluting sexual vices from their communities. This was in part because of the prevalence of Roman sexual ethics, which overshadowed Christian ideals.

## Discursive Lens: Roman Sexual Ethics

The third and final lens on late ancient sexuality in this book is the influence of Roman sexual ethics on Christian thought. In order to establish

<sup>60</sup> Meeks, *Origins of Christian Morality*, 5.

this in Chapters 6 and 7, we must here describe the key characteristics of Roman sexuality.

Late Roman sexual *mores* centred upon the Roman male citizen. A man's social standing determined the people he sexually subjugated and, more graphically, penetrated: in any sexual activity, a Roman man had to insert himself into a sexual partner, be it vaginally, orally, or anally.<sup>61</sup> To reverse this pattern constituted a severe break from the accepted and expected sexual behaviour attributed to men, subjecting them to ridicule.<sup>62</sup> Homosexual and heterosexual encounters thus had to be conducted within an appropriate penetrative model. A Roman man also ought to marry and produce legitimate heirs, but marital monogyny was not expected: slaves, sex workers, and foreigners of either sex could be the objects of a man's desire, and the sexual abuse of enslaved people was an unquestioned practice in the late Roman Empire.<sup>63</sup> However, a man should not indulge such activity in excess. Moderation in sexual matters demonstrated the idealised self-control expected of respectable Roman men.<sup>64</sup>

Christian sexual ideals were bound to clash with this ethos. Sexual expectations for Christian laymen, as set by clerical authorities, advocated marital monogyny, no more, no less.<sup>65</sup> In this, clerics themselves led by example: clerical abstinence was still developing, but married clergymen shifted to continent relationships with their wives as they rose through the ecclesiastical ranks.<sup>66</sup> One of Christianity's more novel moral ideals was this idealisation of male chastity, which it supported and advocated, although this cannot be hailed as a unique innovation. Pagan thinking

<sup>61</sup> Craig Williams, *Roman Homosexuality: Ideologies of Masculinity in Classical Antiquity* (Oxford: Oxford University Press, 1999), 13, states that 'to be penetrated ... was incompatible with a fully masculine image'.

<sup>62</sup> One of the best studies remains Amy Richlin, *The Garden of Priapus: Sexuality and Aggression in Roman Humor*, rev. edn (New Haven, CT: Yale University Press, 1988).

<sup>63</sup> Harper, *Slavery in the Late Roman World*, 283–84.

<sup>64</sup> Williams, *Roman Homosexuality*, 141; see also Kate Cooper and Conrad Leyser, 'The Gender of Grace: Impotence, Servitude, and Manliness in the Fifth-Century West', *Gender & History* 12.3 (2000), 536–51.

<sup>65</sup> An excellent work on idealised masculinities at this time is Mathew Kuefler, *The Manly Eunuch: Masculinity, Gender Ambiguity, and Christian Ideology in Late Antiquity* (Chicago: University of Chicago Press, 2001).

<sup>66</sup> Charles A. Frazee, 'The Origins of Clerical Celibacy in the Western Church', *Church History* 41.2 (1972), 149–67; J. E. Lynch, 'Marriage and Celibacy of the Clergy: The Discipline of the Western Church, an Historical-Canonical Synopsis', *Jurist* 32 (1972), 14–38; Teresa Sardella, 'Controversy and Debate over Sexual Matters in the Western Church (IV Century)', in *The Role of the Bishop in Late Antiquity: Conflict and Compromise*, ed. Andrew Fear, José Fernández Ubiña, and Mar Marcos Sanchez (London: Bloomsbury, 2013), 83–104.

had also been evolving in the direction of anti-hedonism and pronatalism.<sup>67</sup> What obscures this picture is that Stoic ideas were not allowed to develop when Christian emperors began to limit paganism and its believers from the mid-fourth century onwards. The comparison of pagan Stoic ideas and contemporary Christian ideas, therefore, cannot satisfactorily be carried into the fifth century, but it is important to note that the growing Christian sect did not invent the importance of reproduction and marriage, and that male chastity had been important in the philosophical circles of Plotinus and Neoplatonic thinkers.<sup>68</sup> The admiration of male chastity that found purchase across Christian communities links to this wider context.<sup>69</sup> However, these ideals would have attracted religious hardliners, but not those more moderate.

Throughout this book, it will become abundantly clear that Christian laymen were not sleeping with their wives alone. They presumably had willing partners to have non-marital sex *with*, suggesting that networks were in place to facilitate these pre- and extramarital relationships – apart from household slaves, of course, whose willingness was not a consideration to begin with. Yet the admiration for male chastity was met with some ideological success: inscriptions on Christian tombs in Italy indicate that male virgins came to be admired to some degree, certainly as posthumous self-endorsement.<sup>70</sup> While a minority, such individuals reflect that sexual behaviour was being scrutinised and reconsidered at this time.

<sup>67</sup> See, for instance, the commentary in Richard Sorabji, *Emotion and Peace of Mind: From Stoic Agitation to Christian Temptation* (Oxford: Oxford University Press, 2002), 273–87; Michael B. Trapp, *Philosophy in the Roman Empire: Ethics, Politics and Society* (Aldershot: Ashgate, 2007), 155–65.

<sup>68</sup> For the former, see Masterson, *Man to Man*. For restraint from sex in Plotinus, see Asger Ousager, *Plotinus on Selfhood, Freedom and Politics* (Aarhus: Aarhus University Press, 2004), 270–74.

<sup>69</sup> Monasticism spread in the East at an earlier date, while in the West John Cassian is credited with the first monastic communities. The corpus on early Christian monasticism is vast, but indicative works are Brown, *Rise of Western Christendom*; Lynda L. Coon, *Dark Age Bodies: Gender and Monastic Practice in the Early Medieval West* (Philadelphia, PA: University of Pennsylvania Press, 2011); Richard J. Goodrich, *Contextualizing Cassian: Aristocrats, Asceticism, and Reformation in Fifth Century Gaul* (Oxford: Oxford University Press, 2007); Marilyn Dunn, *The Emergence of Monasticism: From the Desert Fathers to the Early Middle Ages* (Oxford: Blackwell, 2008); Éric Rebillard, *Christians and Their Many Identities in Late Antiquity, North Africa, 200–450 CE* (Ithaca, NY: Cornell University Press, 2012).

<sup>70</sup> Christian Laes, 'Male Virgins in Latin Inscriptions from Rome', in *Religious Participation in Ancient and Medieval Societies: Rituals, Interaction and Identity*, ed. Sari Katajala-Peltomaa and Ville Vuolanto (Rome: Institutum Romanum Finlandiae, 2013), 105–20, at 111–16.

The sexual expectations placed on women of good repute changed less drastically from a Roman to a Christian context. Extramarital sex for Roman freewomen was, legally speaking and for clerical authorities, unacceptable – a glaring double standard in the formation of sexual ethics. Roman women of any significant status had to retain their virginity until their marriages, after which they were expected to be faithful to their husbands.<sup>71</sup> Women were monandrous while men were polygynous and polyandrous. The importance placed on women's sexual behaviour, however, diminished the further down the socio-economic ladder one went – the chastity and fidelity of freedwomen or the very poor was not collectively important, nor a source of scandal. However, Christianity was more encompassing than these Roman ideas: among Christian women even the lowest of the low, theoretically, should adhere to modest chastity.<sup>72</sup>

These rough moral guidelines on appropriate sexual behaviour were defined by elite men and imposed on the women, children, and enslaved people under their control, as well as on their fellow men. However, dictating these rules gradually became the prerogative of a rising religious male elite<sup>73</sup> – what success this met with is our point of investigation.

These sexual dynamics, showing an ancient preoccupation with the male as the centre of sexual activity, mean that topics such as female homoeroticism receive few mentions in late Roman sources.<sup>74</sup> Ideas of sex are phallogocentric in quite literal terms: the presence of a penis is required to constitute a sexual act before any assessment can be made as to whether it is moral or immoral. There is little indication in Roman sources that

<sup>71</sup> For a good overview, see Gillian Clark, *Women in Late Antiquity: Pagan and Christian Lifestyles* (Oxford: Clarendon Press 1993), 35–41. For Roman women in general, see Jane F. Gardner, *Women in Roman Law and Society* (London: Routledge, 1990); Pauline Schmitt-Pantel, ed., *A History of Women in the West*, vol. 1: *From Ancient Goddesses to Christian Saints* (Cambridge, MA: Belknap Press of Harvard University Press, 1992); Eve D'Ambra, *Roman Women* (Cambridge: Cambridge University Press, 2007).

<sup>72</sup> Elizabeth Castelli, 'Virginity and Its Meaning for Women's Sexuality in Early Christianity', *Journal of Feminist Studies in Religion* 2.1 (1986), 61–88; Clark, *Women in Late Antiquity*; Kate Cooper, *The Virgin and the Bride: Idealized Womanhood in Late Antiquity* (Cambridge, MA: Harvard University Press, 1996).

<sup>73</sup> For the rise of a clerical class and its relationship with the older aristocratic class, see R. Van Dam, *Leadership and Community in Late Antique Gaul* (Berkeley, CA: University of California Press, 1985); S. J. B. Barnish, 'Transformation and Survival in the Western Senatorial Aristocracy, c. AD 400–700', *Papers of the British School in Rome* 56 (1988), 120–55. In contrast to Van Dam's argument that clerics replaced secular leadership roles, see also the argument that clerics incorporated themselves into, rather than replaced, the pre-existing structures in Claudia Rapp, *Holy Bishops in Late Antiquity* (Berkeley, CA: University of California Press, 2005).

<sup>74</sup> The pivotal study remains Bernadette J. Brooten, *Love Between Women: Early Christian Responses to Female Homoeroticism* (Chicago: University of Chicago Press, 1996).

stigma was placed on acts themselves as long as hierarchical, societal, and legal conventions had been considered – shorthand for ensuring that the male citizen’s honour had not been offended. Once in the *cubiculum* (or one’s chosen setting for coitus), one was free to vary positions, kiss, and fondle. Oral sex, perhaps, is the one sex act that the Romans found uninviting.<sup>75</sup> This aside, Romans had an appreciation for the enjoyment of sex, and for men this could occur within or outside of a marriage. Christian views on the matter discouraged any sexual indulgence. These competing ideals mark the discourses examined in Part III.

In the third part of the book, I investigate the long and licentious shadow of Rome – much of ‘Christianised’ thinking on sexual norms was informed by Roman customs, which were preferred over scriptural notions of sex. Chapter 6 examines this through the lens of homosexual acts.<sup>76</sup> Christian clergy had not yet developed a strong scriptural base to condemn sex acts between men, but rather clerics framed these within Roman notions of male honour, which offered the most convincing arsenal to rebuke such behaviour. It is likely, however, that homosexual acts were viewed with increasing hostility, at least within a wider public setting, amid aggressive imperial laws.<sup>77</sup> Even so, Christian authors of this time did not question male/male desire, even as they criticised male/male sex acts – if anything, ascetic texts suggest that male/male desire was viewed as inevitable.

Lastly, Chapter 7 discusses the most significant Christian failure in influencing late ancient sexuality: polygyny. A Roman man, whether pagan, Christian, or holding a mix of beliefs, did not expect to remain a virgin before his marriage and, once married, he did not expect to have sex solely with his wife. These sexual habits, which most late ancients did not question, were increasingly conceptualised in Christian thought as fornication (captured under the concepts of *stuprum* and *fornicatio*), and, for married men, as *adulterium*. Despite these developments, sexual

<sup>75</sup> Richlin, *Garden of Priapus*, passim.

<sup>76</sup> ‘Homosexual acts’ and ‘homosexual behaviour’ are used interchangeably to signify an act of sex between members of the same gender – often ‘male/male’ is also used. I agree with Kuefler’s assessment that much of this terminology is limiting and comes with a host of issues: ‘same-sex’ erases a spectrum of non-binary identities and experiences, and similarly ‘male/male’ assumes a mutual identification of a gender binary. See Mathew Kuefler, ‘Homoeroticism in Antiquity and the Middle Ages: Acts, Identities, Cultures’, *American Historical Review* 123.4 (2018), 1246–66, at 1250–51. However, ‘homosexual acts/behaviours’ and ‘male/male’ best describe the perspective of the sources, which interpret such behaviours through the lens of a late Roman ‘male’. Because of this, I have also chosen not to use the term ‘queer’, as this does not capture the keen interest of late Roman authors in specific sexual roles and dynamics that dictated sexual relations between men. See Chapter 6 for further discussion.

<sup>77</sup> Masterson, *Man to Man*.



propriety continued to be dependent on Roman sexual norms in Christian communities.

Throughout this book, I aim to show that sexual norms were not self-evident for Christian leaders, their readers, or their listeners in the late Roman West. Christian sexual standards reflect development and innovation, as well as continued reliance on Roman cultural traditions and customs. Through a contextual lens and two further discursive lenses, I explore the growing pains of establishing Christian moral standards in late antiquity – a slow and gradual process that would continue into the early medieval period and beyond, without a sense of triumph or definite conclusion.



Part I

War, Morality, and Christian Conduct



## CHAPTER 1

# Behave Yourselves

## Christian Conduct during Wartime

The sociopolitical instability of the late Roman period made many question the world as they knew it. In the 380s, Jerome exemplified this uncertainty, as he was reluctant to carry his *Chronicon* past the 378 CE Gothic victory at Adrianople: ‘I am content to stop at this date ... because with the barbarians (*barbaris*) still running in our land, all things are uncertain.’<sup>1</sup> Jerome, Salvian, and many of their peers have a contextual background of shifting power balances, and in many regions these shifts took the form of sacks, raids, battles, and sieges. While these conflicts have long been termed ‘invasions’, it is perhaps more helpful to examine them as intra-provincial civil wars.<sup>2</sup> How ‘barbarian’ the warfare was is contentious, but contemporaries called their opponents ‘barbarians’, as Jerome exemplifies. These conflicts resulted in a sense of fear, recorded in the works of many writers of the time.<sup>3</sup> The conflicts also inspired remarks on the conduct of lay Christians, examining how local customs fell short of expected standards and how this had contributed to the ongoing unrest.

Such self-inspection was important. Ancient warfare carried connotations of divine favour and legitimacy, and successful attacks on a group that perceived itself to be God’s people jeopardised this assumption, producing doubt about whether one was worshipping the right God or the right strand of faith. For late Roman Christians, God had actively aided Constantine to military victory in 312 CE, while scripture established that God oversaw military aggressions and was capable of violent rebuke and deadly correction.<sup>4</sup>

<sup>1</sup> Jerome, *Chronicon* praef. (*Die Griechischen christlichen Schriftsteller der ersten drei Jahrhunderte* 47.7): ‘Quo fine contentus ... quoniam dibacchantibus adhuc in terra nostra barbaris incerta sunt omnia.’

<sup>2</sup> Michael Kulikowski, ‘The Archaeology of War and the 5th c. “Invasions”’, in Sarantis and Christie, eds, *War and Warfare*, 683–701, esp. 684–85.

<sup>3</sup> Massimiliano Vitiello, ‘The “Fear” of the Barbarians and the Fifth-Century Western Chroniclers’, *Memoirs of the American Academy in Rome* 66 (2021), 115–50.

<sup>4</sup> See Maijastina Kahlos, ‘Divine Wrath and Divine Favour: Transformations in Roman Thought Pattern in Late Antiquity’, in *Der Fall Roms und seine Wiederauferstehungen in*

The militants who provincials were faced with were a mixture of pagans and heretics, which Salvian emphasised in *De gubernatione Dei*.<sup>5</sup> Arian victories were concerning: in 378 CE, the downfall of the Homoian emperor Valens had indicated divine punishment for many.<sup>6</sup> A reversal of these dynamics was troubling, beyond the ethnicity of the aggressors.

In order to understand, therefore, not only barbarian successes but also the non-Catholic dominion that many found themselves under, Salvian turned his gaze inwards and asked: ‘Except a very few individuals who shun evil, what else is the whole assemblage of Christians but the bilge water of vice?’<sup>7</sup> Salvian favoured an interpretation of military-political events as God’s punishment for Christians who hardly deserved to be called such. In articulating this, he contributed to a broader contemporary interpretation of military conflict as revealing divine displeasure, linking warfare and Christian morals together. What precisely needed improving, however, varied across thinkers.

In differently pressurised contexts, this chapter examines clerical reactions to warfare and times of unrest with a focus on how these were interpreted in relation to Christian conduct. These concerns demonstrate that unrest pushed clerics to local re-examination: some identified moral failings that provoked God’s wrath, while others focused on Christian performativity that could save the locality from its current plight. This contextual lens demonstrates that Christian sexual conduct was scrutinised at times of societal upheaval, and this in turn gave clerics impetus to highlight these shortcomings and to place enhanced importance on ‘correct’ Christian standards. In the discussion that follows, Salvian’s treatise is consequently placed into a wider framework of moralising texts within which his exhortations operated.

## Crisis Management in Italy

The early fifth century was a restless time on the Italian peninsula. Maximus of Turin (d. c. 415) is exemplary of contemporary unrest, with his episcopacy attracting scholarly attention only in the past fifty or so years.<sup>8</sup>

*Antike und Mittelalter*, ed. Karla Pollmann and Henriette Harich-Schwarzbauer (Berlin: De Gruyter, 2013), 117–93.

<sup>5</sup> Salvian never used the word Arian; e.g. *De gub.* 4.61: ‘duo enim genera in omni gente omnium barbarorum sunt, id est aut haereticorum aut paganorum’.

<sup>6</sup> Noel Lenski, ‘*Initium mali Romano imperio: Contemporary Reactions to the Battle of Adrianople*’, *Transactions of the American Philological Association* 127 (1997), 129–68, esp. at 150–60.

<sup>7</sup> Salvian, *De gub.* 3.44, trans. FCNT 3.84: ‘aut praeter paucissimos quosdam qui mala fugiunt, quid est aliud pene omnis coetus Christianorum quam sentina uitiorum?’ Salvian’s ‘Christians’ refers to his fellow Catholics.

<sup>8</sup> The most useful work is Andreas Merkt, *Maximus I. von Turin: die Verkündigung eines*

Little of Maximus's life is known, but he may have been the first bishop of the city. His sermons are usually dated between 390 and 410, when frequent military campaigns disrupted and damaged the communities of northern Italy.<sup>9</sup> His sermons indicate that Turin and its surrounding regions suffered pillaging and raids, reflecting the breakdown of civic order and disturbances to daily life.<sup>10</sup> Warfare has been identified as the most fully developed theme in Maximus's sermons, indicating the extent to which he was preoccupied by unrest.<sup>11</sup>

The details given in Maximus's sermons are not precise enough to pinpoint exact years, but his accounts of violence most likely speak of warfare in the first decade of the fifth century.<sup>12</sup> This decade was disruptive: the Gothic leader Alaric's invasion of Italy began in 401 and Radagaisus's invasion followed in 405. In 402, Alaric laid siege to Milan, and later the same year he fought the Roman general Stilicho in Pollentia, some 50 km (31 miles) south of Turin, after having besieged the emperor Honorius in the town of Asti, likewise 50 km (31 miles) away.<sup>13</sup> Both Pollentia and Asti had direct road links to Turin. For Alaric's campaign, Andreas Merkt noted that Alaric was 'noch einen Tagesritt von Turin'<sup>14</sup> – the tension in the city must have been palpable as anxious locals waited to find out which way Alaric would go next. Radagaisus's war campaign, on the other hand, was

*Bischofs der frühen Reichskirche im zeitgeschichtlichen, gesellschaftlichen und liturgischen Kontext* (Leiden: Brill, 1997). See also Marietta Cashen Conroy, 'Imagery in the *Sermones* of Maximus, Bishop of Turin', PhD thesis, Catholic University of America, 1965; C. E. Chaffin, 'Saint Maximus of Turin and the Church in North Italy: A Sociological Study in Evangelism and Catechesis', PhD thesis, University of Oxford, 1970.

<sup>9</sup>The ACW 50 collection is based on CCSL 23, which contains 119 sermons, as opposed to PL 57, which contains over two hundred. Of the 119 sermons in CCSL 23, 106 are considered authentic; see ACW 50, 5. The list of authentic sermons has recently been revised in Clemens Weidmann, 'Maximus of Turin. Two Preachers of the Fifth Century', in Dupont et al., eds, *Preaching in the Patristic Era*, 347–72, at 365–68.

<sup>10</sup>A reconstruction of battles and sieges is given in Michael Kulikowski, *Rome's Gothic Wars from the Third Century to Alaric* (Cambridge: Cambridge University Press, 2007), 170–73.

<sup>11</sup>Conroy, 'Imagery in the *Sermones* of Maximus', 224. While Conroy acknowledges moral behaviour to be highly significant for Maximus, she fails to link or discuss it in conjunction with contemporary warfare.

<sup>12</sup>One of Maximus's sermons has been given the more precise date of 408 in Otto Maenchen-Helfen, 'The Date of Maximus of Turin's Sermo XVIII', *Vigiliae Christianae* 18.2 (1964), 114–15. Chaffin, 'Saint Maximus of Turin', 98–99, argues that the sermons were written between 399 and 408 CE.

<sup>13</sup>See Merkt, *Maximus I. von Turin*, 41–42, who also supports the dating of these sermons to 401 in the earliest cases and to 412 in the latest.

<sup>14</sup>Merkt, *Maximus I. von Turin*, 41.

‘devastating, and was recalled with horror’.<sup>15</sup> It has recently been argued that Radagaisus’s invasion was much more disastrous than historians have given it credit for.<sup>16</sup> In 412, Gothic troops again crossed the region, this time led by Athaulf.<sup>17</sup> Maximus is therefore a revealing response to invasion and extensive, if sporadic, warfare.

Maximus’s sermons reflect ongoing crisis and unrest. In *Serm.* 18, he accused Christians of theft in the wake of Gothic raids when it was easy to snatch property: ‘An innocent rustic groans over his lost bullock, and you get ready to cultivate your fields with it, thinking that you can make a profit from others’ groans’, Maximus criticised.<sup>18</sup> Further problems were caused by locals fleeing Turin in hope of a better life in exile, and also by soldiers who plundered properties and extorted widows for protection money.<sup>19</sup> In this context, Maximus has been credited as ‘rallying local opposition’ against Gothic forces, yet this praise, if intended as such, is misplaced.<sup>20</sup> Maximus’s reaction to warfare was admittedly in some ways a call to action, but not physical, material, or violent action. Instead, Maximus advocated spiritual action, in *Serm.* 85 envisioning the Christian soul as the true battlefield that his congregation should focus on:

The city can be secured only if the gate of righteousness in ourselves is first made secure; otherwise it is of no help to secure the wall with bulwarks while rousing God’s anger with sins. The one is built of iron, stones and spikes; let the other be armed with mercy, innocence, and chastity. The one is guarded with a large number of spears; let the other be defended with frequent prayers.<sup>21</sup>

<sup>15</sup> A. H. Merrills and Richard Miles, *The Vandals* (Malden, MA: Wiley–Blackwell, 2010), 34.

<sup>16</sup> Jeroen W. Wijnendaele, ‘Stilicho, Radagaisus, and the So-called Battle of Faesulae (406 CE)’, *Journal of Late Antiquity* 9.1 (2016), 267–84.

<sup>17</sup> William Fahey, ‘Maximus of Turin and his Late Antique Community’, PhD thesis, Catholic University of America, 2002, 212–14.

<sup>18</sup> Maximus, *Serm.* 18.2 (CCSL 23.68), trans. ACW 50.45: ‘innocens rusticus perditum ingemiscit iuuenicum, et tu cum eo rus tuum excolere disponis, et fructus te putas posse capere de gemitibus alienis’.

<sup>19</sup> Maximus, *Serm.* 82.1–2; 26.1–2.

<sup>20</sup> David Hunt, ‘The Church as a Public Institution’, in *The Cambridge Ancient History*, vol. 13: *The Late Empire, AD 337–425*, ed. Averil Cameron and Peter Garnsey (Cambridge: Cambridge University Press, 1997), 238–76, at 270.

<sup>21</sup> Maximus, *Serm.* 85.2 (CCSL 23.348–49), trans. ACW 50.204: ‘Tunc autem ciuitatis porta munita esse poterit, si prius in nobis porta iustitiae muniatur; – et ceterum nihil prodest muros munire propugnaculis et deum prouocare peccatis. Illa enim construitur ferro saxis et sudibus, haec armetur misericordia innocentia castitate; illa telorum multitudine custoditur, haec orationum frequentia defendatur.’



Maximus evoked imagery of the inner Christian as a spiritual city that could be manned against enemies, alluding to Psalm 118's 'gates of righteousness' (118:19). Tellingly, this psalm is one of uproarious victory for the chosen people of God: 'with the Lord on my side I do not fear. What can mortals do to me?'

This notion that malevolent mortals (Gothic forces) cannot hurt men of God (Maximus's congregation) is echoed elsewhere in Maximus's sermons. *Serm.* 83 argued that those who feared God could not fear the barbarians, as a dutiful fear of God would translate into eventual victory.<sup>22</sup> Maximus thus argued that his congregants were on the victorious side of the unfolding warfare, and that, in order to face the external threat of barbarians, Christians had to focus on internal religiosity to align themselves with the victorious Christian God. The idea that piety could overcome the enemy was popular among other clerics of northern Italy, too: Chromatius of Aquileia commissioned a Latin translation of Eusebius's *Historia ecclesiastica* at this time, in the hope that its examples of heroic martyrs would encourage local Christians.<sup>23</sup>

Through his preaching, Maximus attempted to control communal fears by reinforcing people's faith in God. Such argumentation likely also had a practical aim: Maximus's insistence that local Christians could defeat the enemy might have sought to stop locals from fleeing. After all, enemy armies were only a day's ride away – locals must have been extremely restless and worried, and Maximus had to combat these anxieties. In this effort, piety and good moral behaviour were key.

In this fight against barbarians, therefore, Maximus focused on the active performance of Christian virtues: mercy, innocence, and chastity. A focus on these could outdo anything done by secular weaponry:

Fasting is a surer protection than a rampart, mercy saves more easily than pillage, and prayer wounds from a greater distance than an arrow, for an arrow only strikes the person of the adversary at close range, while a prayer even wounds an enemy who is far away.<sup>24</sup>

<sup>22</sup> Maximus, *Serm.* 83 (CCSL 23.339–41).

<sup>23</sup> For Chromatius, see Mark Humphries, *Communities of the Blessed: Social Environment and Religious Change in Northern Italy, AD 200–400* (Oxford: Oxford University Press, 1999), 216; and for Rufinus's translation of Eusebius, see Mark Humphries, 'Rufinus's Eusebius: Translation, Continuation, and Edition in the Latin Ecclesiastical History', *Journal of Early Christian Studies* 16 (2008), 143–64.

<sup>24</sup> Maximus, *Serm.* 83.1: 'Ieiunium enim melius quam murus tuetur, misericordia facilius liberat quam rapina, oratio longius uulnerat quam sagitta. Sagitta enim nonnisi proxime conspectum percutit aduersarium, oratio autem etiam longe positum uulnerat inimicum.'

Here, not only was Maximus echoing scriptural ideas of a militant God and a militarily active Christian through virtue, but he also echoed ideas of Roman religious piety in battling one's enemy.<sup>25</sup> Among pagan thinkers, Cicero had explored the idea that *pietas* translated into divine favour in battle, thus accounting for Roman military victories – this was also echoed by imperial laws in the mid-fourth century.<sup>26</sup> Religious virtue and military action were linked, be it victory or loss. In rationalising ongoing violence, the sinfulness of Christians became central to Maximus's argumentation.

While in early Christian writings it is common to find a certain degree of disappointment in one's congregation, Maximus was certainly not happy with his. He complained about the flimsy commitment of congregants to Christianity, and that his flock failed to meet the standards expected of them; he said that no one listened to his words of advice or corrected their sinful ways.<sup>27</sup> The challenges he faced as bishop were, at least from his perspective, severe, but even so Maximus's sermons show continued attempts to change the behaviour of his congregation, the moral standards of which he perceived to be low.<sup>28</sup> He also made the point that wars preceded the second coming and that the end of the world was imminent<sup>29</sup> – perhaps a very real response to external military threats. This eschatological stance is not discernible across his sermons as a whole, however, as Maximus was confident of victory, if only they all would adhere to God's wishes more. However, wartime resulted in more bad behaviour as the mentions of plundering, blackmail, and stealing show, hence Maximus's despair: he called for less sinning to ease communal challenges, and was rewarded not with less, but with more.

Maximus's war-focused sermons – sermons 18, 26, 72, 82, 83, 84, 85, 86 – show consideration to the role of sexual morality in this militarily

<sup>25</sup> On this rhetoric, see Kahlos, 'Divine Wrath and Divine Favour'.

<sup>26</sup> Cicero, *De Nat.* 2.7–8, 3.94; *C.Th.* 16.2.16.

<sup>27</sup> Suggestive of Maximus's frustrated efforts are: 'When I see that, despite so many warnings of mine, you have made no progress, my labour gives me reason not to rejoice but to blush' (*Serm.* 30.1); 'I have often thought to myself, brethren, that I should deprive you of the Sunday sermon and not dispense so frequently the sacraments of the heavenly words; for it is of no profit to offer food to someone who refuses it and to proffer a drink to someone who is not thirsty' (*Serm.* 42.1); 'I am amazed that you have made no progress for all my admonitions' (*Serm.* 79.1); 'I see that the clerics are more negligent than you' (*Serm.* 79.2); 'It upsets me that these same sermons of mine charm your ears and do not penetrate your hearts; they warm you outwardly but do not nourish you inwardly, because if they moved your inmost being your zeal would in fact anticipate my sermon' (*Serm.* 91.1).

<sup>28</sup> Chaffin, 'Saint Maximus of Turin', 391.

<sup>29</sup> Maximus, *Serm.* 91.

aggressive context, but this is not his chief criticism. In *Serm.* 85, chastity is listed alongside mercy and innocence as Christian virtues to strive for during warfare. In other sermons, Maximus expressed concerns over sexual habits in Turin more extensively, criticising adultery, concubinage, and sex work, which were prevalent in the city.<sup>30</sup> There was significant work to be done, therefore, in order for locals to meet his approved ideas of chaste conduct. In *Serm.* 72, furthermore, Maximus appears to suggest that congregants should practise abstinence during wartime:

In this short life you should provide an eternal life for yourselves, which I regret that you disdain to do. For when we say that there must be fasting, no one fasts except for a few. When we say that almsdeeds are to be performed, avarice constrains you more ... So now it happens that, since we have been slow to give praise in time of peace, we live anxiously now in tribulation.<sup>31</sup>

The practices of fasting and almsgiving were frequently linked with calls to chastity in other sermons.<sup>32</sup> Such austere measures were familiar from the celebration of Christmas and Lent, but here we see that Maximus called for similar measures when crisis was upon them. Although he does not list abstinence in *Serm.* 72, his calls for chastity in other wartime sermons, and his listing of abstinence alongside fasting in other sermons, suggest a plausible idea that wartime, in his view, also necessitated reduced sexual activity.

A contextual lens on Maximus's sermons shows how morality and contemporary events influenced one another. This was a Christian community in which locals turned against one another to ensure their own survival, and in which the local bishop struggled to control his flock while still attempting to correct their behaviour. Military conflict invited inner correction and commitment to higher Christian moral standards – a theme that would be repeated and echoed. Although the sermons give us little insight into what the lay reception of this advice was, Maximus nevertheless offered many tools through which his aims could be achieved: prayer, alms, chastity, and fasting, all forming a wartime crisis package. He was not alone, however, in pondering how to make a wartime community understand that their behaviour had to change.

<sup>30</sup> These are examined at length in Chapters 5 and 7.

<sup>31</sup> Maximus, *Serm.* 72.3 (CCSL 23.302–03), trans. ACW 50.177: 'ut in hac uita breui uitam uobis prouideatis aeternam, quod doleo cur facere contemnatis. Cum enim ieiunandum dicimus, praeter paucos nemo ieiunat; cum elemosinas faciendas, maior auaritia uos constringit. ... ut qui in pace pigri fuimus ad laudes referendas, modo in tribulatione trepidi existimus.'

<sup>32</sup> Maximus, *Serm.* 60.3; 61.1; 61A.2.

## The View from North Africa

News of the military conflicts in Italy and Gaul spread throughout the Roman Empire in the early fifth century. One famed figure who responded to such news was Augustine of Hippo, whose death in 430 famously coincided with the Vandal siege of Hippo.<sup>33</sup>

In the decades prior to this, Augustine reflected upon contemporary conflicts in letters, sermons, and treatises. *De ciuitate Dei*, inspired by the sack of Rome by Alaric's men in 410, is the most notable example. The trauma left by the three-day sacking of Rome on contemporaries was 'as much psychological as physical',<sup>34</sup> but it was the psychological shock that lingered longer.<sup>35</sup> Many of Augustine's writings, however, are difficult to date to specific years and thus to specific moments of conflict or crisis – for the sermons, for instance, we can mostly only suggest *termini ante quem* and *termini post quem*, leaving a wide span of years on each side.<sup>36</sup> As such, here I will focus on evidence that can most confidently be linked to contemporary conflicts to discuss links that Augustine made between military unrest and Christian moral standards.

Around the time Maximus was preaching in Turin, Augustine reflected on the advance of barbarians into Gaul and Spain post-406 and the sack of Rome in 410. That Augustine perceived these events in moralistic terms is most evident in *Ep.* 111, written to the clergyman Victorianus. In this letter, dated to 409, he discussed the horrors spreading throughout the Western Empire:

Indeed, the whole world is afflicted with such great disasters that there is scarcely a part of the earth where such things as you have described are not being committed and lamented ... I am sure you know what cruelties were perpetrated in parts of Italy and Gaul, and reports are beginning to come in now from many of the Spanish provinces, which had long seemed immune to these calamities.<sup>37</sup>

<sup>33</sup> For the final stages of Augustine's life, see Peter Brown, *Augustine of Hippo: A Biography* (Berkeley, CA: University of California Press, 1967), 408–33.

<sup>34</sup> Kulikowski, *Rome's Gothic Wars*, 178.

<sup>35</sup> While the sack shocked contemporaries (Rome had not been sacked since 387 BC), and many of the city's riches may have vanished with the Visigoths, the city recovered speedily and within a matter of years bore little proof of the sacking. See Bertrand Lançon, *Rome in Late Antiquity: Everyday Life and Urban Change, AD 312–609* (Edinburgh: Edinburgh University Press, 2000), 36–40; Kulikowski, *Rome's Gothic Wars*, 178–79.

<sup>36</sup> On the problems of dating Augustine's sermons, see Hubertus Rudolf Drobner, 'The Chronology of St. Augustine's *Sermones ad populum* II: Sermons 5 to 8', *Augustinian Studies* 34 (2003), 49–66.

<sup>37</sup> Augustine, *Ep.* 111.1 (CSEL 34:2.643), trans. FCNT 18.245: 'Totus quippe mundus

Augustine's response to Victorianus was, nevertheless, that the Donatists in Africa were as evil, if not worse, than barbarians.<sup>38</sup> Augustine's concerns, then, remained with local religious conflict rather than secular conflict elsewhere.

Augustine nevertheless recorded the disbelief that many felt when the western provinces came under attack: why was this happening? Furthermore, he wrote to Victorianus that some Christians might accept their suffering because they knew that they were sinners – but how could one explain the attacks against pious clergy and consecrated virgins?<sup>39</sup>

In order to answer such questions, Augustine discussed the Book of Daniel at length, recounting Daniel's suffering at the hands of his enemies and his eventual escape thanks to God. According to Augustine, Daniel's miraculous salvation had sought to convince the oppressive king of God's power, but in their time God did not need to do such conversion work, and as such God was not intervening or saving orthodox Christians in 409. Of Christians killed in the recent conflict, Augustine questioned: 'What difference does it make whether they are set free from the body by fever or by the sword? What God looks for in His servants is not the circumstances of their departure, but what they are like when they come to Him.'<sup>40</sup>

In this way, Augustine attempted to bring reason into what for many was mindless slaughter, not only of lay Christians but of clergy and holy virgins too. God was involved in current events, and no Christian was killed without this being God's design. This sought to comfort contemporaries, but Augustine's reasoning is problematic. If we use the Book of Daniel to argue that Daniel was saved so as to convert kings, why did God not wish to perform miraculous interventions in 409 to convert Arians and pagans, who made up most of the adversaries? This was not a question that Augustine posed, but *Ep.* 111 nevertheless shows the fear and anxiety that attacks on Christians were causing in the early fifth century.

Augustine was confronted by ongoing conflicts again with the sack of Rome a year later.<sup>41</sup> Importantly, Theodore De Bruyn has argued that

tantis affligitur cladibus, ut pene pars nulla terrarum sit, ubi non talia, qualia scripsisti, committantur atque plangantur ... Iamvero quae modo in regionibus Italiae, quae in Galliis nefaria perpetrata sint, etiam uos latere non arbitror; de Hispanis quoque tot prouinciis, quae ab his malis diu uidebantur intactae, coeperunt iam talia nuntiari.'

<sup>38</sup> Augustine, *Ep.* 111.1.

<sup>39</sup> Augustine, *Ep.* 111.3.

<sup>40</sup> Augustine, *Ep.* 111.6 (CSEL 34:2.653), trans. FCNT 18.251: 'Quid autem interest, utrum eos febris an ferrum de corpore soluerit? Non qua occasione exeant, sed quales ad se exeant Dominus attendit in seruis suis.'

<sup>41</sup> The sermons on the sack of Rome are *Serm.* 15A = 21 (CCSL 41.202–11), *Serm.* 25 (CCSL 41.334–39), *Serm.* 33A = 23 (CCSL 41.417–22), *Serm.* 81 (PL 38.499–506), *Serm.* 105 (PL 38.618–25), *Serm.* 113A = 24 (Miscellanea Agostiniana 1.141–55), *Serm.*

Augustine's preaching on the sack attempted 'to deal with the stresses that emerged in the aftermath'.<sup>42</sup> However, W. H. C. Frend has argued that Augustine was able to discuss the sack and barbarian warfare with a sense of detachment, as the ongoing conflict had not affected him directly, and indeed it would be nearly another twenty years before the Vandals reached North Africa.<sup>43</sup> Augustine's sense of detachment is visible in *Ep.* 111, too, ending with his apologies that the letter was hastily written – the messenger, he noted, was in a rush to leave.<sup>44</sup>

Augustine was not significantly alarmed, then, at this point in time. Ongoing unrest nevertheless made him reflect on Christian conduct and behaviour, which we find not in his letters, but in his sermons. These are very telling sources of lay worries and priorities: Roy Deferrari determined that Augustine interacted with his congregation during sermons, moulding the content in response to the reactions of his listeners.<sup>45</sup> Augustine further made his points explicit through repetition and by highlighting important sections with calls to pay close attention or calls for silence from the lively flock gathered.<sup>46</sup> The discovery of the Dolbeau and Erfurt sermons has given further impetus to the study of Augustinian sermon-giving, also providing further opportunity to examine lay audiences.<sup>47</sup> In pastoral terms, Augustine was conscientious, diligent, and actively engaged with North African communities. In this context, he likewise discussed warfare.

One of the crisis responses that Augustine put forth in his preaching was that crisis separated the truly devout from those who were less so. *Serm.* 113A, delivered at Bizerta in the direct aftermath of the 410 sack, recorded people's complaints about atrocities that happened in a Christian

296 (Miscellanea Agostiniana 1.401–12), and *De excidio urbis Romae sermo* (CCSL 46.243–62), trans. Marie Vianney O'Reilly, *De excidio urbis Romae sermo: A Critical Text and Translation with Introduction and Commentary* (Washington, DC: Catholic University of America Press, 1955). See the studies by Rudolph Arbesmann, 'The Idea of Rome in the Sermons of St. Augustine', *Augustiniana* 4 (1954), 305–24; Theodore Sybren De Bruyn, 'Ambivalence Within a "Totalizing Discourse": Augustine's Sermons on the Sack of Rome', *Journal of Early Christian Studies* 1.4 (1993), 405–21.

<sup>42</sup> De Bruyn, 'Ambivalence Within a "Totalizing Discourse"', 407.

<sup>43</sup> Frend, 'Augustine's Reactions'.

<sup>44</sup> Augustine, *Ep.* 111.9.

<sup>45</sup> Roy J. Deferrari, 'St. Augustine's Method of Composing and Delivering Sermons', *The American Journal of Philology* 43.2 (1922), 193–219.

<sup>46</sup> Deferrari, 'St. Augustine's Method', 206–07.

<sup>47</sup> See, for instance, William Harmless, 'The Voice and the Word: Augustine's Catechumenate in Light of the Dolbeau Sermons', *Augustinian Studies* 35 (2004), 17–42; Stanley Rosenberg, 'Beside Books: Approaching Augustine's Sermons in the Oral and Textual Cultures of Late Antiquity', in *Tractio Scripturarum: Philological, Exegetical, Rhetorical and Theological Studies on Augustine's Sermons*, ed. Anthony Dupont, Gert Partoens, and Mathijs Lamberigts. (Turnhout: Brepols, 2012), 405–42.

world. In response to these lay concerns, Augustine painted a picture of the congregation as an olive press; the pressure felt by recent events was like the pressure that separated the oil and the dregs, separating the pious from the less pious.<sup>48</sup> Augustine had used the same imagery in *Ep.* 111 when reflecting upon barbarian movements.<sup>49</sup> Even if he did not perceive a serious crisis unfolding, some locals did – as such, Augustine sought to calm people’s nerves. Some of this detachment, however, may have diminished as violent conflict moved closer to North Africa.

*Serm.* 344, tentatively dated to 428 and preached most likely at Hippo if the date is correct,<sup>50</sup> captures some of the dread that aggressors and fear of death had provoked in North Africa at a later stage. If the sermon is dated to 428, Augustine is likely referring to Moorish tribes in North Africa – the Vandals would not arrive in the region until the following year. Here, as elsewhere, Augustine thought that lay Christians were unduly concerned by ongoing unrest and should focus on being more pious instead. The sermon emphasised that one should love God above all else, including one’s family and kin, and Augustine then explained that there are two deaths: the one in this world, and a second death for those who do not ascend to heaven when resurrected, that is, the unbelievers who die again.<sup>51</sup> Christians thus should not fear the first death in this world, but the second death that follows God’s final judgement. Augustine then discussed barbarians: ‘You can, perhaps, ransom yourself from the barbarians and so save yourself from being killed.’<sup>52</sup> This behaviour, however, was pointless, as one can never know when death will come. His congregation therefore should not be so attached to this life that they pay the barbarians money to save themselves, but focus on being good Christians.

As such, Augustine glorified the second death over the first: ‘What ransomed you from the barbarians was your silver, what redeemed you from the first deaths was your money; what has ransomed you from the second death is the blood of your Lord.’<sup>53</sup> The sermon places kidnapping and ransoming as a common interaction between congregants and barbarians. Even in this context, however, Augustine criticised what to him was a misplaced priority: ‘I know, you love being alive, you don’t want to die’, he

<sup>48</sup> Augustine, *Serm.* 113A.11.

<sup>49</sup> Augustine, *Ep.* 111.2.

<sup>50</sup> For date, see Edmund Hill, trans., *The Works of Saint Augustine, a Translation for the 21st Century: Sermons III/10 (341–400) on Various Subjects* (New York: New City Press, 1995), 56, n. 1.

<sup>51</sup> Augustine, *Serm.* 344.3–4.

<sup>52</sup> Augustine, *Serm.* 344.4 (PL 39.1514): ‘Redimis te forte a barbaris, ne occidaris.’

<sup>53</sup> Augustine, *Serm.* 344.4, trans. Hill, *The Works of Saint Augustine*, 3:2, 53: ‘Redemit te a barbaris argentum tuum, redemit te a prima morte pecunia tua; redemit te a secunda morte sanguis Domini tui.’

conceded, but this rather natural wish to stay alive was dressed in negative terms.<sup>54</sup> His listeners should focus on ensuring that they would enter the life after death – not avoid death in this one. If preached in 428, Augustine would have been around 74 years of age and rather infirm himself. Such a message of not fearing death from a man who could not be too far from his own might have been especially impactful – if, indeed, Augustine managed to convince his audience.

There are further reflections on how Christians should conduct themselves at times of crisis in Augustine's preaching. One of his recently discovered sermons, Erfurt 1 (= *Serm.* 282) employs militant language when discussing martyrdom, presenting Christianity as a type of battle that we are familiar with from Maximus's preaching. Augustine said: 'With these weapons the army of our king is undefeated, girded with these weapons the soldiers of Christ triumphed.'<sup>55</sup> The sermon, preached in Carthage on the feast day of Perpetua and Felicity, cannot be fixed to an exact year – however, Augustine romanticised the past age of martyrdom in North Africa, using military metaphors. As martyrs of old fearlessly faced death and went into battle armed by God, so should Augustine's listeners. The interplay between spiritual and physical warfare, set against real-life hostilities and unrest, is repeated across numerous Christian writers.

It is important to include Augustine's remarks on war not only because his works overall influenced many successors, but also because his writings contribute to many discussions of sexual norms in this book. He would have agreed with Maximus that a time of crisis invited a focus on one's faith, but he did not establish a clear regime regarding how to spiritually fight against ongoing troubles. This sets up a point of contention that we will return to repeatedly: establishing clearly Christianised standards on moral behaviour (sexual or otherwise) was difficult because different clerics had differing opinions on what should be prioritised. Maximus emphasised prayer, chastity, and other tools to be taken up as a matter of urgency, clearly influenced by the real dangers present in northern Italy. Augustine, by contrast, is almost dismissive of warfare, seeing secular conflict as a distraction from Christian devotion – his sense of detachment was not shared by frightened lay Christians, however, showing that in this the bishop stood apart from others.

W. H. C. Frend's argument that Augustine's unconcerned response to the violence between 406 and post-410 stemmed from his position as an outsider

<sup>54</sup> Augustine, *Serm.* 344.4: 'Scio, uiuere amas, mori non uis.'

<sup>55</sup> Augustine, *Serm.* 282.3: 'His armis exercitus nostri regis inuictus est, his armis accincti milites Christi ... triumpharunt.' Translation my own. I. Schiller, D. Weber and C. Weidmann, 'Sechs neue Augustinuspredigten. Teil 1 mit Edition dreier Sermones Teil 1 mit Edition dreier Sermones', *Wiener Studien* 121 (2008), 227–84.



who was not affected by this violence personally likely underwent changes as conflicts continued.<sup>56</sup> Hippo was under siege by the Vandals when Augustine died in 430, yet we do not know what his views on war and its relation to his contemporaries were in these final stages of his life. Would he have drawn any direct correlation between the Vandal presence and local moral standards? Would he now have offered more concrete advice on how to combat one's enemies, just as Maximus had done? If so, what kind of actions could the local Christians have taken – would Augustine have refashioned the spiritual warfare he included in *Serm.* 282 from Perpetua's time to his own era? These questions, of course, we cannot answer, and as such we are left with the advice that he gave to Christians troubled by conflict: focus on living in ways pleasing to God and do not shy away from death.

### Impending Death in Gaul

The instability of the early fifth century translated into a concern over good Christian dying in southern Gaul also, where a man named Valerian held the episcopacy of Cimiez (Cemenelum) from c. 439 to c. 462.<sup>57</sup> Cimiez had been a key settlement of *Alpis Maritimae* in the first century CE, functioning as the administrative centre of the region along the *Via Aurelia*.<sup>58</sup> A man named Pontius was martyred there in 258, which is indicative of a Christian community from the mid-third century onwards.<sup>59</sup> It is probable that Cimiez became a bishopric in the late fourth century when the baptistry was built, but these are the sole scraps of information on the early Christian communities there. It is likewise probable that Valerian had significant links to the nearby island monastery of Lérins.<sup>60</sup>

Only twenty of Valerian's homilies survive, their scarcity explaining why they have not received much scholarly attention.<sup>61</sup> Out of these,

<sup>56</sup> Frend, 'Augustine's Reactions'.

<sup>57</sup> For the limited biographical details, see PCBE 4.2, Valerianus 3, 1905–08, and Johannes Quasten, *Patrology*, vol. 4: *The Golden Age of Latin Patristic Literature from the Council of Nicea to the Council of Chalcedon* (Westminster, MD: Christian Classics, 1986), 543–44.

<sup>58</sup> Georgette Laguerre, *Fouilles de Cemenelum: Inscriptions antiques de Nice-Cimiez (Cemenelum, Ager Cemenelensis)* (Paris: E. de Boccard, 1975).

<sup>59</sup> George E. Ganss, ed., *Saint Peter Chrysologus: Selected Sermons; and Saint Valerian: Homilies* (Washington, DC: Catholic University of America Press, 1965), 291.

<sup>60</sup> This has been argued in Jean-Pierre Weiss, 'La personnalité de Valérien de Cimiez', *Annales de la Faculté des Lettres et des Sciences humaines de Nice* 11 (1970), 141–62, and supported in Carlo Tibiletti, 'Valeriano de Cimiez e la teologia dei Maestri Provenzali', *Augustinianum* 22 (1982), 513–32.

<sup>61</sup> His surviving homilies and one letter have been collected in PL 52 and trans. FCNT 17.

roughly a third discuss contemporary unrest.<sup>62</sup> The Visigothic kingdom of Toulouse had been established in 418, but southern Gaul continued to experience military conflicts, especially around the power centre of Narbonne and, closer to Cimiez, in Arles, which saw a major battle in 435.<sup>63</sup> The 430s also saw campaigns against the Bagaudae in Gaul and later in Spain, led by the general Aëtius.<sup>64</sup> In the early 450s, Attila the Hun invaded Gaul and Italy, sacking numerous cities and sending thousands fleeing – although the closest Attila got to Cimiez was Pavia in northern Italy, a relatively safe distance away.<sup>65</sup> Conflict, nevertheless, marked nearby regions during Valerian's episcopate, while at home he dealt with violence, kidnappings, and a fractured local community – although, on the whole, he was uninterested in discussing current affairs.<sup>66</sup>

Even so, homilies that initially seem more generic end up discussing communal pressures, such as *Hom. 7* on the virtue of mercy, which at the very end turns into a collection for ransoms.<sup>67</sup> The culprits behind the kidnappings are unnamed, although barbarians and pirates have both been suggested.<sup>68</sup> These glimpses reflect a community enduring hardships, which can be set against the bishop's judgement of Christian morals: where these fell short and what key areas had to be improved. Indeed, the moral conduct of the congregation was Valerian's primary concern.<sup>69</sup>

The restlessness of the 430s to 450s is reflected in Valerian's frequent discussion of death. A fifth of his homilies, 15 to 18, discuss martyrdom and the need to be ready to die for one's faith, delivered on the feast of an

<sup>62</sup> These are homilies 7, 9, 10, 15–18.

<sup>63</sup> Frank Riess, *Narbonne and Its Territory in Late Antiquity: From the Visigoths to the Arabs* (Farnham: Ashgate, 2013), 57–58.

<sup>64</sup> See John Matthews, *Western Aristocracies and Imperial Court, A.D. 364–425* (Oxford: Clarendon Press, 1975), 330, 337–39; Jill Harries, *Sidonius Apollinaris and the Fall of Rome* (Oxford: Clarendon Press, 1994), 72–73.

<sup>65</sup> Jason Linn, 'Attila's Appetite: The Logistics of Attila the Hun's Invasion of Italy in 452', *Journal of Military History* 83.2 (2019), 325–46, esp. 330–31.

<sup>66</sup> Jean-Pierre Weiss, 'Valérien de Cimiez et la société de son temps', in *Mélanges Paul Gonet*, ed. Paul Gonet (Nice: University of Nice, 1989), 281–89, at 288.

<sup>67</sup> Kidnapping locals for ransom was a popular way for enemy factions to amass military funds, and we find this practice still in Gaul in the sixth century. See William Klingshirn, 'Charity and Power: Caesarius of Arles and the Ransoming of Captives in Sub-Roman Gaul', *Journal of Roman Studies* 75 (1985), 183–203.

<sup>68</sup> FCNT 17.350, n. 17. However, as Valerian states in a later sermon that captives were often seen in their ragged clothes or lacking clothes entirely, it seems likelier that warring factions settled in the area were to blame. See Valerian, *Hom. 9.4.7*: 'What is worse, we often see a group of captives wandering about with bodies scarcely clad.' Cf. Peter Chrysologus, *Serm. 103.7*, on captives in Ravenna around the same time.

<sup>69</sup> Weiss, 'La personnalité de Valérien', 142: 'La prédication de Valérien, sans négliger totalement la théologie, met, avant tout, l'accent sur la morale.'

unidentified local martyr. Sermons recalling the deaths of martyr saints were a liturgical norm at this time, but Valerian emphasised that imminent death hung over everyone's heads. *Hom.* 17 in particular is telling, focusing on praising early Christian saints who had been crowned with martyrdom for giving up their worldly lives. Valerian pointed out that the local martyr had also died as a part of 'heavenly warfare'.<sup>70</sup> The language of the homily is graphic, with mentions of blood, mangled bodies, and wounds, focusing on the physical torments of the martyr. Valerian then provided the audience a parallel for their own conduct: 'May [the martyr] show us how to expose our breast in this warfare and sustain every onset of injury.'<sup>71</sup>

Such remarks are a continuation of a longer tradition of heavenly warfare in Christian thought (Eph. 6:12). Early ascetic thinkers such as Athanasius had emphasised that there were times in a Christian's life when one ought to wage spiritual warfare against sins and temptations.<sup>72</sup> For Valerian, a martyr feast was one such time. However, a discussion about going into battle and sustaining injuries may have had a further meaning for an audience in contact with refugees and captured acquaintances. We might consider the possibility that Valerian wished not only to discuss spiritual battles, but also the physical battles in the world around him.

Valerian's war imagery goes further, and the end of the homily focuses on desire, lust, and sex. 'The desire of your eyes is constantly rapping at our doors', he complained, moving to examine the moral shortcomings of his audience.<sup>73</sup> This was a battle of virtues versus vices – Valerian stated that his aim was 'to extinguish desires of the flesh, and to reduce lasciviousness of life by pursuing disciplinary control'.<sup>74</sup> He said that his congregation was being tempted by excessive ornamentation and attractive physical form. It is not clear who is being criticised here – perhaps local women, who by implication were dressing too beguilingly. These 'allurements of *luxuria*'<sup>75</sup> were to be defeated. How? 'If you wish to overcome all that, you must fight by practising chastity', Valerian argued.<sup>76</sup> This was his conclusion to a homily on warfare of different kinds: heavenly and spiritual, and perhaps secular unrest.

Valerian's preaching on avoiding sexual sin is not unique, but the context in which he discussed it is important. Moral shortcomings are highlighted

<sup>70</sup> Valerian, *Hom.* 17.2.3 (PL 52.745A): 'coelestis pugnae'.

<sup>71</sup> Valerian, *Hom.* 17.4.3: 'ostendat aduersum bellis pectus opponere atque omnem conflictum iniuriae sustinere'.

<sup>72</sup> See David Brakke, *Athanasius and the Politics of Asceticism* (Oxford: Clarendon Press, 1995), 171.

<sup>73</sup> Valerian, *Hom.* 17.5.3: 'cupiditas oculorum nostrorum portas iugiter pulsat'.

<sup>74</sup> Valerian, *Hom.* 17.6.1: 'desideria carnis exstinguere, et disciplinae studio uitae lasciuam deprimere'.

<sup>75</sup> Valerian, *Hom.* 17.6.2.

<sup>76</sup> Valerian, *Hom.* 17.6.2: 'Si uis ut ista superes, pugnandum est studio castitatis.'

in a homily discussing violent death, with sexual misdemeanours – lust, desire for sex, and making oneself look desirable for sex – placed at the forefront of sinful acts committed by his congregation. Even as one reads the homily, these complaints about a lack of chastity seem like an unusual move away from the grotesque death of the unnamed martyr and the battlefield imagery with which the homily began, but in Valerian's mind these were all intertwined. His congregation had to be spiritually prepared for death, and Valerian argued that chastity would enable good, Christian deaths. This might be bleak, but it becomes clear that Valerian viewed sexual excesses as an obstacle to reaching the martyrdom achieved by earlier Christians.

This criticism of unchaste thoughts is an extension of Valerian's rejection of worldly matters – akin to the complaints made by Augustine that people were shying away from death. 'Let us prefer the heavenly goods to the earthly ones, to be able to obtain those promised benefits of eternal life', Valerian exhorted.<sup>77</sup> He also drew clear contrasts between unchristian behaviours and Christian ones, as in *Hom.* 16, in which he warned: 'You know how effective looks are to excite desire, how quick are glances of the eyes [...] We should prepare ourselves to carry on the fight of the Cross against these vices.'<sup>78</sup> Valerian perceived chastity and Christian piety as an ongoing battle that one must take up in anticipation of death: 'If the occasion thus comes [for martyrdom], let no one flee from the noise of the chains.'<sup>79</sup>

Yet what danger was Valerian preparing his congregation for? Cimiez was not attacked at this time, as many other cities were – Narbonne, Pavia, Milan, and others.<sup>80</sup> Who, then, did Valerian anticipate was coming to inflict religious persecution on local Christians? Was he referring to brigands, perhaps, or was he reflecting on the possibility that unrest in nearby regions might reach Cimiez at some point? As the homily is undated, the connection to the movement of Roman and barbarian armies in the 430s to 450s remains speculative. Yet Valerian's exhortations to ready oneself for martyrdom suggest that he anticipated, or at least entertained the possibility of, hostile forces attacking local Christians. These remarks

<sup>77</sup> Valerian, *Hom.* 15.2 (PL 52.739): 'Praeponamus terrenis coelestia, ut possimus illa aeternae uitae promissa contingere.'

<sup>78</sup> Valerian, *Hom.* 16.4 (PL 52.743): 'Scitis quam grauis aspectus ad excitanda desideria, quam sint veloces iactus oculorum ... Aduersus haec ergo paranda nobis est crucis pugna.'

<sup>79</sup> Valerian, *Hom.* 16.3 (PL 52.743): 'Nemo ergo diffugiat, si ita usus fuerit, sonitus catenarum.'

<sup>80</sup> Prosper of Aquitaine, *Chronicon*, s.a. 436 (Narbonne); for Italy, see Linn, 'Attila's Appetite'.

echo worldly anxieties, forming the context in which sexual behaviour became heightened.

It is worthwhile to compare Valerian with Maximus and Augustine. Maximus did not give sexual habits a notable emphasis in his ideas of engaged, Christian warfare, although fasting and chastity were included as expectations of pious Christian conduct at a time of crisis. Valerian was less optimistic: from his writings shines a concern for earthly violence.<sup>81</sup> Nowhere in his surviving homilies does he suggest that piety can save lay Christians from warfare and unrest – it can, however, ensure holy martyrdom. A bishop such as Valerian preaching in the second quarter of the fifth century might no longer have believed that violent conflict could be prevented by an overhaul of local Christian conduct, whereas Maximus had advocated for this in the first stages of the Gothic advance. Indeed, a key characteristic that Allen and Neil have given to late antique crises is that they were thought ‘normal’<sup>82</sup> – while I would argue that the first conflicts of the 400s were not perceived in these terms, a few decades later Valerian suggests the normalisation of military conflict in Gaul.

In contrast to Augustine, Valerian does not show a sense of detachment from ongoing conflicts, but rather is engaged with his community experiencing hardships. Both men, however, idealised and encouraged death if the situation arose. They persuaded reluctant audiences to embrace dying and idealised past Christian heroes who had not shown reluctance when faced with oppressors – such is the difference between hagiography and reality. Valerian also discussed sex and sexual lust when examining how to die a pious death, whereas Augustine and Maximus had focused on other kinds of moral behaviour. Limited as Valerian’s surviving writings therefore are in contrast to those of others, he is important in articulating the interconnectedness of immoral Christian conduct with a backdrop of local anxieties. Indeed, the most significant figure apart from Valerian to examine this connection is Salvian, who likewise had links to the monastic community of Lérins.

For Valerian, the praise of chastity and the criticism of desire and lust is interlaced with the danger of death and martyrdom. Those who die with impure thoughts would not receive the crown of martyrdom, and as such chastity was a prerequisite. In other words, sexual behaviour gained a heightened importance in a pressurised environment, whether that danger was hypothetical or real. Valerian’s glorification of martyrdom in the past

<sup>81</sup> Lisa Kaaren Bailey, ‘Preaching in Fifth-Century Gaul. Valerian of Cimiez and the Eusebius Gallicanus Collection’, in Dupont et al., eds, *Preaching in the Patristic Era*, 253–73, at 270, has viewed Valerian’s surviving works as having an optimistic message about salvation. The reading here is more pessimistic.

<sup>82</sup> Allen and Neil, *Crisis Management in Late Antiquity*, 4.

and in his own day suggests that the one true escape from hardships that he still believed in was life after death. To prepare for this, sexual desire was denounced, and chastity was promoted. ‘Look’, Valerian said, ‘the field is ready for you.’<sup>83</sup>

## All Quiet on the Roman Front

When discussing military conflict at this time, one must give due consideration to Leo the Great, bishop of Rome from 440 to 461. Not only did Leo live during war and invasion but he actively engaged with it: his encounters with Attila the Hun and Geiseric the Vandal were legendary already in his lifetime.<sup>84</sup> While Attila’s forces did not reach Rome, the city was sacked by the Vandals in 455, and it would be naive to think that the two-week sacking was bloodless.<sup>85</sup> The citizens of Rome also witnessed the consequences of destruction elsewhere through an influx of refugees from Vandal Africa, who settled in the city during Leo’s episcopate.<sup>86</sup> The threat of war, not to mention Leo’s active engagement as a wartime legate, negotiator, and advisor, cements warfare as a considerable preoccupation for this bishop of Rome. However, his sermons – and, indeed, his letters – are puzzling. Where men such as Maximus, Augustine, and Valerian provided moralistic guidance for times of conflict, or evoked martyrdom at enemy hands, the western bishop most famous for dealing with militants discussed this in his sermons and letters only in fleeting fragments.

The fact that little reference to war survives, of course, does not mean that Leo did not talk to the Christians of Rome about this – rather, perhaps, that this material has not survived in modern collections.<sup>87</sup>

<sup>83</sup> Valerian, *Hom.* 17.6.2: ‘paratus tibi est ecce campus’.

<sup>84</sup> Prosper of Aquitaine, *Chronicon*, s.a. 424 (= 451); s.a. 428 (= 455) (MGH AA 9.481–84). For criticism of Prosper’s account, see Andrew Gillett, *Envoys and Political Communication in the Late Antique West, 411–533* (Cambridge: Cambridge University Press, 2003), 114–15. For Leo in general, see Trevor Jalland, *The Life and Times of St. Leo the Great* (London: Society for Promoting Christian Knowledge, 1941); Susan Wessel, *Leo the Great and the Spiritual Rebuilding of a Universal Rome* (Leiden: Brill, 2008); Bronwen Neil, *Leo the Great* (Abingdon: Routledge, 2009).

<sup>85</sup> Christian Courtois, *Les Vandales et l’Afrique* (Paris: Arts et métiers graphiques, 1955), 194–96; Merrills and Miles, *The Vandals*, 116–19.

<sup>86</sup> Chris Wickham, *Framing the Early Middle Ages: Europe and the Mediterranean 400–800* (Oxford: Oxford University Press, 2005), 33.

<sup>87</sup> Leo’s writings have undergone significant editorial intervention, which has impacted the content of surviving materials. On Leo’s sermons, see R. Dolle, ‘Les sermons en double édition de S. Léon le Grand’, *Recherches de théologie ancienne et médiévale* 45 (1978), 5–33; Bronwen Neil, ‘Leo Magnus’, in Dupont et al., eds, *Preaching in the Patristic Era*, 327–46.

However, the modern assumption that a letter collection is simultaneously a biographical record of the epistolographer does not hold for ancient letter-writing.<sup>88</sup> There may have been little interest for Leo in writing extensively about contemporary unrest. Indeed, omitting warfare and conflict from one's communications was typical of Roman bishops, as Leo's predecessors had also avoided the topic of war at home. In sum, 'the bishops of Rome especially did not like to admit to security breaches'.<sup>89</sup> Leo's overflowing confidence in the Church of Rome has also been accused of misconstruing the true state of the Roman church in his time.<sup>90</sup> This served to perpetuate his personal conviction that Rome was the holiest of all churches, following in the footsteps of Peter.<sup>91</sup> Leo's conviction of the inviolability of Rome was great – so great, in fact, that we ought to proceed with caution.

War, however, is not completely absent from Leo's writings, and in Chapter 2 we will examine his comments on wartime captivity and sexual violence. Further to such problems, we find epistolary references to difficult communication during wartime;<sup>92</sup> and once he also appears to refer to the Hunnic invasion.<sup>93</sup> Even so, this is not particularly remarkable commentary on military conflict.

The language that Leo employed in his sermons does, however, echo the turbulent context in which he lived, and is similar to what we have seen thus far. In *Serm.* 39, delivered in 441, Leo noted that 'we are among many struggles and battles',<sup>94</sup> and exhorted:

See then, dearly beloved, with what powerful weapons, with what unconquerable defenses our leader, marked out by many triumphs and the invincible captain of the Christian hosts has armed us. He has bound our loins with the bond of chastity, he has shod our feet with the cords of peace, for a soldier ungirded is overcome quickly by the instigator of lewdness, and one unshod is easily bitten by the serpent. He gave us the shield of faith as a protection for the whole body, he placed the helmet of salvation

<sup>88</sup> Gibson, 'On the Nature'; see also the discussion in the introduction.

<sup>89</sup> Allen and Neil, *Crisis Management in Late Antiquity*, 197.

<sup>90</sup> Neil B. McLynn, 'Crying Wolf: The Pope and the Lupercalia', *Journal of Roman Studies* 98 (2008), 161–75, at 161.

<sup>91</sup> On Leo's Petrine ideology and its promotion to his contemporaries, see Wessel, *Leo the Great*, 285–97; Walter Ullmann, 'Leo I and the Theme of Papal Primacy', *Journal of Theological Studies* 11.1 (1960), 25–51.

<sup>92</sup> In *Ep.* 102 Leo complains about the difficulty of frequent correspondence during wartime, and *Ep.* 159 also mentions barbarians.

<sup>93</sup> *Epp.* 82–83, written to the Eastern Emperor Marcian in 451 CE, ask for the impending Council of Chalcedon to be postponed due to 'the times', which may refer to the Hunnic invasion of Italy in the same year.

<sup>94</sup> Leo, *Serm.* 39.1.2 (CCSL 138A.211): 'inter multas aduersitates et praelia'.

on our head, he equipped our right hand with the sword, that is, the word of truth so that the spiritual contenders may not only be safe from a wound but may also be able to wound their attacker.<sup>95</sup>

The use of military imagery is striking: weapons, defences, shields, helmets, swords, wounds. In contrast to the heavily clad soldier are hints of immodest nudity: unbelted and unshod, an unprepared Christian is an easy target for improper temptations. There is a sexual aura to Leo's words, suggested by nudity: unchastity comes before the fall, just like a soldier ill-equipped for battle. As Leo covered the body in virtuous Christian armour, the immodestly dressed soldier became safe once more.

That Leo was drawing parallels with contemporary warfare is suggested by *inuietus Christianae militiae magister*, rendered 'invincible captain of the Christian hosts', but playing on *magister militum*. In drawing parallels between religious warfare and the late Roman military, Leo reflected a local perception: the Roman Church often described its conflicts using militant language and imagery.<sup>96</sup> Here, the image of God as the head of spiritual warfare in contrast to the warfare Leo's congregation knew from their own world presented Christian virtues as a type of protection against dangers – spiritual dangers, of course, but also those presented by secular unrest.

Leo described action taken against immoral temptations as war elsewhere, too. In *Serm.* 78, he recalled the Apostles:

And so these teachers, who have filled all the children of the Church with their examples and traditions, began their first attempts at Christian warfare with holy fasts. In this way, when about to fight against spiritual evils, they would take up the weapon of abstinence with which to cut off the enticements of sin. The invisible adversaries and spiritual enemies will have no strength against us, if we have not been swallowed up by any bodily desires.<sup>97</sup>

<sup>95</sup> Leo, *Serm.* 39.4, trans. FCNT 93.169–70: 'Uidet, dilectissimi, quam potentibus nos telis, quam insuperabilibus munimentis dux multis insignis triumphis, et inuietus Christianae militiae magister armauerit. Succinxit lumbos balteo castitatis, calceauit pedes uinculis pacis: quia et discinctus miles cito, ab impudicitiae incentore uincitur, et non calceatus facile a serpente mordetur. Scutum fidei ad protectionem totius corporis dedit, capiti galeam salutis imposuit, dexteram gladio, id est uerbo ueritatis, instruxit: ut spiritalis praeliator non solum sit tutus a uulnere, sed et repugnantem ualeat uulnerare.'

<sup>96</sup> See Jacob A. Latham, 'From Literal to Spiritual Soldiers of Christ: Disputed Episcopal Elections and the Advent of Christian Processions in Late Antique Rome', *Church History* 81 (2012), 298–327, esp. 324–25.

<sup>97</sup> Leo, *Serm.* 78.2 (CCSL 138A.495), trans. FCNT 93.346: 'Hi itaque doctores,



Again, bodily desire and its temptations are described as a hindrance to a more Christian way of life: one must not just fight, but engage in Christian warfare against this, as Leo argued in this sermon dated around 441. Valerian of Cimiez had articulated similar ideas to his congregation.

The dangers of temptation are also visible in the only surviving sermon in which barbarians are explicitly mentioned, again contrasting warfare and improper Christian behaviour. *Serm.* 84, given in an undated year, is a rebuke to the people of Rome about their poor attendance at a commemoration service for the 410 sack of Rome.<sup>98</sup> Leo complained that the Christians of the city no longer came to these commemoration services as they once had. Leo called on his flock to ‘return to the Lord ... who willed to soften the hearts of raging barbarians’.<sup>99</sup> He appears to be referencing Alaric’s men having destroyed Rome relatively mildly in 410. What made the poor attendance worse, however, was that the service had coincided with public amusements, and many Christians had chosen to attend the latter. ‘It shames me to say it, but one must not keep silent. More effort is spent on demons than on the apostles, and the wild entertainments draw greater crowds than the shrines of martyrs’, Leo lamented.<sup>100</sup> Those with money continued to sponsor the games, as indeed was an important duty for civic officials.<sup>101</sup>

Behind this commentary might be real rivalry in attendance. As noted by Richard Lim, at this time many urban centres had new church buildings that could hold great capacities – having them empty when the theatre or circus was bustling was an embarrassment, and this competition likely

qui exemplis et traditionibus suis omnes Ecclesiae filios inbuerunt, tirocinia militiae christianae sanctis ieiuniis inchoarunt, ut contra spirituales nequitias bellaturi, abstinentiae arma caperent, quibus uitiorum incentiua truncarent. Inuisibiles enim aduersarii et incorporales hostes non erunt contra nos ualidi, si nullis carnalibus desideriiis fuerimus inmersi.’

<sup>98</sup> There is some confusion as to which sacking and what barbarians this sermon refers to, although the consensus is that Leo was talking of 410. The NPNF series, however, dates the work to post-455 and as referring to the Vandal sack of 455; see NPNF 2.12, 196, n. 1173 – cf. FCNT 93, 360. Perhaps behind the NPNF dating is the present participle *furentium* – ‘of raging’ – that suggests an ongoing presence. However, while Leo may be acknowledging that barbarians are raging currently in Italy as well, the sermon dates to a commemoration of 410 CE.

<sup>99</sup> Leo, *Serm.* 84.2 (CCSL 138A.525), trans. FCNT 93.361: ‘reuertimini ad Dominum ... qui corda furentium barbarorum mitigare dignatus est’.

<sup>100</sup> Leo, *Serm.* 84.1, trans. FCNT 93.361: ‘pudet dicere, sed necesse est non tacere: plus impenditur daemioniis quam apostolis, et maiorem obtinent frequentiam insana spectacula quam beata martyria’.

<sup>101</sup> On sponsoring games and their venues in Rome, see the studies in Kathryn Lomas and Tim Cornell, eds, *Bread and Circuses: Euergetism and Municipal Patronage in Roman Italy* (London: Routledge, 2003).

motivated explorations of the games' immorality.<sup>102</sup> 'There is serious danger in being ungrateful to God', Leo warned his congregation, asking who had saved the city in 410: circus-goers or saints?<sup>103</sup> Leo thus used past warfare and devastation to condemn frivolities and loose moral behaviour in his own time. Had people forgotten past horrors so quickly?

The limited Leonine sources on warfare nevertheless make it difficult to assess whether the bishop considered Christian conduct as central to alleviating contemporary unrest. As Leo interceded himself in an effort to stop Attila the Hun, it seems safe to say that he did not think praying and fasting were doing the trick. Furthermore, Leo must have said something to his congregation after the 455 sacking – certainly he could not have appeared before his flock without in some way commenting on the stripped-out city. What these words were, however, and whether he placed blame on his audience, we do not know. Yet *Serm.* 84 is telling: he reminded people not to anger God, as the consequences of such an act would make them sorry. If he preached this before 455, then perhaps the Roman congregation was indeed sorry post-455, vindicating Leo's warnings.

Leo thus emphasised that he expected behaviour that was becoming of Christians, such as keeping oneself spiritually dressed, attending church services piously, resisting temptations, and keeping clear of immoral *spectacula*.<sup>104</sup> In this way, Leo combined several features thus far examined: he claimed Maximus's metaphorical Christian weaponry as superior to real helmets, shields, and swords, and then, like Valerian, considered that one must make war against loose morals, albeit he expressed this more subtly. Like Augustine, we get a shared sense of detachment, which is peculiar given that Leo acted as a negotiator and diplomat. This might be, however, a Leonine attempt to intentionally suppress calamities.

Even so, warfare affected Leo's rhetoric and how he spoke to his congregation, and he made use of militant concepts when critiquing the behaviour of local Christians. In this way, Leo too was a man of his time.

<sup>102</sup> Richard Lim, 'Augustine and Roman Public Spectacles', in Vessey, ed., *A Companion to Augustine*, 138–51, at 146.

<sup>103</sup> Leo, *Serm.* 84.1 (CCSL 138A.525), trans. FCNT 93.360: 'Magnum enim periculum est esse homines ingratos Deo.'

<sup>104</sup> For Christian reception of Roman games, see, for instance, Werner Weismann, *Kirche und Schauspiele; die Schauspiele im Urteil der lateinischen Kirchenväter unter besonderer Berücksichtigung von Augustin* (Würzburg: Augustinus-Verlag, 1972); Richard F. DeVoe, *Christianity and the Roman Games: The Paganization of Christians by Gladiators, Charioteers, Actors and Actresses from the First through the Fifth Centuries A.D* (Philadelphia, PA: Xlibris, 2002); Leonardo Lugaresi, *Il teatro di Dio: il problema degli spettacoli nel cristianesimo antico (II-IV secolo)* (Brescia: Morcelliana, 2008); Ruth Webb, *Demons and Dancers: Performance in Late Antiquity* (Cambridge, MA: Harvard University Press, 2008).

## Deviance and Disaster in Marseille

Salvian of Marseille encapsulates Christian moralising critique against the backdrop of warfare more acutely than any other writer of this time. *De gubernatione Dei* was composed in the years after 439, when Vandals took Carthage and the Visigoths defeated the Roman army at Toulouse.<sup>105</sup> For Salvian, the violence and devastation in Gaul and North Africa was not proof of God's abandonment, but of God's active punishment for Christian sins.<sup>106</sup> This argument radiates through the eight books of the work,<sup>107</sup> spurring Salvian into exaggerations that have led to him being challenged as a reliable historical source.<sup>108</sup> The treatise is at times convoluted and confused, and certainly Salvian elaborated his points unnecessarily, which may speak of passion, frustration, poor editing skills, or how seriously he took the topic at hand. The religious message of the work is fundamental, however, as Salvian tackled Christian shortcomings and lack of faith. As noted by one scholar, *De gubernatione Dei* was written 'pour raffermir leur foi'.<sup>109</sup> The overall picture he painted is, nevertheless, overladen with excess and impassioned rhetoric, and as such modern scholars have debated whether Salvian expected his audience to view the treatise as an accurate portrayal of their time.<sup>110</sup>

Salvian's depiction of the world showed the Western Empire in dire straits, and even worse was that sinning of all kinds continued amid times of war. Salvian said, 'No matter how bitter and calamitous our suffering, we suffer less than we deserve.'<sup>111</sup> As *De gubernatione Dei* progresses, however, sexual vice becomes the unifying factor that binds Christians of different regions in iniquity. This is a gradual build-up, as Salvian also accuses his contemporaries of over-taxation, of wilfully disobeying God, and of obsessively attending games and amusements.<sup>112</sup> While Salvian condemned

<sup>105</sup> Salvian details these events in *De gub.* 7.40–44; 7.67–71.

<sup>106</sup> Salvian, *De gub.* 1.45–60.

<sup>107</sup> The manuscript tradition is incomplete, and the eighth book ends abruptly.

<sup>108</sup> Salvian is 'addicted to exaggeration' according to Frederik Van der Meer, *Augustine the Bishop: The Life and Work of a Father of the Church* (London: Sheed and Ward, 1961), 180. A milder approach is 'Salvien va toujours au delà de sa pensée' in Thouvenot, 'Salvien et la ruine de l'empire romain', 145.

<sup>109</sup> Thouvenot, 'Salvien et la ruine de l'empire romain', 145.

<sup>110</sup> Lawrence J. Barmann, 'Salvian of Marseille Re-evaluated', *Revue de l'Université d'Ottawa* 33 (1963), 79–97, at 94–97; Cleland, 'Salvian and the Vandals', 270.

<sup>111</sup> Salvian, *De gub.* 4.34, trans. FCNT 3.102: 'quamlibet aspera et aduersa patiamur, minora patimur quam meremur'.

<sup>112</sup> To offer an overview of the narrative of *De gubernatione Dei*, Book 1 is an analysis of the proclaimed subject of the work, citing examples from history and scripture of God's involvement and active nature in forgiving, punishing, and intervening in men's

these acts, they ultimately do not reach the same universality as sexual vice: excessive taxation in the provinces was a sin committed by greedy tax collectors and not by Christians at large, and while Salvian admonished Christians for attending the games, he acknowledged that in some cities the poverty of the age had stalled this vice for the time being.<sup>113</sup> What remained was sexual vice, which was ongoing in times of war and was committed by Christians across the spectrum; and although it had localised features, sexual vice bound Christians in a deadly grip of sin.

As military action represented divine wrath, it was unthinkable to Salvian that in response Christians had not changed their ways: ‘No portion of the Roman world or the Roman name, however gravely struck by heavenly punishment, was ever fully corrected.’<sup>114</sup> A time of crisis had highlighted the areas in which Christian conduct was lacking, but this crisis did not correct behaviour. For an ascetically minded man such as Salvian, this was inexcusable. The presence of barbarians enabled a moralising discourse that sought to re-enforce ideal Christian sexual conduct.

No study has considered Salvian’s comments on sexual morality as a product of their time, nor have attempts been made to compare his work with the views of his contemporaries. Indeed, no Christian author had discussed deviant sex at such length since Clement of Alexandria (d. c. 215) and Tertullian (d. c. 220).<sup>115</sup> Sex is central to Salvian’s work, but no one has

affairs. Book 2 discusses the omnipresence of God, again with the help of scripture, to show that God judges all things. This counterweighs claims of God’s disengagement from humans. Book 3 examines Christian neglect of divine law and scripture, accusing Christians of disobedience and poor morals. Book 4 likens the relationship between God and Christians to that of a slave and his/her master. Salvian also compares the sinning of Christians and barbarians, reasoning that as Christians possess divine law but choose to ignore it, their sins are worse than barbarian sins, as barbarians are ignorant of divine law or have only a corrupted version of it. Book 5 is a lamentation on excessive taxes and the abuse by wealthy Romans who overtax the poor, again with a comparison to barbarians who, Salvian argues, do not subject each other to similar unfair treatment – thus, barbarians are superior to greedy Romans. Book 6 attacks games and *spectacula*, especially to criticise the continuation of games during wartime and after sackings. To attend games is to commit adultery, Salvian argues, as one consumes sinful acts with one’s eyes. This book discusses the fifth-century context extensively, listing the destruction of Gallic cities, with criticism of citizens for not changing their sinful behaviour despite God punishing them with barbarian warfare. This brings Salvian to Book 7, which contains most of his commentary on sexual morality in his age.

<sup>113</sup> Salvian, *De gub.* 4.20–21, 6.39.

<sup>114</sup> Salvian, *De gub.* 6.90, trans. FCNT 3.180: ‘Neque ullam penitus Romani orbis aut Romani nominis portionem, quamlibet grauius plagis caelestibus caesam, umquam fuisse correctam.’

<sup>115</sup> Both of these men’s works contributed greatly to the development of sexually moralising discourses in Christianity. When examining Clement of Alexandria’s

posed the question why. The study that comes closest to examining this is David Cleland's 1969 thesis, which argued that 'the social role of sexual behaviour is important [to Salvian] as the state's well-being depends on it'.<sup>116</sup> Cleland's study also considered Salvian's attitudes on war and rape, albeit too briefly.<sup>117</sup> Cleland further argued that Salvian was taciturn about war in his time, and, in a way, this is true: Salvian does not give details of battles or military movements. However, a revised examination shows that *De gubernatione Dei* in its entirety is Salvian's commentary on war, against which his moralising attack on the Christians of his age is set.

David Lambert, on the other hand, has emphasised Salvian's understanding of the Christian community as a collective moralistic organism: '[Salvian] portrays a reciprocal relationship between Christians' collective betrayal of their duty to God and the punishment of invasion and conquest which God inflicts on them.'<sup>118</sup> Lambert does not discuss why Salvian considered sexual habits to be a central part of this betrayal, despite an appreciation of communal *mores* in Salvian's perception of the world. The treatise has also been described as a manifestation of Salvian's personal beliefs: he was 'driven by the quick passion for higher things possessing his own soul to decry in exaggerated terms the indifference and low standard of his countrymen'.<sup>119</sup> The work has also been called a 'moral exhortation', which allows more appreciation of its content than describing it as simply driven by passion, arguing that Salvian 'displays genuine humility and sincerity which make his condemnations and denunciations ring with an air of truth' – however, these remarks come from an otherwise questionable analysis.<sup>120</sup>

discussion of sex, Denise Kimber Buell has stated that among Clement's flock, 'debates over sexual practices constituted one site of contest for those seeking to define the contours of authentic Christian identity'; *Making Christians: Clement of Alexandria and the Rhetoric of Legitimacy* (Princeton, NJ: Princeton University Press, 1999), 32. Tertullian, likewise, compared the sexual behaviour of Christians and pagans alike, painting Christians as far superior. See Geoffrey D. Dunn, *Tertullian* (London: Routledge, 2004), especially 27–31, 36–38.

<sup>116</sup> David J. Cleland, 'Salvian of Marseille', MLitt thesis, University of Oxford, 1969, 170.

<sup>117</sup> Cleland, 'Salvian of Marseille', 162–63.

<sup>118</sup> David Lambert, 'History and Community in the Works of Salvian of Marseille', DPhil thesis, University of Oxford, 2002, 277.

<sup>119</sup> Eleanor Shipley Duckett, *Latin Writers of the Fifth Century* (Hamden, CT: Archon Books, 1969), 181.

<sup>120</sup> Barmann, 'Salvian of Marseille', 93, 82. However, Barmann does attempt to correct misconceptions of Salvian as a fanatic (at 86) and also undermines his assessment with erroneous judgements such as: 'That the final century of Rome's rule was a period of great moral decay is a point which needs no proof here' (at 93). It certainly does! Barmann does, however, challenge Courcelle's views on Salvian, arguing *De gub.* to

Salvian was, nevertheless, an impassioned writer. Relatively little is known of his life, but a general chronology can be outlined. Salvian was born c. 400 in the Rhineland area, possibly at Cologne or Trier.<sup>121</sup> In his youth, he married a pagan woman named Palladia who subsequently converted to Christianity, and together they had a daughter, Auspiciola, prior to their move south, where Salvian entered the famed island monastery of Lérins.<sup>122</sup> In Lérins, Salvian became a part of the intellectual network of Gallic Christian thinkers who rose to prominence in the fifth and sixth centuries; he taught their families and dedicated works to influential members around Gaul.<sup>123</sup> Salvian had moved to the seaport of Marseille by the time of *De gubernatione Dei's* composition in the 440s. Here he presumably entered the monastery of St Victor, which according to legend was founded by John Cassian.<sup>124</sup> This ascetic setting naturally influenced his views. According to Gennadius, Salvian was still alive in the late 460s, and thus we know that he enjoyed a long career in the church.<sup>125</sup>

be a rational work welcomed by contemporaries (93–95), with which I am inclined to agree. Barmann ends his analysis with a call to arms against communism, the ‘barbarians’ of the twentieth century – Barmann’s assessment of Salvian, therefore, is further impinged by his contemporary concerns.

<sup>121</sup> For a thorough attempt at reconstructing Salvian’s life, see Lambert, ‘History and Community’, 42–53.

<sup>122</sup> Salvian, *Ep.* 4. This letter is our best source for Salvian’s private life, addressed to his wife’s parents, who appear to have stopped talking to them after Salvian and his wife’s conversion. The letter is Salvian’s attempt to make amends after a seven-year silence, prompted by his parents-in-law’s conversion to Christianity themselves. Whether the letter repaired the icy relations is unknown. His wife and daughter, however, appear to be living in a convent.

<sup>123</sup> On the careers of various Lérins monks, see Brown, *Through the Eye of a Needle*, 419–23. *Ep.* 1 is written to the monks of Lérins, to recommend Salvian’s kinsman for entry into the monastery. The unnamed kinsman had arrived from northern Gaul. In the same letter he also appeals for support for one of his kinswomen, a chaste widower now living under barbarian control in northern Gaul. Salvian, though a monk, was still an active and influential member of his own kinship group.

<sup>124</sup> The accreditation of St Victor to John Cassian is dubious at best and has sparked debate. Most recently John Goodrich has argued that the link may well be historical, while Panayiotis Tzamalikos has argued against Goodrich’s interpretation and supports the view that Cassian’s link to St Victor is a sixth-century forgery. See Goodrich, *Contextualizing Cassian*, 228, and P. Tzamalikos, *The Real Cassian Revisited: Monastic Life, Greek Paideia, and Origenism in the Sixth Century* (Leiden: Brill, 2012), 55–60.

<sup>125</sup> *De uiris illustribus* has entries that date from the 490s, but Gennadius himself most likely wrote in the 460s and 470s, while older entries are anonymous additions. This argument has been put across by Alfred Feder, ‘Zusätze des gennadianischen Schriftstellerkatalogs’, *Scholastik* 8.3 (1933), 380–99. David Lambert also supports this dating in ‘History and Community’, 42.

The bishopric of Marseille was caught between the ecclesiastical power struggles of Arles and Narbonne. The two were contesting over spheres of influence, and in these circumstances Marseille itself did not rise to ecclesiastical primacy.<sup>126</sup> In the mid-430s both Arles and Narbonne were under siege, but by the 440s the Gothic king Theodoric's rule was increasingly unquestioned in the area.<sup>127</sup> Marseille itself was under siege in 412/13 but appears to have been unharmed during the decades Salvian lived there. Contemporary war, however, stirred the inhabitants of Marseille.<sup>128</sup> Salvian often lamented the fate of other regions, especially Aquitaine, which to his readers symbolised a lost Gallo-Roman territory now under Gothic rule.<sup>129</sup> This political unrest is likewise evident in Salvian's own background as a refugee from the Rhineland area.

When *De gubernatione Dei* was written in the 440s, the bishop of Marseille was Venerius, who had been presbyter under the previous bishop Proculus – a notable and powerful bishop.<sup>130</sup> Venerius himself held the seat from 431 to 452.<sup>131</sup> We can only surmise why Salvian never held this post himself – David Cleland has argued that his 'tendency to extremes and rash statements' may have cost him the episcopacy.<sup>132</sup> There is no proof to support such a notion, however. Salvian's reputation among his peers cannot have been one of disregard, as Gennadius praised him, noting that Salvian was a prolific writer, but of the works listed only *De gubernatione Dei* and *Ad ecclesiam* survive.<sup>133</sup> On top of this, we have nine letters.

Salvian dedicated *De gubernatione Dei* to Salonius, bishop of Geneva, whom he had taught at Lérins.<sup>134</sup> Salonius was the son of Eucherius

<sup>126</sup> The Council of Turin in 400 ruled against Marseille in its power struggle with Narbonne (CCSL 148.54: Turin 400, Canon 1).

<sup>127</sup> For the chronology of the Gothic kingdom of Toulouse in the first half of the fifth century, see Peter Heather, *The Goths* (Oxford: Blackwell, 1996), 181–87.

<sup>128</sup> S. T. Loseby, 'Marseille in Late Antiquity and the Early Middle Ages', DPhil thesis, University of Oxford, 1993, 125: 'The recent catastrophes which had engulfed much of Gaul had proved something of an inspiration to the life of Marseille.'

<sup>129</sup> Salvian, *De gub.* 7.7–20.

<sup>130</sup> PCBE 4.2, Proculus 1, 1541–44. On bishops of Marseille at this time, see the summary in Loseby, 'Marseille in Late Antiquity', 96–130.

<sup>131</sup> PCBE 4.2, Venerius 1, 1923–25.

<sup>132</sup> Cleland, 'Salvian of Marseille', 12.

<sup>133</sup> Gennadius, *De uiris illustribus* 68. Gennadius records several treatises, homilies, and even verse.

<sup>134</sup> Salvian, *De gub.* praef. See also Brown, *Through the Eye of a Needle*, 436. Neither is *De gub.* the only literary link between teacher and pupil, as Gennadius further records that Salvian dedicated a work titled *Pro eorum praemio satisfactionis* to Salonius (*De uiris illustribus* 68). A letter to Salonius also survives (*Ep.* 9), containing Salvian's response to Salonius's enquiry about the authorship of *Ad ecclesiam*, published under the name of Timothy but written by his old teacher Salvian. Salonius expressed fears that the

of Lyon, to whom two letters by Salvian also survive.<sup>135</sup> Salonius and Eucherius were friends of men such as John Cassian, Sidonius Apollinaris, Claudianus Mamertus, Hilary of Arles, and many others.<sup>136</sup> Salvian was also on amicable terms with other bishops in Gaul, such as Claudius of Vienne, who was bishop of the city c. 440, and to whom Salvian dedicated a now lost work.<sup>137</sup> Salvian's inclusion in Gennadius's list of notable men is indicative not only of the impact of his religious writings, but of his notable position among Gallic clergymen at this time. It is especially likely that he had the literary circle of Lérins, the fruits of which had scattered across the region, in mind when sending out copies of his work.

This already distinguishes *De gubernatione Dei* from other materials we have examined so far: this is not a letter responding to an enquiry, nor a sermon preached to local Christians. Salvian would have spent a long time composing the work, intending it to be read by a peer network of clerics and ascetics – and, furthermore, well-educated lay Christians, whom he directly addressed in the work. If Salvian's contemporaries thought that he was completely out of line, then such judgement has not survived. Salvian, however, expected some backlash, as the work itself indicates – indeed, he anticipated upsetting lay Christians with his piercing remarks.<sup>138</sup> Whether such individuals read the work as Salvian wished is, of course, debatable.

When reading the treatise, readers are slowly introduced to a variety of ongoing Christian sins against the backdrop of contemporary conflict – but, as noted, sexual morality would be cemented as the most serious area of failings. Salvian first introduced the topic of sexual excesses in Book 3 when he attacked the Christians of his age: 'You are presenting the case why we Christians who believe in God are more wretched than all the others.'<sup>139</sup> The sinfulness of Christians was, of course, the answer. Exploring this further, Salvian said that he did not expect Christians to follow all rules set out in scripture – only that Christians should aim to live like Paul, who had performed *imitatio Christi*.<sup>140</sup> In other words, Christians should act like Christ himself, no more, no less. This is not much of a compromise, as Salvian set a divine and apostolic standard.

name would mislead readers into thinking that the piece was apocryphal and criticised Salvian for the use of the pseudonym. Salonius was bishop of Geneva in the 440s, and his signature can be found in the documents for the Councils of Orange (441) and Vaison (442) (CCSL 148.88 and 148.102, respectively).

<sup>135</sup> Salvian, *Epp.* 2 and 8.

<sup>136</sup> For Eucherius and further bibliography, see Quasten, *Patrology*, 504–07.

<sup>137</sup> Gennadius, *De uiris illustribus* 68.

<sup>138</sup> Salvian, *De gub.* praef.

<sup>139</sup> Salvian, *De gub.* 3.6, trans. FCNT 3.69: 'Causaris igitur, quid sit istud, quod Christiani, qui deum credimus, miseriore omnibus sumus.'

<sup>140</sup> Salvian, *De gub.* 3.16–19.



Instead of Christians imitating Christ, however, they committed numerous sins, such as planning highway robberies and acts of fornication during church services,<sup>141</sup> and Salvian furthermore identified homicide and *stuprum* as the two main sins committed by rich Christian men.<sup>142</sup> This is the first indication that sexual morality is to have a special role in the narrative, but Salvian explored this only sporadically until the full-length admonition in Book 7 on adultery, sex work, and homosexual acts – these topics will be examined at length in various sections of the current volume. For now, I wish to establish Salvian’s linking of Christian sexual conduct and warfare, which he made explicit and central to his thinking.

Salvian’s critique of his peers focused on the continuation of immoral and sub-optimal Christian conduct under duress:

But, of course, we who are corrupted by prosperity are corrected by adversity and we, whom a long peace has made profligate, strife makes us temperate. Have the peoples of the cities who were lewd in prosperity begun to be chaste in adversity? Has drunkenness, which increased with peaceful and abundant years, ceased immediately with the plundering done by the enemy? Italy has already been laid waste by many calamities. Have the vices of the Italians ceased on that account? The city of Rome has been besieged and taken by storm. Have the Romans ceased to be frenzied and blasphemous? Barbarian nations have overrun Gaul. Insofar as it pertains to evil living, are the crimes of the Gauls not the same as they were? The Vandal peoples have crossed into Spanish territory. The lot of the Spaniards is indeed changed, but their wickedness is not changed.<sup>143</sup>

When lamenting the fate of Trier, which was perhaps Salvian’s hometown and which had suffered several sacks, Salvian also asked: ‘What followed [after the sacks]? What I say is incredible. The continuance of calamities in that city caused an increase in crimes there.’<sup>144</sup> This is reminiscent of

<sup>141</sup> Salvian, *De gub.* 3.48–49.

<sup>142</sup> Salvian, *De gub.* 3.55.

<sup>143</sup> Salvian, *De gub.*, 6.66–67, trans. FCNT 3.172–73, with minor changes: ‘Sed uidelicet qui corrumpimur rebus prosperis corrigimur aduersis, et quos intemperantes pax longa fecit turbatio facit esse moderatos. numquid populi ciuitatum, qui impudici rebus prosperis fuerant, asperis casti esse coeperunt? numquid ebrietas, quae in tranquillitate et abundantia creuerat, hostili saltim depopulatione cessauit? uastata est Italia tot iam cladibus: ergo Italarum uitia destiterunt? Obsessa est urbs Roma et expugnata: ergo desierunt blasphemi ac furiosi esse Romani? inundarunt Gallias gentes barbarae: ergo, quantum ad mores perditos spectat, non eadem sunt Gallorum crimina quae fuerunt? transcenderunt in Hispaniae terras populi Wandalorum: mutata quidem est sors Hispanorum sed non mutata uitiositas.’

<sup>144</sup> Salvian, *De gub.* 6.76, trans. FCNT 3.175: ‘sed quid plura? Incredible est quod loquor. Adsiduitas illic calamitatum augmentum illic criminum fuit.’

Maximus of Turin's complaints that pillaging and raiding caused the locals to blackmail and steal from each other. Communal breakdown caused chaos and anxiety, and it did not encourage frightened people to act piously. This context invited a sharp scrutiny of Christian conduct.

As Salvian went on to examine the different regions that had suffered, he identified regionalised sexual misconduct to account for their downfall. The men of Aquitaine had practised fornication and adultery, while the men of North Africa had indulged in homosexual acts and paid for sex workers.<sup>145</sup> These examples served as warnings for a Gallic audience he was calling on to reform. Furthermore, it followed that the Vandals were more sexually pure than the Carthaginians, thus explaining why they had been able to conquer the city.<sup>146</sup> Similarly, Salvian applauded the Goths in Gaul for their modest sexual behaviour, claiming that 'the very barbarians are offended by our impurities. Fornication of Goths is not lawful among the Goths. Only the Romans living among them can afford to be impure by prerogative of nation and name.'<sup>147</sup> He criticised Romans for being proud of fornicating, complaining that some men call fornication 'a distinction and an ornament'<sup>148</sup> – sexual virility beyond the marital bed marked manhood among Gallic Christians. As the sexual sins added up, divine punishment through military loss and conquest increasingly became accounted for.

Much more can be said of Salvian's depiction of these sexual crimes and how they had influenced and caused contemporary unrest – and this will be done throughout the remainder of this book. For Salvian, the contextual lens of unrest informed his commentary on late ancient sexuality. Through this, he articulated a clear causation between Christian moral failures and military losses, emphasising that sexual sinning in particular had weakened Christians and left them susceptible to earthly attack. In this, he went further than the comments of other writers, although his thinking on substandard morals and divine dissatisfaction finds echoes in other sources.

The question of why Salvian emphasised sex to such a significant degree is difficult to answer, but he was clearly affronted by these sins, which were shrouded in both lay and, indeed, clerical complacency. *De gubernatione Dei* seeks to be salutary, imploring people to improve, and is aggressive in its nature. To its detriment, the work took rhetorical licence to the point that its message nearly became lost, but it fits well within a broader framework of fifth-century moralistic thinking on warfare and Christian conduct – and,

<sup>145</sup> Salvian, *De gub.* 7.16–7.20 on Aquitaine, 7.76–89 on North Africa and Carthage.

<sup>146</sup> Salvian, *De gub.* 7.7.89–99.

<sup>147</sup> Salvian, *De gub.* 7.24, trans. FCNT 3.193: 'offenduntur barbari ipsi impunitibus nostris. Esse inter Gothos non licet scortatorem Gothum: soli inter eos praecudicio nationis ac nominis permittuntur impuri esse Romani.'

<sup>148</sup> Salvian, *De gub.* 7.24: 'discrimen est apud nos decus'.

indeed, these connections continued to be made by succeeding western thinkers.

### Friendly Flogging in the Eternal City

Links between Christian conduct and warfare endured throughout the fifth century. Gelasius, bishop of Rome from 492 to 496, is exemplary of this.<sup>149</sup> Gelasius was born to a world where barbarian presence was de facto, rather than a matter of debate,<sup>150</sup> and the 490s in Italy was a further challenging period in which to be guiding one's flock: Theodoric the Great had invaded Italy in 489 and become king after the downfall of Odoacer in 493. The following year, in 494, Gelasius penned an infamous letter to the urban prefect Andromachus regarding the celebration of the Lupercalia.<sup>151</sup> This festival involved some kind of public racing in the nude near the forum, followed by playful flogging of Roman matrons to boost their fertility. The festival was already attested by Livy as an ancient tradition, as indeed Gelasius knew.<sup>152</sup> By Gelasius's time people were hired to perform these acts, rather than the Roman aristocrats themselves participating in the festival.<sup>153</sup> The letter is Gelasius's condemnation of the running of the festival, which, as argued by Neil McLynn, may have been enjoying a revival in the 490s after briefly having ceased in the 480s.<sup>154</sup>

In the letter on the Lupercalia and before bringing up warfare, Gelasius dismissed this pagan celebration through a sexually moralising lens. The opening discussion is dressed in terms of adultery: 'There is not only a sin of carnal adultery which should be both examined and duly punished, but there is a kind of fornication and adultery that is far worse ... a kind of spiritual adultery.'<sup>155</sup> Gelasius complained that Christians readily accused

<sup>149</sup> For Gelasius's episcopacy, see Bronwen Neil and Pauline Allen, eds, *The Letters of Gelasius I (492–496): Pastor and Micro-manager of the Church of Rome* (Turnhout: Brepols, 2014).

<sup>150</sup> There is some debate regarding Gelasius's place of birth. *Liber Pontificalis* 51 says he was an African, while one of Gelasius's own letters, *Ep.* 12.1, suggests that he was born in Rome. For discussion of his place of birth and origin, see Neil and Allen, eds, *The Letters of Gelasius I*, 5–7.

<sup>151</sup> For a detailed discussion of this letter, see McLynn, 'Crying Wolf'. The authorship of the letter has been questioned but no conclusive case against Gelasius has been made.

<sup>152</sup> Livy 1.5.1; Gelasius, *Aduersus Andromachum* 11.

<sup>153</sup> Gelasius, *Aduersus Andromachum* 25b.

<sup>154</sup> McLynn, 'Crying Wolf', 171–72.

<sup>155</sup> Gelasius, *Aduersus Andromachum* 2 (PL 59.111A–B), trans. Neil and Allen, eds, *The Letters of Gelasius I*, 211–12: 'non tantum corporalis adulterii esse peccatum, quod et discuti debeat, et iure puniri, sed esse longe maius fornicariis et adulteris genus ... spiritalis adulterii'.

adulterers among themselves – and indeed those among the Roman clergy – but did not recognise that participating in pagan rites was spiritual adultery, which required punishment likewise. This comparison appears to have been inspired by the recent embarrassment of an adulterous Roman cleric who Gelasius, according to his critics, had not punished swiftly enough.<sup>156</sup> Reminding his critics of their own adulterous natures, Gelasius was attempting to save face. This was easily done as the sexual nature of the festival could not be ignored. Gelasius pointed out the hypocrisy of the organisers for not taking part themselves but rather observing obscenities, and he made note of ‘bawdy songs’ and ‘obscene cries’ – sexualised singing and chanting was involved. However, not only is this letter a surprising proof of sexualised pagan rites and festivals at the end of the fifth century, and, indeed, of continued Christian participation in them, but a study of Gelasius’s reasoning reveals how he connected this immoral behaviour with warfare.

In order to devalue the Lupercalia, Gelasius rebuked its ineffectiveness in battling crises, including war. In reference to Livy’s discussion of the Lupercalia, Gelasius pointed out that celebrating the festival had not stopped war or famine in Livy’s time.<sup>157</sup> The performance of any religious rite should have concrete benefits, which the Lupercalia did not have. Thus, it was ineffectual to celebrate it. Gelasius asked,

What are you going to say about the plague, about the infertility, about the incessant calamity of wars? ... What difference did the stumbling block of Lupercalia make to the annihilation of Tuscany, what difference to Emilia and the rest of the provinces in which there is hardly a human being left, consumed as they were by the severities of war?<sup>158</sup>

The turbulent 480s and 490s significantly impacted Gelasius’s episcopate, damaging the finances of the Roman church as well as leading to food insecurity and the influx of refugees.<sup>159</sup> The Lupercalia had not stopped

<sup>156</sup> For an interpretation of Gelasius as a bishop with restricted local influence in the face of Roman aristocracy, see George Demacopoulos, ‘Are All Universalist Politics Local? Pope Gelasius I’s International Ambition as a Tonic for Local Humiliation’, in *The Bishop of Rome in Late Antiquity*, ed. G. D. Dunn (Farnham: Ashgate, 2015), 141–53.

<sup>157</sup> Gelasius, *Aduersus Andromachum* 11.

<sup>158</sup> Gelasius, *Aduersus Andromachum* 13, trans. Neil and Allen, eds, *The Letters of Gelasius I*, 215: ‘Quid dicturi estis de peste, de sterilitate, de bellorum tempestate continua; nunquid et haec propter sublata Lupercalia contigerunt? ... quid Tusciam, quid Aemiliam, caeteraque prouincias, in quibus hominum prope nullus existit, ut bellica necessitate consumeretur, Lupercaliorum fecit offensio, quae longe ante uastatae sunt quam Lupercalia tollerentur?’

<sup>159</sup> See Kristina Sessa, ‘Rome at War: The Effects of Crisis on Church and Community

this devastation: the regions of Tuscany and Emilia had been the main stage of Theodoric's war campaigns, as Gelasius and his audience knew.<sup>160</sup> By bringing in this recent military conflict, Gelasius was attempting to expose the futility of the Lupercalia. He was working on the premise that a religious rite, if performed correctly and for the proper faith, should have concrete benefits. These benefits included stopping warfare, which Gelasius criticised the Lupercalia as having failed in. This is reminiscent of Maximus of Turin's evocations in the early 400s that better Christian living could stop barbarian forces, as by implying that the Lupercalia could not do this, Gelasius suggested that superior Christian rites would have more beneficial outcomes. However, he does not state any benefits of Christian performativity either – it is implied, not stated, and this might be because Gelasius did not wish to move too far into an area in which his argument was not at its strongest after ninety years of conflict in the Italian peninsula. Furthermore, Gelasius was recycling rhetoric from earlier authors – Augustine's criticisms of the ever-popular *spectacula* in particular had stated that pagan festivals were futile and lewd.<sup>161</sup>

Nevertheless, the connection between warfare and Christian conduct continued: a pressurised community was repeatedly asked to consider its behaviour and the role of this in causing calamities. This has been mapped out in this chapter from the early 400s to the 490s, showcasing that Christian conduct and war were linked, and when searching for inadequate morals, sex, lust, and lewdness were never far away. Of course, different clerics had their own interpretations of how much of a role this kind of moral inadequacy should be granted: for Salvian it was central, for men such as Leo and Augustine less so, while Valerian, Maximus, and Gelasius lie somewhere in the middle. Some authors considered Christian piety as capable of confronting or alleviating hardships, while others thought it was best simply to prepare oneself for death – in either scenario, more rigorous Christian living was necessary, with ideas of judgement, salvation, and death shaping clerical thinking. This diversity of thought underlines much of the discussion to follow: Christian thinkers of this time did not offer a unified approach to moral conduct, which in turn hindered their ideological success as well as lay uptake.

in Late Antiquity', in *Urban Developments in Late Antique and Medieval Rome*, ed. G. Kalas and A. van Dijk (Amsterdam: Amsterdam University Press, 2021), 41–72, esp. 46–56.

<sup>160</sup> See John Moorhead, *Theodoric in Italy* (Oxford: Oxford University Press, 1992), 23–31; Roger Collins, 'The Western Kingdoms', in *Cambridge Ancient History*, vol. 14: *Late Antiquity: Empire and Successors, AD 425–600*, ed. Averil Cameron, Bryan Ward-Perkins, and Michael Whitby (Cambridge: Cambridge University Press, 2000), 112–34, at 126–27.

<sup>161</sup> See Lim, 'Augustine and Roman Public Spectacles'.

The contextual lens of military crisis was easily focused on Christian inadequacy, but these clerical views nevertheless offered a niche perspective. Commentary on substandard moral conduct was preached to congregants or circulated in letters and treatises amid many other topics; the habits of lay Christians were frequently corrected on many further accounts. As such, Christians were not systematically exposed to the connection between military crisis and their sexual habits. If more of Salvian's works had survived, for instance, we would likely see the many other issues he passionately wrote about – it was not only sex. As such, even Salvian's moral exhortations exemplify the challenges of spreading improved Christian moral codes: attempts to shift lay behaviour were sporadic, localised, and lacked consistency. Connections between Christian conduct and crisis were powerful and persistent but, ultimately, these had limited reach.

## CHAPTER 2

# Consult the Clerics

## Communal Disruptions and Innovation

In 472, the Gallic bishop Sidonius Apollinaris wrote a letter to fellow bishop Lupus, detailing the ordeals of a family he was acquainted with:

Having travelled to the Arvernian country, a long journey in such days as these, they got no profit for their pains. They had discovered from reliable information that a kinswoman, who had been abducted in a raid of Vargi (for so they call the local brigands), had been brought here a number of years ago and sold on the spot; and so they have been searching for her, following up certain clues which are certain enough though not fresh.<sup>1</sup>

This search had now come to an end: the woman had died as a servant to one of Sidonius's men. It was not only barbarians but local bandits who disrupted communities in the late Roman West. When related disputes arose, lay Christians approached the clergy to intervene, act, or settle matters, as was the case with the kidnapped kinswoman. Sidonius asked Lupus to provide 'some innocuous remedy and to administer a decision wholesomely tempered', so that the parties involved could be 'more easy in their minds'.<sup>2</sup> For Sidonius, settling this dispute relied on the sound judgement of the cleric invested in solving it.

Such clerical judgements on people's private and at times traumatic affairs is a further aspect of the contextual lens of unrest and violence in the late Roman West. Some scandals show echoes of the unrest we have examined, and clerics could be called in to negotiate between affected

<sup>1</sup> Sidonius Apollinaris, *Ep.* 6.4, trans. LCL 420.258-61: 'qui in Aruernam regionem longum iter, his quippe temporibus, emensi casso labore uenerunt. namque unam feminam de affectibus suis, quam forte Uargorum (hoc enim nomine indigenas latrunculos nuncupant) superuentus abstraxerat, isto deductam ante aliquot annos isticque distractam cum non falso indicio comperissent, certis quidem signis sed non recentibus inquisiuere uestigiis'.

<sup>2</sup> Sidonius Apollinaris, *Ep.* 6.4: 'indemni compositione istorum dolori, illorum periculo subuenire et quodam salubris sententiae temperamento hanc partem minus afflictam, illam minus ream et utramque plus facere securam'.

parties. However, getting everyone to agree with clerical judgements was a challenge even as church authority grew.

Sidonius encouraged Lupus to be creative in his judgement to ensure maximum satisfaction. Pauline Allen and Bronwen Neil's *Crisis Management in Late Antiquity* has demonstrated that bishops reacted to violent threats by changing practices and established ideologies to allow flexibility. Clerical figures actively responded to communal challenges and scandals, sometimes in very innovative ways. David Sim has also argued that much of 'religious literature ... may have its origins in a desperate situation of crisis and that the texts in question may have been composed largely as direct responses to these critical conditions'.<sup>3</sup> In this way, the contextual lens of crisis and unrest shows that moral standards and behaviours were shaped in response to specific local affairs – a key feature in the formulation of late ancient sexuality.

This chapter examines two kinds of challenges that Christian communities faced during fifth-century violence: the marriages of captives and the treatment of rape victims. Both matters necessitated flexible clerical approaches, and I will argue here that this was because bringing a community together was more valuable than espousing religious doctrines that would have splintered communities and households further – as such, through this contextual lens we find reactive, innovative, and accommodating clerical rulings. This discussion will underline that the making of Christian sexual norms was a continuous, fragmented process – and that sexual rules were not fixed ideas and, indeed, never would be.

### Accidental Bigamy

Regulations on lay marriages became more flexible in response to continued communal disruption in the fifth century. Christian leaders favoured inclusion over casting people out for wrongdoing when it appeared that they had not defied church rulings on purpose but had done so under duress. This can be viewed both as clerical leniency in the face of unexpected marital disruptions, as well as clerical determination to have lay Christians adhere to their judgements. In this way warfare left its mark, too, on something as common as the marriage of lay Christians.

The key figure here is Innocent I, bishop of Rome 401–417, who departed from secular marriage legislation with contrary rulings of his own. To summarise, some time between 410 and 417, Innocent wrote *Ep.* 36, which stipulated what ought to be done when a married woman had been kidnapped by barbarians and had returned alive to find her husband

<sup>3</sup> Sim and Allen, *Ancient Jewish and Christian Texts*, 175.



remarried.<sup>4</sup> Which marriage was legitimate – the first or the second? Had the husband been free to remarry or was he committing adultery? The case was brought to Innocent by the kidnapped woman Ursa, who was pleading to be reunited with her accidentally bigamous husband, who now had a new wife. This mix-up in spouses had occurred, Innocent remarked, amid confusion caused by the barbarians.<sup>5</sup>

Geoffrey D. Dunn has examined this case and demonstrated how Innocent went against Roman law in his judgement.<sup>6</sup> Innocent stated that the first marriage remained legitimate – yet, according to Roman law, captivity dissolved marriage, as a captive entered the status of *postliminium*. Such a citizen ‘temporarily lost all property, paternal authority as well as *conubium*, the right to contract a legal marriage’.<sup>7</sup> If a captive returned, then the marriage could resume only if the former spouse agreed. Innocent would not have been ignorant of this, and his response was likely a conscious reinterpretation of pre-existing moral and legal boundaries. Dunn has viewed Innocent as navigating a situation where barbarian violence had ‘introduced an emergency’, in which Innocent went against secular precedents.<sup>8</sup> Innocent thus favoured the endurance and indissolubility of Christian marriage, which was a fundamental Christian belief.<sup>9</sup>

Innocent was notably accommodating in a situation where, for most contemporaries, captivity signalled potential sexual assault and loss of honour, especially for women. This might also account for the reluctance of Ursa’s husband to take her back. Innocent was a strong advocate of ascetic ideals, supporting clerical continence and criticising the adulterous customs of Christian men, and he supported marriage as an institution.<sup>10</sup> In this case when marital fidelity had been compromised and feared breached, Innocent did not seek to criticise the captive, but to restore the marriage.

Ursa’s case shows a flexing of episcopal powers on the part of Innocent,

<sup>4</sup> Dunn gives the letter the tentative dating of 416 CE in Geoffrey D. Dunn, ‘Validity of Marriages in Cases of Captivity: Letter of Innocent I to Probus’, *Ephemerides Theologicae Lovaniensis* 83 (2007), 107–21, at 110.

<sup>5</sup> Innocent I, *Ep.* 36.1 (PL 20.602): ‘conturbatio procellae barbaricae’.

<sup>6</sup> Dunn, ‘Validity of Marriages’.

<sup>7</sup> Kristina Sessa, ‘Ursa’s Return: Captivity, Remarriage, and the Domestic Authority of Roman Bishops in Fifth-Century Italy’, *Journal of Early Christian Studies* 19.3 (2011), 401–32, at 413.

<sup>8</sup> Dunn, ‘Validity of Marriages’, 115.

<sup>9</sup> Dunn, ‘Validity of Marriages’, 119–20.

<sup>10</sup> This is exemplified well by Innocent’s commentary on the marriage of clerics; see David G. Hunter, ‘Clerical Marriage and Episcopal Elections in the Latin West: From Siricius to Leo I’, in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans, Peter Van Nuffelen, Shawn W. J. Keough, and Carla Nicolaye (Berlin: De Gruyter, 2011), 183–202, at 198–99.

but also that his assessment was a reactive and creative response to an unexpected conundrum. Displacement and destruction of family units was a persistent issue in this era, with several other preachers remarking on locals being snatched away or enslaved, as the kidnapped woman in Sidonius's letter also echoes – she was far from an exception.<sup>11</sup>

Kristina Sessa has likewise studied this legal case, arguing that 'it was precisely an unstable wartime context that provided Roman bishops with opportunities to hone their expertise in solving such novel domestic conundrums'.<sup>12</sup> Sessa emphasises that cases such as Ursa's were utilised by bishops to enhance their judicial positions and continues her study to examine Innocent's mid-fifth-century successor Leo the Great, who followed the rules set by Innocent. Indeed, Ursa's case was not the only example of accidental bigamy that we find at this time.

In 458 CE, Leo the Great sent a letter to Nicetas, bishop of Aquileia.<sup>13</sup> This letter dates to the years succeeding the Hunnic campaign in Italy: Aquileia had been sacked in 452, and Nicetas had been in exile for several years. Upon returning, he needed Leo's help with pressing problems in his congregation.<sup>14</sup> The issue at hand once more was a remarriage that had taken place in the absence of a kidnapped spouse. It is perhaps not surprising that in this matter Leo, as a strong supporter of Roman episcopal power, followed the precedent set by his predecessor.

Leo regarded Nicetas's enquiry as touching topics 'which are apparently quite difficult to decide', noting that these problems derived from 'the necessities of the times', and stating that with his ruling he wished to heal 'the wounds inflicted by the attacks of the enemy'.<sup>15</sup> These issues were

<sup>11</sup> This happened across the social spectrum: the most famous example is the kidnapping of Galla Placidia in the wake of the 410 sacking of Rome. This incident served several political means that a layperson's abduction could not replicate, but the loss of freedom, risk of harm, and sexual subjugation are shared. On Galla Placidia's kidnapping, see Hagith Sivan, 'From Athanaric to Ataulf: The Shifting Horizons of "Gothicness" in Late Antiquity', in *Humana Sapit. Études d'Antiquité Tardive offertes à Lellia Cracco-Ruggini*, ed. J.-M. Carrié and R. L. Testa (Turnhout: Brepols, 2002), 75–82; Victoria Leonard, 'Galla Placidia as "Human Gold": Consent and Autonomy in the Sack of Rome, CE 410', *Gender & History* 31.2 (2019), 334–52.

<sup>12</sup> Sessa, 'Ursa's Return', 404.

<sup>13</sup> PCBE 2.2: Niceta, 1539.

<sup>14</sup> For context, see Wessel, *Leo the Great*, 135; A. D. Lee, *War in Late Antiquity: A Social History* (Oxford: Blackwell, 2007), 138.

<sup>15</sup> Leo, *Ep.* 159.1 (PL 54.1136), trans. FCNT 34.248: 'Regressus ad nos filius meus Adeodatus sedis nostrae diaconus, dilectionem tuam poposcisse memoravit, ut de his a nobis auctoritatem apostolicae sedis acciperes, quae quidem magnam difficultatem dijudicationis uidentur afferre. Sed pro inspectione temporalium necessitatum adhibenda curatio est, ut uulnera quae hostilitatis aduersitate illata sunt, religionis maxime ratione sanentur.'

perceived in distinctly contemporary terms, and Leo's aim was to repair a community damaged by war. Leo described the circumstances based on Nicetas's initial letter:

You mention that, through the destruction of war and the extremely heavy assaults of the enemy, certain marriages were broken up in this way: when the husbands were carried off into captivity, their wives were left behind deserted. And because they either thought their husbands were killed or felt that they would never be liberated from slavery, under pressure of loneliness these women married other men. And now that the situation, with the Lord's help, has taken a turn for the better, some of those who were thought dead have returned. Therefore, your Charity is apparently in doubt, and with reason, as to what we ought to ordain about the women who married other husbands.<sup>16</sup>

Nicetas did not know what to do in this situation. This uncertainty over rulings is repeated in other sources, demonstrating that it was difficult for clerics to ensure that their judgement on complex private matters was correct. In this case, the pre-eminence of Rome could settle matters for a north Italian bishop.

Leo made it clear that the first husband was the lawful spouse and that the remarried wife must return to him.<sup>17</sup> Innocent had argued the same, though in his case the roles of the wife and husband were reversed – in neither letter does it become clear what, exactly, was to be the fate of the soon-to-be-discarded new spouse. While a man might, perhaps, return to some kind of bachelorhood and seek a new wife, a woman surely would be unable to do the same – would she be categorised as a widow? Neither Innocent nor Leo provide commentary on the new status of the discarded spouse, but Leo nevertheless considered the overall matter more thoroughly. Innocent nowhere mentioned what should happen if the people involved refused the episcopal ruling, but Leo explicitly addressed this:

[Women who disobey] are deservedly to be condemned; that is, they are even to be excommunicated from the Church. For in a situation that is

<sup>16</sup> Leo, *Ep.* 159.2, trans. FCNT 34.248: 'Cum ergo per bellicam cladem et per grauissimos hostilitatis incursus, ita quaedam dicatis diuisa esse coniugia, ut abductis in captiuitatem uiris feminae eorum remanserint destitutae, quae cum uiros proprios aut interemptos putarent, aut numquam a dominatione crederent liberandos, ad aliorum coniugium, solitudine cogente, transierint. Cumque nunc statu rerum, auxiliante Domino, in meliora conuerso, nonnulli eorum qui putabantur periisse, remeauerint, merito caritas tua uidetur ambigere quid de mulieribus. quae aliis junctae sunt uiris, a nobis debeat ordinari.'

<sup>17</sup> Leo, *Ep.* 159.2–5.

excusable they have chosen to taint themselves with crime, showing that because of their incontinence they were pleased with a condition which a just restitution could rectify.<sup>18</sup>

Leo's development of Innocent's ruling is worthy of attention. At the beginning of the letter, the women were described as remarrying out of loneliness – *solitudine cogente* – but only a little later the women are accused of pleasure seeking and incontinence, should they disobey episcopal judgement. Did Leo interpret these second marriages as proof of innate lustfulness or as a pardonable need for marital companionship? There is much debate on exactly how positive patristic writers were regarding marriage: views varied from active endorsement to a matter of concession.<sup>19</sup> The Pauline exhortation 'it is better to marry than to burn' (1 Cor. 7:9) influenced some negative views. In 393, Jerome had said: 'If marriage in itself be good, do not compare it with fire, but simply say: "It is good to marry"'. I suspect the goodness of that thing which is forced into the position of being only the lesser of two evils.<sup>20</sup> Leo, likewise, presented marriage as a concession to human weakness – yet it was indissoluble, thus giving the union clerical backing and support.

Sessa has argued that both men's judgements on these post-captivity marriages show their interest in elevating their own status rather than redefining Christian marriage.<sup>21</sup> However, we might wish to emphasise the pastoral crisis management that these rulings also reflect: increased episcopal influence might have been a (desired) by-product of these rulings, but it was not necessarily the end goal. The influence of wartime realities should be seen here: Innocent sought to redefine, or renarrate, ecclesiastical rules on marriage with a flexible judgement, seeking inclusion and emphasising the permanent nature of Christian unions. Leo likewise

<sup>18</sup> Leo, *Ep.* 159.5, trans. FCNT 34.249: 'merito sunt notandae; ita ut etiam ecclesiastica communione priuentur: quae de re excusabili contaminationem criminis elegerunt, ostendentes sibimet pro sua incontinentia placuisse'.

<sup>19</sup> For the development of marriage at this time, see Evans-Grubbs, *Law and Family in Late Antiquity*; Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock* (Princeton, NJ: Princeton University Press, 1993); Philip Lydon Reynolds, *Marriage in the Western Church: The Christianisation of Marriage during the Patristic and Early Medieval Periods* (Leiden: Brill, 1994).

<sup>20</sup> Jerome, *Aduersus Iovinianum* 1.9 (PL 23.223A), trans. NPNF 2.6.352: 'si per se nuptiae sunt bonae, noli illas incendio comparare; sed dic simpliciter: bonum est nubare. Suspecta est mihi bonitas ejus rei, quam magnitudo alterius mali, malum esse cogit inferius'. Jerome serves as illustrative of these views. For more on the topic, see David G. Hunter, *Marriage, Celibacy, and Heresy in Ancient Christianity: The Jovinianist Controversy* (Oxford: Oxford University Press, 2007).

<sup>21</sup> Sessa, 'Ursa's Return', 430.

responded to crisis, going against Roman legal precedents while stipulating church punishments if his ruling was challenged. While papal authority might have enjoyed a boost from such situations, the judgements were nevertheless aimed at meeting the demands of devastated lay Christians.

Appropriate marital relations were a core part of late ancient sexuality, with Christian ethics emphasising the importance of mutual fidelity. When this fidelity was compromised through captivity – and, of course, the marriage dissolved under Roman law – Innocent and Leo nevertheless sought to maintain the marriage. This was quite revolutionary. A contextual lens on sexual norms of this time thus shows how marital ideals were negotiated against historical realities, scandals, and disruptions. This is further exemplified by clerical attitudes to rape.

### Reinterpreting Rape Victims

Clerics had to rethink not only marital guidance, but also the treatment of rape victims. The most common evidence of sexual violence at this time is wartime rape, which occurred during sacks, raids, or battles.<sup>22</sup> Studies on ancient rape have reflected the complexity of this kind of violence, underlining that there is a vast conceptual difference between the modern concept of ‘rape’ and a Roman *raptus*.<sup>23</sup> A *raptus* – an abduction marriage – is derived from the Latin *rapere*, to seize or capture. A *raptus* was punishable by law, and the Theodosian Code outlined it as a seduction or an elopement in which the woman was also punished.<sup>24</sup> A *raptus* was not a crime committed against the woman, but against her father, who had suffered injury through her removal from his control.<sup>25</sup> A *raptus* did not necessarily involve sex, although a subsequent marriage would have led to it.

A *raptus* thus might have included an act of rape but did not necessarily have to do so, meaning that the two cannot be conflated. Illustrative of

<sup>22</sup> See Ulriika Vihervalli, ‘Wartime Rape in Late Antiquity: Consecrated Virgins and Victim Bias in Fifth Century West’, *Early Medieval Europe* 31.1 (2022), 3–17.

<sup>23</sup> See Gardner, *Women in Roman Law and Society*, 118–21; and also the studies in Angeliki E. Laiou, ed., *Consent and Coercion to Sex and Marriage in Ancient and Medieval Societies* (Washington, DC: Dumbarton Oaks Research Library and Collection, 1993); Antti Arjava, *Women and Law in Late Antiquity* (Oxford: Clarendon Press, 1996); Susan Deacy and Karen F. Pierce, eds, *Rape in Antiquity* (London: Duckworth, 1997).

<sup>24</sup> *C.Th.* 9.24. See also Judith Evans-Grubbs, ‘Abduction Marriage in Antiquity: A Law of Constantine (*C.Th.* IX. 24. I) and Its Social Context’, *Journal of Roman Studies* 79 (1989), 59–83.

<sup>25</sup> Nephelē Papakonstantinou, ‘*Raptus* and Roman Law: Teaching about Sexual Crime in the Schools of Rhetoric (Rome, Turn of the First and Second Centuries CE)’, *Clio* 52 (2020), 21–44. See also Evans-Grubbs, ‘Abduction Marriage in Antiquity’, 28–29.

this is a letter from the corpus of Sidonius Apollinaris dated to 472.<sup>26</sup> In the letter, a *raptus* was planned by a man and a woman together, as they sought to marry, but the pair had not secured parental consent. A *raptus* can only become ‘rape’ for modern readers if the particulars underline that the woman was sexually assaulted. Roman law also outlined *stuprum per vim*, however, which emphasised a sexual crime enacted through force.<sup>27</sup> This might be closer to a modern idea of rape, but still falls short, as *stuprum* relied on the status of the individuals involved.

Both high- and low-status women could become victims of rape, but the consequences of their sexual assault were not the same. The sexual use (and abuse) of dishonourable people such as slaves, for instance, was not viewed as morally or legally reprehensible, unless a man violated someone else’s slave – that is, another man’s property.<sup>28</sup> Legislation is likewise silent on sexual violence inflicted by a man on his wife, as there was no such concept as ‘raping’ one’s wife, meaning that this kind of intimate partner violence is poorly attested in surviving sources.<sup>29</sup> Rape is, fundamentally, most easily visible in late Roman sources when women whose sexual statuses were especially valued were raped, violently, by hostile outside forces.<sup>30</sup>

The unrest of the fifth century led to such acts of rape, as was typical

<sup>26</sup> Sidonius Apollinaris, *Ep.* 5.19. The legal dimensions of this *raptus* have been studied in Cam Grey, ‘Two Young Lovers: An Abduction Marriage and Its Consequences in Fifth-Century Gaul’, *The Classical Quarterly* 58.1 (2008), 286–302.

<sup>27</sup> Papakonstantinou, ‘*Raptus* and Roman Law’, 69.

<sup>28</sup> On Christian awareness of the rape of slaves, see Carolyn Osiek, ‘Female Slaves, *Porneia*, and the Limits of Obedience’, in *Early Christian Families in Context: An Interdisciplinary Dialogue*, ed. David L. Balch and Carolyn Osiek (Grand Rapids, MI: Eerdmans, 2003), 255–74.

<sup>29</sup> It is a long-held assumption that marriage implies an agreement to sexual intimacy that may not be revoked or exercised illegally; see Julie A. Allison and Lawrence S. Wrightsman, *Rape: The Misunderstood Crime* (Newbury Park, CA: Sage Publications, 1993), 85–97. We should not, however, think that Roman women could not negotiate sex within marriage. Roman comedy found much amusement in husbands whose wives refused sex or husbands living in cuckoldry, indicating that some Roman matrons were able to stop their husbands’ advances when they so wished. Furthermore, Christian hagiographies and martyrologies of the third and fourth centuries include stories in which one spouse pursues asceticism (and thus sexual renunciation) and successfully convinces his/her spouse to agree to a marriage without sex. Likewise, there are stories where such a request is not received well, usually ending in the martyrdom of the spouse requesting marital abstinence. See Elliott, *Spiritual Marriage*. For an overview of early Christian examples, see Aline Rousselle, *Porneia: On Desire and the Body in Antiquity* (Oxford: Blackwell, 1988), 185–93.

<sup>30</sup> See the discussion in Mira Balberg and Ellen Muehlberger, ‘The Will of Others: Coercion, Captivity, and Choice in Late Antiquity’, *Studies in Late Antiquity* 2.3 (2018), 294–315.

of ancient warfare – but for western clerics these were new challenges. A ravished laywoman might, after all, be married to her attacker if the family wished to keep things quiet and bypass legal repercussions in an attempt to preserve the woman's reputation – this was possible if the attacker did not immediately leave the locality as part of a military band. A ravished holy woman, however, could not be married to her abuser – the violation of holy virgins was punished severely in the Theodosian Code, nor could such women marry.<sup>31</sup> The collection of ecclesiastical laws in the *Constitutiones Sirmondianae* repeated legislation by Honorius and Theodosius II in Ravenna in 420, legislating that anyone who committed a *raptus* with a holy virgin was to lose all their property and be exiled.<sup>32</sup> However, as with many punishments laid out in the Theodosian Code, it is unlikely that harsh punishments, such as the exile of the parents of an abducted girl, were consistently enforced.<sup>33</sup> Laws nevertheless recognised the special status of holy virgins and viewed their sexual violation as severe, even if these laws do not tell us much about how these women were able to resume their lives after assault, and under what conditions.

As noted in the previous chapter, Augustine recorded how this kind of violence against holy women especially stirred contemporaries. He said that this was 'a terrible and grievous thing'.<sup>34</sup> Status-based conceptions of sexual violence had undergone changes from the Republic and early Empire to the Christian era, when elevated female status shifted from elite women to holy women in particular.<sup>35</sup> Much has been written regarding holy virgins and their rise in Christian communities in late antiquity, when prominent church figures offered holy virgins words of encouragement and caution.<sup>36</sup> Perhaps indicative of the ink continually spilled over these women is Gennadius's

<sup>31</sup> *C. Th.* 9.25.2; 9.25.3. See Kevin W. Wilkinson, 'Dedicated Widows in Codex Theodosianus 9.25?', *Journal of Early Christian Studies* 20.1 (2012), 141–66.

<sup>32</sup> *Constitutiones Sirmondianae* 10.

<sup>33</sup> On the severity of punishments in the Theodosian Code, see Harries and Wood, *The Theodosian Code*.

<sup>34</sup> Augustine, *Ep.* 111.7 (CSEL 34.2:653), trans. FCNT 18.252: 'grauissima sane et multum dolenda'. Rape of holy virgins in Africa is also recorded at the Council of Carthage in 411 (SC 224.1216–18).

<sup>35</sup> See Serena S. Witzke, 'Violence Against Women in Ancient Rome: Ideology versus Reality', in *The Topography of Violence in the Greco-Roman World*, ed. Werner Riess and Garrett G. Fagan (Ann Arbor, MI: University of Michigan Press, 2016), 248–74.

<sup>36</sup> Elizabeth A. Clark, 'Ascetic Renunciation and Feminine Advancement: A Paradox of Late Ancient Christianity', *Anglican Theological Review* 63 (1981), 240–57; Castelli, 'Virginité and Its Meaning'; Clark, *Women in Late Antiquity*; Virginia Burrus, 'Word and Flesh: The Bodies and Sexuality of Ascetic Women in Christian Antiquity', *Journal of Feminist Studies in Religion* 10.1 (1994), 27–51; Elizabeth A. Clark, 'Antifamilial Tendencies in Ancient Christianity', *Journal of the History of Sexuality* 5.3 (1995), 356–80; Cooper, *Virgin and the Bride*.

revised edition of Jerome's *De uiris illustribus*. Reflecting back on the great Christian figures since Jerome's list of a century earlier, Gennadius listed several lesser-famed figures, including Evagrius, Heliodorus, Atticus, Fastidius, and Salvian, as having written treatises regarding Christian virgins.<sup>37</sup> He also recorded that Sabbatius's book on faith was written when a holy virgin prompted him to do so, reflecting the scholarly pursuits many consecrated virgins engaged in.<sup>38</sup> While many of these works do not survive, *De uiris illustribus* reflects the significant literary discourse on the roles and functions of holy women that was by no means concluded by the end of the fourth century. Rather, the functions and powers of holy women continued to be debated and discussed.

Consequently, it is of little surprise that clerics such as Augustine were more troubled by the sexual violation of consecrated virgins than of other women.<sup>39</sup> Augustine's discussion of rape was directly prompted by ongoing military conflict, although the influence of this has not been sufficiently included in scholarly commentary on his views.<sup>40</sup> After the sack of Rome in 410, however, Augustine discussed the rape of women in *De ciuitate Dei*, breaking away from a suicide idealisation for raped women, as has been recognised by scholarship.<sup>41</sup> Prior to this, if a woman was threatened with

<sup>37</sup> Gennadius, *De uiris illustribus* 11, 29, 53, 57, 68, respectively.

<sup>38</sup> Gennadius, *De uiris illustribus* 25.

<sup>39</sup> Vihervalli, 'Wartime Rape in Late Antiquity'.

<sup>40</sup> See, for instance, the discussion in Jennifer A. Glancy, 'Early Christianity, Slavery and Women's Bodies', in *Beyond Slavery: Overcoming Its Religious and Sexual Legacies*, ed. Bernadette J. Brooken and Jacqueline L. Hazelton (New York: Palgrave Macmillan, 2010), 143–58, 152–56. The intended audience and context warrants one mention in Jennifer J. Thompson, "'Accept This Twofold Consolation, You Faint-Hearted Creatures": St. Augustine and Contemporary Definitions of Rape', *Studies in Media and Information Literacy Education* 4.3 (2004), 1–17, at 2. The importance of warfare for making rape a contemporary concern has been better taken into account by Dennis E. Trout, 'Re-Textualizing Lucretia: Cultural Subversion in the City of God', *Journal of Early Christian Studies* 2.1 (1994), 53–70, at 69.

<sup>41</sup> The initial contribution was made by Trout, 'Re-Textualizing Lucretia'. In this work, Trout demonstrated how Augustine reconstructed the story of Lucretia to suit the post-410 crisis. Augustine's take on raped women has been further discussed by Thompson, "'Accept This Twofold Consolation'", and Melanie Webb, "'On Lucretia who slew herself": Rape and Consolation in Augustine's *De Ciuitate Dei*', *Augustinian Studies* 44.1 (2013), 37–58. Some historians of the sack, such as Orosius of Braga, downplayed the sexual violence that occurred. He recorded a version in which a Goth is awed by a pious virgin and does not harm her (*Historiae aduersus paganos* [hereafter *Historiae*] 7.39.3–9), but his retelling omits the initial attempt by the Goth to rape the virgin, which is recorded by Sozomen (*HE* 9.11). On the immediate pastoral challenges as a result of the sack, see Trout, 'Re-Textualizing Lucretia', 53–54. On Orosius's retelling of the sack, see Peter Van Nuffelen, *Orosius and the Rhetoric of History* (Oxford:



rape, she was encouraged to kill herself before she could be violated or, failing this, was encouraged to commit suicide after her violation. Such acts exemplified her commitment to chastity and, furthermore, that she had not been a willing party in the sexual act.

The most famous woman to have taken her life after rape was Lucretia, whose story was a moral *exemplum* recorded most notably by Livy.<sup>42</sup> The rape of the ideal, chaste matron by the Roman tyrant's son Tarquinius symbolised a corrupt and inherently doomed era of tyranny and was a standout moment in Roman mytho-history. Lucretia's male relatives promised to avenge her, but this was not good enough for her: she took out a hidden knife and committed suicide before them. Lucretia's message was explicit: it is better to die than to live in disgrace.<sup>43</sup> Many early Christian thinkers embraced this message, especially as it promoted chastity. Already Tertullian had used Lucretia as an example to be followed by Christian women who wished to value their purity.<sup>44</sup> This Christian idealisation of suicide as the ideal outcome of rape was strongly attested in late fourth-century sources likewise, in the writings of Jerome, Ambrose, and others.<sup>45</sup>

Clerics nevertheless moved their discussion of raped women from suicide to inclusion in the fifth century, as rehabilitation became the preferred alternative.<sup>46</sup> Augustine was a pioneer in this regard, with some scholars viewing him as presenting a forgiving and sympathetic attitude towards raped holy women, while for others he attempted to brush the matter under the carpet.<sup>47</sup> Sexual attacks on holy virgins were damaging to the established religious order, likely even an embarrassment, and the patristic response to virgin-rape attempted to minimise the damage this

Oxford University Press, 2012), 178–85; Victoria Leonard, *In Defiance of History: Orosius and the Unimproved Past* (Abingdon: Routledge, 2022), 128–46.

<sup>42</sup> Livy, 1.58.1–11. Livy's version is the most coherent, but the story was also repeated in Ovid, *Fasti* 2.741–849. On the differences between the two versions, see Amy Richlin, 'Reading Ovid's Rapes', in *Pornography and Representation in Greece and Rome*, ed. Amy Richlin (Oxford: Oxford University Press, 1992), 171–72.

<sup>43</sup> See Ian Donaldson, *The Rapes of Lucretia: A Myth and its Transformations* (Oxford: Clarendon Press, 1982).

<sup>44</sup> Tertullian, *Ad martyras* 4; *De monogamia* 17.

<sup>45</sup> Ulriika Vihervalli, 'Shame on Whom? Changing Clerical Views on Raped Women in Late Antiquity', in *Revisiting Rape in Antiquity*, ed. Susan Deacy, José Malheiro Magalhães, and Jean Zacharski Menzies (London: Bloomsbury, 2023), 99–110.

<sup>46</sup> Vihervalli, 'Shame on Whom?'

<sup>47</sup> For Augustine as pastoral and sympathetic, see Webb, "'On Lucretia who Slew Herself'"; Thompson, "'Accept This Twofold Consolation'"; for a less favourable interpretation, see Jennifer Barry, 'So Easy to Forget: Augustine's Treatment of the Sexually Violated in the City of God', *Journal of the American Academy of Religion* 88.1 (2020), 235–53.

could cause. Whatever the true extent of his sympathy, Augustine viewed suicide as sinful and strongly advised against it.

This shift becomes clearer with Leo the Great, who discussed sexual violence in Vandal Africa. In a letter addressed to the bishops of Mauretania, he advised the local clergy on how to deal with holy women who had been raped by barbarians.<sup>48</sup> Leo's response was ambiguous, as Augustine's had been, saying that these women should have a demoted status among holy women, as raped consecrated virgins were less pure than untouched holy virgins. A new category was, therefore, required: a not quite pure, but not wholly impure holy woman. There was continued ambivalence in patristic attitudes to raped women, even as reinterpretations emerged. However, Leo did not warn against suicide as Augustine had done, suggesting that the conversation around raped holy women had moved on from encouraging or condoning suicide.<sup>49</sup>

A shift from idealised suicide pre- or post-rape was not in any way an obvious development at the end of the fourth century, when clerics frequently perpetuated the Roman suicide ideal. However, the scale of war-rape, conquest-rape, pillage-rape – whatever form it took – influenced clerical reinterpretations during the fifth century. Not only was this a response to wartime horrors, but the continued rise of holy women meant that these women's violation required different frameworks from the violation of non-holy women. The special treatment that 'polluted' holy women necessitated is evident already in pre-Christian Rome, with the live burial of Vestal Virgins who had lost their purity. This aimed to remove these tainted individuals from the Roman state.<sup>50</sup> By the fifth century and the rise of Christian hierarchies, however, tainted holy women required discrete treatment that facilitated their continued inclusion in the religious community, instead of permanent removal.

Augustine's view that raped holy women had not sinned (although he suggested that perhaps they still had)<sup>51</sup> was made in response to the violence that occurred between the years 406 and 410. Leo likewise responded to sexual violence in the mid-fifth century, showing that church attitudes kept evolving: for him, these women were not as pure as they had been and should not make any claims to be so. These writers were not being mindful of the victim per se, but of the community of which she was part: to lose or

<sup>48</sup> Leo, *Ep.* 12.8.

<sup>49</sup> For a fuller account, see Vihervalli, 'Shame on Whom?'

<sup>50</sup> For this, see Celia E. Schultz, 'On the Burial of Unchaste Vestal Virgins', in *Rome, Pollution and Propriety*, ed. Mark Bradley (Cambridge: Cambridge University Press, 2012), 122–35.

<sup>51</sup> See Barry, 'So Easy to Forget', 249.

exclude these pious women from their religious communities would bring new hardships to an already difficult situation.

This communal aspect of sexual violence was to become central to much early medieval thinking in the West, where such acts ‘were presented as events social in character’.<sup>52</sup> A holy woman’s rape never affected her alone. However, there was no agreement in clerical ranks on how exactly to deal with such incidents, whether they occurred as crisis points during military unrest or as scandals during peacetime. Clerical rulings on who had sexually sinned or not, who had been abused or not, and who had to reform and in what way, were interacting with local contexts and, in our case, against the backdrop of military unrest and violence. In this way, Christian ideas on sexual standards responded to and shifted due to wartime realities, just as they had in the case of captives and their marriages.

A contextual lens of unrest and crisis demonstrates that, again, wartime challenges impacted Christian ideas of sexual propriety and required a shift from older ideas to new ones. This kind of clerical involvement in people’s traumatic affairs, however, also extended into peacetime and intra-communal conflicts – and an early sixth-century rape case shows the challenges in seeking out and enacting episcopal judgement.

## A Scandal in Vienne, Part 1: The Virgin and the Youth

In the late 510s, one Gallic bishop found himself in the midst of a sex scandal – indeed, his letters record more than one.<sup>53</sup> Avitus of Vienne (c. 470s–c. post-517)<sup>54</sup> is our best source for Gallo-Burgundian relations in central Gaul.<sup>55</sup> Burgundian royal conversion to Catholicism had marked the beginning of the sixth century, but the new rulers still relied heavily on the cooperation of the Gallo-Roman nobility to assert themselves. Avitus’s writings convey the political rivalry between Gallo-Romans and the settled

<sup>52</sup> Przemyslaw Tyszka, ‘Sexual Violence in the Early Medieval West’, *Acta Poloniae Historica* 104 (2011), 5–30, at 30.

<sup>53</sup> For Avitus, see Uta Heil, *Avitus von Vienne und die homöische Kirche der Burgunder* (Berlin: De Gruyter, 2011). The editions of Avitus’s letters used are Danuta Shanzer and I. N. Wood, eds, *Avitus of Vienne: Letters and Selected Prose* (Liverpool: Liverpool University Press, 2002), and Elena Malaspina and Marc Reydellet, eds, *Avit de Vienne: Lettres* (Paris: Les Belles Lettres, 2016). The latter will henceforth be shortened as Malaspina. See Chapter 4 below for the incestuous marriage scandal.

<sup>54</sup> For Avitus’s life, see the introduction in Shanzer and Wood, eds, *Avitus of Vienne*, 7–10.

<sup>55</sup> For the Burgundian kingdom, see, for instance, Collins, ‘The Western Kingdoms’, 114–16; Ian Wood, ‘The Making of the “Burgundian Kingdom”’, *Reti Medievali Rivista* 22.2 (2021), 111–40.

Burgundians, forming the background for a scandal regarding a raped local nun.<sup>56</sup>

*Ep.* 55 from Avitus's letter collection shows the bishop navigating a local rape case. His letter to the Burgundian *comes* Ansemundus describes the case as follows: a consecrated virgin had given birth to a child after being raped by a local youth.<sup>57</sup> The letter does not identify the rapist as Burgundian, and Avitus's commentary is inconclusive regarding his ethnicity.<sup>58</sup> If the noble youth was Burgundian, then the rape case may have set the Burgundian elite against the Gallo-Roman religious elite, consisting of the local bishop and the holy virgin, who hailed from a prestigious Gallo-Roman family.<sup>59</sup> The youth was in either case Catholic, which may be deduced from the youth's threat to report Avitus to the bishop of Rome and Avitus lamenting that a child of his had died, spiritually,<sup>60</sup> referring to the young man who had fallen out with him. In this way, Avitus emphasised his religious and moral judgement over the man who he otherwise had little jurisdiction over.

The new father claimed that the woman had not been a virgin when he had slept with her, but that she was known for her multitude of lovers. The woman's family, on the other hand, was trying to get the man punished. Avitus, as bishop-judge, was appalled both by the rapist's crime as well as his blaming of the girl: even if the girl had not been a virgin, why had he slept with her to begin with? After all, sex outside marriage was fornication. 'I cannot say how surprised I am that he takes it upon himself to confess the crimes of others as part of his own atonement', Avitus chastised.<sup>61</sup> In response to Avitus's fury, the rapist was threatening to spread rumours that Avitus had fathered illegitimate children of his own. Avitus was understandably disgruntled, declaring that the youth should be imprisoned.<sup>62</sup> With mutual threats exchanged, this episode records a case

<sup>56</sup> Burgundians settled near Vienne in the 430s or 440s, while the letter has been dated to c. 516/517 CE. Though the Burgundian kingdom's boundaries shifted throughout the second half of the fifth century, the Burgundians had coexisted with local Gallo-Romans for half a century before Avitus's letter. It is, perhaps, the growth of Burgundian authority in the area that feeds into the conflict.

<sup>57</sup> Avitus, *Ep.* 55 (= 52 Malaspina, 127–30).

<sup>58</sup> The ethnicity of the rapist may have been Burgundian due to the matter being handled by the Burgundian *comes*; see Shanzer and Wood, eds, *Avitus of Vienne*, 291.

<sup>59</sup> Avitus, *Ep.* 55.7 (= Malaspina 52.7).

<sup>60</sup> Avitus, *Ep.* 55.9 (= Malaspina 52.9).

<sup>61</sup> Avitus, *Ep.* 55.9 (= Malaspina 52.9, 128), trans. Shanzer and Wood, eds, *Avitus of Vienne*, 292–3: 'dici non potest quantum mirer hunc pro reconciliatione sui aliorum criminal confiteri'.

<sup>62</sup> Highlights of the dispute include: 'Although [the youth] vomit many flames of terror against me, although he summon me to a hearing before the Roman church, and, if

where the rapist was publicly known, charges had been made against him,<sup>63</sup> yet he seemed to be protected by his high status and powerful friends (including Ansemundus), and, furthermore, he did not appear to be in any way remorseful. On the contrary, he was aggressive when confronted and called the victim *meretrix* – a whore.<sup>64</sup> Ancient literature does not often identify rapists, and the obstreperous youth in Avitus's letters is a rare find.<sup>65</sup> With his refusal to acknowledge the consequences of having slept with the virgin, he paints a cruel, unfeeling picture of such men.

The letter begins and ends with Avitus's acknowledgement that the case was in Ansemundus's hands and not his own, although many aspects remain unclear. First, why had the scandal erupted only after the birth of the child and not sooner? Had the woman hidden her assault and subsequent pregnancy? Secondly, if the case could not be tried in ecclesiastical courts, why did the rapist threaten to go to the bishop of Rome – was

he still wants to, may say that I too have children, neither will I placate his threats by agreement, nor shrink from the tiring journey' = 'Quocirca, licet diuersas in me terrorum flammam euomerit, ad Romanae forsitan ecclesiae audientiam uocet et, si adhuc placet, etiam filios habere me dicat, nec minas suas assentatione placebo nec fatigationem itinerum uerebor' (*Ep.* 55.9 (= Malaspina 52.9, 129–30)).

<sup>63</sup> At least verbally – the letter does not indicate to what level these accusations had progressed.

<sup>64</sup> Avitus, *Ep.* 55.6 (= Malaspina 52.6).

<sup>65</sup> Widening our scope considerably, we find illustrative examples where rapists demonstrate an awareness that their acts were wrong, yet even then outright remorse is not articulated. The story of Philomela serves as one example where her rapist Tereus cuts out her tongue to ensure her silence about the rape; Tereus understands that the rape might tarnish his reputation, but he responds to this with further violence inflicted on the victim rather than any kind of self-inspection of his own viciousness (Ovid, *Metamorphoses* 6.424–674). On the other hand, Menander's *Epitepontos* from the third/second century BCE offers a rare lamentation by a rapist who both acknowledges the cruelty of his behaviour and regrets it. Upon realising that prior to his marriage he had unwittingly raped his wife, Charisios cries out (Menander, *Epitepontos* 895–900 [LCL Menander 1.488]): 'I'm a criminal! That I could have done such a thing myself and become a father to a bastard child and not shown the slightest sympathy or forgiveness to her when she got in the same kind of trouble through no fault of her own. I'm a heartless barbarian' = "ἐγὼ γὰρ ἀλιτήριος" πικρὸν πάνυ ἔλεγεν," τοιοῦτον ἔργον ἐξειργασμένος αὐτὸς γεγονώς τε παιδίου νόθου πατὴρ οὐκ ἔσχον οὐδ' ἔδωκα συγγνώμης μέρος οὐθὲν ἀτυχούση ταῦτ' ἐκείνη, βάρβαρος ἀνηλεής τε." The line is quoted by Charisios's slave. LCL translates βάρβαρος as 'brute', but I have adapted this to 'barbarian'. However, Charisios's regret might not stem from his viewing rape as an inherently cruel or violent crime, but rather from concern for his reputation. Likewise, these examples are from comedy – the confusion of paternity and misinformed sexual liaisons was amusing to audiences. See H. H. Gardner, 'Ventriloquizing Rape in Menander's *Epitepontos*', *Helios* 39.2 (2012), 121–44; Karen F. Pierce, 'The Portrayal of Rape in New Comedy', in Deacy and Pierce, eds, *Rape in Antiquity*, 163–84, at 165–66.

this intended as the location to settle the claims about Avitus's illegitimate children? Thirdly, what exactly made the case Ansemundus's to decide, especially when it involved a consecrated virgin? Was it the man's defiance of Avitus, was it that the man was Burgundian like Ansemundus,<sup>66</sup> or was it that because Ansemundus had interceded on the youth's behalf, as the letter states, Avitus had been outranked in judging the case?

This incident clearly involved sexual violence, but it was not a *raptus* – marriage or the suggestion of marriage is nowhere in the letter and, as discussed earlier, a *raptus* involving a consecrated virgin would have led to severe punishment for the man. Burgundian laws that applied to Romans in the realm punished *rapti* involving holy virgins.<sup>67</sup> The consecrated virgin had likely been subject to what we would understand as rape today, which in the most basic form is 'a sexual interaction to which one party does not consent'.<sup>68</sup> Because she was a holy woman, the punishment was bound to be serious – indeed, for certain sexual crimes the secular courts handed out more severe punishments than their ecclesiastical counterparts could, with the result that clerics debated where to settle a case in order to secure the kind of punishment they wished for.<sup>69</sup>

In this case, however, Avitus could not try to secure the harshest possible punishment – at the start of the letter he indicates that Ansemundus had already taken the youth's side and was protecting him. The Burgundian Code had many rulings on the violation of girls, married women, and widows, which may have been the correct judicial route for punishment – except that Ansemundus was not seeking to punish the youth at all.<sup>70</sup> The rapist appears to have got away with his actions due to having powerful friends, which also accounts for Avitus's ire.

Avitus's case demonstrates that sex crimes were brought to clerics to resolve, but determining whose jurisdiction prevailed and, indeed, what laws were applicable to the case was difficult. Avitus's anger stemmed both from his being defied as well as being counter-accused of crimes – it may even have stemmed from personal experience: his consecrated sister

<sup>66</sup> The Burgundian kingdom had different laws based on ethnicity – see more on this regarding Avitus's incest case in Chapter 4.

<sup>67</sup> See Wilkinson, 'Dedicated Widows', 157–58.

<sup>68</sup> Rosanna Omitowaju, 'Regulating Rape: Soap Operas and Self-interest in the Athenian Courts', in Deacy and Pierce, eds, *Rape in Antiquity*, 1–24, at 1.

<sup>69</sup> See Sessa, *Formation of Papal Authority*, 188–89 for bishops trying to protect lay Christians from harsher imperial punishments.

<sup>70</sup> For sexual violence and adultery in the Burgundian Code, see xii for *rapti*, xxx on violated women, xliv on adulterous women and widows, and lxvii for adultery; translated in Katherine Fischer Drew, *The Burgundian Code: Book of Constitutions or Law of Gundobad; Additional Enactments* (Philadelphia, PA: University of Pennsylvania Press, 1996).

Fuscina's potential violation is recorded in his letter collection.<sup>71</sup> Amid all the finger pointing, the rape of the local holy woman becomes trivialised, and proof was difficult to attain beyond someone's word against someone else's. Ultimately, the consequences or lack thereof were determined by powerful connections, and who outranked who in the local community.

However, even if the rapist was escaping with impunity, Avitus displayed a relatively sympathetic approach to the victim herself. Indeed, nowhere in the letter is the woman blamed by Avitus, and the rapist's claims about the woman's impurity remain hypothetical. The woman's family also appear to be driving the case on her behalf – she has not been cast out by her bishop or by her family. This, by the early sixth century, might not have been remarkable in the late Roman West – taking a *longue durée* perspective, however, shows that it was.

There is no suggestion of suicide anywhere in Avitus's account – from him, the girl, or her family or community – and there is also no suggestion of a demoted status or of victim-blaming or of a cross-examination of the girl. Clearly, her family was furious and perhaps embarrassed, especially when the rapist was accusing their daughter of fornication – yet the girl, the family, and indeed Avitus were all fighting against these claims, instead of trying to load the girl with shame and humiliation. This is a notable departure from how violated holy women had historically been treated in Christian communities, and indicates gradual shifts in how sexual norms were perceived and, indeed, interpreted, with repeated consultations with clerics.

A contextual lens of unrest and crisis has shown how late ancient sexuality was shaped in response to communal challenges across the Roman West. While Christian communities had always been surrounded by violence, the circumstances that arose in the western provinces in the fifth century presented new challenges. For clerics, military crises led to an examination of Christian moral standards, which were concluded to be sub-optimal. While not a novel sentiment, contemporary crisis gave this heightened immediacy and new perspectives.

Christian conduct was insufficient in numerous ways: poor church attendance, participating in pagan customs and games, the reluctance to give alms or help the poor – the list goes on. Inadequate sexual standards were part of this list, with clerics offering new interpretations of sexual morality in a wartime context. Maximus of Turin thought chastity could be used to win divine favour and secure military victory – sexual behaviour thus became a Christian weapon of war. Valerian of Cimiez argued that resisting lust and temptation readied one for a good Christian death, thus

<sup>71</sup> See Shanzer and Wood, eds, *Avitus of Vienne*, 291.

ensuring salvation. Salvian of Marseille identified numerous sexual vices that had brought military defeat to many – and yet no one had started to strive for improved sexual values. While many offered rebukes and made a powerful connection between morality and crisis, there was no consistent approach to wartime Christian conduct and the place of sexual standards within it. Often these remarks stemmed from localised pressures, and we are left wondering if clerics were successful in reforming the behaviour of their congregants.

Yet fifth-century Christians also sought solicited (versus unsolicited) clerical guidance on their private affairs. Ongoing unrest damaged both household units and religious communities, with the sexual integrity of Christians becoming compromised and damaged – in response to this, clerics created new rules for unprecedented conundrums. In ruling on the marriage of captives and the status of raped holy women, clerics broke away from earlier precedents, aiming to heal communities. We might credit some of this flexibility and innovation to crisis management, but also to the fact that Christian rules were still very much being developed. Indeed, as noted by Sessa, ‘marital practices and ideologies remained highly fluid in this period’.<sup>72</sup> Clerics could and did make use of this fluidity.

In this way, clerics were testing the limits of their influence on late ancient sexuality. The contextual lens of unrest provided a contrast against which discussions about insufficient Christian conduct could be had. While many clerics were left frustrated – they warned, rebuked, and yet no one changed their ways – we also see instances where clerical authority was sought out, usually on a case-by-case basis. Ideas of sexual propriety were in flux, reactive, and capable of changing from long-standing traditions, legal or ideological, to suit more contemporary needs.

The Christianisation of sexual *mores* was not a unified transition or movement, but rather was characterised by localised elements and concerns, navigating idealism and realism, and demonstrating accommodation where necessary. Sexual wrongdoing was, however, not only a question of individual underperformance: it was a communal concern, as some of the discussion here has already suggested. We can explore this further by considering a discursive lens of impurity in late ancient thought, which marked sexual digressions as collectively and communally dangerous.

<sup>72</sup> Sessa, ‘Ursa’s Return’, 416.



Part II

Contaminating Vice



## CHAPTER 3

# Cleanse Yourselves

## Contagiousness and the Collective

In the early 420s, Augustine wrote a letter to a religious community of holy women, advising them on what to do with a troublemaker in their midst:

If she refuses to submit and does not leave of her own accord, she is to be expelled from your community. This is not an act of cruelty but of kindness – to prevent her from destroying many companions by her deadly contagion.<sup>1</sup>

Such a woman's faults, Augustine surmised, would have been many: a wandering gaze, a desire for ornamentation, and too keen an interest in her virginal peers. Her presence in the community was a source of *contagio* that was best eliminated quickly. Sin, after all, spread like a disease: a community could be pure and healthy, or it could be struck by vices that plagued not only the individual, but the collective itself.

This contagious nature of vice offers a discursive lens through which ancient sexuality was presented to Christian communities. In this chapter, I examine Christian idealisation of communal purity and the perception of vice as contagious and active. After this, I discuss how clerics evaluated different sexual sins against each other, creating hierarchies of sin and their potential polluting reach. This discursive lens of sexual impurity will be explored further in Chapter 4 on incest and Chapter 5 on sex work. These chapters will establish that while we see calls for collective purity, at ground level people's behaviour varied, and clerics adjusted their views and even scripture to push towards the desired overall outcome: a decrease in contaminating sexual vices, through frequent persuasion. Complete abolition, in any case, never appears to have been a goal that was seriously striven towards.

Furthermore, despite a consensus that certain acts caused impurity and put Christian communities in danger, the consequences of sexual

<sup>1</sup> Augustine, *Ep.* 211.11 (CSEL 57.365), trans. FCNT 32.46: 'quam si ferre recusauerit et si ipsa non abcesserit, de uestra societate proiciatur. Non enim et hoc fit crudeliter, sed misericorditer, ne contagione pestifera plurimos perdat.'

contamination were not fixed. When clerics confronted impure sexual practices, they negotiated the perception of the vice and its consequences within a local context, showcasing flexibility and compromise. The context of military unrest is in the background of many texts in this chapter, but this did not necessarily play a pivotal role in shaping Christian thought on sexual contagion. Many of the same authors will reappear, however, and as such the wider societal pressure created by times of unrest should be kept in mind. Furthermore, I note throughout Part II when the military-political context influenced Christian discussion.

Before examining incest and sex work in the succeeding chapters, we must first characterise purity and impurity to capture how these concepts circulated in Christian communities to create a sense of individual responsibility. This, in turn, forms the background against which clerics confronted congregants and sought to challenge their sexual misdeeds.

### Purity, the Collective, and Active Vice

In *Ep.* 211 quoted above, in which Augustine encouraged the casting out of a morally suspect woman, he echoed the scriptural rhetoric of contagious corruption that could place believers in danger.<sup>2</sup> Such physical and medical allusions were often employed by Augustine and his contemporaries, presenting God as a physician who could cure believers of the disease of sin.<sup>3</sup> Ancient medical ideas of contamination were more sophisticated than has previously been thought, with an understanding that a sick creature could infect others.<sup>4</sup> This lent power to Christian notions of contagious sin and the dangers of a sinning individual. Sexual transgression was one form of contaminating vice, determining a locality's purity and its future success or decline.<sup>5</sup>

<sup>2</sup> For instance, yeast symbolised the idea of heretical contagion and its spread in 1 Cor. 5:6; Gal. 5:9. In Isa. 1:4–6, the people of Judah are wracked with disease and wounds due to their sinfulness.

<sup>3</sup> For Augustine, see Rudolph Arbesmann, 'The Concept of "Christus medicus" in St. Augustine', *Traditio* 10 (1954), 1–28; and for Jerome, see Arthur Stanley Pease, 'Medical Allusions in the Works of St. Jerome', *Harvard Studies in Classical Philology* 25 (1914), 73–86. Maximus of Turin also likened sin to disease, which could be cured by a divine doctor; see Conroy, 'Imagery in the *Sermones* of Maximus', 190–93.

<sup>4</sup> V. Nutton, 'The Seeds of Disease: An Explanation of Contagion and Infection from the Greeks to the Renaissance', *Medical History* 27 (1983), 1–34, discusses Western ideas of contagion at 19–20; see also John Mulhall, 'Confronting Pandemic in Late Antiquity', *Journal of Late Antiquity* 14.2 (2021), 498–528.

<sup>5</sup> Sexual conduct was not, of course, the sole source of impurity, as this could come from a number of sources: murder, magic, heresy, idolatry, and other pagan practices all made a person impure, but our discussion here centres upon sexual relationships that

Collective sexual purity was paramount: it was not enough for the odd few to live up to expected sexual standards, or for even the majority to do so. Everyone had to take part, or it was all for naught. This was why Augustine advised that the morally loose woman be cast out: her continued presence threatened the moral well-being of the entire community.

Goals of collective and absolute purity were, however, largely aspirational, as many clergymen themselves admitted. Ridding oneself completely of unwanted or illicit desires was near impossible, which is perhaps best evidenced by the agony over nocturnal emissions: John Cassian and Augustine were both concerned about ejaculating in one's sleep, worrying over its implications for men who strove to live ascetic lives.<sup>6</sup> This lack of control over one's own body was deeply troubling – similarly, there were concerns over masturbation for ascetics and non-ascetics alike.<sup>7</sup> Even the most ascetically aligned Christians struggled to achieve complete purity – yet, repeatedly, this goal was placed before all, much less-disciplined Christians.

Late ancient Christians were far from unique in linking sexual practice to religious and ritual purity.<sup>8</sup> In a valuable study on Roman religious pollution, Jack Lennon observed that 'the separation of sex from religion seems to have persisted as an idea which was clearly meant to be recognised by contemporary audiences'.<sup>9</sup> The seclusion of sex from the religious sphere is visible in infamous incidents from the Republican era: in the live burials of defiled Vestal Virgins as well as in the scandal of the Bacchanalia

were considered polluting. For the contagiousness of heresy, see Michel-Yves Perrin, 'The Limits of the Heresiological Ethos in Late Antiquity', in *Religious Diversity in Late Antiquity*, ed. David M. Gwynn and Susanne Bangert (Leiden: Brill, 2010), 201–27.

<sup>6</sup> David Brakke, 'The Problematization of Nocturnal Emissions in Early Christian Syria, Egypt, and Gaul', *Journal of Early Christian Studies* 3.4 (1995), 419–60.

<sup>7</sup> The most extensive study on masturbation and patristics is Giovanni Cappelli, *Autoerotismo: un problema morale nei primi secoli cristiani?* (Bologna: EDB, 1986), especially 188–97, 209–22. See also M. S. Patton, 'Masturbation from Judaism to Victorianism', *Journal of Religion and Health* 24.2 (1985), 133–46 – although there are issues with this article's approach, it is nevertheless of some use for generic commentary. The most overarching history of masturbation is Thomas Walter Laqueur, *Solitary Sex: A Cultural History of Masturbation* (New York: Zone Books, 2003); for a discussion of Greco-Roman attitudes to masturbation, see 96–112; for the Hebrew tradition, 112–24; and finally for patristic views, mainly Augustine and Cassian, 124–26, 130–34.

<sup>8</sup> For Classical Greece, see Robert Parker, *Miasma: Pollution and Purification in Early Greek Religion* (Oxford: Clarendon Press, 1983); for Judaic ideas of pollution, see Mary Douglas, *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (London: ARK Paperbacks, 1984), 41–57; and more recently, Mira Balberg, *Purity, Body, and Self in Early Rabbinic Literature* (Berkeley, CA: University of California Press, 2014).

<sup>9</sup> Jack Lennon, *Pollution and Religion in Ancient Rome* (Cambridge: Cambridge University Press, 2013), 63.

cult in the second century BCE.<sup>10</sup> Orosius included these scandals in his universal history, which offered a Christian perspective on the past, noting that one Vestal Virgin, along with her partners in crime, had become polluted (*polluit*) by the seducer.<sup>11</sup> With regard to the Bacchanalia cult, Livy reported that it ‘spread like an infection’.<sup>12</sup> The idea of infectious (sexual) contamination was a relied upon motif.

However, there was a fundamental difference between the Roman separation of sex and religion and the Christian one: Christian thought was, on the surface, more all-encompassing. Every Christian had to root out excessive or transgressive sexual acts from their lives, instead of this standard being set only for those with special ritual functions within the religious community, or individuals whose sexuality was tightly controlled in society, such as high-class Roman women. The all-inclusive expectation of correct practices is clear already in the Pauline approach, as no connections with sexually deviant people should be maintained. This bore repetition: ‘I wrote to you in my letter not to associate with sexually immoral persons (πορνούς).’<sup>13</sup> Some believers in Corinth, however, had forgotten these rules, and the community had to be reminded: ‘God will judge those outside. “Drive out the wicked person among you”.’<sup>14</sup> When faced with polluted individuals, Paul’s course of action was exclusion.<sup>15</sup> Men such as Augustine subscribed to these arguments.

Church authority to judge the sexual activities of others stemmed from perceived clerical purity. Religious leaders, as the mouthpieces of divine intent and ideology, were expected to demonstrate chaste behaviour in their own lives. The first-century CE rhetorician Quintilian noted that adultery committed by a (pagan) priest was worse than adultery committed by others,<sup>16</sup> a notion that was echoed by later Christian church councils that restricted the sexual practices of clergymen.<sup>17</sup> The requirement for Christian clerics to be sexually pure became so ingrained that by the time Maximus of Turin was preaching in the 390s or 400s, he was able to postulate that, just like bees, bishops demonstrated innate chastity.<sup>18</sup> This

<sup>10</sup> Lennon, *Pollution and Religion*, 64–73.

<sup>11</sup> Orosius, *Historiae* 5.15.22 (CSEL 5.313): ‘Paruo post hoc intercessu temporis L. Ueturius eques Romanus Aemiliam uirginem Uestalem furtiuo stupro polluit.’

<sup>12</sup> Livy, 39.9: ‘ueluti contagione morbi penetrauit’.

<sup>13</sup> 1 Cor. 5:9.

<sup>14</sup> 1 Cor. 5:13.

<sup>15</sup> See the discussion in Dale B. Martin, *The Corinthian Body* (New Haven, CT: Yale University Press, 1995), 168–74.

<sup>16</sup> Quintilian, *Decl. Min.* 284.

<sup>17</sup> See, for instance, Frazee, ‘Origins of Clerical Celibacy’; Lynch, ‘Marriage and Celibacy of the Clergy’; Sardella, ‘Controversy and Debate’.

<sup>18</sup> Maximus, *Serm.* 89.1.

was not, however, as innate as Maximus supposed: in 408, Bishop Proculus of Marseille accused Bishop Remigius, whose bishopric is unknown, of adultery – this incident was scandalous enough to be recorded in the *Chronicle of 452*, amid notes on warfare and imperial accessions.<sup>19</sup> There were hiccups in clerical and episcopal ranks regarding sexual modesty. Even so, the assumed commitment to chastity gave clerics the authority to rebuke and criticise the laity for their perceived lack of it.

Yet all Christian leaders from Paul onwards faced an impossible task. After all, if controlling the sexual behaviour of a Pauline community in the first century CE was difficult, then controlling the sexual behaviour of late fourth- and fifth-century congregations, much larger and more varied in composition and degrees of devoutness, was impossible – and, indeed, Augustine and John Cassian admitted to barely being able to control their own sexual organs, let alone those of their entire flock. The lax moral standards of Christians were noticeable to many and unacceptable to some – here, Salvian once more is exemplary:

The most blessed Paul also expelled one evil man from the church, lest he make many evil by his presence. Today, we are even content with an equal number of good and evil men ... Behold how much we have fallen back. Behold how much we have fallen behind that purity of the Christian people, that purity by which all were formerly untainted.<sup>20</sup>

The impossibility of demanding and achieving outstanding moral standards in larger Christian communities was present already in the lamentations of Cyprian of Carthage, who in the mid-third century stated that when it came to the private matters of sex, the corrective clerical eye peered in but was left frustrated by the effort:

Oh, if placed on that lofty watchtower you could gaze into the secret places – if you could open the closed doors of sleeping chambers, and recall their dark recesses to the perception of sight – you would behold things done by immodest persons which no chaste eye could look upon.<sup>21</sup>

<sup>19</sup> *Chron. Gall.* 452 s.a. 408 (MGH AA 9.652). An argument has been made that the accused was the bishop of Aix and was accused by his rival Proculus, bishop of Marseille. See Loseby, ‘Marseille in Late Antiquity’, 101.

<sup>20</sup> Salvian, *De gub.* 6.4–5, trans. FCNT 3.152: ‘Beatissimus quoque Paulus etiam unum de Ecclesia malum expulit, ne contactu suo plurimos inquinaret. Nunc nos etiam pari utriusque partis numero contenti sumus ... Ecce in quid recidimus, ecce in quid post illam Christiani populi puritatem qua omnes quondam immaculati erant.’

<sup>21</sup> Cyprian, *Ep.* 1.9 (PL 4.212A), trans. ANF 8.8: ‘O si possis, in illa sublimi specula constitutus, oculos tuos inserere secretis, recludere cubiculorum obductas fores, et ad

Cyprian was aware of the limitations of clerical control: the task of controlling the private behaviour of congregants was not feasible and became even less so as Christian numbers increased. Clerics such as Cyprian worried about the damaging effects that improper sexual conduct could have not only on individuals, but on the Christian community as a whole. In this way, sexual vices were active and polluting forces, creating intra-dependent religious networks where one tainted person could contaminate the collective. Salvian reflected on this contaminating nature in the 430s:

The church of God is as the eye. As a speck of dirt, even though small, which falls into the eye blinds the sight completely, in the same way, if some, even though they are a few in the body of the Church, commit filthy acts, they block almost all the light of the splendor of the Church.<sup>22</sup>

By applying this imagery of blindness, Salvian turned the Christian community into a physical body that could be plagued by ailments – even a ‘speck of dirt’ or a single contaminated person could cause significant, widespread harm. He likened Christians to patients who made their condition worse through vice but blamed the doctor for their woes;<sup>23</sup> and he further echoed Augustine’s sentiments of communal spread, warning: ‘We know clearly that very often one bad man is the destruction of many.’<sup>24</sup> This destruction could occur at the Roman games where ogling at performers turned spectators into spiritual adulterers,<sup>25</sup> as indeed it could happen in the city streets if one witnessed sexual transgressions there, as North Africans did with male/male love affairs that spread in Carthage.<sup>26</sup> Salvian concluded that ‘even if they who live indecently are few, there are many tainted by the baseness of the few’.<sup>27</sup> Because sexual vice could spread and contaminate, these behaviours had to be corrected.

This approach was taken up by many of Salvian’s peers, although

conscientiam luminum penetralia occulta reserare! aspicias ab impudicis geri quod nec possit aspicere frons pudica.’

<sup>22</sup> Salvian, *De gub.* 7.81 (CSEL 8.182), trans. FCNT 3.213: ‘Ita est enim Dei Ecclesia quasi oculus. Nam ut in oculum etiam si parva sordes incidat, totum lumen obcaecat, sic in ecclesiastico corpore etiam si pauci sordida faciant, prope totum ecclesiastici splendoris lumen offuscant.’

<sup>23</sup> Salvian, *De gub.* 5.3.

<sup>24</sup> Salvian, *De gub.* 6.2, trans. FCNT 3.151: ‘euidenter agnoscimus etiam unum saepissime malum hominem perditionem esse multorum’.

<sup>25</sup> Salvian, *De gub.* 6.19.

<sup>26</sup> Salvian, *De gub.* 7.78. See Chapter 6 below for a detailed discussion.

<sup>27</sup> Salvian, *De gub.* 7.82, trans. FCNT 3.213: ‘Nam etsi pauci sunt qui dedecorosa sustineant, multi sunt qui paucorum sordibus pollutantur.’



clerical conviction regarding the effectiveness of their methods varied and wavered. Sexual digression was often seen as originating from someone, somewhere, or something. For instance, Roman authors thought that the influx of luxurious (and thus unmanly) lifestyles in the first and second centuries BCE was due to the ‘effeminate’ Greeks.<sup>28</sup> One had to be wary of bad influences, as well as mindful not to become one. Valerian of Cimiez noted: ‘You ought to take care lest someone else sin as a result of your easy-going ways, in such a manner that his sin falls back upon yourself.’<sup>29</sup> Acquaintance with a sinful person was likewise morally corrupting, as Maximus of Turin observed: ‘I grieve because, even if your own sins did not hurt you, still the crimes of your household will bind you fast.’<sup>30</sup> Clerics emphasised individual responsibility as well as the impact one could have on others, and that others could have on the individual – a bad seed anywhere endangered the community. Paul would have agreed with this emphasis on striving towards collective purity, difficult as it was to achieve.

Not only could vice spread from one person to the next, or to one’s Christian community, but it could affect the divine: a part of this ideology was the *corpus Christi*. Sexual contamination of one person contaminated the body of Christ, and thus needed to be curbed. Augustine argued that fornication of any kind was forbidden precisely because each Christian body was a holy vessel, which did not belong to Christians themselves. In 408/9, Augustine preached in Milevis:

Let no one say in his heart, ‘God cares not for sins of the flesh.’ ‘Know you not,’ saith the Apostle, ‘that ye are the temple of God, and the Spirit of God dwelleth in you? If any man defile the temple of God, him will God destroy.’ (1 Cor. 3:16–17) [...] ‘Know ye not,’ he says, ‘that your bodies’ (and this the Apostle spoke touching fornication, that they might not think

<sup>28</sup> See Ramsay MacMullen, ‘Roman Attitudes to Greek Love’, *Historia: Zeitschrift für Alte Geschichte* 31.4 (1982), 484–502, for Roman sources discussing a Greek influence on Roman men and their sexual behaviour. MacMullen’s conclusions, however, are problematic: he asserts that homosexual behaviour was a Greek import for the Roman elite and that homosexual practices were restricted to the Roman upper classes. The article is important for early studies on Roman homosexual practices, but more recent work disproves many of its assumptions – see especially Williams, *Roman Homosexuality*. MacMullen’s interpretation, however, that homosexual practices *spread* through Roman society is, conveniently, reminiscent of Christian thinking on the contaminating nature of sexual vice, and should be regarded as rhetorical flourish.

<sup>29</sup> Valerian, *Hom.* 1.8.1 (PL 40.1222), trans. FCNT 17.307: ‘prouidentum est, ne facilitate tua alter peccet, et alienum peccatum in te redundet’.

<sup>30</sup> Maximus, *Serm.* 91.2 (CCSL 23.369), trans. ACW 50.212: ‘Unde doleo quia, etsi uestra uos peccata non laeserint, uestrorum tamen uos scelera retinebunt.’

lightly of sins of the body) ‘are the temples of the Holy Ghost which is in you, which ye have of God, and ye are not your own.’ (1 Cor. 6:19)<sup>31</sup>

Augustine reasoned that God cared deeply about matters of the flesh and acts that one committed, again taking Pauline cues. This sought to discourage Christians from engaging in impure sexual acts, but was also a way of rationalising why these acts were as damaging as clerics claimed they were. Augustine likewise emphasised individual responsibility: vice could spread, but one always had to be mindful of one’s own behaviour first and foremost.

Augustine’s thinking on sexual vice was, however, controversial in his lifetime. Johannes van Oort has contrasted Augustine’s thinking on sexual lust with Manichean views on the same, finding them echoing each other – a charge made against Augustine by contemporaries.<sup>32</sup> Throughout his career, Augustine questioned whether sexuality had existed prior to Adam and Eve committing original sin, first arguing that it had not, but later changing his mind, but suggesting that this sexuality had been something that the will could fully control.<sup>33</sup> This was no longer the case after the Fall: ‘[Augustine] emphasises the fact that sexuality is an enduring impulse, in which passion presents itself as “concupiscence of the flesh” (*concupiscentia carnis*) and has to be fought continuously’.<sup>34</sup> Original sin was transmitted from parents to children, which baptism could address – but baptism was, in effect, the starting point of a battle against one’s libido that was never-ending.<sup>35</sup> Becoming corrupted by sexual vice was thus a constant threat in a Christian’s life, with each person born into the world through ‘the means of the contagion present in the male seed’.<sup>36</sup> As fifth-century

<sup>31</sup> Augustine, *Serm.* 82.13 (PL 38.512), trans. NPNF 6.617–18: ‘Non dicat in corde suo, Peccata carnis non curat Deus. Nescitis, inquit Apostolus, quia templum Dei estis, et Spiritus Dei habitat in uobis? Quisquis templum Dei uiolauerit, disperdet illum Deus [...] Nescitis, inquit, quia corpora uestra (et hoc de fornicatione loquebatur Apostolus, ne contemnerent corporalia peccata) templum in uobis est Spiritus sancti, quem habetis a Deo, et non estis uestri?’

<sup>32</sup> Johannes van Oort, ‘Was Julian Right? A Re-Evaluation of Augustine’s and Mani’s Doctrines of Sexual Concupiscence and the Transmission of Sin: Part 1’, *Journal of Early Christian History* 6.3 (2016), 111–25; Johannes van Oort, ‘Was Julian Right? A Re-Evaluation of Augustine’s and Mani’s Doctrines of Sexual Concupiscence and the Transmission of Sin: Part 2’, *Journal of Early Christian History* 8.2 (2018), 1–15.

<sup>33</sup> Pier Franco Beatrice, *The Transmission of Sin: Augustine and the Pre-Augustinian Sources*, trans. Adam Kamesar (Oxford: Oxford University Press, 2013), 61–64. This volume is a translation of Pier Franco Beatrice, *Tradux peccati: alle fonti della dottrina agostiniana del peccato originale* (Milan: Vita e pensiero, 1978).

<sup>34</sup> Van Oort, ‘Was Julian Right? Part 2’, 8.

<sup>35</sup> Beatrice, *Transmission of Sin*, 65–66.

<sup>36</sup> Beatrice, *Transmission of Sin*, 75–76.

debates indicate, however, Augustine did not convince everyone of his approach, and indeed spent years refining his thinking on the matter, underlying the theological complexity of sexual sinning, and also the many uncertainties that clerics faced in discussing it.

The importance of taking individual responsibility was also emphasised by Orosius, who conceptualised active sexual vice as explaining Christian suffering in fifth-century military-political contexts. Indeed, Orosius gloomily stated that he had recorded the fall of Babylon in his history for one specific purpose: to demonstrate that any sufferings in his own age reflected just divine judgement:

I thought that these things deserved recording in order that, above all, those who bicker foolishly about these Christian times might learn from this partial revelation of the great mystery of the ineffable judgments of God that the One God has ordained these events – for the Babylonians at the beginning of the cycle and now for the Romans at its end – and might learn that it is through His clemency that we are alive and that our life is wretched through our own excesses.<sup>37</sup>

Orosius was downplaying the ongoing political and military unrest in the Western Empire: instead of complaining about these troubles, his readers should be grateful that God had let them live at all. Their sufferings had been caused by their ‘own excesses’ – *intemperantiae*, signifying immoderation or licence in luxury and desire. To these excesses, God had responded with barbarian victories and Roman defeats. Sexually loaded vice had real-life consequences, from the contamination of a fellow Christian or the holy body of the church to warfare and loss of life.

Substandard morals could also affect the natural world, giving a further reason for clerics to emphasise how important collective morality was. At the end of the fifth century, Gelasius I bemoaned that low moral standards had caused bad weather: ‘What will you say about drought, hail, whirlwind, storms, and various disasters that come about as a result of the nature of our morals?’<sup>38</sup> Divine power over the agricultural year was not to be taken lightly.<sup>39</sup> In 538, Justinian’s legislation forbidding homosexual

<sup>37</sup> Orosius, *Historiae* 2.3.5 (CSEL 5.86-87), trans. Fear, 76: ‘Itaque haec ob hoc praecipue commemoranda credidi, ut tanto ineffabilium iudiciorum Dei ex parte patefacto intellegant hi, qui insipienter utique de temporibus Christianis murmurant, unum Deum disposuisse tempora et in principio Babyloniis et in fine Romanis, illius clementiae esse, quod uiuimus, quod autem misere uiuimus, intemperantiae nostrae.’

<sup>38</sup> Gelasius, *Aduersus Andromachum* 21 (PL 59.114C), trans. Neil and Allen, eds, *The Letters of Gelasius I*, 217: ‘quid dicturi estis de siccitate, de grandine, de turbine, de tempestatibus, uariisque cladibus, quae pro morum nostrorum qualitate proueniunt?’

<sup>39</sup> Gelasius seeks to be demonstrative, cf. Orosius, *Historiae* 7.27, where he lists the

acts blamed such activities for causing famines, earthquakes, and pestilence, thus firmly linking sexual deviance with direct, disastrous consequences for communities.<sup>40</sup> In this way, Christian sexual sinning was an active force.

Quodvultdeus, bishop of Carthage in the tumultuous 430s, also reflected on active vice and community punishment:<sup>41</sup>

Have we not exhibited weakness and sloth; has not the din of obscene spectacles, of banquetings most base, and other wanton wickedness that we are ashamed to mention but evil men are not ashamed to do, has not the din of all this been such that rightly and justly God has turned his face from those who have turned their faces from him?<sup>42</sup>

Quodvultdeus attacked spectacles and banquets, and alluded to shameful sexual acts. He also repeated the connection between morality and warfare that we have already discussed, underlining once more the causality between the two: a perceived lack of morality, for Quodvultdeus, had angered God, and the advance of barbarians in North Africa was a consequence of this.<sup>43</sup> The sinning of one or a few had tainted and spread within the community, causing wider calamities. These ideas were echoed in Africa, Spain, Gaul, and Italy, and in the sixth-century Eastern Empire likewise. Sexual vice moved horizontally, from one person to the next, but it affronted and damaged vertically, from human to divine.

However, we must consider whether these admonishments were genuine attempts at rooting out sexual vice or addresses that knowingly fell on deaf ears, reminding the audience of aspirational goals while knowing

plagues that God inflicted on Egypt during the time of Moses, and how these plagues occurred again when Romans persecuted Christians. Divine wrath caused plagues, droughts, deaths of animals, civil wars, and so forth.

<sup>40</sup> *Nov. 77* (538 CE).

<sup>41</sup> For Quodvultdeus, see Daniel Van Slyke, *Quodvultdeus of Carthage: The Apocalyptic Theology of a Roman African in Exile* (Strathfield: St. Pauls, 2003); Thomas M. Finn, *Quodvultdeus of Carthage. The Creedal Homilies: Conversion in Fifth-century North Africa* (New York: Newman Press, 2004). See also Quasten, *Patrology*, 503 for further bibliography.

<sup>42</sup> Quodvultdeus, *De tempore barbarico* 2.39–44 (CCSL 60.474), trans. Kalkman, 159–60: ‘Nonne tunc fluxus atque desidia obscena spectacula, turpissima conuiuia, aliaque licentiosa nequitia, quae nos pudet dicere, sed malos non pudet agere, ita perstreperunt, ut iure iusteque auerterit deus faciem ab eis, qui ab eo auerterunt facies suas?’

<sup>43</sup> Quodvultdeus also emphasised communal responsibility when criticising lingering pagan practices in his community, in *De tempore barbarico* 1.229–41 (CCSL 60.429): ‘Quid tale, dilectissimi, fecimus, immo e contrario quae mala non fecimus? Illi nec minis nec tormentis conuenti daemioniis sacrificauerunt ... Nec ab hostibus, nec a barbaris, sed a se ipso omnis homo in anima se intus occidit uidendo, consentiendo, non prohibendo; omnes remansimus rei.’

that only a few could achieve them. Indeed, we might question if anyone in the audience of a sermon, or readers of letters or treatises, viewed vice in this same contagious way. Certainly, the rhetoric of contamination and contagion was employed to dissuade people from bad habits and to establish the dangers of vice, as the examples here have shown. However, as Chapters 4 and 5 will illustrate, not many lay Christians thought sexual vice as damaging as clerics perceived it to be.

## Defining the (Un)Acceptable

These warnings against contaminating vice benefit from us briefly considering the reverse: if sexual vice was contagious, capable of spreading from one sinner to many, then what did Christian writers consider as ‘pure’ – or, at least, acceptable – sexual behaviour? After all, one had to offer congregants something in order to guide them away from sin, when not everyone would choose continence or virginity.

Between 515 and 523, the African bishop Fulgentius of Ruspe (462/467–527/533) wrote a letter to a Christian layman, outlining his own thoughts on the matter:

The business of begetting children ought to be done in such a way by the spouses, that with the help of the sense of shame, when the faithful spirit brings itself to the work of fecundity, with God’s help, it keeps the modesty of natural decency. Especially, Christian spouses must be careful to flee those works, which the divine severity both forbids to be done, and condemns when they are done.<sup>44</sup>

This guidance is euphemistic on the ‘works’ (*opera*) that Christians should flee: sex purely for pleasure and excessive sex, since Fulgentius emphasised that sex was intended for procreation; but the vagueness allows us to also include oral sex, raunchy sexual positions, anal sex, and other acts that were not required for conception. These attempts to confine sex to a moderate, reproductive activity indicate that at the end of the period under examination, clerics were in no way confident that chaste behaviour was the norm among married Christians. Conversely, it is indicative of clerical awareness that sex was not conducted in such a fashion.

<sup>44</sup> Fulgentius, *Ep.* 1.19 (CCSL 91.195), trans. FCNT 95.288: ‘Negotium namque substituendae prolis ita debet a coniugibus peragi, ut subseruiente uerecundia dum se ad opus fecunditatis animus fidelis inclinatur, modestiam simul naturalis honestatis, Deo adiuuante, custodiat: praecipue autem obseruandum est fidelibus coniugibus ut illa fugiant opera quae diuina seueritas, et facienda prohibet, et facta condemnat.’ Cf. Augustine, *De bono coniugali* 11.12, stating that marital sex should be for procreation only, but that some ‘natural’ (vaginal) sex for pleasure might be pardoned.

Fulgentius's description outlined how one could have acceptable sex that was not sinful and did not taint the people involved. This definition was as narrow as it was idealistic, but not everything left outside of this concept was equally sinful. Immoral acts formed a hierarchy, which could be ranked in terms of sinfulness and their potential contagiousness. These ranged from commonplace encounters to the more scandalous, as imagined by Augustine in his 401 treatise *De bono coniugali*:

Even fornication will be a good because adultery is worse – since violation of another's marriage is worse than associating with a prostitute. Or adultery will be a good because incest is worse since intercourse with one's mother is worse than lying with another's wife – and so on, until we come to those things about which, as the Apostle says, 'It is shameful to even speak.' (Eph. 5:12)<sup>45</sup>

These degrees of sinful behaviour reflect some of the complicated thinking on immoral sexual vice. Augustine quoted Ephesians 5 to indicate that there are things worse than incest – his audience would have filled this gap with what they would associate as being 'worse'. Yet when we look at Ephesians 5 in context – and Augustine would have been well aware of this context<sup>46</sup> – the passage does not identify those of whom one should not even speak. In the passage, Paul listed idolaters, fornicators, and impure persons (ἀκάθαρτος) as those who should be left outside the Christian community.<sup>47</sup> Augustine seems not to have interpreted 'impure persons' to mean adulterers or practitioners of incest (certainly impure), as both are mentioned separately in the passage. What, then, is even worse? The final and most depraved act may have been male/male sex, as in other works Augustine discussed homosexual acts with euphemisms to mark how sinful

<sup>45</sup> Augustine, *De bono coniugali* 8 (CSEL 41.198), trans. FCNT 27.20: 'aut bonum erit et fornicatio, quia est peius adulterium – peius est enim alienum matrimonium uiolare quam meretrici adhaerere – et bonum adulterium, quia est peior incestus – peius est enim cum matre quam cum aliena uxore concumbere – et donec ad ea perueniatur, quae, sicut ait apostolus, turpe est etiam dicere.'

<sup>46</sup> Augustine references Eph. 5:12 in *Ps. c. Don.* 71.7 and *Io. Eu. tr.* 96.5.

<sup>47</sup> Eph. 5:5–14: 'Be sure of this, that no fornicator or impure person, or one who is greedy (that is, an idolater), has any inheritance in the kingdom of Christ and of God. Let no one deceive you with empty words, for because of these things the wrath of God comes on those who are disobedient. Therefore do not be associated with them. For once you were darkness, but now in the Lord you are light. Live as children of light – for the fruit of the light is found in all that is good and right and true. Try to find out what is pleasing to the Lord. Take no part in the unfruitful works of darkness, but instead expose them. For it is shameful even to mention what such people do secretly; but everything exposed by the light becomes visible, for everything that becomes visible is light.'

he considered such unions – however, we cannot draw this conclusion with complete certainty.<sup>48</sup> Perhaps he had something in mind that escapes even the modern imagination. In any case, Augustine’s rhetoric on hierarchical sexual vice shows that not all sinning was equal in terms of pollution, as some types were more serious and damning than others.

One could identify the impure, therefore, by giving definitions of the sanctioned or by creating a hierarchy of sins. Yet such attempts could backfire. Writing in the 390s, Pacian of Barcelona lamented over the difficulties of preaching about sexual vice:<sup>49</sup> ‘All that censuring of abominable behaviour, so clearly stated and often repeated as it was, seems not to have repressed, but rather to have taught licentiousness (*luxuria*).’<sup>50</sup> If a cleric was unlucky, he might find himself the source of inspiration! The other downside was that no cleric wished to be overly keen in discussing sexual vice, as Salvian explained when elaborating on fornication in North Africa: ‘Neither shall I discourse about the individual places, nor discuss all the cities, lest I seem to seek out and investigate with too great zeal what I am talking about.’<sup>51</sup> Clerics had to make sure they were not too interested in the sexual sins they attacked, because this might lead either them or their audience into sin instead of away from it.

Enforcing standards of acceptable Christian sexual behaviour relied on a paradox: everyone’s sexual behaviour mattered on the surface, yet the actions of some were more important than others. On top of this, the type of act committed determined its sinfulness, impurity, and potential harm. Much has been said on late ancient ascetic elites, establishing firmly that chastity was key in building religious *personae* at this time.<sup>52</sup> The laity were also pressured about their sexual habits, yet the consequences of these could range from crucial to trivial. As discussed above, it is difficult to construct detailed lay responses to these ideas, but this book argues that there was

<sup>48</sup> See the discussion on homosexual acts in Chapter 6 below.

<sup>49</sup> The most comprehensive study is Angel Anglada Anfruns and Lisardo Rubio Fernández, eds, *In Paciani episcopi Barcinonensis: opera silva studiorum* (Turnhout: Brepols, 2012). See 457–62 for historiography.

<sup>50</sup> Pacian, *De paenitentia* 1.2 (CCSL 69B.10), trans. FCNT 99.71: ‘tota illa reprehensio dedecoris expressi ac saepe repetiti non compressisse uideatur, sed erudisse luxuriam.’

<sup>51</sup> Salvian, *De gub.* 7.66 (CSEL 8.117), trans. FCNT 3.208: ‘Nec discurram per loca singula, aut cunctas discutiā ciuitates; ne studiose uidear quaerere atque inuestigare quae dicam.’

<sup>52</sup> Lisa Kaaren Bailey, ‘Monks and Lay Communities in Late Antique Gaul: The Evidence of the *Eusebius Gallicanus* Sermons’, *Journal of Medieval History* 32.4 (2006), 315–32; Hagith Sivan, ‘On Hymens and Holiness in Late Antiquity: Opposition to Aristocratic Female Asceticism at Rome’, *Jahrbuch für Antike und Christentum* 36 (1993), 81–93.

pushback and critique. Indeed, the cautions exemplified by Pacian and Salvian suggest that undue clerical preoccupation with sexual excess roused Christians, and not necessarily to act against whatever was being discussed.

Sexual vice, in sum, was a central premise of Christian moralising discourses. It had real-life consequences beyond the sinning individuals, affecting the community and offending the divine. Vice was active, but not all vice was the same: there were nuances, hierarchies, and other factors that determined how harmful sexual sins could be. In response to these forces, an examination of incest will demonstrate that when it came to contaminating sexual vice, clerics often preferred practical solutions to idealistic notions of a completely pure community, where the first course of action was exclusion. Indeed, finding a way towards inclusion was much more beneficial.



## CHAPTER 4

# Keep it Clean

## The Confusing Crime of Incest

In terms of polluting, impure acts, *incestum* was one of the most serious in the plethora of sexual sins. In the early days of Christianity, it was believers themselves who were accused of the crime: due to the Christian terminology of ‘brothers’ and ‘sisters’, pagan sources on early Christians demonstrate befuddlement as to how these people were actually related to one another. Rumours of Christians putting lamps out for the duration of their meetings fuelled the view that these ‘brothers and sisters’ were engaging in secret orgies. A crime ascribed to early Christians was, consequently, incest.<sup>1</sup> These accusations were made against early Christian communities in the West likewise, where Gallic Christians were accused of committing incest in the second century CE.<sup>2</sup> Anyone who committed some form of *incestum* was an outsider to be shunned and alienated.

By the fifth century, Christian kinship terminology was widely understood as a metaphor for spiritual kinship. Salvian noted that ‘some thought the origins of our religion have sprung from the two greatest crimes: first, from murder; then from incest, graver still than murder’.<sup>3</sup> *Incestum* was the vilest act one could commit – even taking a

<sup>1</sup> B. Wagemakers, ‘Incest, Infanticide, and Cannibalism: Anti-Christian Imputations in the Roman Empire’, *Greece and Rome* 57.2 (2010), 337–54, at 338.

<sup>2</sup> Eusebius, *HE* 5.1.14 (PG 20.413), trans. Schott, 228: ‘But some Gentile household slaves belonging to our people were also apprehended, since the governor issued a public order that all of us should be investigated. And they, by Satan’s ambush, dreaded the tortures that they saw the saints suffering, and when the soldiers urged them, they falsely accused us of Thyestean banquets and Oedipean intercourse, and other things it is not right for us to say or think – nor even to believe that anything so wretched ever occurred among human beings.’

<sup>3</sup> Salvian, *De gub.* 4.85 (CSEL 8.95), trans. FCNT 3.121: ‘Siquidem etiam initia ipsa nostrae religionis non nisi a duobus maximis facinoribus oriri arbitrabantur: primum scilicet homicidio: deinde, quod homicidio est grauius, incestu.’

life was preferable. However, none of this explained what, exactly, incest was.

This chapter examines the crime of ‘incest’, first outlining what was meant by the concept and the various traditions that it drew from. Sources on incest in the late Roman West are scarce, painting a picture of a confused concept that was poorly understood, even as it was forcefully condemned. The chapter then examines secular and ecclesiastical legislation against incest, as both imperial and church authorities attempted to tackle the issue. After this, I take on a case study from the letters of Avitus of Vienne, showcasing how rules on incest were being developed, and further that clerics were willing to negotiate the consequences of sexual vice in the face of and in response to lay resistance.

## The Origins of Ancient Incest

A question will run throughout this chapter: what, exactly, is incest? The word derives from *incestus*, signifying impure, unchaste, or unclean – the opposite of *castus*, meaning ritually clean. While *incestus* was conceptualised through ritual impurity, it was also used to signify sex acts or marriages between people who were too closely connected or related to engage in such a relationship with each other. In terms of pollution and defilement, there was no doubt that committing an ‘impurity’ damaged the people involved.

Each ancient culture, however, had its own ideas of what constituted a perilous connection, both for sexual incest and marital incest. Most often sex between parents and children functions as the core definition of incest and is cross-culturally condemned. The Greeks, for instance, had no word for ‘incest’, but Plato nonetheless recognised that an unwritten law prohibited parents from having sex with their children.<sup>4</sup> Indeed, ‘incest avoidance’ can also be found in animals.<sup>5</sup>

<sup>4</sup>Plato, *Laws* 8.838a.

<sup>5</sup>‘Incest avoidance’ has been detected in animals closely related to humans, such as apes, but also in species of fish. This ‘incest avoidance’ theory, known as the Westermarck effect, argues for a psychological revulsion from sexual relationships with immediate family, in which the developmental years of one’s early life eliminate sexual attraction. Named after the Finnish anthropologist Edvard Westermarck, he first argued for the effect in *The History of Human Marriage* (London: Macmillan, 1891). Modern studies have developed his ideas further; see Jonathan H. Turner and Alexandra Maryanski, *Incest: Origins of the Taboo* (Boulder, CO: Paradigm Publishers, 2005); Arthur P. Wolf and William H. Durham, eds, *Inbreeding, Incest, and the Incest Taboo: The State of Knowledge at the Turn of the Century* (Stanford, CA: Stanford University Press, 2005), 30–34, 189–90. For problems in applying the Westermarck theorem, see Wolf and Durham, eds, *Inbreeding*, 121–38.

However, human ideas of relation and kinship are not only biological. People form marital and religious kinships and other types of associations that make sexual or marital relations between two such people ‘impure’ in their specific cultural context.<sup>6</sup> In the late antique era, this culture-specific conception of ‘incest’ drew from Judaic and Roman traditions, to which were added developing Christian interpretations of religious kinship. The most ‘taboo’ versions of incest were universally abhorred: sexual relations between a father and daughter and between a mother and son. However, already with brother/sister incest, there seem to have been regional customs in Egypt and Syria that sanctioned these relationships in the first few centuries CE.<sup>7</sup> Once we move to uncles, aunts, cousins, in-laws, siblings, or twins, and whether one was related through the matrilineal or patrilineal bloodline, ideas of incest show regional, temporal, and cultural variation.<sup>8</sup> Depending on locality, Christian definitions also included relations between a godparent and a godchild.<sup>9</sup> This could be explained through ideas of religious kinship: the spiritual ‘blood’ relationship *consanguinitas* of two people could constitute *incestum*, and the *affinitas* – affinity – of people could make a union between them incestuous.<sup>10</sup> For Christians, *consanguinitas*

<sup>6</sup> W. Arens, *The Original Sin: Incest and its Meaning* (Oxford: Oxford University Press, 1986), provides an examination of cross-cultural practices of incest, arguing for a biological as well as a cultural approach, especially showcasing that cultures defined their own ‘incest’ ideologies which in other contexts would have been strictly forbidden. See also the studies in Turner and Maryanski, *Incest*.

<sup>7</sup> Brother–sister marriage in Roman Egypt has attracted much debate and a sizeable historiography; see Keith Hopkins, ‘Brother–Sister Marriage in Roman Egypt’, *Comparative Studies in Society and History* 22.3 (1980), 303–54; Brent D. Shaw and Richard P. Saller, ‘Close-Kin Marriage in Roman Society’, *Man* 19 (1984), 432–44; Brent D. Shaw, ‘Explaining Incest: Brother–Sister Marriage in Graeco-Roman Egypt’, *Man* 27.2 (1992), 267–99; Walter Scheidel, ‘Incest Revisited: Three Notes on the Demography of Sibling Marriage in Roman Egypt’, *The Bulletin of the American Society of Papyrologists* 32.3–4 (1995), 143–55; Sofie Remijnsen and Willy Clarysse, ‘Incest or Adoption? Brother–Sister Marriage in Roman Egypt Revisited’, *Journal of Roman Studies* 98 (2008), 53–61; J. Rowlandson and R. Takahashi, ‘Brother–Sister Marriage and Inheritance Strategies in Greco-Roman Egypt’, *Journal of Roman Studies* 99 (2009), 104–39. For Syria, see Simon Corcoran, ‘The Sins of the Fathers: A Neglected Constitution of Diocletian on Incest’, *Journal of Legal History* 21.2 (2000), 1–34; for Mesopotamia, see A. D. Lee, ‘Close-Kin Marriage in Late Antique Mesopotamia’, *Greek, Roman and Byzantine Studies* 29 (1988), 403–13.

<sup>8</sup> For incest between twins, see the fragment examined in Nikolaos Gonis, ‘Incestuous Twins in the City of Arsinoe’, *Zeitschrift für Papyrologie und Epigraphik* 133 (2000), 197–98.

<sup>9</sup> Claudia Rapp, *Brother-Making in Late Antiquity and Byzantium: Monks, Laymen, and Christian Ritual* (Oxford: Oxford University Press, 2016), 231–36.

<sup>10</sup> For Roman views, see Ann-Cathrin Harders, ‘*Agnatio*, *Cognatio*, *Consanguinitas*: Kinship and Blood in Ancient Rome’, in *Blood and Kinship: Matter for Metaphor from*

and *affinitas* implied brotherhood, sisterhood, and the interconnectedness of Christians in Christ, forming the basis of *cognatio spiritualis* – spiritual kinship, which connected people who were not related to each other by blood or through marriage.<sup>11</sup>

It is not surprising, therefore, that ‘incest’ could not be universally defined within Christian communities. The only unifying element incest had was that it was a source of disgust; when incest referred to sex between immediate kin, it was often scandalous mythology, and when it occurred beyond this immediate group, it became unclear and problematic, as neither clergy nor laymen were sure who was allowed to marry or have sexual relations with whom.<sup>12</sup> Incest, whether sexual or marital, continued to trouble western clergy with its elusiveness: acts that constituted incest were hard to define, and there was a gap between clerical and secular conceptions of the issue.

The Judaic incest tradition inherited by late antique Christians was both comprehensive and contradictory. Incest was forbidden at length in Lev. 18:6–18, 20:10–21, which covered most forms of incest, although it curiously leaves out father/daughter relations.<sup>13</sup> Despite going to these lengths to forbid the many variations, scripture also contained stories that were not necessarily negative depictions of incest. Lot’s daughters seduced their inebriated father so as to beget children by him (Gen. 19:30–37), while Abraham entered into a union with his patrilineal half-sister, Sarah, and together they had a son, Isaac (Gen. 17:15–16, 21:1–5).<sup>14</sup> The simultaneous prohibition of some incestuous relations but the sanction of others is incongruous.<sup>15</sup> However, the instances of condoned incest are presented in

*Ancient Rome to the Present*, ed. Christopher H. Johnson, Bernhard Jussen, David Warren Sabean, and Simon Teuscher (New York: Berghahn Books, 2013), 18–39.

<sup>11</sup> For the term, see Elizabeth Archibald, *Incest and the Medieval Imagination* (Oxford: Oxford University Press, 2001), xv.

<sup>12</sup> As argued by Arens, *The Original Sin*, there is ambiguity from context to context whether ‘incest’ refers to sex, to marriage, or both. Whereas in modern contexts incest often signifies illicit sex, especially child abuse, late antique ‘incest’ most often refers to a marriage or an act of religious ritual impurity. See continued discussion below.

<sup>13</sup> On this omission, see Archibald, *Incest*, 21. While this could be explained by an argument that Levitical laws were based on the incest stories of Genesis, the rape of Lot by his daughters in Gen. 19:30–37 breaks this pattern – the omission of father/daughter incest in Levitical laws, in other words, remains unexplained. See Calum M. Carmichael, *Law, Legend, and Incest in the Bible: Leviticus 18–20* (Ithaca, NY: Cornell University Press, 1997).

<sup>14</sup> Further examples are Jacob marrying two sisters, Leah and Rachel (Gen. 29:15–30), Nahor marrying his niece (Gen. 11:29), and Tamar having sex with her father-in-law (Gen. 38:13–18).

<sup>15</sup> Judaic sanctions also forbid a father and son having sex with the same woman, which appears to reflect the idea that men related by blood could not ‘share’ a woman – see

a context of biblical mythology and, as in the case of Abraham and Sarah, were directly dictated by God.<sup>16</sup> It should have been clear to a Jewish or an early Christian audience that these instances were part of exceptional narratives and not guidelines for them. Augustine for his part reasoned that in the past such unions had been acceptable out of necessity – in his time they would no longer be sanctioned.<sup>17</sup> Nevertheless, this lack of a coherent narrative troubled religious figures, who were left with the task of explaining this problematic inheritance.

Roman approaches to kinship and incest obscured this legacy further, overriding Christian thinking on the matter.<sup>18</sup> For Romans, committing *incestum* looked beyond blood relations, as a Roman *familia* was not centred around blood ties. Relationships contracted through marriage and adoption also made people ‘relations’,<sup>19</sup> and the second-century jurist Gaius stated that incest would occur whether the relation was through blood or adoption.<sup>20</sup> The laws of the early empire show flexibility, considering whether incest had occurred between immediate kin or not, whether the person through whom a marriage relation had been formed was alive or not, and so forth.<sup>21</sup> To give a well-known example of flexible attitudes to

Gen. 35:22, 2 Sam. 16:20–22. Yet, in direct contrast, we have the story of Onan, who was ordered to sleep with his dead brother’s wife (Gen. 38:8–9). While Onan avoided ejaculating into her, the sex they practised was not condemned, only its conclusion. Brothers sharing a woman seems to have been acceptable, while a father and son could not do the same. These complex networks are not unique to Judaic thought and have been examined in Françoise Héritier, *Two Sisters and Their Mother: The Anthropology of Incest* (New York: Zone Books, 1999).

<sup>16</sup> The links between old Jewish stories and Levitical incest laws are examined in length in Carmichael, *Law, Legend, and Incest*.

<sup>17</sup> Augustine, *De ciuitate Dei* 15.16 (CCSL 48.478): ‘et cum sorores accipere in matrimonium primis humani generis temporibus omnino licuerit, sic auersetur, quasi numquam licere potuerit’ = ‘In the first ages of the human race, it was generally permitted to take a sister in marriage; but this practice is now so much deplored that it is as though it could never have been lawful’; trans. Dyson, *The City of God Against the Pagans* (Cambridge: Cambridge University Press, 1998), 666.

<sup>18</sup> The most comprehensive study of Roman attitudes to incest is Philippe Moreau, *Incestus et prohibita nuptiae: conception romaine de l’inceste et histoire des prohibitions matrimoniales pour cause de parenté dans la Rome antique* (Paris: Les Belles Lettres, 2002).

<sup>19</sup> On the composition of a Roman *familia* and *domus*, see the discussion in Richard P. Saller, *Patriarchy, Property and Death in the Roman Family* (Cambridge: Cambridge University Press, 1994), 74–95. For punishments for *incestum* in Roman law, see Gardner, *Women in Roman Law and Society*, 125–27; Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford: Clarendon Press, 1991), 37–39.

<sup>20</sup> Gaius, *Inst.* 1.59. See also *Lex Iulia* on incest, in Thomas A. McGinn, *Prostitution, Sexuality and the Law in Ancient Rome* (Oxford: Oxford University Press, 1998), 140–47.

<sup>21</sup> See the discussion in Paul Hartog, “‘Not even among the pagans’ (1 Cor 5:1): Paul

*incestum*, Emperor Claudius changed the law to allow marriage to his niece through his brother Germanicus, a law that was not repealed until 342, when both paternal and maternal uncles were forbidden to marry their nieces.<sup>22</sup> Claudius might have been able to change the law to suit his needs, but his incestuous union was still scandalous: Tacitus later recorded the unique circumstances that led to the marriage, including measures taken to purify Rome of the defilement it had caused.<sup>23</sup> One could push the boundaries of *incestum* only so far before divine retribution was incurred.

Christian writers agreed that incest was an exceptionally horrific and immoral vice. Orosius is exemplary of this: he recorded many episodes of incest in the *Historiae*, including the corruption of Vestal Virgins, linking the concept with both sexual vice and religious purity.<sup>24</sup> However, *incestum* did not always have a religious connotation, as evidenced by Orosius's further examples. He recorded the Assyrian queen Semiramis as having sex with her son; the Persian king Darius marrying his sister; a similar scenario in the Egyptian courts; Caligula having sex with his sisters; Nero having sex with his mother and sister; and finally Caracalla marrying his stepmother.<sup>25</sup> Accusations of incest were popular invective when constructing 'bad' emperors and rulers, and apart from Caracalla and the Vestal Virgins, all of Orosius's chosen examples involved incest within the nuclear family – the most abhorred kind. Three of Orosius's incest stories involved mother/son incest,<sup>26</sup> which is often perceived as more taboo than other incestuous

and Seneca on Incest', in *The New Testament and Early Christian Literature in Greco-Roman Context: Studies in Honor of David E. Aune*, ed. John Fotopoulos (Leiden: Brill, 2006), 51–63, at 55–57.

<sup>22</sup> *C.Th.* 3.12.1. It should be noted, of course, that this uncle–niece marriage occurred among a social and imperial elite and was exceptional. See C. M. C. Green, 'Claudius, Kingship and Incest', *Latomus* 57.4 (1998), 765–91.

<sup>23</sup> Tacitus details the union in length in *Annales* 12.5–8.

<sup>24</sup> Tim Cornell, 'Some Observations on the «crimen incesti»', in *Le Délit religieux dans la cité antique: table ronde, Rome, 6–7 avril 1978*, ed. Mario Torelli (Rome: École française de Rome, 1981), 27–37.

<sup>25</sup> Orosius, *Historiae* 1.4.7–8 for Semiramis; for Vestal Virgins 3.9.5, 4.2.8, 4.5.9, 5.15.22, 6.3.1; for Darius 3.16.9; for Ptolemy 5.10.6–7; for Caligula 7.5.9; for Nero 7.7.2; for Caracalla 7.18.2. Cf. *Historia Augusta* which records the same story about Caracalla (10.1–4), mistaking, as does Orosius, Julia Domna for his stepmother rather than his mother.

<sup>26</sup> The first involves Semiramis and her son (*Historiae* 1.4.7–8); the second is the famed Oedipus, whose story Orosius claims to omit, though he hastens to mention that he was the brother of his own children (*Historiae* 1.12.9); and the last is the aforementioned record of Nero and his mother (*Historiae* 7.7.2). The Roman reception of Semiramis contains other sexual notions; for instance, Ammianus Marcellinus credited her as the first person to castrate youths in *Res gestae* 14.6.17.

relations due to phylogenetic factors.<sup>27</sup> This in particular might explain why it was featured so often in invective – it was more shocking than other kinds of incest. These acts were, for Orosius and his readers, ultimate manifestations of uncontrollable lust and lack of virtue, breaking moral and natural boundaries.

Even so, there was clearly something appealing about stories of incest as an illicit, alien experience. Christian writers worried over accidental incest, especially within the nuclear family: the exposure of unwanted children, Justin Martyr and Minucius Felix worried in the second and third centuries, might result in parents accidentally getting involved with their abandoned children once they grew up.<sup>28</sup> This fascination with incest was to be a recurring theme, to the extent that even saints were said to be born of incestuous unions in medieval hagiographies.<sup>29</sup> Yet credible cases of sexual incest within a traditionally defined nuclear family are not recorded in our sources, if we discount mythical legends and invective – prohibitions against this kind of child sex abuse emerge later and from regions not examined in this study.<sup>30</sup> This is not to say that such incest did not happen, but that evidence of this kind of sexual abuse is hard to find.

While Christians worried about incest within a nuclear family – thus matching our modern definition – this was far from the most common manifestation of this vice. In fact, nearly all discussions of ‘incest’ related to marital incest within one’s kinship network. This was an enduring problem in the late antique West, as demonstrated by extensive imperial and ecclesiastical efforts to legislate against it – especially in Gaul. This aimed to reduce obscurity around the issue and to better confront and eliminate this

<sup>27</sup> Sibling incest is facilitated by sex role segregation within family units, whereas father/daughter incest is mostly deterred by cultural abhorrence rather than biological factors. From this it follows that mother/son incest is often the most taboo because of the perceived nurturing relationship that a mother has with an infant son. For these views, see Turner and Maryanski, *Incest*, 75–81.

<sup>28</sup> Justin Martyr, *Apologia* 27; Minucius Felix, *Octavius* 31. See also the argument that child abandonment was addressed and supported by the rise of ascetic communities where such children were left: John Boswell, *The Kindness of Strangers: The Abandonment of Children in Western Europe from Late Antiquity to the Renaissance* (Chicago: University of Chicago Press, 1998), 138–79; for opposing views, see Ville Vuolanto, *Children and Asceticism in Late Antiquity: Continuity, Family Dynamics, and the Rise of Christianity* (Aldershot: Ashgate, 2015), 131–33.

<sup>29</sup> Archibald, *Incest*, 235. See also Geert Jan Van Gelder, *Close Relationships: Incest and Inbreeding in Classical Arabic Literature* (London: I. B. Tauris, 2005).

<sup>30</sup> Welsh and Anglo-Saxon penitentials from the sixth and seventh centuries prescribe punishments for sex within the nuclear family – see Payer, *Sex and the Penitentials*, 31–32.

polluting vice, yet overall the evidence of these efforts being welcomed is slight.

## Regulating Incest

The many legacies of incest were difficult to explain to Christian communities, but this did not stop various bishops and lawmakers from attempting to do so. For Romans, unease marked marriages between people who were too closely related, but studies have also argued that no stigma was attached to marriages between first cousins, which were probably quite common in Rome.<sup>31</sup> Nevertheless, Augustine was relieved that by the early 420s such cousin marriages were becoming rare, which he credited to the more refined moral intuition of Christians:

We have also found that, for moral reasons, marriages between cousins (*consobrinarum*)<sup>32</sup> are rare even in our own times, because, even though such marriages are permitted by the law, the degree of kinship involved in them is only one step away from that of brother and sister. Such marriages were not prohibited by divine Law, and they have not yet been forbidden by human law either; but abhorrence was felt for an act which, though lawful, bordered on the unlawful because marriage with a cousin seemed to be almost the same as marriage with a sister. For cousins are called brothers and sisters even among themselves, because of the closeness of their blood relationship (*consanguinitatem*), which is almost that of full brothers and sisters.<sup>33</sup>

Augustine expressed some dismay that imperial law and current church sanctions fell short on the question of cousin marriages, as ideally these would not be sanctioned at all.

<sup>31</sup> Lennon, *Pollution and Religion*, 74–75.

<sup>32</sup> It is unclear why Augustine used the feminine *consobrinarum* here, and not the masculine *consobrinorum*. The term *consobrinus/consobrina* designates a first cousin. Historically, there was an inclination for the term to refer to a cousin through one's mother's side; however, it gradually began to be used for both patrilineal and matrilineal cousins. Augustine's use of the feminine here might be emphasising the object of the marriage – the woman – from a masculine perspective. For the terminology, see Archie C. Bush, 'Consobrinus and Cousin', *The Classical Journal* 68.2 (1972), 161–65.

<sup>33</sup> Augustine, *De ciuitate Dei* 15.16, trans. Dyson, *City of God*, 666–67: 'Experti autem sumus in conubiis consobrinarum etiam nostris temporibus propter gradum propinquitatis fraterno gradui proximum quam raro per mores fiebat, quod fieri per leges licebat, quia id nec diuina prohibuit et nondum prohibuerat lex humana. Uerum tamen factum etiam licitum propter uicinitatem horrebatur inliciti et, quod fiebat cum consobrina. paene cum sorore fieri uidebatur; quia et ipsi inter se propter tam propinquam consanguinitatem fratres uocantur et paene germani sunt.'



Augustine was, however, wrong about the legality of cousin marriages when he wrote Book 15 of *De ciuitate Dei* some time between 420 and 425. At least a decade earlier in 409, Theodosius II and Honorius had decreed that one could not marry within the fourth degree – that is, one’s first cousin. However, if such a union had been thoughtlessly entered into, a supplication to the emperor could bring pardon.<sup>34</sup> Importantly, the ruling was a reaffirmation of a law passed by Theodosius I, though this law has been lost. Theodosius I, then, had issued a law forbidding first-cousin marriages some time during his reign from 379 to 395. Furthermore, in 396, Arcadius and Honorius had decreed that one could not inherit or pass on inheritance through an incestuous union, including to a cousin.<sup>35</sup> Writing in North Africa in the first half of the 420s, Augustine first displayed ignorance of these laws, but then corrected himself a few lines later: ‘Who would doubt, however, that the state of things at the present time is more virtuous, now that marriage between cousins is prohibited?’<sup>36</sup> While Augustine counted this as an improvement, he had momentarily forgotten it himself as he was writing. If Augustine was at times confused, lay Christians were likely to be even more so. The significance of this will be discussed in due course.

Many laws in the Theodosian Code, which came into effect in 438/9 for East and West respectively, dealt with incest, restricting who could marry whom.<sup>37</sup> The law of 342 repealing Claudius’s adjustment so that he could marry his niece has already been mentioned, but a law from 355, issued by the emperors Constantius and Constans in Rome, restricted relations further, forbidding men from marrying their sisters-in-law, whether a former wife’s sister or a brother’s wife.<sup>38</sup> The emperors Honorius and Theodosius II repeated this in 415 with a law issued in Constantinople, banning a woman from marrying two brothers as well.<sup>39</sup> Children born from incest were also given limited legal rights by emperors,<sup>40</sup> but Christian texts do not discuss or consider the children of these unions. Legislative thinking on incest, both canonical and legal, remained incomplete.

<sup>34</sup> *C.Th.* 3.10.1.

<sup>35</sup> *C.Th.* 3.12.3. The incestuous unions forbidden in the law include marriages with a man’s cousin, with his niece (whether through a sister or brother), and with women previously married to his kinsmen, such as a brother’s widow.

<sup>36</sup> Augustine, *De ciuitate Dei* 15.16, trans. Dyson, *City of God*, 667 – see n. 82: ‘Uerum quis dubitet honestius hoc tempore etiam consobrinorum prohibita esse coniugia?’

<sup>37</sup> On the history of the Theodosian Code, see Harries and Wood, *The Theodosian Code*; Matthews, *Laying Down the Law*.

<sup>38</sup> *C.Th.* 3.12.2.

<sup>39</sup> *C.Th.* 3.12.4.

<sup>40</sup> See Judith Evans-Grubbs, ‘Making the Private Public: Illegitimacy and Incest in Roman Law’, in *Public and Private in Ancient Mediterranean Law and Religion*, ed. Clifford Ando and Jörg Rüpke (Berlin: De Gruyter, 2015), 115–41, esp. 127–36.

When surviving legislation is examined chronologically, imperial laws expand restrictions set by their predecessors, aiming to close loopholes left by previous laws. However, as these laws were issued in different locations and were edited for the Theodosian Code, they could also reflect local scandals and confusion, details of which have been lost. Even if this is the case, the Code's compilers were somewhat systematic in the laws they edited on incestuous marriages, moving towards clearer and more thorough definitions. There is no mention, however, of sexual incest, as the laws only considered marriages.<sup>41</sup> Whether imperial laws on incest were haphazard or not, repeated laws on different types of incestuous unions show that illegitimate partnerships were typical arrangements: it was common to marry within one's extended family, yet this behaviour was increasingly discouraged and marginalised.

Church canons and thinking on incest developed at this time as well, but whereas imperial approaches focused on preventing marital incest, ecclesiastical authorities were more concerned with punitive measures after the misstep had already occurred. The early fourth-century Council of Elvira decreed that a man who married a stepdaughter had committed incest and was not to receive communion even at his death.<sup>42</sup> In 402, the Council of Rome decreed that a man was not allowed to marry his uncle's wife, declaring it to be fornication, but stating that reconciliation with the church was possible if the couple separated and penance was performed.<sup>43</sup> There likely were local incidents that inspired such canons, but these restrictions did not tackle incest more broadly. This changes, however, when we examine the extensive measures taken against incest in the Gallic Church in the early sixth century.

In 506, a council was called in the southern Gallic town of Agde, presided over by Caesarius of Arles at the behest of Alaric II – this was the first church council to take place in the post-Roman kingdoms of what had been the Western Empire. Despite this political background, the council was largely pastoral in its concerns, focusing greatly on the appropriate behaviour of the clergy, but also the conduct of the laity.<sup>44</sup> Canon 14 of this council considered the matter of incest at length:

<sup>41</sup> See Chapter 7 for *stuprum*, which these acts might have fallen under.

<sup>42</sup> See Elvira, Canon 66 (Mansi 2.15–16): 'Si quis priuignam suam duxerit uxorem, eo quod sit incestus, placuit nec in finem dandam esse communionem.'

<sup>43</sup> Rome 402, Canon 11 (Mansi 3.1138): 'Auunculi filiam ducere non licet, quoniam similis causa generando per gradus patris extranei separatur atque purgatur: retro autem redire sas non est. Nam qui totum patris uel matris uiolare praesumpserit, non hoc coniugium, sed fornicatio nominator. Quique tamen contra canones apostolicos facere usurpauerit, priuandus est sacerdotio, si pertinax fuerit: sin uero se correxerit, aboleatur quod praesumptum est, ut possit reconciliatus nostrum habere consortium.'

<sup>44</sup> Klingshirn, *Caesarius of Arles*, 97–104, provides a succinct overview.

Concerning incestuous unions, we allow them no pardon, unless the offending parties cure the adultery (*adulterium*) by separation from each other. We deem incestuous persons unworthy of any name of marriage, and deadly to be mentioned.<sup>45</sup> For they are such as these: if any one pollutes (*polluerit*) his brother's widow, who was almost his own sister, by carnal knowledge; if anyone takes to wife his own sister; if anyone marries his stepmother; if anyone joins himself to his full cousin; if anyone marries the widow or daughter of his maternal uncle, or the daughter of his paternal uncle, or his stepdaughter; if a man marries anyone nearly allied to him by consanguinity, or one whom his near kinsman had married before. All which, both previously and now, under this constitution, we do not doubt to be incestuous: and we enjoin them to remain and pray with the catechumens, until they make lawful satisfaction. We prohibit these things in such a manner for the present time that we do not dissolve those who, up until now, have set themselves up. And they who are forbidden such unlawful unions shall have liberty to marry more agreeably to the law.<sup>46</sup>

The canon goes to some lengths to list all the different types of unions that were considered incestuous, emphasising their impure nature. The canon provided a male perspective, presenting a man's marital options and placing the onus on him to ensure that he settled on an acceptable marriage partner. Ambiguity remained: a man could not marry anyone 'nearly allied to him by consanguinity', but who fell under this definition was not clarified. Even so, this kind of incest polluted – *polluerit* – the people involved.

The clergy at Agde expounded a clear punishment: anyone caught in such affairs was expected to join the catechumens until they had performed penance. This demotion would have been visible during church services,

<sup>45</sup>This appears to be a reference to incest being a mortal vice – as such, even mentioning it is dangerous to one's soul.

<sup>46</sup>Council of Agde, c. 14 (61) (CCSL 148.227): 'De incestis coniunctionibus nihil prorsus ueniae reseruamus, nisi cum adulterium separatione sanauerint. Incestos uero nullo coniugii nomine deputandos, quos etiam designare funestum est. Hos enim esse censemus, si quis relictam fratris, quae pene prius soror exstiterat, carnali coniunctione polluerit, si quis frater germanam uxorem acceperit, si quis nouercam duxerit, si quis consobrinae se sociauerit, si quis relictae uel filiae auunculi misceatur aut patruī filiae uel priuignae suae aut, qui ex propria consanguinitate aliquam aut, quam consanguineus habuit, concubitu polluat aut duxerit uxorem. Quas omnes et olim atque sub hac constitutione incestos esse non dubitamus et inter caticuminos usque ad legitimam satisfactionem manere et orare praecipimus, quod ita praesenti tempore prohibebimus, ut ea, quae sunt hactenus instituta, non dissoluamus. Sane quibus coniunctio illicita interdicatur, habebunt ineundi melioris coniugii libertatem.' Translation adapted from Joseph Bingham, *Origines ecclesiasticae; or the Antiquities of the Christian Church*, vol. 7 (London: William Straker, 1840), 283–84.

when catechumens were allowed limited participation, as well as being restricted to certain spaces within the church – as such, those practising incest would have been publicly marked out, demoted, and shamed.<sup>47</sup> However, we might question what impact the council had on wider Gallic society. Gregory Halfond has noted the difficulty of exercising episcopal control in southern Gaul at this time due to ongoing conflict among different political factions, which curbed the authority of the council's presider Caesarius.<sup>48</sup> Indeed, Alaric II died not too long after the council, at Vouillé in 507. These shifting power relations proved important for the evolution of the Gallic incest canons, as will be soon examined, placing the development of Christian moral thought, once more, into the wider context of unrest and warfare. As to why the clerics at Agde thought it important to legislate extensively against incestuous marriages, we cannot say – whatever context prompted the legislation is lost, although it is likely that the convened clerics were responding to specific lay behaviours.

Over the fifth and into the sixth century there was nevertheless some success in limiting marital incest. The Council of Agde forbade marriages between cousins, which Augustine had discouraged in his sermons nearly a century earlier. These rulings now became canon law in at least one part of the Christian world – this might reflect the increasing public disdain that Augustine had already hinted at. The problem of 'incest' was not, however, solved by a single canon.

The confused nature of incest is reflected by its categorisation as both marriage and non-marriage. The 402 Roman canon described incestuous marriages as *fornicatio*, perhaps seeking to overturn anyone's erroneous assumption that this was a legitimate marriage – it was no marriage at all. The 506 canon from Agde called the practice *adulterium*, which could be interpreted as the church acknowledging that these unions were a type of marriage in which the spouses were (bizarrely) committing adultery with each other. While the logic is questionable, the canon allowed already married couples to stay together, showing that historical unions were tolerated and acknowledged as legitimate, even if distasteful. This quasi-recognition would not prove a lasting stance: in 539 CE, Justinian's legislation refused inheritance rights to those born of incest, even legislating that

<sup>47</sup> For the ritual use of church spaces, see Robin M. Jensen, 'Ancient Baptismal Spaces: Form and Function', *Studia Liturgica* 42.1–2 (2012), 108–29. For these rituals in late antique Gaul, see Bailey, *Religious Worlds of the Laity*, 107–11. For catechumens in North Africa, see William Harmless, *Augustine and the Catechumenate* (Collegeville, MN: Liturgical Press, 1995); Matthieu Pignot, *The Catechumenate in Late Antique Africa (4th–6th Centuries): Augustine of Hippo, His Contemporaries and Early Reception* (Leiden: Brill, 2020).

<sup>48</sup> Gregory Halfond, *Archaeology of Frankish Church Councils, AD 511–768* (Leiden: Brill, 2010), 6.

such children should not be reared, noting that incestuous unions *non enim uocabimus nuptias*.<sup>49</sup> Were such people in a legally recognised marriage? According to the laws of Justinian, no. However, this does not mean that the spouses themselves would have agreed with such an assessment.

The 506 canon of Agde was repeated, with some changes, by the Council of Epaone in 517, and in between the Council of Orléans in 511 forbade a man from marrying his brother's widow or his first wife's sister. This 511 canon further decreed that anyone who entered into an incestuous marriage as outlined by the council would be struck with ecclesiastical severity (*ecclesiastica districtione*), but it does not specify what such a punishment meant in practical terms.<sup>50</sup>

Importantly, all of these councils took place in different political realms: Visigothic in 506, Frankish in 511, and Burgundian in 517. The fragmentation – or reshaping – of Gaul under new rulers impacted ecclesiastical structures. Different localities had to legislate their own conciliar rulings on incest, only years after a nearby region had done so, because they were now part of a different post-Roman kingdom.<sup>51</sup> This further highlights the difficulty of pushing through a wide-scale reform on incestuous marriage: regional fragmentation limited progress and effective guidance. Early sixth-century Gallic councils were nevertheless taking a stance against marital incest across political divides. It is not a surprise that pastoral concerns were similar from one council to the next: not only did the clerics in Orléans in 511 and those in Epaone in 517 have in their possession the canons of Agde from 506,<sup>52</sup> but many of the same clergy attended both Agde and Orléans, finding themselves in a Frankish kingdom in 511 instead of the Visigothic one in 506. The repetition of canons at the two councils 'probably reflects an attempt to address some of the specific concerns of the Aquitainian prelates'.<sup>53</sup> Incest, legislated against at both councils, was one of these concerns. Political boundaries did not, therefore, prevent wider ecclesiastical circulation and possession of canons, nor shared pastoral

<sup>49</sup> *Nov.* 89.15: 'Primum quidem omnis qui ex complexibus (non enim uocabimus nuptias) aut nefariis aut incestis aut damnatis processerit, iste neque naturalis nominatur neque alendus est a parentibus neque habebit quoddam ad praesentem legem participium.'

<sup>50</sup> Council of Orléans, Canon 18 (CSSL 148A.9–10): 'Ne superstis frater torum defuncti fratris ascendat, ne sibi quisque amissae uxores sororem audeat sociare. Quod si fecerint, ecclesiastica districtione feriantur.' Council of Epaone, Canon 30 (CSSL 148A.31–32) will be discussed below.

<sup>51</sup> For the political nuances of these councils, see Rossana Barcellona, 'Concili "nazionali" e sotterranee rivoluzioni. Agde 506, Orléans 511, Épaone 517', *Reti medievali rivista* 18.1 (2017), 41–66.

<sup>52</sup> Klingshirm, *Caesarius of Arles*, 103.

<sup>53</sup> Halfond, *Archaeology*, 188.

concerns over marital incest. Shifting political boundaries did, however, mean that the same issues had to be legislated for several times.

The issue of incest, therefore, was larger than the politics of the time and likely predated the new political forces controlling Gaul. Indeed, for many lay Christians, incestuous unions across Gaul were simply marriages.

The development of stricter incest regulations and increased prohibitions, in secular and ecclesiastical spheres alike, has been seen as a result of the influence of Christianity – a reasoning which overlooks the influence of non-Christian voices.<sup>54</sup> The effect that these restrictions had on incest has been argued both ways: they either disrupted Roman social continuity or, on the other hand, they did not revolutionise Roman marital patterns in any significant way.<sup>55</sup> To say that these rules had no impact at all is false, but it is impossible to estimate just how many lives were affected. The Council of Agde reflects an accommodating stance on the matter, allowing existing marriages to continue but stating that in the future such spouses would be asked to separate: Gallic communities needed a transitory period.

This transitory period was not a foolproof plan. Creating communities where some remained married to their cousins, for instance, while others were not allowed to marry theirs was confusing. Furthermore, in a nearby kingdom such canons would not necessarily exist, or only emerged later. Indeed, marital incest continued to be legislated against in eighth-century Gallic councils, indicating that the custom had not been eradicated.<sup>56</sup> It is not entirely surprising, then, that we find lay Christians contesting the restrictions placed upon them already in the early stages of these conciliar rulings, revealing the limitations of imposing moral codes on Christian communities.

## A Scandal in Vienne, Part 2: Vincomalus's Incestuous Marriage

A unique set of letters from the corpus of Avitus of Vienne, composed some time in the mid-510s, details a local incest case.<sup>57</sup> The first, *Epp.* 16, was written by Victorius, bishop of Grenoble. He approached his metropolitan Avitus about an incest case that had taken place in his town: a man had

<sup>54</sup> For the debate on the overriding influences, see Evans-Grubbs, *Law and Family in Late Antiquity*, 317–42; Moreau, *Incestus et prohibita nuptiae*, 302–29. See also John Howard Fowler, 'The Development of Incest Regulations in the Early Middle Ages: Family, Nurture, and Aggression in the Making of the Medieval West', PhD thesis, Rice University, 1981.

<sup>55</sup> Shaw and Saller, 'Close-Kin Marriage', 432–37.

<sup>56</sup> Halfond, *Archaeology*, 152, 208.

<sup>57</sup> Avitus, *Epp.* 16–18; Shanzer and Wood, eds, *Avitus of Vienne*, 285–90. The contents of these letters have also been examined in Ian Wood, 'Incest, Law and the Bible in Sixth-Century Gaul', *Early Medieval Europe* 7.3 (1998), 291–303.

married his dead wife's sister and was not denying the charge, and Victorius was unsure how to punish the couple. Avitus wrote back to the bishop (*Ep.* 17), stating: 'Even a layman cannot fail to be aware that a marriage born of close kinship cannot occur without a great stain (*sine grandi macula*).'<sup>58</sup> Avitus linked incest with defilement – this time, it was thought to stain. Avitus handed down a sentence: the couple must separate and be sequestered from the church for a while. If they refused to obey, they should be excommunicated until they separated and underwent public penance. Yet Avitus's assumption that even laymen knew that such marriages were tainting was soon proven wrong.

*Ep.* 18 to Victorius details Avitus's confrontation with the incestuous (and angered) layman Vincomalus, who had travelled from Grenoble to Vienne to complain about Avitus's ruling. According to Avitus, when he attempted to explain the situation, the layman 'emitted a groan – not of compunction, but of confusion'.<sup>59</sup> Vincomalus had been married to the sister of his first wife for thirty years – there was nothing in the first letter to indicate that the incestuous union was so long-standing. This meant that Vincomalus had married his second wife some time from the mid-480s to early 490s. This raises the question: should the parties involved have known this was marital incest?

Constans and Constantius had forbidden marrying a sister-in-law in 355, and this legislation had been repeated in 415 by Honorius and Theodosius II – both of these laws had become applicable empire-wide with the Theodosian Code in the 430s.<sup>60</sup> Neither Avitus nor Vincomalus were, however, living in the Roman Empire, but in the kingdom of the Burgundians. The making of the *Lex Burgundionum* had started in the reign of Gundobad (474–516) and was completed under his son Sigismund (516–524). The code considered this type of incest:

If anyone has been taken in adultery with his relative or with his wife's sister, let him be compelled to pay her wergild, according to her status, to him who is the nearest relative of the woman with whom he committed adultery; and let the amount of the fine be twelve solidi. Further, we order the adulteress to be placed in servitude to the king.<sup>61</sup>

<sup>58</sup> Avitus, *Ep.* 17.2 (= Malaspina 14.2, 41–42): 'quis enim uel laicus non aduertat, non sine grandi macula fieri de affinitatis propinquitate coniugium?'

<sup>59</sup> Avitus, *Ep.* 18.4 (= Malaspina 15.4, at 44): 'non conpunctus, sed confusus ingemuit'.

<sup>60</sup> *C.Th.* 3.12.2 and *C.Th.* 3.12.4, respectively.

<sup>61</sup> *Lex Burgundionum* xxxvi (MGH LL. Nat. Germ. 2.1.69), 'Si quis cum parente sua uel uxoris suae sorore in adulterio fuerit deprehensus, pretium suum ei, qui est proximus mulieri quam adulterauerat, prout persona fuerit, cogatur exsoluere, multae nomine solidos XII; adulteram uero subdi iubemus ragiae seruituti', trans. Fischer Drew, 46.

Imperial and regal laws do not appear to be on Vincomalus's side – yet we cannot confidently date this Burgundian law. The exact year of this incest scandal is likewise unknown, but a date of c. 516/517 has been suggested.<sup>62</sup> Even with this precision, it is impossible to say if the marriage pre- or post-dates the Burgundian incest laws. This might well also be inconsequential: Burgundy had a two-tier legal system, with Roman laws applicable to Gallo-Romans compiled in the *Lex Romana Burgundionum*, and Burgundian laws applicable to Burgundians compiled in the *Lex Burgundionum*.<sup>63</sup> While Roman law ruled against marrying one's sister-in-law, and the *Lex Burgundionum* also perceived relations with a wife's sister as unlawful, the *Lex Romana Burgundionum* legislated on adultery, remarriages, sexual assault, and more, but not on this kind of incest. Vincomalus, if he was a Gallo-Roman, may have been in the clear – but not, of course, in the eyes of the church.

The Council of Agde in 506 had not prohibited marrying a sister-in-law, but the Council of Orléans in 511 had. If we place, therefore, the incest case to c. 516/517, at least one recent canonical ruling against such a union existed in a nearby kingdom – but no ecclesiastical precedent existed in Burgundy, from what we know, in the 510s or indeed in the 480s or 490s, when the pair married. Canon 18 at Orléans had threatened incestuous couples with the vague *ecclesiastica districtione*, and it was Avitus who put this into something more concrete in 517: a forced separation under threat of excommunication. Notably, the Council of Agde had not forced historical incestuous spouses to separate, but the council had not listed a man marrying his sister-in-law either. Avitus gave a harsher judgement than either of the two preceding canonical rulings in former Roman Gaul at the time.

*Ep.* 18 states that someone in Grenoble had raised the issue of Vincomalus having married his first wife's sister. It is unclear why someone raised the alarm after such a long time; the first letter only relates that it was a fellow lay Christian who initially accused Vincomalus. However, it is now easy to see why Vincomalus had a hard time regarding his marriage as incestuous: his first wife must have died at a reasonably young age, as Vincomalus was still alive after a thirty-year remarriage, and Vincomalus's second marriage had very likely lasted far longer than his first. Vincomalus's attempts to appeal to the longevity of his union therefore were not entirely moot if no stipulation against such a union had been in place thirty years earlier in the kingdom of Burgundy.

Vincomalus clearly managed to evoke some episcopal sympathy: Avitus relaxed the initial punishment by revoking the need for public penance,

<sup>62</sup> Shanzer and Wood, eds, *Avitus of Vienne*, 285.

<sup>63</sup> See Shanzer and Wood, eds, *Avitus of Vienne*, 4–5.



which would have been a humiliating ordeal for Vincomalus and his wife. A divorce, he decided, would do.

Ian Wood has interpreted Gallic incest scandals as reflecting implicated individuals falling victim to rumours, but to see this as an example of late antique gossip would sell it short.<sup>64</sup> The episode is suggestive of a much larger problem: many Christians were not aware of the church's rules on incest, and the introduction of legislation confused people's marital unions even further. Indeed, we might question to what extent lay Christians were aware of canons relating to their sexual and marital habits at all. Furthermore, the bishop of Grenoble's referral of the case to Avitus demonstrates a confusion within the clergy likewise: Victorius did not know what the church's standing on marital incest was, although it was clear to him that incest had been committed. Avitus then issued a sentence that was stricter than anything that Gallic councils had previously ordered. Upon being given this decision, Vincomalus struggled to comprehend rules that he must have regarded as foreign and irrelevant to his personal circumstances.

Vincomalus's incestuous marriage was likely instrumental in developing canon law, alongside the more high-profile case of a man named Stephanus, a Burgundian official who also had married his dead wife's sister and whose case inspired the convening of the Council of Lyon in 518/519.<sup>65</sup> In 517, the Council of Epaone convened under the watchful eye of Avitus, from which the tentative dating of the letters derives. Many have seen the incest legislation of Epaone as deriving from the case of Vincomalus, not unreasonably.<sup>66</sup> However, as already noted, Canon 30 issued at Epaone in 517 was based on Canon 14 from Agde in 506.<sup>67</sup> Ian Wood's examination of Gallic incest laws omits this when he credits Epaone as a turning point in creating extensive incest legislation.<sup>68</sup> Epaone's legislation was,

<sup>64</sup> Wood, 'Incest, Law and the Bible', 300.

<sup>65</sup> For the case of Stephanus, see Paul Mikat, *Die Inzestgesetzgebung der merowingisch-fränkischen Konzilien (511–626/27)* (Paderborn: F. Schöningh, 1994), 106–15; and Halfond, *Archaeology*, 62.

<sup>66</sup> Shanzer and Wood, eds, *Avitus of Vienne*, 286; Wood, 'Incest, Law and the Bible', 297–99.

<sup>67</sup> Council of Epaone, Canon 30 (CCSL 148A.32).

<sup>68</sup> Wood is aware of the canon in Orléans in 511 but makes no mention of Agde. Instead, he says: 'The canons of Epaone are unusual in the space they devote to the matter of incest. Certainly incest had been discussed at earlier councils, notably by Clovis's bishops at Orléans (511). But there the bishops had been content simply to state that no man should marry his brother's widow, or his dead wife's sister. By contrast the Epaone list is extensive' ('Incest, Law and the Bible', 296–97). However, Epaone was not more extensive than Agde in the number of incestuous types identified – instead it changed marrying a sister to marrying a wife's sister.

in fact, shorter than that issued at Agde, leaving out marriages forbidden by consanguinity. However, there was a subtle change that now forbade marrying one's sister-in-law:

Agde 506, Canon 14:

si quis frater germanam uxorem  
acceperit

Epaone 517, Canon 30:

si quis frater germanam uxoris suae  
accipiat

The change of *germanam uxorem* to *germanam uxoris* introduced Vincomalus's plight, and the addition of *suae* reinforced this interpretation. It is very likely that Avitus and actual cases of incest were behind this change. After all, as Avitus knew, there was confusion about marrying one's sister-in-law, not only among the laity but within clerical ranks. However, at Epaone such incestuous unions were once again allowed to persist, if the marriage had begun before the issuing of the canon.<sup>69</sup>

We do not know what became of Vincomalus nor whether this 517 canon affected his circumstances in any way. Perhaps Avitus had realised that he had been too harsh, or the canon simply mimicked the punishments deemed appropriate at Agde. Whatever the motivation, Vincomalus and the Council of Epaone offer a rare example of a scandal that directly shaped canon law.

While these lay misdeeds cannot be quantified, we should not think that this was the only time that real events lay behind a canon on late ancient sexual norms. As argued by Halfond for Frankish councils, applicable here to a Burgundian one: 'councils, no less than their judicial decisions, were reactions to events and circumstances outside the assembly hall'.<sup>70</sup> Halfond goes on to point out, however, that these concerns did not necessarily match the concerns of lay Christians – here, Vincomalus exemplifies the point and demonstrates lay reception and resistance. Conciliar rulings stemmed from clerics with ascetic leanings who, for the most part, lived ascetically influenced continent lives. Because of their own ascetic preoccupations, they focused on congregants' shortcomings in this regard – and incest, no matter how obscure a concept, was a 'great stain' and a severe impurity. Yet this was not solely a 'top-down' development where the laity had no impact on what was being decreed. Clerical ideals of Christian behaviour were in direct dialogue with the laity, who were active participants in forming relationships between the church and their communities.<sup>71</sup> Vincomalus is a fitting example of this dialogue.

<sup>69</sup> Council of Epaone, Canon 30 (CCSL 148A.32): 'Quod ut a presenti tempore prohibemus, ita ea, quae sunt antierius instituta, non soluemus.'

<sup>70</sup> Halfond, *Archaeology*, 99.

<sup>71</sup> Bailey, *Religious Worlds of the Laity*.

The issue of incest, however, was far from being settled, as many continued to view their unions as non-incestuous.<sup>72</sup> This episode demonstrates the kind of localised disruption that Christian definitions of marital *incestum* caused in late antique communities – in rural communities and localities, marrying within one’s extended family or to others related through spiritual kinship had been, and probably still was, common.

The case further exemplifies the failure to successfully implement incest legislation, despite imperial laws issued in the fourth century and the first half of the fifth, and similar laws also being repeated in Burgundy – failure, at least, on the part of Vincomalus, his local bishop, and even Avitus. However, there is success in this incident too: the nameless lay Christian who first brought the case to the attention of the people of Grenoble knew to raise the alarm. As such, this was also a demonstration of an ideological recognition that through his first marriage, Vincomalus had in fact become the brother of his sister-in-law. The accuser, if no one else, knew that this was incest and called it out as such.

The repeated incest laws from Gallic councils also show the impact of the politico-military context. Because new rulers had emerged, and former Roman Gaul had broken up into new kingdoms, clerics in different regions had to enact their own canons. In this way, the Gallic effort to define and root out incest was a slower process than it otherwise might have been. Against these difficulties, the sin of marital incest had to be taken seriously. It created difficult and erroneous precedents that could embed themselves into communities for decades, and that ultimately could mislead others into entering similar unions. Marital incest had to be placed within a Christian understanding of marriage, sin, consanguinity, and religious impurity. While this was articulated in canons, changing the societal norms surrounding incest was nevertheless a long-term project. Furthermore, the issuing of canons did not mean that lay Christians were aware of these rules or willing to follow them.

A discursive lens of impurity has shown that late Roman incest was a significant problem for Christian communities. Christian criticisms of marital incest were informed by the rhetoric of contaminating and polluting vice that we examined in the preceding chapter. Yet, interestingly, this rhetoric of disease and contamination was not pushed as far in cases of incest as we might expect: Avitus noted that this was a ‘stain’, but he did not seek to cast Vincomalus out. There was no such thing as a collectively pure and untainted Christian community in the fifth or the sixth (or any) century. As boastful as Christian moral ideals were, therefore, in practice clerics endured the imperfections of their flocks – and this reluctant tolerance is further exemplified by sex work.

<sup>72</sup> See Wood, ‘Incest, Law and the Bible’, 297, n. 47.



## CHAPTER 5

# Resist Temptation

## Sex Work in Christian Communities

In idealistic terms, Christian communities were intra-dependant, moralistic networks in which the pollution of one could lead to the pollution of many. No figure embodies this as well as the sex worker, who tainted by her presence and who contaminated those she slept with.<sup>1</sup> This was perceived in Christian and non-Christian contexts alike, with Roman sources arguing that sex workers stained others.<sup>2</sup> There might have been a bodily reality that prompted such claims, with sex workers at increased risk of vaginal and anal injuries.<sup>3</sup> This kind of moral panic, however, seems gratuitous: sex was bought and sold in the late Roman era, just as it had been before.

This chapter examines evidence of sex work in the late Roman West. It was (nearly) impossible for Christian authorities to sanction the buying of sex, nor could the profession of sex work be reconciled with Christian ideals of monogamy. In response to this, Christian solutions to sex work ranged from the wistful to the delusional. I will first outline late Roman sex work in Christian texts and imperial legislation, after which two case studies are examined – first, Maximus of Turin, who enticed sex workers to convert with promises that all their sins would be washed away; and secondly, Salvian, who envisioned a forced marriage programme in which each female sex worker would be paired up with the husband she clearly was missing. However, these sources do not convey a serious attempt to root out sex work altogether. The absence of a systematic effort to tackle the issue is especially clear when contrasted with the efforts made to limit and abolish incestuous marriages. Despite ascetic frustrations, therefore, some sexual vice simply had to be tolerated.

<sup>1</sup> Both men and women sold their bodies for sex, with men forming the minority. This discussion revolves around female sex workers, as the sources here used discuss them solely – although see imperial legislation discussed below that discussed male sex workers. For male sex work, see also Williams, *Roman Homosexuality*, 40–50.

<sup>2</sup> Lennon, *Pollution and Religion*, 76.

<sup>3</sup> Robert C. Knapp, *Invisible Romans: Prostitutes, Outlaws, Slaves, Gladiators, Ordinary Men and Women* (London: Profile, 2013), 237.

Kyle Harper has argued that sex work is one of the main areas in which the transformation of sexual morality has been inadequately studied – an oversight regarding an essential part of late ancient sexuality.<sup>4</sup> The lack of focused study is not surprising: the historical record is scant at best, the legislation on sex work is muddled, and Christian commentary is fleeting and superficial, and does not demonstrate a clear coherence of attitudes or give profound insight into the development of venal sex. While we find a consistent view that the tokenistic ‘sex worker’ was morally dangerous, therefore, the responses and solutions to the trade lack conviction.

### The Late Roman Sex Trade

The Roman sex trade is notoriously elusive. Thomas McGinn, whose studies have gathered the fragmented evidence from the imperial era, has demonstrated the ambiguity as well as the variety and scope of Roman sex work.<sup>5</sup> One of the problems, McGinn points out, is liminality: some women would have supplemented their earnings from their ‘day jobs’ by having sex for money on the side, but these women were not sex workers in any full-time or even part-time sense. For instance, there was liminality in the sexual availability of women who worked in taverns as Roman law limited such women’s legal rights.<sup>6</sup> Sometimes even occupying a space associated with sex work, such as a tavern, was enough to taint a woman and her reputation.

Sex workers continued to be easily available in the late Roman centuries. Pompeii has been used to supply evidence of where sex workers could be found in urban centres, with earlier scholarship arguing that sex work was restricted to infamous neighbourhoods. McGinn has refuted this: sex workers could be found anywhere, in any part of the city, and it is unlikely that the successive Christian centuries brought any change to this.<sup>7</sup>

<sup>4</sup> Harper, *From Shame to Sin*, 3. There have, however, been important studies on ancient sex work. See Violaine Vanoyeke, *La prostitution en Grèce et à Rome* (Paris: Les Belles Lettres, 1990); Bettina Eva Stumpp, *Prostitution in der römischen Antike* (Berlin: Akademie Verlag, 1998); Thomas A. McGinn, *The Economy of Prostitution in the Roman World: A Study of Social History and the Brothel* (Ann Arbor, MI: University of Michigan Press, 2004).

<sup>5</sup> McGinn, *Prostitution, Sexuality and the Law*; McGinn, *Economy of Prostitution*.

<sup>6</sup> *C.Th.* 9.7.1. See also J. N. Adams, ‘Words for “Prostitute” in Latin’, *Rheinisches Museum für Philologie* 126.3/4 (1983), 321–58.

<sup>7</sup> On the arguments that sex workers were restricted to specific neighbourhoods, and arguments against this, see Thomas A. McGinn, ‘Zoning Shame in the Roman City’, in *Prostitutes and Courtesans in the Ancient World*, ed. Christopher A. Faraone and Laura McClure (Madison, WI: University of Wisconsin Press, 2006), 161–76.

Sex workers were present at circuses, baths, and theatres, but their presence within the Christian community remained unresolved.

Some clerics acknowledged the centrality of sex work to late ancient communities with frankness. As we have seen, Augustine ranked sexual vice according to how sinful it was, and in this reckoning, sleeping with a sex worker was not as bad as sleeping with someone else's wife: 'violation of another's marriage is worse than associating with a prostitute'.<sup>8</sup> Augustine held the view that sex workers were necessary: 'Remove prostitutes from the social order (*de rebus humanis*), however, and lust will destroy it.'<sup>9</sup> The removal of such women would only cause sinning that was even worse – this, at least, was Augustine's view in 386/387. There is no sense here that Augustine wanted more vigorous efforts to root out sex work – quite the opposite, in fact. One is, of course, tempted to wonder if Augustine's own experience of the impossibility of going without a sexual companion as a young man informed some of his thinking on the matter.<sup>10</sup> Augustine later corrected himself, however, stating in 397/399 that prostitution was *diuina atque aeterna lege damnatur*.<sup>11</sup> Even so, an illustration of the normalcy of sex workers can be found in a letter from 418, when Augustine wrote to a woman called Ecdicia whose husband had slept with sex workers after their agreement to an abstinent marriage had failed.<sup>12</sup> In this exchange, the presence and use of sex workers is not in any way remarkable, and it is Ecdicia who is at fault for pursuing asceticism without her husband's consent.<sup>13</sup> Surely Augustine should have had some criticism for the husband too – but those seeking this will be left frustrated.

In an undated sermon, Augustine preached that a man was united to the sex worker he slept with, which subsequently excluded him from the kingdom of God.<sup>14</sup> It seems that Augustine's views on sex work fluctuated and changed during his lifetime, depending on what point he wished to make: that women were subservient to their husbands, that prostitution

<sup>8</sup> Augustine, *De bono coniugali* 8 (CSEL 41.198), trans. FCNT 27.20: 'peius est enim alienum matrimonium uiolare, quam meretrici adhaerere'.

<sup>9</sup> Augustine, *De ordine* 2.4.12, trans. Borruso, 65: 'Aufer meretrices de rebus humanis, turbaueris omnia libidinibus.'

<sup>10</sup> Augustine, *Confessiones* 6.15.25. For Augustine's concubines, see Danuta Shanzer, 'Avulsa a Latere Meo: Augustine's Spare Rib – *Confessions* 6.15.25', *Journal of Roman Studies* 92 (2002), 157–76.

<sup>11</sup> Augustine, *Contra Faustum* 22.61 (CSEL 25.1.656).

<sup>12</sup> Augustine, *Ep.* 262 (CSEL 57.621–31).

<sup>13</sup> For the letter, see Claudia Kock, 'Augustine's Letter to Ecdicia: A New Reading', *Augustinian Studies* 13.2 (2000), 173–80; Rebecca Krawiec, "'From the Womb of the Church": Monastic Families', *Journal of Early Christian Studies* 11.3 (2003), 283–307, at 288–96.

<sup>14</sup> Augustine, *Serm.* 161 (PL 38.878–85).

was a lesser evil than adultery, that men would not gain salvation if they slept with sex workers, or that sex work on the whole was to be damned. His comments do not formulate a coherent approach to the inclusion or exclusion of these women or their clients – indeed, his focus is barely on the women.

Further evidence on sex work suggests that the presence of such women was quotidian in urban centres. Even the idea or representation of them was enough to lighten the mood: in the 430s, Valerian of Cimiez criticised drunk men in his congregation for taking part in a play about sex workers, which included inappropriate dancing and rude language.<sup>15</sup> The bishop, naturally, called for such activities to stop. However, such a play on stage is not surprising,<sup>16</sup> and the date of Valerian's criticism demonstrates the sustained popularity of prostitute characters in late Roman theatre, where one found Christians in the audience thoroughly amused. Salvian, similarly, heavily criticised sex work in his adoptive southern Gaul: 'Just as one prostitute makes many fornicators, in the same way the abominable mixture of a few effeminate men (*effeminatorum*) infects almost the greatest portion of the population.'<sup>17</sup> Here he likened effeminate men to sex workers: these kinds of people were sources of great pollution who could contaminate numerous others.

Clerics were not alone in viewing sex workers as polluting forces – imperial legislation agreed, although again not with consistency. First, imperial laws implied that sex workers were socially inferior and tainted, with *infamia* excluding them from secular public life.<sup>18</sup> Fourth-century laws targeted male sex workers, the exploitation of slaves and daughters in the sex trade, and the rights of pimps.<sup>19</sup> Constantinian laws have been described as evidencing 'benign contempt' towards the trade.<sup>20</sup> Within the time period examined here, the laws appear stricter: in 428, the emperors Theodosius II and Valentinian III forbade the head of a household from

<sup>15</sup> Valerian, *Hom.* 1.7.4 (PL 52.696).

<sup>16</sup> Dorothea R. French, 'Maintaining Boundaries: The Status of Actresses in Early Christian Society', *Vigiliae Christianae* 52.3 (1998), 293–318; Anne Duncan, 'Infamous Performers: Comic Actors and Female Prostitutes in Rome', in Faraone and McClure, eds, *Prostitutes and Courtesans*, 252–73.

<sup>17</sup> Salvian, *De gub.* 7.82, trans. FCNT 3.213: 'Sicut enim una meretrix multos fornicatores facit, sic plurimam populi partem inquinat paucorum effeminatorum abominanda permixtio.' Salvian's attack on homosexual relations is examined in Chapter 6 and his frustrations with polygynous practices in Chapter 7.

<sup>18</sup> For the history of *infamia*, see Sarah E. Bond, 'Altering Infamy: Status, Violence, and Civic Exclusion in Late Antiquity', *Classical Antiquity* 33.1 (2014), 1–30.

<sup>19</sup> A summary of Theodosian and Justinianic laws can be found in Clark, *Women in Late Antiquity*, 29–30.

<sup>20</sup> Brundage, *Law, Sex, and Christian Society*, 105.



prostituting his daughters or female slaves (*filiis uel ancillis*); any such man would lose all power over the woman he had forced into sex work, and, furthermore, he would be sent to the mines. This is the earliest legislation prohibiting the coercion of enslaved women into sex work.<sup>21</sup> In 460, the emperor Leo seemingly attempted to ban sex work entirely – while we might hail this as an unprecedented gesture, it failed, as laws enacted by the emperor Justinian in the sixth century show.<sup>22</sup> As Kyle Harper has pointed out, laws were enacted against coerced sex work, such as prostituting one's slaves.<sup>23</sup> They were not, however, attempting to limit sex work practised by foreigners or freewomen, but rather they acknowledged that forcing someone into a life of prostitution should be a punishable act.

The legal evidence is contradictory on further accounts. For instance, despite legislating against coerced sex work, the profession as practised by, presumably, non-coerced parties remained a source of imperial taxation until the end of 430s, if not even later.<sup>24</sup> Furthermore, Jerome recorded that Constantine prohibited male sex workers, yet we have laws forbidding the same under Theodosius I, Valentinian II, and Arcadius in 390, with the law posted in the Forum of Trajan in Rome.<sup>25</sup> The laws collected in the Theodosian Code likely responded to specific legal cases and were to be implemented locally. While there was no empire-wide attempt to root out sex work before the implementation of the Theodosian Code in 438/439, these laws nevertheless suggest that male sex work was tackled earlier than female sex work, as some cities hoped to restrict the practice. This is in line with the scorn that male sex workers, often assumed to be receptive partners in anal and oral sex, especially received. Yet, as we have seen with incest legislation, the number of subjects who knew of imperial laws could be low, and the Theodosian Code included formerly regional rulings that would not have had a precedent in many places in the Empire.

However, there were more hands-on approaches to restricting sex work, too – implying that the legislation that was promulgated in the fifth century was largely ineffective. Justinian and Theodora famously founded a convent for former sex workers called Repentance, though the historian Procopius stated with an air of polemic that some of the sex workers forced into going there threw themselves over the walls.<sup>26</sup> While this story comes from sixth-century Constantinople, it does suggest that for some, sex work

<sup>21</sup> *C.Th.* 15.8.2.

<sup>22</sup> *C.J.* 11.41.7. One of Justinian's laws from 535 CE rules against pimps tricking women into sex work (*Nov.* 14.1).

<sup>23</sup> Harper, *Slavery*, 309.

<sup>24</sup> Brundage, *Law, Sex, and Christian Society*, 106.

<sup>25</sup> Jerome, *Commentariorum in Esaiam* 1.2.5–6; *C.Th.* 9.7.6.

<sup>26</sup> Procopius, *De aedificiis* 1.9.7; *Anecdota* 17.5–6.

was a conscious choice and that women were not looking to reform – and that imperial law had not, indeed, abolished the trade. There is likewise no reason to assume that some women in the West did not also choose the profession to make ends meet.

The fifth-century context of military disruptions might be influential in this regard. The movement of displaced peoples because of warfare and violent unrest, or some other type of instability, might have boosted the number of women selling sexual services and of men willing to buy them. Indeed, wherever armies moved, soldiers were interested in purchasing sex.<sup>27</sup> Furthermore, shortages of food or money might have encouraged people to turn to the sex trade, especially as this was already a means of supplementing regular work in pre-Christian Rome.<sup>28</sup> Soldiers did not always pay, of course: wartime rape was a common feature of military conflict at this time.<sup>29</sup> Displaced women could thus be forced into sexual acts, and we have already discussed the suspicions aroused by women who had spent time in captivity. The forcible removal of women from their localities often resulted in great physical and sexual harm, if not downright sexual slavery, as evidenced by the forced imprisonment of the imperial princesses Galla Placidia and Eudocia in foreign courts, where they gave birth to their captors' children.<sup>30</sup> We know of their experiences because of their elite status – we must consider how many lower-status women also suffered in similar ways, where displacement necessitated sexual service. For such women this might have been a survival strategy, whether it came with monetary compensation or not.

Displacement and warfare were, then, conducive to situational and temporary sex work (and sexual abuse), but Christian sources discuss venal sex very little as it is, and there is no commentary on these issues. A far more in-depth study would be required to determine whether the gradual Christianisation of society affected or changed patterns in late ancient sex work in any discernible way; whether fifth-century military-political developments can be concluded to have impacted this; and whether Christianisation ever brought a notable decline in the industry. Notably, imperial legislation supported Christian moral thinking that the trade was distasteful and that it was unbecoming – of Romans, of Christians, and of Christian Romans.

<sup>27</sup> The interest of soldiers in sex workers is attested by, for instance, Appian, *Bellum hispaniense* 85. For the experiences of displaced people more broadly, see Allen and Neil, *Crisis Management in Late Antiquity*, 37–53.

<sup>28</sup> McGinn, *Economy of Prostitution*, 29.

<sup>29</sup> Vihervalli, 'Wartime Rape in Late Antiquity'.

<sup>30</sup> Ulriika Vihervalli and Victoria Leonard, 'Elite Women and Gendered Violence in Late Roman Italy', in *Late Roman Italy – Imperium to Regnum (c. 250–500 CE)*, ed. J. Wijnendaele (Edinburgh: Edinburgh University Press, 2023), 201–22.

A move towards tackling the issue broadly and with vigour – for instance, a campaign against it as we saw with incest in sixth-century Gallic church councils – is, nevertheless, absent from surviving evidence. The fact that sex work is discussed as little as it is suggests that it was difficult to confront the trade even with imperial legislation aimed at limiting it. This may have been a question of Christian priorities; after all, as Augustine said, there were sins that were much worse. If we assume that the rather minimal discouragement from the priesthood and imperial laws combined had some effect on sex work, it might have been that it became more clandestine than before. Consequently, our sources would be even more limited. Yet an acceptance of this vice would be inconsistent with the expectations of collective purity that we have found, especially when we consider how impure these women were thought to be.

Some moralising writers of the time did consider potential solutions for the sex trade. Clergy tackled this problem on two fronts: first, clerics reconceptualised the ‘sex worker’ as an awe-inspiring hagiographical figure who became a symbol of salvation, including her in rather than excluding her from the Christian moral realm. In this reconceptualisation, the sex worker emerged as a highly complex figure of religious idealism – this approach circumvented the real challenge of rooting out the practice. Secondly, an alternative approach was to imagine how venal sex could be rooted out completely, presenting audiences with an imagined world free of prostitution, and creating a contrast to one’s own world where the trade was culturally and societally embedded. This method relied, however, on the benign imagination of readers and sought to turn a self-inspecting mirror on to those who continued to sin through venal sex. Both of these approaches stemmed from clerical acknowledgement that abolishing the sex trade was beyond the church’s means.

## Salvation from Sex Work

Maximus of Turin, whose wartime sermons emphasised the need for moral improvement in the early 400s, was concerned with the purity of his flock. He discussed the sex worker in this context as a symbol of salvation and a tool of communal correction. A close examination of *Serm.* 22 shows how Maximus manipulated scripture through omission and reinterpretation to root out sexual vice and to enhance communal purity and cohesion. This is demonstrative of clerical figures confronting impurity within their congregations and using exegetical means to discourage sexual sinning.

Maximus preached on both the buying and selling of sex in *Serm.* 22, which focused on almsgiving, arguing that all sins could be forgiven.<sup>31</sup> After

<sup>31</sup> For a more in-depth discussion of this, see Allan Fitzgerald, ‘Maximus of Turin: How

all, Maximus said, it was better to use money to remove sins rather than to commit them – such is the man who stops sleeping with prostitutes: ‘A person who had once spent money in order to commit adultery now expends money in order to cease being an adulterer.’<sup>32</sup> This admonished local men who were buying sex, and at first it was their behaviour that Maximus was concerned with. However, he shifted the focus to show that even the worst type of sinner could receive salvation – even, he argued, a sex worker.

Maximus cited the story of the Samaritan woman whom Jesus met at the well (John 4:4–30) to further illustrate how alms work. Maximus gave a parallel of mercy as water flowing from a well in such a fashion that even ‘a woman who is fornicating with a sixth man’ can approach God.<sup>33</sup> Maximus derived the number six from scripture: John 4:18 has Jesus observe that the Samaritan woman had had five men, ‘and the one you have now is not your husband’. The woman was astonished that Christ knew this about her, recognised his divinity, and, subsequently, was converted.<sup>34</sup> Although the tale does not identify the woman as a sex worker, Maximus did: she came to the well of Samaria as a *meretrix* and returned to the city chaste, now preaching the glory of Christ.<sup>35</sup> Maximus then quoted Prov. 30:20:

I think that the prophet said about this woman: ‘Such is the way of a prostitute (*mulier meretrix*): when she has washed herself she says that she has done nothing wrong.’ Clearly this is said of her who, after having washed herself at the source, does not remember the vices of her sins, assumes the virtue of preaching, and, wiping away her stains with living water, has no more awareness of her sin.<sup>36</sup>

This biblical encounter served as a wonderful reminder that the giving of alms could wash away sins for anyone – not just for the Samaritan woman, but also for the adulterous men in Maximus’s congregation: ‘[The man who gives alms] does not know the sins of youth, and although he had been an

He Spoke of Sin to His People’, *Studia Patristica* 23 (1989), 127–32.

<sup>32</sup> Maximus, *Serm.* 22.1 (CCSL 23.83), trans. ACW 50.54: ‘qui pecuniam quondam dederat ut adulterium perpetraret, nunc pecuniam eroget ut adulter esse iam desinat’.

<sup>33</sup> Maximus, *Serm.* 22.2: ‘mulierem sexto iam non uiro sed adultero fornicantem uiui’.

<sup>34</sup> The most detailed reconsideration of this biblical figure is Caryn A. Reeder, *The Samaritan Woman’s Story: Reconsidering John 4 after #ChurchToo* (Downers Grove, IL: IVP Academic, 2022).

<sup>35</sup> Maximus, *Serm.* 22.2: ‘ad puteum Samariae meretrix aduenerat’.

<sup>36</sup> Maximus, *Serm.* 22.3, trans. ACW 50.55: ‘De hac igitur prophetam dixisse puto: “eiusmodi est”, inquit, “uia mulieris meretricis; quae cum se abluerit, nihil se dicit fecisse prauum.” De hac plane dictum est, quae posteaquam se fonte abluit saluatoris, delictorum uitia non meminit uirtutem praedicationis adsumit et uiua aqua abstergens maculas suas ad euangelizandum non conscientia peccati retrahitur.’

adulterer because of the corruption of sin, he becomes a virgin because of faith in Christ.<sup>37</sup> In this way, Maximus paralleled scripture with problems present in his congregation, and advised the community against sex workers and other extramarital affairs, promising absolution from sins through alms. Such sinners required a process of purification from this defilement, which was attainable, just as it had been for the Samaritan woman who renounced her impurity. Defilement and pollution could be washed out.

However, when we examine this sermon in greater detail, it becomes apparent that Maximus was manipulating scripture, reinterpreting segments and decontextualising passages, all to create the idea that, first, the Samaritan woman was a sex worker and that, secondly, scripture supported the idea that sex workers could wash away their sins. Neither of these is, strictly speaking, the case. Indeed, it is unusual that Maximus identified the Samaritan woman as a *meretrix* for having had relations or relationships with six men. The figure of six is low for any sex worker – six might be a realistic figure for a day’s work, but not a lifetime’s. The Samaritan woman nevertheless had been viewed as working in prostitution already by Tertullian.<sup>38</sup> Yet if we compare Maximus’s exegesis to those of his contemporaries, Augustine and John Chrysostom, we find that the Samaritan woman was not commonly identified as a sex worker.<sup>39</sup> Naturally, this could be a loose metaphor, in that several consecutive non-marital relationships might well make this woman into a sex worker in episcopal judgement; but as Maximus’s sermon focuses on alms, he visualises a monetary exchange for the woman in the Gospel of John as, indeed, in his own community.

Maximus’s wilful reinterpretation of the Samaritan woman did not stop with his labelling her a sex worker. He also preached that the woman no longer remembered her sins, and quoted Proverbs, as seen above: ‘Such is the way of a prostitute: when she has washed herself, she says that she has done nothing wrong.’ Maximus’s version of the proverb describes the woman as a *mulier meretrix*, whereas *mulier adultera* is the form given in the Vulgate and more closely related to the Septuagint.<sup>40</sup> With numerous *Vetus Latina* versions also in circulation in the late Roman West, however, and without a fixed date for the sermon, it is difficult to say how original Maximus’s *mulier meretrix* was.<sup>41</sup> Nevertheless, Prov. 30:20 states: ‘This is

<sup>37</sup> Maximus, *Serm.* 22.3, trans. ACW 50.55: ‘iuuentutis scelera non agnoscat, sitque uirgo fide Christi, qui fuerat adulter corruptione peccati’.

<sup>38</sup> Reeder, *Samaritan Woman’s Story*, 24–34.

<sup>39</sup> Craig S. Farmer, ‘Changing Images of the Samaritan Woman in Early Reformed Commentaries on John’, *Church History* 65.3 (1996), 365–75, at 366–68. For Chrysostom’s views on the Samaritan woman, see also Reeder, *Samaritan Woman’s Story*, 38–44.

<sup>40</sup> The passage in Greek is *τοιαύτη οδός γυναικός μοιχαλίδος η όταν πράξη απονιψαμένη ουδέν φησι πεπραχέναι άτοπον* – here, *γυναικός μοιχαλίδος* likewise signals an adulteress.

<sup>41</sup> As, famously, Augustine complained in *De doctrina christiana* 2.16.

the way of an adulteress: she eats, and wipes her mouth, and says, “I have done no wrong.” The proverb, when presented in full, is not stating that such a woman could easily wash away her sins as Maximus suggested – the proverb is criticising her arrogance and lack of ability to recognise her sins. Such a woman lives and eats as if her sin does not exist, but this is not because of conversion but because of her wickedness. Twice in the sermon, therefore, Maximus takes a scriptural passage and transforms it, first, into a commentary on a sex worker and, secondly, as showing that scripture supported her conversion and salvation – when, in fact, it did not.

Maximus’s use of scripture shows his rather vigorous attempts to confront impure acts in his community: the primary target of his preaching were men who paid for sex, while a secondary aim was to inspire his congregation overall. He was not attempting to reform any local sex workers. This promise of being cleansed from sin was in direct contrast to the polluted, defiled nature of these women: a sex worker who was suddenly pure was an oxymoron. Maximus asked, ‘How can she who makes unclean herself be purified?’<sup>42</sup> But, miraculously, she could be. If the Samaritan woman could be forgiven, then so could the Christians of Turin, whatever their sins were. Maximus emphasised the awesome extent of salvation, even for those sexually contaminated and polluted – defying the expectations of his audience.

A sermon such as this is noteworthy. Not only did Maximus manipulate scripture to address immoral sexual behaviour, but he also used the impure baseness of the Samaritan woman to transform her into a compelling, hopeful figurehead of Christian conversion. Sexual pollution was presented as temporary, as Maximus found a way to cleanse the sex worker for his audience. The more hopelessly tainted, polluted, or despised a person was, the more awesome was his or her conversion and absolution.

The Samaritan woman in the Gospel might have been dubious in terms of her occupation or life story, but conversion tales regarding sex workers were popular in late antiquity. Martyrologies in the fourth and fifth centuries featured sex workers who were moved by a religious calling to transform their sinful lives, becoming saints and role models.<sup>43</sup> These women were romanticised figures, such as Pelagia the Harlot, whose abandonment of her courtesan ways for a life in Christ was evoked in the sermons of John Chrysostom and later by Jacob the Dean. Her story of conversion worked comfortably within the confines of pagan romance, with the twist that her saviour was of divine origin instead of being a

<sup>42</sup> Maximus, *Serm.* 22A.1 (CCSL 23.87): ‘quomodo potest purificari ipsa cum polluat?’

<sup>43</sup> Burrus, *Sex Lives of Saints*, 128–59; Ruth Mazo Karras, ‘Holy Harlots: Prostitute Saints in Medieval Legend’, *Journal of the History of Sexuality* 1.1 (1990), 3–32.

long-lost love or a handsome youth.<sup>44</sup> McGinn suggested that while pagan opinion had held that sex workers could not hope to improve their stations, Christian writers established sex workers as women who could be saved.<sup>45</sup> Maximus was thus following a new Christian perspective that was gaining traction at this time.

In the sermon, Maximus made fleeting comments that are suggestive of the nature of sex work in Turin. At its most basic, Maximus attested that young men especially paid women for sex – hence his remark that men carried the sins of their youth.<sup>46</sup> Yet as Maximus called this a case of adultery, married men likewise slept with such women, and so the problem touched both young unmarried men and older married men. To discourage these behaviours, he reframed the congregation's perception of sexual pollution by reinterpreting scripture altogether.

This brings us back to the discursive lens of impurity. Despite the depravity and uncleanness associated with sex workers, such women were not necessarily set aside as outcasts – instead Maximus sought ways to incorporate the sexually tainted into the congregation and purify them. At least, this was what he claimed – the real audience of his preaching were the men paying for sex, not the women selling it. Indeed, he merely used the idea of the polluted, impure sex worker to impress male Christians, who shared a low opinion of such women. There is little to suggest that the clergy were expecting conversions from these marginalised women. If these stories were not attempting real inclusion or abolition, however, what were they attempting? Was the sex trade a battle that clerics did not entertain any hope of winning?

If so, this might explain the popularity of the sex worker as a convert saint and a symbol of salvation – rather than confront sex work that was ingrained in society, it was easier to discuss idealised behaviour and idealised sex workers. Conversely, this shows that Christian moralising discourses could address negative behaviour in positive terms. Purity, demanded of all and lamented when lost, was an oft-vocalised ideal that clerics knew fell short of widely accepted behaviours. Excluding impure people and impure acts from Christian communities was considered important, if not vital, for the future of such communities, but such exclusion was simultaneously not feasible. Thus, there is a sense of leniency or, at least, of looking the other way, as sex work continued within Christian communities. Preachers thus

<sup>44</sup> Zoja Pavlovskis, 'The Life of St. Pelagia the Harlot: Hagiographic Adaptation of Pagan Romance', *Classical Folia* 30 (1976), 138–49.

<sup>45</sup> McGinn, *Prostitution, Sexuality and the Law*, 133; see also Harper, *From Shame to Sin*, 234–35.

<sup>46</sup> Christian Laes and J. H. M. Strubbe, *Youth in the Roman Empire: The Young and the Restless Years?* (Cambridge: Cambridge University Press, 2014), 140–42.

employed sex worker conversion stories to underline that even those who were most depraved could be saved, become untainted, and join the pure religious collective. This was an enticement, and not a command, in the face of limited ecclesiastical power over people's behaviour. However, other clerics longed for tougher measures.

### Abolishing Sex Work: A Thought Exercise

Salvian of Marseille pushed the boundaries of late antique moralising discourses, this time by tackling the problem of sex work. In *De gubernatione Dei*, he imagined a world where sex was no longer bought or sold – and not only imagined it but claimed that it existed already in Vandal Africa.

In Book 7, Salvian praised the Vandals for not fornicating with women and for making no use of brothels.<sup>47</sup> From this, Salvian moved on to a curious claim: the Vandals had done away with sex work by forcing practitioners to marry and, in this way, these women's excessive desire for sex had been successfully limited to marital intercourse. The passage is worth quoting in full:

[The Vandals] even abstained from contacts with prostitutes and, not only have they abstained from or removed prostitution for the time being, but they have made it completely cease to exist. O holy Lord! O good Saviour! How much the desire for good living accomplishes through You: desire through which the vices of nature can be changed, just as they have been changed by the Vandals! And how were they changed? It is of interest to talk, not only about the effects, but also the causes of the effects. It is difficult to take away impurity by a word or command unless it has been actually removed, and it is difficult to exact purity by a command unless it had been exacted in the past. The Vandals, knowing this, removed impurity, while they preserved unchaste women. They did not kill these unfortunate women, lest they defile with cruelty their healing of vices and lest, while they sought to take away sin, they themselves sin in lopping off the sinners. They corrected the sinners in this manner so that the accomplishment was curative, not punitive.<sup>48</sup>

<sup>47</sup> Salvian, *De gub.* 7.89: 'plus adhuc addo: abominati etiam feminarum, horruerunt lustra ac lupanaria, horruerunt concubitus contactusque meretricum'. Homosexual relationships in North Africa are discussed in Chapter 6 below.

<sup>48</sup> Salvian, *De gub.* 7.94–96, trans. FCNT 3.218–19: 'Abstulerunt enim de omni Africa sordes uirorum mollium, contagiones etiam horruere meretricum; nec horruerunt tantum aut temporarie summouerunt, sed penitus iam non esse fecerunt. O pie Domine, o Saluator bone, quantum efficiunt per te studia disciplinae, per quae mutari possunt uitia naturae, sicut ab illis scilicet immutata sunt. At quomodo immutata? Interest enim non solum effectus rerum, sed etiam effectuum causas dicere. Difficile est



Salvian set out a Vandal approach to sex work that he supported and lauded: to find a permanent solution through complete abolition. Little else, Salvian argued, could impact the behaviour of people and stamp out the trade. His remark that these women were not killed seems like a concession on the part of the Vandals, who out of Christian piety did not wish to sin. Salvian's suggestion that one option was to round up sex workers and kill them is horrific. His claim that the Vandals avoided killing people is also resolutely false in light of the violence suffered by North Africans during the Vandal conquest – in fact, this violence was only given religious overtones afterwards, and not in favour of Vandal piety.<sup>49</sup>

The passage, however, becomes more exaggerated the more detail Salvian adds:

[The Vandals] ordered and compelled all prostitutes to enter the married state. They turned harlots into wives, fulfilling the saying and command of the Apostle (1 Cor. 7:2), that every woman should have her own husband and every man his own wife; that since incontinence cannot be restrained without this yielding to carnal usage, in this way natural desire should receive a legitimate outlet, so that there would not be sin by incontinence. In this way, they not only provided that women who could not live without men should have them, but that these women who did not know how to protect themselves would be safe, as it were, through their domestic guardians. By constantly adhering to the marital course, even if the habit of their previous impurity would entice them to depraved acts, their husband's supervision would nevertheless prevent them from straying.<sup>50</sup>

quippe impudicitiam uerbo aut iussione tolli, nisi fuerit ablata; et difficile est pudicitiam uerbo exigi, nisi fuerit exacta. Quod isti utique scientes, sic impudicitiam summouerunt quod impudicas conseruauerunt, non interficientes mulierculas infelices, ne uitiorum curam crudelitate respergerent, et dum peccata auferre cuperent, ipsi in peccatorum rescacatione peccarent. Sed ita errantes emendauerunt ut factum eorum medicina esset, poena non esset.<sup>7</sup>

<sup>49</sup> Éric Fournier, 'The Vandal Conquest of North Africa: The Origins of a Historiographical Persona', *Journal of Ecclesiastical History* 68.4 (2017), 687–718. For accounts of Vandal violence in Africa, see Dexter Hoyos, *Carthage: A Biography* (Abingdon: Routledge, 2020), 117–19.

<sup>50</sup> Salvian, *De gub.* 7.97–98, trans. FCNT 3.219: 'Jusserunt siquidem et compulerunt omnes ad maritalem torum transire meretrices, scorta in connubia uerterunt; implentes scilicet Apostoli dictum atque mandatum, ut et unaquaeque mulier uirum haberet suum, et unusquisque uir coniugem suam (I Cor. VII, 2); ut quia cohiberi incontinentia sine hac carnalis usus permixtione non posset, ita legitimum usum calor corporalis acciperet ut peccatum incontinentia non haberet. In quo quidem non id tantummodo prouisum est ut uiros feminae haberent quae sine uiris esse non possent, sed etiam ut per conseruatores domesticos saluae essent quae seipsas seruare nescirent; et adhaerentes

There are several ideological remarks that Salvian includes here. Firstly, he viewed marriage as a concession – an institution intended to contain the lusts and passions of people, which otherwise would become harmful. This rather bleak view of marriage as a ‘necessary evil’ certainly found echoes in other clerical writings.<sup>51</sup> Salvian had been a married man himself before he and his wife parted ways to enter monastic communities. It does not seem that his personal experience of the married state made him view the institution particularly favourably. Secondly, Salvian perceived female sex workers (if not all women) as controlled by carnal lusts – women who could not *live* without men – which a marital union could solve. This view of the sex worker as a woman who chose her occupation because of excessive and uncontrollable desire for coitus corresponds to what some historians have described as a type of sexuality in ancient and medieval perceptions.<sup>52</sup>

In this way Salvian argued that there was a simple solution to sex work, which the Vandals had realised. Even so, these lust-filled women could be tempted by excessive sex even after their marriages, and as such they needed constant surveillance. Perhaps a little more sympathetically, Salvian also hinted that some of these women had become sex workers because they had not known ‘how to protect themselves’ – it is unclear what Salvian envisioned women as needing protection from; perhaps male advances. Again, carefully regulated patriarchal and marital control would constrain these women’s sexual urges and sexualities to the married state.

This is a bold and grand policy, for which there is no evidence. No Vandal law has survived to demonstrate what sexual or marital behaviours they legislated for. Furthermore, the limited sources that do examine marriage and virginity in Vandal Africa come from Nicene writers whose focus was on their own flocks and not their Vandal rulers.<sup>53</sup> David Lambert has pointed out, however, that whatever might have happened in North Africa, the Vandals were a devout people, as their persecution of Nicene Christians inadvertently demonstrates, so they may very well have had purity laws of their own.<sup>54</sup> David Cleland, conversely, has argued that the Vandals reflect ‘a catalogue of the Romans’ sins, not a blueprint for

jugiter gubernaculo maritali, etiam si ad improbum eas facinus consuetudo anteaetae impuritatis illiceret, coniugalis tamen custodia ab improbitate prohiberet.’

<sup>51</sup> See discussion in Chapter 2 and Chapter 7.

<sup>52</sup> David M. Halperin, *How to Do the History of Homosexuality* (Chicago: University of Chicago Press, 2002), 66–68; Ruth Mazo Karras, ‘Prostitution and the Question of Sexual Identity in Medieval Europe’, *Journal of Women’s History* 11.2 (1999), 159–77, at 161–63.

<sup>53</sup> Kate Cooper, ‘Marriage, Law, and Christian Rhetoric in Vandal Africa’, in *North Africa under Byzantium and Early Islam*, ed. Susan T. Stevens and Jonathan P. Conant (Washington, DC: Dumbarton Oaks, 2016), 237–49.

<sup>54</sup> Lambert, ‘Barbarians’, 111–12.

Salvian's ideal society'.<sup>55</sup> As will be examined in a later chapter, Salvian was especially irked by the lack of sturdy Roman legislation against sexual vice, thus fuelling his claims that the Vandals had laws that he considered the Romans to lack.

Late ancient depictions of Vandal morality or a lack thereof comes down to authorial intent. In the sixth century, the poet Luxorius satirised life under the Vandal rulers – one of his epigrams mocked a man called Proconius, who allegedly forced his wife to prostitute herself in an effort for the pair to have sons.<sup>56</sup> While tongue-in-cheek, Luxorius did not depict marriage in Vandal Africa as an institution that protected women from venal sex; he argued the opposite. A further example is the sixth-century historian Procopius, who accused the Vandals of excessive sexual habits.<sup>57</sup> These sources do not, of course, get us much closer to the Vandals themselves, who are laden with sexual exceptionalism in contemporary writings – either because their sexual purity exceeded that of the Romans, or, more commonly, because they were just as sexually suspect as a Roman would expect an 'other' to be.<sup>58</sup>

While a fine example of moral exceptionalism, Salvian's discussion of sex workers in Vandal Africa nevertheless falls apart quickly after slight probing. Salvian, for instance, did not say to whom these women were to be married. Indeed, one cannot immediately think of men who would volunteer to marry women who suffered from such immense social prejudice. Were these would-be husbands picked from among the Vandals or the Romano-African locals? Surely no male citizen would accept such a union – were men therefore chosen from other marginalised groups? What of women who refused – would the Vandals then have resorted to mass murder? But such practicalities did not interest Salvian, whose intent was to use Vandal Africa as critique of his fellow Gallo-Romans who had not made any attempts to abolish sex work or, indeed, any kind of sexual vice.

What is clear, then, is that commentators felt free to depict the Vandals as either sexually pure or impure, in accordance with their own aims. For his part, Salvian was not a historian nor an ethnographer, nor had he ever visited North Africa. He was, however, a Christian moralist – quite an

<sup>55</sup> Cleland, 'Salvian and the Vandals', 274.

<sup>56</sup> Luxorius, *Epigram* 36, trans. Morris Rosenblum, *Luxorius: A Latin Poet among the Vandals* (New York: Columbia University Press, 1961), 132–33.

<sup>57</sup> Procopius, *De bello uandalico* 4.6.5–9.

<sup>58</sup> For sexual exceptionalism in Christian texts, see Joseph A. Marchal, 'The Exceptional Proves Who Rules: Imperial Sexual Exceptionalism in and Around Paul's Letters', *Journal of Early Christian History* 5.1 (2015), 87–115; Chris L. de Wet, 'Religious Conflict, Radicalism, and Sexual Exceptionalism in the Rhetoric of John Chrysostom', in *Reconceiving Religious Conflict*, ed. Wendy Meyer and Chris L. de Wet (Abingdon: Routledge, 2018), 70–85.

incensed one. His remarks on idealised Vandal purity in North Africa are a reflection, just as Maximus's Samaritan woman was, of the impossibility of rooting out sex work in his own community. Salvian's sexualised othering of barbarians served to turn the lens on the immorality of Gaul,<sup>59</sup> and the miraculous abolition of the African sex trade was a further example with which to condemn his own society. These clerical frustrations reveal the centrality of the sex trade in late Roman societies and show, furthermore, the clerical imagination and flourish that the topic invited as clergy attempted to criticise its continuation in Christian communities.

Late antique Christian leaders subscribed to a long-held discursive lens that excessive and illicit sex held contagious power that could be disastrous for an entire community of believers. As such, the active nature of vice can be summarised: sexual vice was hierarchical according to who committed the vice and what sexual act was committed; sexual vice transcended the spheres of public and private, as private acts could have public consequences; sexual immorality actively contaminated and spread, being able to make the church itself impure and subsequently provoking greater divine wrath and punishment; and sexual vice was acknowledged by clerics to be nearly impossible to bring under control. These ideas of collective purity and the punishments for impurity, from warfare to bad weather, were central to Christian moralising discourses. However, there is a disconnect between idealised goals of communal purity and clerical navigation of the sexual sins of their flocks, with the former soon dismissed when searching for practical solutions for the latter.

I have particularly examined clerical framings of incest and sex work, which marked some of the most tainting practices. Both vices were consistently marked as polluting, and clerics certainly dreamed of a world where neither practice would be found. However, neither custom was considered to be fatally or permanently damning for communities or individuals – clerics envisioned and created paths through which congregants could cease such sinning, through the giving of alms, through undergoing penance (after disavowing their sins), through the issuing of church canons, and through local authorities perhaps one day providing legislation against sinful practices. This was, overall, a hopeful message: Christianity would provide a way for former sexual sinners to live a new, purer life in Christ.

Such optimistic paths to salvation, however, might not have attracted much of an audience. These narrower ideals of a world where no sex workers

<sup>59</sup> Chris L. de Wet, ““The Barbarians Themselves Are Offended by Our Vices”: Slavery, Sexual Vice and Shame in Salvian of Marseilles’ *De Gubernatione Dei*,” *Hervormde Theologische Studies* 75.3 (2019), 1–8.

were visited, and no people of close kin were wed, clashed with the interests and aspirations of lay people. The importance placed on sexual behaviour did not permeate down from clerics on a grand scale – on the contrary, lay Christians resisted and needed much persuasion on these matters. Again, we are faced with a discrepancy between Christian moral doctrine and the behaviours and habits of communities. Certain acts or unions had been perfectly acceptable in the past, and Christian moral ethics were not welcomed in challenging these – the case of Vincomalus reflects some of this lay discontent, even if Vincomalus appears to have yielded. Yet we would be pushed to consider this a resounding victory – consider the youth who refused to yield to Avitus's authority in the rape case examined earlier.

The implementation of Christianised sexual *mores* failed at this time. Sex work did not meet with vigorous attempts to root it out, but continued to coexist alongside religious calls to pursue more chaste lives. The problem of incest saw a gradual legal codification, yet turning these rulings into practice was a slow process. The failure of implementation despite ideological progress is always but a scratch below the surface of 'Christianisation' in late Roman society.



Part III

The Long Shadow of Rome





## CHAPTER 6

# Mind the Rules

## Roman Homosexuality in Christian Discourses

Late antique clerics were well aware of the challenges of teaching congregants what constituted a sin or a vice. In 421/422, Augustine wrote:

We must also recognize that sins, however great and terrible, are thought to be small or non-existent when they become habitual, to such an extent that people think they should not only not be hidden but even be proclaimed and advertised.<sup>1</sup>

The problem of ‘habit’ was profound. Christian thinking on sexual morality was rooted deeply in Roman conceptions of sex – in sum, while a source might voice Christian ideas of sexual behaviour, it simultaneously attests to the continued internalisation of Roman sexual norms that at times overruled Christian perceptions. We have seen this in the case of marital incest, but it was not only lay Christians who preferred Roman sexual norms – many clerics also struggled in rejecting Roman standards in favour of Christian guidelines.

As such, the final part of this book examines the prevalence of Roman paradigms in Christian moralising discourses, forming the third and final lens used to examine attempts to Christianise late ancient sexuality. The argument that ‘morality’ is a temporally and spatially conditioned model is demonstrated well by homosexual acts, which are examined in this chapter, showing fluctuating attitudes to sexual intimacy between men in the late Roman world.<sup>2</sup> In the 120s, the emperor Hadrian journeyed with his lover Antinous, whose posthumous cult made him one of the most celebrated

<sup>1</sup> Augustine, *Enchiridion* 80 (CCSL 46.93), trans. Harbert, 107: ‘Huc accedit quod peccata quamvis magna et horrenda, cum in consuetudinem uerterint, aut parua aut nulla esse creduntur, usque adeo ut non solum non occultanda uerum etiam praedicanda ac diffamanda uidentur.’

<sup>2</sup> Sex between women was a lesser concern throughout this period, but Christian thinking on this was also shaped by Roman ethics and will be examined below.

figures of the centuries that followed.<sup>3</sup> Some two hundred and seventy years later, in 390, a law issued in Rome decreed that male sex workers were to be burned alive in public.<sup>4</sup> The time that passed between the 120s and the 390s witnessed a seemingly drastic change in imperial attitudes, but these changes might not have been as dramatic as these examples, admittedly extremes, would lead us to believe. Here I wish to challenge the narrative that the late Roman world created a distinctively Christian sexual moral code – Christian ideas continued to be Roman in many key respects.

First, I will establish the basic framework of status and power that marked Roman notions of male/male sex. I then examine the reception of the story of Sodom to demonstrate how Christian retellings of the events there made use of Roman conceptions of appropriate and inappropriate male sex. After this, I will examine legislation against male/male sex, questioning the Christian influence at times credited to these laws, before examining homoeroticism in late antique ascetic texts that coincided with a seeming spread of negative views on male/male sexual relations. Lastly, I will turn to Salvian to discuss how he held up male gender transgression as the most abhorrent sexual crime in late antique communities – and how here, too, Roman influence on sexual relations played a vital part.

Despite increasingly vociferous condemnations of sex between men, clerics struggled to move their reasoning on homosexual acts from prevailing Roman cultural norms to more religiously backed ideas. We have already attested to lay Christians' struggles with new restrictions on incest and sex work, and indeed we will see these battles when we examine polygyny in the final chapter. Homosexual acts, however, were condemned not through scripture or Christian calls to monogamy, but through Roman cultural conventions of power and status. Even in an age dominated by negative attitudes and increased marginalisation, the topic was not clear-cut, nor could clerics form unified attitudes on how and why to condemn male/male sex, failing to approach this from a distinctively Christian point of view.

The continuance of Roman moral codes helps us to question the extent to which sexual ethics became 'Christian' at this time – they were moralising, certainly, but not always very Christian in the ideas and arguments they put forth. Furthermore, contradictory clerical views highlight individualistic articulations, showing a lack of overriding or

<sup>3</sup> Much has been said on the pair. See Royston Lambert, *Beloved and God: The Story of Hadrian and Antinous* (New York: Viking, 1984); Caroline Vout, 'Antinous, Archaeology and History', *Journal of Roman Studies* 95 (2005), 80–96; and Caroline Vout, *Power and Eroticism in Imperial Rome* (Cambridge: Cambridge University Press, 2007), 52–61, on literary sources on Antinous.

<sup>4</sup> The contents of the law, *C.Th.* 9.7.6, are discussed below.

unified ideology. This suggests that we are still far from a society that would have recognised all homosexual acts as inherently sinful – and that it was a Roman moral code, not a Christian one, that prevailed in many Christian communities.

### Framing Male/Male Sex

In light of recent scholarship on a shared late antique culture and heritage, the mixture of Roman and Christian voices on the subject of sexual morality, in unison, should not be surprising. Susanna Elm's work has persuasively demonstrated that both pagan and Christian thinkers of the late Roman world drew from a complementary, unified culture.<sup>5</sup> There are two levels of perception at work here: on a higher level, we have the understandings of Christian moralists on sexual behaviour that were not in agreement with each other, and, beneath that, the understanding of lay Christians on these same issues, again forming a wide spectrum. The extent to which these spheres with their degrees of variation overlapped is debatable, as is the extent to which these ideals and expectations were mutually understood. Conflict, therefore, arises. Of Christian thinking clinging on to Roman ideals, homosexual acts provide the most telling example.

Many early works on Christian attitudes to male/male sex, such as the studies by D. S. Bailey and Vern Bullough, supported the idea that Christianity had always been against homosexual relations.<sup>6</sup> In 1980, John Boswell argued in favour of a far wider acceptance of homosexual relationships in the early Christian and medieval past than had been previously recognised – a claim that provoked a mixed reaction from Boswell's contemporaries.<sup>7</sup> David Halperin criticised Boswell's work for failing to recognise that ancient sexuality is so inherently different from modern conceptions that any study of it is ultimately flawed.<sup>8</sup> Amy Richlin has maintained that, despite claims of tolerance, pederasty was consistently

<sup>5</sup> Elm, *Sons of Hellenism*, 147–81, 378–432.

<sup>6</sup> See Derrick Sherwin Bailey, *Homosexuality and the Western Christian Tradition* (London: Longmans Green, 1955); Bullough, *Sexual Variance*.

<sup>7</sup> John Boswell, *Christianity, Social Tolerance, and Homosexuality* (Chicago: University of Chicago Press, 1980). See Mathew Kuefler, ed., *The Boswell Thesis: Essays on Christianity, Social Tolerance, and Homosexuality* (Chicago: University of Chicago Press, 2006), 6–12, on the reception of Boswell's work.

<sup>8</sup> David M. Halperin, ed., *Before Sexuality: The Construction of Erotic Experience in the Ancient Greek World* (Princeton, NJ: Princeton University Press, 1990); David M. Halperin, *One Hundred Years of Homosexuality: And Other Essays on Greek Love* (New York: Routledge, 1990).

condemned in Roman society, thus throwing doubt on Boswell's assertions of open-mindedness.<sup>9</sup>

Craig Williams made a significant contribution towards a fuller understanding of homosexual relations with his 1999 work *Roman Homosexuality*, which explored the nuances in the sexual status of Roman men who had sex with other men. The subtleties in these men's identities are often lost in modern readings of ancient texts, as our culture has no touching point with them.<sup>10</sup> Williams highlighted that our sources are sporadic items of legislation for which we have little context, problematic satires which offer a version of reality that may be equally factual or fictive, as well as love poetry, invectives, and histories. All of these in their complexity underline at least one notion: sexual and/or romantic male/male relationships were constructed in accordance with power and status, instead of focusing on the men's biological sex. The act of sex was not the issue, in other words, but rather the statuses of the men involved, the roles taken, and the circumstances in which the sex occurred.

These points require further elaboration. One of the defining elements for acceptable or unacceptable sex between men was the role taken in anal sex – the so-called insertive vs receptive roles<sup>11</sup> – and the expectation of Romans that these roles should follow proper pre-set lines of propriety. The penetrated man was often the subject of ridicule, whereas the penetrating man did no harm to himself. This was partly due to the receptive man taking on the supposedly inferior role of a woman, as well as the notion that only the insertive male got sexual pleasure out of anal sex, turning the receptive man into a vessel of sexual pleasure who could be dehumanised.<sup>12</sup> The receptive partner should also be a social inferior or 'other': a slave, a sex worker, a foreigner. Ideally, they should further be younger and still unbearded.

In contrast to these Roman ideas, the biblical and Levitical tradition approached sex between men differently. The insertive and receptive

<sup>9</sup> Richlin, *Garden of Priapus*. For late antique pederasty, see also Dyan Elliott, *The Corrupter of Boys: Sodomy, Scandal, and the Medieval Clergy* (Philadelphia, PA: University of Pennsylvania Press, 2020), 38–44.

<sup>10</sup> Williams, *Roman Homosexuality*.

<sup>11</sup> I follow Williams's terms insertive/receptive, as these are more helpful in thinking of sex between men, rather than passive/active (and indeed why should a passive partner have to *be* passive? If he did most of the work during sex, would that still make him passive?) See Williams, *Roman Homosexuality*, 18–19, 160–61.

<sup>12</sup> However, some ancient sources attest to the receptive partner's pleasure as well. See, for instance, Martial 1.46 on the receptive partner ejaculating during sex. For the idea that those in the receptive role did not get sexual pleasure, see, for instance, Ovid, *Ars Amatoria* 2.681–84. Nevertheless, the pleasure of the receptive male was usually an afterthought.

partners were equally culpable, as no distinction was made: 'If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death' (Lev. 20:13).<sup>13</sup> The Pauline writings on homosexual acts followed the same premise that sex between two men (or women) was sinful, regardless of the roles taken.<sup>14</sup>

A view that the act itself is sinful makes the emphasis on roles – receptive/insertive – obsolete. Neither should social status, citizenship, or age matter, as the act is always sinful no matter who commits it. Yet it was difficult to dislodge perceptions of male/male sex from pre-established Roman paradigms in a society that was used to viewing sex between men as an act that demonstrated clear power dynamics between a powerful insertive (Roman) male and an emasculated receptive male. These key elements – status, roles taken, circumstances of sex – that were central to homosexual relations in Roman thought continued to be markers of clerical understanding of the topic as well. For such clergymen, homosexual behaviour was not the topic of humour or ridicule that it had been a few centuries earlier, when satirists such as Juvenal and Martial were able to use homosexual acts as humorous punchlines for their social commentary.<sup>15</sup> Instead for late antique clerics, homosexual acts (nearly) always invited moral and religious condemnation. Discussion of the topic also moved from explicit commentary to vague and curt allusions: as already mentioned, Augustine described sex between men as an act of which it was shameful even to speak.<sup>16</sup> We can examine, then, the legacy of Roman thinking in Christian discourses by focusing on a notorious episode in the Old Testament: the fall of Sodom.

<sup>13</sup> In the Vulgate, Lev. 20:13 reads: 'qui dormierit cum masculino coitu femineo uterque operati sunt nefas morte moriantur sit sanguis eorum super eos'.

<sup>14</sup> For Paul, same-sex encounters are limited to two references, Rom. 1:26–27 and 1 Cor. 6:9. In Romans, 'men committed shameful acts with other men' without any role distinction, and are consumed by their passions. Notably, women also 'exchanged natural intercourse for unnatural' (Rom. 1:26). Corinthians, conversely, records that ἀρσενικοῖται may not enter the kingdom of heaven, which has proven to be a difficult word to translate. See David F. Wright, 'Homosexuals or Prostitutes? The Meaning of ἀρσενικοῖται (1 Cor. 6:9, 1 Tim. 1:10)', *Vigiliae Christianae* 38.2 (1984), 125–53, and Martti Nissinen, *Homoeotericism in the Biblical World: A Historical Perspective* (Minneapolis, MN: Fortress Press, 1998), 113–18.

<sup>15</sup> See, for instance, Juvenal, who mocks men who wish to marry each other (Juv. 2.117), or Martial, who jocularly discusses men who have girlfriends and boyfriends (Mart. 2.62), mocks manly lesbians (Mart. 7.67), and relates tales of effeminate men who sneakily seduced married women (Mart. 10.40).

<sup>16</sup> Augustine, *De bono coniugali* 8 (CSEL 41.198).

## Searching for Sodom

The Roman acceptance of homosexual acts as a natural part of a man's sexual urges was reflected in Christian views – perhaps unwittingly. This can be seen in the various retellings of the story of Sodom, to which Christian figures added their own touches. For many, Genesis 19 signifies a scriptural condemnation of homosexuality. However, the story was interpreted in numerous ways in early Christianity and during the Middle Ages, and its homosexual aura was the result of centuries of exegesis and analysis.<sup>17</sup> The story recounts two angels arriving in Sodom and being offered a place to stay at Lot's house. Upon this news spreading, local men surround the house and demand the angels be handed over – it is unclear what, exactly, the men wish to do to them, but Lot offers his virgin daughters to the mob instead and is refused. The angels ultimately save Lot and his daughters, but Sodom and its citizens are destroyed by divine wrath.

This part of Genesis resonated in late antiquity for its message that improper behaviour caused divine punishment and, furthermore, divinely sanctioned destruction. Salvian observed that 'if [Christ] says that the people of Sodom are less worthy of damnation than all those who neglect the Gospels, then it is most certainly reasonable that we, who neglect the Gospels in most things, should have all the more fear'.<sup>18</sup> Salvian accused the people of Sodom of impurity but did not mark out what exactly their sins had been. This is surprising. One might expect, after all, that Salvian would have pushed further than his peers in his interpretation of Genesis, yet he did not. Instead, he recorded the story of Sodom to show God's active concern for, and punishment of, sinners. Certainly, these sins were sexual: 'We see how excessive were their crimes, how infamous their vices, and how obscene their lusts.'<sup>19</sup> Yet Salvian did not offer a clear interpretation of the crimes of Sodom, showing that in the 440s there was still much ambiguity on the topic. Salvian's Sodom, though wicked and obscene, did not hint at a clear homosexual reading.

<sup>17</sup> Excellent works on the developing interpretations of Sodom are Mark D. Jordan, *The Invention of Sodomy in Christian Theology* (Chicago: University of Chicago Press, 1997); Michael Carden, *Sodomy: A History of a Christian Biblical Myth* (London: Equinox, 2004); and Eoghan Ahern, 'The Sin of Sodom in Late Antiquity', *Journal of the History of Sexuality* 27.2 (2018), 209–33.

<sup>18</sup> Salvian, *De gub.* 4.39, trans. FCNT 3.104: 'Si Sodomitas minus esse dicit damnabiles quam cunctos Euangelia negligentes, certissima ergo ratio est qua et nos, qui in plurimis Euangelia negligimus, pejus timere aliquid debeamus.'

<sup>19</sup> Salvian, *De gub.* 1.39, trans. FCNT 3.44: 'uideremus scelerum immanitatem, criminum turpitudinem, libidinum obscenitatem'.

Another writer to examine Sodom was Orosius, who perceived war and destruction as a manifestation of human sins.<sup>20</sup> Again, as with Salvian, the relative unrest of the fifth-century West fuelled interpretations of Christian conduct and divine punishment through violent conflict. As such, Sodom comfortably found a place in Orosius's narrative. In *Historiae*, Orosius described Sodom and its neighbouring cities as prosperous and well-off. The story nevertheless ended badly: 'From abundance came extravagance, and from extravagance came foul lusts (*foedae libidines*), and "men committed shameless acts with men" (Rom. 1:27) without even giving thought to place, rank, or age.'<sup>21</sup> With the use of Pauline scripture, Orosius connected Sodom with homosexual desire and suggested that this was habitual in Sodom.<sup>22</sup> However, the pinnacle of his version was not only this, but that the participants had not followed the traditional power structures: place, rank, and age. Would the events of Sodom have been less deplorable if the men had chosen the age of their proposed sexual partners properly or made sure that the sexual encounter did not take place as part of a public mob? This certainly cannot be what Orosius wished to imply, but the lack of propriety with regard to age and status made the scene in Sodom worse for him and for his readers than it otherwise might have been. Roman moral judgements were placed alongside scripture, where they originally were not. Moreover, Orosius was not alone in these attempts to add further sinfulness to Sodom by including Roman paradigms, attesting to a mixture of pre- and post-Christian notions of sexual behaviour.

At the turn of the fifth century in Gaul, Sulpicius Severus also wrote a history, this time a chronicle, in which Sodom was renarrated.<sup>23</sup> Sulpicius introduced the city as a place where 'males [were] forcing themselves upon

<sup>20</sup> Orosius, *Historiae* 7.27. See Leonard, *In Defiance of History*, 106: 'The *Historiae* is a history of war.'

<sup>21</sup> Orosius, *Historiae* 1.5.8 (CSEL 5.46): 'ex abundantia enim luxuria, ex luxuria foedae libidines adoleuere, adeo ut masculi in masculos operantes turpitudinem ne consideratis quidem locis condicionibus aetatibusque prouerent'. Here, I have adapted Fear's translation by inserting the NRSV translation of 'masculi in masculos turpitudinem operantes'.

<sup>22</sup> Rom. 1:26–28 is the more extensive of the two Pauline condemnations of homosexual acts. Rom. 1:27–28 states: 'The men giving up natural intercourse with women were consumed with passion for one another. Men committed shameless acts with men and received in their own persons the due penalty of their error.' For the many interpretations of Rom. 1:26–27, see Nissinen, *Homoeroticism in the Biblical World*, 103–10; M. D. Smith, 'Ancient Bisexuality and the Interpretation of Romans 1:26–27', *Journal of the American Academy of Religion* 64.2 (1996), 223–56.

<sup>23</sup> For the chronicle, see Michael Stuart Williams, 'Time and Authority in the Chronicle of Sulpicius Severus', in *The Western Time of Ancient History: Historiographical Encounters with the Greek and Roman Past*, ed. Alexandra Lianeri (Cambridge: Cambridge University Press, 2011), 280–98.

males'.<sup>24</sup> Once the angels were residing in Lot's house, Sulpicius said that the wicked youth of the town demanded the new arrivals for *stuprum*.<sup>25</sup> As *stuprum* indicated a sexual crime with a person of protected status, Sulpicius is echoing Roman ideas of sexual availability and bodily inviolability, reinterpreting an episode from Genesis in Roman terms. As we know, Lot offered his daughters in place of his guests, but the city's young men did not accept the offer, having a desire rather for *illicita potius*.<sup>26</sup> Here Sulpicius omitted the detail that, according to scripture, all the men, young and old alike, came to Lot's house: 'the men of the city, the men of Sodom, both young and old, all the people to the last man, surrounded the house' (Gen. 19:4). By choosing to narrow the sinners down to youths alone, Sulpicius reaffirmed his readers' expectations of the restless sexual urges of young men, to which Roman authors had long attested.<sup>27</sup> Again, we see deviation from scripture to adjust a passage in support of the writer's views.

Sulpicius was voicing Roman ideas on Sodom when he said that the youths had a desire 'for things forbidden'. The original scriptural context aside, for Romans it was not improper to sexually subjugate a foreigner, and indeed this was one of the constructions under which sex between men was acceptable. Here, the inclusion of *stuprum* is important, then, as it indicates that the guests had protected status that should have been recognised. Again, status is used to determine which sexual relations between men are to be condemned, and which not. Further, sexual aggression was identified specifically with youth. From a pastoral perspective, by adding old men to the aggressors as Genesis did, the story could have been a stronger reminder of the dangers of male/male *stuprum* for all ages. Yet Sulpicius transformed the story into something he found easier to conceptualise: an episode involving young lustful men transgressing status boundaries.

Orosius and Sulpicius both introduced Roman ideas when they retold the story of Sodom, yet they were also ahead of their time: it was not obvious at the beginning of the fifth century that there *was* a connection between Sodom and male/male desire. A 'sodomite' was still understood with a capital S to signify a person from the city, and not, as later, someone who engaged in homosexual sex. Neither do early Christian readings of Sodom suggest divine punishment because of homosexual acts per se;

<sup>24</sup> Sulpicius Severus, *Chronicon* 1.5 (PL 20.98A): 'uiris in uiros irruentibus'.

<sup>25</sup> For more on *stuprum*, see Elaine Fantham, 'Stuprum: Public Attitudes and Penalties for Sexual Offences in Republican Rome', *Echos du Monde Classique* 35.3 (1991), 267–91.

<sup>26</sup> Sulpicius Severus, *Chronicon* 1.6: 'iuuentus improba ex oppido nouos hospites ad stuprum flagitabant. Lot pro hospitibus filias offerentes, non acquiescentibus quibus illicita potius desiderio errant.'

<sup>27</sup> Laes and Strubbe, *Youth in the Roman Empire*, 136–63.



nor does Lot's act of offering his daughters to the sexually aggressive men suggest that these men had solely homosexual interests.<sup>28</sup> However, the connection between Sodom and homosexual desire was made clearer at this time, and indeed, we may see the groundwork being laid out by writers such as Orosius and Sulpicius.

If we compare these men's views with Augustine's, these developments become even more nuanced. Orosius identified homosexual activity as the downfall of Sodom by quoting Paul's letter to the Romans, and Sulpicius directly linked Sodom with *stuprum* – there is no denying that something sexual is at stake. Augustine hinted at such a sexualised reading too, yet it took him years to explicitly do so. In the Augustinian corpus, one finds several references to Sodom, in which the story passes through different stages of interpretation. By following these discussions chronologically, we see Augustine's progression regarding what the crime of Sodom had been. In *Confessiones*, written between 397 and 400, Augustine stated that:

Shameful acts which are contrary to nature, such as the acts of the Sodomites (*Sodomitarum*), are everywhere and are always to be detested and punished. Even if all peoples should do them, they would all be liable to the same condemnation by divine law, for it has not made men to use one another in this way.<sup>29</sup>

This might initially seem like a straightforward interpretation of 'Sodomites' as men with homosexual interests; however, this conclusion is too hasty. Augustine failed to say what the crimes of the Sodomites were. Men ought not to 'use' one another *illo modo*, but how is this to be understood? Is it rape, as whatever the scene at Sodom was, it clearly was not consensual; and if so, is Augustine condemning men raping men? Augustine used the very vague *flagitia* – shameful things – to describe Sodom's activities. Likewise, it would be premature to suppose that acts 'contrary to nature' amounts to a straightforward condemnation of homosexual behaviour, as further examples show.

<sup>28</sup> The precise sexual interests of the men of Sodom and what the perceived crime of Sodom was has resulted in much scholarly debate. Bailey, *Homosexuality*, argued that the scriptures do not offer a homosexual interpretation of Sodom but that this was a later construction, a notion that has been supported by the more recent works of Jordan, *Invention of Sodomy*, and Carden, *Sodomy*. For counter-arguments that Sodom is clearly about homosexual acts, which is reflected in the scriptures themselves, see, for instance, Carmichael, *Law, Legend, and Incest*, 55.

<sup>29</sup> Augustine, *Confessiones* 3.8.1 (CSEL 33.56), trans. Chadwick, 46: 'itaque flagitia quae sunt contra naturam ubique ac semper detestanda atque punienda sunt, qualia Sodomitarum fuerunt. quae si omnes gentes facerent, eodem criminis reatu diuina lege tenerentur, quae non sic fecit homines ut se illo uterentur modo'.

Our second example comes from *De ciuitate Dei*. Here, Augustine wrote:

After this promise, Lot was delivered out of Sodom, and a fiery rain from heaven turned that whole region of the impious city into ashes, where *stupra* in men had grown strong to such an extent that it was custom, comparable to laws that permit other kinds of license.

In Latin, this passage reads:

Post hanc promissionem liberato de Sodomis Loth et ueniente igneo imbri de caelo tota illa regio impiae ciuitatis in cinerem uersa est, ubi *stupra* in masculos in tantam consuetudinem conualuerant, quantam leges solent aliorum factorum praebere licentiam.<sup>30</sup>

This passage is an apt example of the problems of scholarship devoted to Genesis 19, as *stupra in masculos* has been translated in multiple ways. The NPNF series misleadingly translates this phrase as ‘sodomy’, which echoes the time of its publication and shows the significant leap that has been made from Augustine’s wording to a flat-out condemnation of homosexual acts.<sup>31</sup> The concept of ‘sodomy’ is undeniably archaic now, and in works that are more recent we see *stupra in masculos* being translated as ‘homosexual practices among males’, ‘sexual promiscuity among males’ and ‘sexual intercourse between males’.<sup>32</sup> All these versions pay more attention to the original phrasing, yet these are not satisfactory either.

Unsurprisingly, the scholars who have paid the most attention to this wording are those who pursue an understanding of Sodom rather than those who project preconceptions of Sodom onto the text. Mark D. Jordan translates the phrase as ‘debaucheries in men’,<sup>33</sup> which is a more literal and accurate translation, although I have retained *stupra* in its original form as there is no satisfactory word or phrase that conveys this in English. The interpretation of this passage centres on *in masculos*, and whether we see this as a statement of an innate masculine quality of being prone to *stuprum*. Do we, that is, interpret *in masculos* literally – *in/into men* – or replace the

<sup>30</sup> Augustine, *De ciuitate Dei* 16.30.1. Translation my own. The final clause (‘quantam leges solent aliorum factorum praebere licentiam’) shows some licence on my part to convey Augustine’s meaning that *stuprum* in Sodom might as well have been a law, as it was in their very tradition and way of life.

<sup>31</sup> See NPNF 2 (Oxford, 1887; reprint: Peabody, MA: Hendrickson Publishers, 1995), 329.

<sup>32</sup> These translations are, in order: LCL, *De ciuitate Dei* V (Cambridge, MA: Harvard University Press, 1965), 145; *Concerning the City of God against the Pagans*, trans. Henry Bettenson (London: Penguin, 1972), 692; Dyson, *City of God*, 743.

<sup>33</sup> Jordan, *Invention of Sodomy*, 34.

preposition ‘in’ with ‘among’ or ‘between’, as do several of the translations above, which reduces the reading to sex acts and which, furthermore, would have more clearly been designated by an ablative *in masculis*?

Alternatively, the phrase may reflect *supra* ‘against’ men – the original phrasing is odd, but we find a similar construction in Lactantius’s *Divinae institutiones* when he attacks pagan gods and pagans for sexual misdeeds:

How will [pagans] curb their sex-drive when they venerate Jupiter, Hercules, Bacchus, Apollo and all those others whose adulteries and *supra* against men and women (*in mares et feminas*) are not just known to scholars but are acted out in theatres and put into songs, so that everybody knows them all the better?<sup>34</sup>

Here, *supra in mares et feminas* uses the same accusative construction as Augustine later did, in translation signalling sexual crimes committed against both men and women. Augustine’s remarks in *De ciuitate Dei* may thus be read in such a way that, in Sodom, ‘*supra* against men’ had practically become custom. These readings suggest that Augustine considered desire for male/male *stuprum* as an innate, defining quality of the men of Sodom, which is supported by his comment that this *stuprum* was so ingrained in Sodom that it might as well have been law. As such, by the early 420s,<sup>35</sup> Augustine had articulated that male/male *stuprum* was in question, which was a development in itself, and there was no longer any doubt that (attempted) sex acts against men were at the heart of the story of Sodom.

If we follow the Augustinian writings through, then in 420 Augustine also discussed the topic in *Contra mendacium* – perhaps around the same time or earlier than he wrote Book 16 of *De ciuitate Dei*. Here Augustine pondered which crime was worse: giving up one’s guests for the ‘crime

<sup>34</sup> Lactantius, *Divinae institutiones* 5.10.16 (CSEL 19.432–33): ‘quomodo libidines cohercebunt, qui Iovem, Herculem, Liberum, Apollinem, ceterosque uenerantur quorum adulteria et supra in mares et feminas, non tantum doctis nota sunt, sed exprimuntur etiam in theatris, atque cantantur, ut sint omnibus notiora?’ I have adapted the translation of Anthony Bowen and Peter Garnsey, *Divine Institutes* (Liverpool: Liverpool University Press, 2003), 302. Again, the phrase has been translated differently across editions of Lactantius – the Ante-Nicene Fathers 7.146 uses ‘debaucheries with men and women’.

<sup>35</sup> Books 15–16 were written after 419/420 and before 425 CE. For the composition of these books, see Jonathan P. Yates, ‘Books 15 & 16: Genesis, Paul, and Salvation History for the Citizens of God’s City’, in *The Cambridge Companion to Augustine’s City of God*, ed. David Vince Meconi (Cambridge: Cambridge University Press, 2021), 188–210.

which the Sodomites were trying to commit<sup>36</sup> or offering one's daughters instead? Neither was strictly speaking very pious behaviour, and Augustine had to explain Lot's actions. This discussion of Genesis was now firmly rooted in sex, as Augustine wrote that the Sodomites were interested in 'forcing [the angels] to undergo womanly things', that is *oppressi muliebría patiantur*. This phrase was used by the Romans to indicate a man being penetrated, and this choice of words is more sexually explicit than *flagitium* or *stuprum*, as it suggests the way in which the sex was performed.<sup>37</sup> As Augustine was discussing whether a lesser sin might be committed in order to prevent a larger sin, 'since it is less evil for women to suffer *stuprum* than men',<sup>38</sup> it becomes clear that these Sodomites were, in Augustine's reading, sexually interested in women and men alike, as Lot's daughters were viable replacements. An interest in men did not cancel out an interest in women, and Augustine moved freely between both types of desire. Simultaneously, the scene at Sodom was taking place in the context of 'libidinous frenzy'.<sup>39</sup> Augustine condemned not simply homosexual acts but unconstrained desire, adding a further element of loss of control which was thought to be unmanly.

Sodom, therefore, continued to be viewed as an aggressive and violent location by various church figures at the end of the fourth and beginning of the fifth century.<sup>40</sup> We see distinctive Roman interpretations of it: Sulpicius's youths demanded access to the angels, which would have constituted *stuprum*, and Orosius was concerned with the age and social status of the participants. Roman sexual norms informed these interpretations, and ideas of proper and improper homosexual acts are constructed around them. Augustine's version attested to male desire for women and men alike, never assuming that men would be restricted or confined to one or the other. Mark Jordan has argued that Augustine did not see the sin of the Sodomites as being male/male desire as such, but rather the violent expression of

<sup>36</sup> Augustine, *Contra mendacium* 20 (CSEL 41.493), trans. FCNT 16.147: 'scelus quod Sodomitae ... facere conabantur'. How vaguely expressed again!

<sup>37</sup> For the use of the phrase, see Jonathan Walters, 'Invading the Body: Manliness and Impenetrability in Roman Thought', in *Roman Sexualities*, ed. Judith P. Hallett and Marilyn B. Skinner (Princeton, NJ: Princeton University Press, 1997), 29–43.

<sup>38</sup> Augustine, *Contra mendacium* 20: 'minus malum est feminas quam uiros perpeti stuprum'. The NPNF translation uses 'lewdness' for *stuprum* – a rather misleading translation; see NPNF 3.1056. The FCNT translation, quoted above, uses 'violation' for *stuprum*, which again does not fully convey the sense; see FCNT 16.147.

<sup>39</sup> Augustine, *Contra mendacium* 22 (CSEL 41.495–96): 'libidosas insanias'.

<sup>40</sup> The focus here has been on Western sources, but as far as Eastern contemporaries are concerned, John Chrysostom's readings of Sodom are the most significant as he most explicitly, out of all Eastern authors at this time, added a homosexual aura. See Carden, *Sodomy*, 141–45.

these urges, which the above discussion supports. Furthermore, Jordan has argued that this distinction has been lost in readings of Augustine.<sup>41</sup> Sulpicius also supports this condemnation of uncontrolled desire as, indeed, his choice of youths ties the story to excessive lust and lack of control.

One might have expected men such as Sulpicius and Augustine to discuss sex between men through the all-encompassing scriptural condemnation that included the shared blame of both parties without further demarcation. Sodom, however, proved difficult to interpret in this light: the angels could not be blamed for the events, so no blame could be placed on the (receptive) parties who would have traditionally received the ridicule. This in itself naturally brought into focus the insertive males as transgressors, but Christian authors were unsure how to criticise these men. To this end, they relied on traditional thinking on homosexual acts to blame the insertive partners: one had to think of status, one had to think of age – if one did not, one had grievously erred. Salvian also reminds us that not all Christian authors gave Sodom such an explicit homosexual reading – even vaguer condemnation of wicked lusts was enough to account for the incident.

Apart from Sodom, sex between men was discussed in Christian texts as an element of history and legend. For instance, Jerome recalled the famed Antinous already mentioned with some distaste, but without any moral tirade on the subject,<sup>42</sup> while those recalling the past could not help but mention the sexual escapades of lustful men – as with incest, homosexual relationships were sufficiently scandalous to warrant mention. For instance, Orosius discussed the abduction of Ganymede and Nero's marriage to another man.<sup>43</sup> The late fourth-century *Historia Augusta*, while a pagan text, was especially interested in the moral misbehaviour of emperors, following a long tradition of voyeuristic interest in these leaders of the Empire.<sup>44</sup> Peppered with mentions of homosexual desire and sex,

<sup>41</sup> Jordan, *Invention of Sodomy*, 35. In the East, Augustine's contemporary, John Chrysostom, was a pioneer in establishing this same connection.

<sup>42</sup> Jerome quoted Hegesippus's comments on the cult of Antinous, noting that 'Hadrian Caesar numbered Antinous among his favourites' in *De uiris illustribus* 22, trans. FCNT 100.42. Although this is reported without any direct criticism, in *Aduersus Iouinianum* Jerome added a hint of distaste: 'And to make us understand what kind of gods Egypt always welcomed, one of their cities was recently called Antinous after Hadrian's favourite' (*Adu. Jou.* 2.7 = PL 23.294–95).

<sup>43</sup> Orosius, *Historiae* 1.12.4 and 7.7.2.

<sup>44</sup> The purpose and dating of *Historia Augusta* has been the topic of much scholarly debate. Alan Cameron, *Last Pagans of Rome*, 743–74, provides an overview of the historiographical discussion. *HA* has often been dated to the 390s; Cameron, however, makes a case for an earlier dating, placing *HA* in the 370s, but at present no scholarly consensus exists. The intentions of *HA* have inspired much discussion, from being

the *Historia Augusta* recorded Hadrian's sexual interest in men,<sup>45</sup> Lucius Verus's desire for young men,<sup>46</sup> Commodus's debauchery,<sup>47</sup> Elagabalus's various sex crimes with men,<sup>48</sup> and Carinus having sex with men.<sup>49</sup> These sexual and romantic encounters in the mythical and historical past were part of late antique cultural tradition, well known to Christians and non-Christians alike. Notably, these too were stories of excessive lust and desire for receptive males on the part of men who also had wives and female concubines. An excessive desire to penetrate a man is the most frequently criticised transgression in this survey of late antique texts.

Patristic discourses reflect Christian writers' inability to think in non-traditional paradigms, but conversely one could argue that emphasising traditional markers of acceptable/unacceptable behaviour was likely more impactful in explaining the related immorality to lay Christians. Late ancient Romans had an evolved understanding of pre-Christian paradigms for male/male sex, but not a nuanced conception of 'sin' for this sexual activity. After all, Orosius must have thought that his audience would object that no age or rank was considered when the men of Sodom made their advances. However, this would suggest a preference for non-Christian ideas over scripture. Such a reversal would be unusual in Christian moralistic rhetoric, but traditional ideas of male/male sex were so embedded in cultural understandings of the topic that even Christian moralists could not help but judge such encounters on the same merits as Roman culture had done for centuries.

This influence of traditional ideas is crucial for our understanding of how sexual morality was evolving at this time: traditional ideas of illicit sexual behaviour continued to be central to Christian moralistic thought. Existing scholarship on Sodom and scholarship on homosexual behaviour in the late Roman era has not sufficiently explored this link

labelled as pagan propaganda to being 'as trivial a product as everyone used to think' (Cameron, *Last Pagans of Rome*, 781). I am in no doubt that *HA* sought to amuse its readers with its extravagant and outrageous remarks on emperors' sex lives, bad habits, and scandalous liaisons. *HA* pandered to audiences who thrived on fictive constructions of exaggerated immorality.

<sup>45</sup> *Historia Augusta*, Hadrian 11.7.

<sup>46</sup> *Historia Augusta*, Lucius Verus 4.4.

<sup>47</sup> *Historia Augusta*, Commodus 1.7 on polluted orifices; 3.6 on kissing men in public; 5.4 on taking male sex-slaves on travels; 10.1 on sex with men; 10.8 on male sex-slaves; Pertinax 8.5 on Commodus's phallus-shaped cups.

<sup>48</sup> *Historia Augusta*, Elagabalus 5.1 on sex with men; 5.2 on using all of his orifices; 5.3 on lovers with large penises; 8.6 voyeurism practised in baths for well-endowed men; 12.2 promoting men with large penises; and the list goes on.

<sup>49</sup> *Historia Augusta*, Carinus 16.1.

between Christian views on same-sex intimacy and the continued reliance on traditional power dynamics of sex. However, Roman sexual norms complemented and informed clerical understandings of sexual practices, which shows that clerics recognised, understood, and constructed their own views within these paradigms. When they discussed Sodom, they could not overturn the prevailing Roman ideas in themselves.

### Legal Evidence as ‘Christianising’?

The dominance of Roman moral ethics is equally important when we examine imperial and canon law on homosexual acts. This has been the frontier of the ‘Christianisation’ of sex for many. The influence of Christian thinking on imperial law, and vice versa, has already been discussed in Part II when we examined incest and sex work. For laws on homosexual acts in the late antique era, we again see ‘the influence of Christian authorities’, as argued, for instance, by James Brundage.<sup>50</sup> However, the problem of limited contextual evidence for laws, and the edited and abbreviated nature of these laws in legal collections, makes it difficult to assess what types of behaviours or sexual habits the law was actually targeting. It is difficult to confidently conclude that laws reflect ‘Christian’ ideas, as these are uncertain in their approaches to sexual intimacy between men.

For western canon law, one cannot say much with regard to homosexual acts. The most direct action comes from the Synod of Elvira in early fourth-century Spain, which forbade communion to any man who had sex with a boy: ‘Those who sexually abuse boys (*stupratoribus puerorum*) may not commune even when death approaches.’<sup>51</sup> After this, we have no record of a western council discussing the matter during this time period. The problem with this canon is, of course, that it addresses pederasty rather than all sex between men – again, we see a concern over status, age, and power dynamics, rather than an overall condemnation of male/male sex as articulated in Pauline and Levitical scripture. Overall condemnation of an accepted practice (accepted as long as one adhered to societal norms) was not even conceptualised by this council.

We began this chapter with reference to a 390 law requiring men who had sex with other men to be burned, but this was not the first fourth-century imperial law on the matter. In 342, a law issued by Constantius and Constans in convoluted, confusing, and perhaps deliberately ambiguous language forbade men from uniting with one another.<sup>52</sup> It is unclear if

<sup>50</sup> Brundage, *Law, Sex, and Christian Society*, 123.

<sup>51</sup> Council of Elvira, Canon 71 (PL 161.686C): ‘stupratoribus puerorum nec in finem dandum esse communionem’. For this council, see Laeuchli, *Power and Sexuality*.

<sup>52</sup> *C.Th.* 9.7.3: ‘cum uir nubit in feminam, femina uiros proiectura quid cupiat, ubi sexus

this law is talking about marriage, or the futility of male/male sex in reproductive terms, or if it is objecting to men abandoning their usual role as the insertive partner. The law has been seen as attempting to reinforce this third option, however, in legislating for the traditional gender role of a Roman *uir*, who should not succumb to other men.<sup>53</sup> Whatever the law was aiming to punish, it demanded severe consequences, although it does not state what precisely such punishment should be. The law from 390 by Theodosius I, Valentinian II, and Arcadius, on the other hand, demanded that men be burned alive:

All persons who have the shameful custom of condemning a man's body, acting the part of a woman's, to the sufferance of an alien sex (for they appear to be different from women), shall expiate a crime of this kind in avenging flames in the sight of the people.<sup>54</sup>

This law was posted in the Forum of Trajan in Rome, and the Theodosian Code gives no further information on it. This, combined with the 'marriage' law of 342, has resulted in assertions that men with homosexual interests were persecuted and executed in accordance with imperial laws in the late Roman era.<sup>55</sup> However, Timothy Barnes has challenged the idea that imperial laws demonstrate a move towards harsher positions on homosexual relations. Instead, he has argued that the law quoted above was not a condemnation for all men, but rather targeted male sex workers specifically.<sup>56</sup> Barnes's interpretation that this law aimed to rid Rome of male sex workers and not, as is erroneously thought, of all men who had had or were having sex with men is likely to be correct. Indeed, the particularly brutal punishment of being burned alive seems extreme when there was no legal precedent for this, and such an attack on people of good social status would

perdidit locum, ubi scelus est id, quod non proficit scire, ubi uenus mutatur in alteram formam, ubi amor quaeritur nec uidetur, iubemus insurgere leges, armari iura gladio ultore, ut exquisitis poenis subdantur infames, qui sunt uel qui futuri sunt rei.

<sup>53</sup> Eva Cantarella, *Bisexuality in the Ancient World*, 2nd edn (New Haven, CT: Yale University Press, 2002), 175–96; Harper, *From Shame to Sin*, 152–53.

<sup>54</sup> *C.Th.* 9.7.6, trans. Pharr, 232: 'omnes, quibus flagitii usus est, uirile corpus muliebriter constitutum alieni sexus damnare patientia (nihil enim discretum uidentur habere cum feminis), huius modi scelus spectante populo flammis uindicibus expiabunt'.

<sup>55</sup> Bailey, *Homosexuality*, 68–70.

<sup>56</sup> T. D. Barnes, 'Leviticus, the Emperor Theodosius, and the Law of God: Three Prohibitions of Male Homosexuality', *Roman Legal Tradition* 8 (2012), 43–62. While male sex workers could be insertive with their male customers, such acts were scandalous – most Roman texts assume that male sex workers were receptive in sex, and as such the law might be attacking only the receptive, prostituted party who was subject to a long tradition of ridicule.



surely have been met with opposition. Burning receptive male sex workers alive, on the other hand, is more plausible, even as it is cruel.

Furthermore, Barnes has compared this law with a contemporary legal text, the *Collatio Legum Mosaicarum et Romanarum*, which compares Judaic and Roman laws on various topics, including legislation on homosexual acts. Barnes argues that in the 390s a Jewish scholar in Rome, who knew the law of 390 quoted above, attempted to bring Judaic law into line with this more recent imperial ruling on burning male sex workers alive. In composing a work that compared Roman and Judaic law, therefore, the *Collatio* tweaked the wording of Lev. 20:13, which states: 'If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them.'<sup>57</sup> As discussed above, this passage condemned both parties: the insertive and the receptive male. Yet the collator recorded the Judaic law as follows: 'Moses says: He who spends the night with a male in the role of a female, it is an abomination: let them both die, they are guilty.'<sup>57</sup> While both parties remain guilty, the *Collatio* singles out the receptive man. Barnes has argued that the *Collatio* thus aimed to heighten the culpability of the receptive partner, in response to the imperial law condemning male sex workers. As we have seen, the idea of shared culpability was not adopted fully by Christian authors of the early fifth century, but condemnation rather relied on traditional Roman dynamics of sex, and in this paradigm the receptive partner was the object of scorn. As such, this renewed focus on the receptive partner reflects the other sources we have already examined.

After giving this reworked wording of Leviticus, the *Collatio* recounted the law of 390, which was preserved at greater length in the *Collatio* than in the Theodosian Code, into which the abbreviated version quoted above was entered in the 430s. The lengthier version preserved in the *Collatio* explicitly attacked male sex workers alone and not all men who engaged in sex with other men:

The same Theodosius: the Emperors Valentinian, Theodosius and Arcadius Augusti, to Orientius, Vicar of the City of Rome:

We no longer allow the City of Rome, the mother of all virtues, to be defiled for so long by the contamination of the womanish shame in men and that rustic strength of the ancient founders, diminished by the effeminately enervated people, to inflict insult against the ages of the

<sup>57</sup> *Collatio* 5.1.1: 'Moyses dicit: Qui manserit cum masculino mansione muliebri, aspernamentum est: ambo moriantur, rei sunt', in Robert M. Frakes, *Compiling the Collatio legum Mosaicarum et Romanarum in Late Antiquity* (Oxford: Oxford University Press, 2011), 169, translation at 213.

founders and of the emperors, Oh Orientus, most dear and pleasant to us. Your praiseworthy skills, therefore, will purge by means of the flames of vengeance with the people watching, as the immensity of the outrage demands, all those caught and dragged out of all the brothers of men (it is shameful even to say the term) whose disgraceful sensuality led them to use the male body in a female manner so to damn it to the passive role of the other sex and to have nothing differentiated from women, so that all may comprehend that the shelter of the spirit of man ought to be sacrosanct nor shall those who have foully thrown away their own sex and sought to be the other be without the highest punishment. Posted on the day before the Ides of May at Rome in the atrium of Minerva.<sup>58</sup>

According to this lengthier version, Rome was defiled by the effeminacy of male sex workers, ‘whose disgraceful sensuality led them to use the male body in a female manner so to damn it to the passive role of the other sex’.<sup>59</sup> These sex workers were to be dragged out of their brothels and burned in front of the people. The relationship between the *Collatio* version and the Theodosian Code version is not entirely clear in terms of its contents, date, and time of publication, yet they are clearly drawing from the same origin.<sup>60</sup>

Barnes’s firm dating, location, and identification of the collator are in contrast with Robert M. Frakes’s extensive study of the *Collatio*. Frakes’s conclusions are much more tentative: the collection quite likely originated from the West and was made by a person who was middle class and non-elite, perhaps someone working in the civil service.<sup>61</sup> Frakes, however, concludes that the author of the *Collatio* was more likely to have been Christian than

<sup>58</sup> *Collatio* 5.3.1–2: ‘idem Theodosius: Impm Valentinianus Theodosius et Arcadius Augg[ug] ad Orientium uicarium urbis Romae: Non patimur urbem Romam uirtutum omnium matrem diutius effeminati in uiris pudoris contaminatione foedari et agreste illud a priscis conditoribus robur fracta molliter plebe tenuatum conuicium saeculis uel conditorum inrogare uel principum, Orienti k[arissime] ac iuc[undissime] nobis. laudanda igitur experientia tua omnes, quibus flagitiosus luxus est uirile corpus muliebriter constitutum alieni sexus damnare patientia nihilque discretum habere cum feminis occupatos, ut flagitii poscit inmanitas, atque omnibus eductos, pudet dicere, uirorum lupanaribus spectante populo flammis uindicibus expiabit, ut uniuersi intellegant sacrosanctum cunctis esse debere hospitium uirilis animae nec sine summo supplicio alienum expetisse sexum qui suum turpiter perdidisset. Prop. pr(idie). id. Maias Romae in atrio Mineruae’; Frakes, *Compiling the Collatio*, 169–71, translation at 213.

<sup>59</sup> *Collatio* 5.3.2: ‘quibus flagitiosus luxus est uirile corpus muliebriter constitutum alieni sexus damnare patientia’; Frakes, *Compiling the Collatio*, 170.

<sup>60</sup> *Collatio* 5.3.1 and *C.Th.* 9.7.6 differ in both their date and location. *C.Th.* 9.7.6 was posted at the Forum of Trajan in August 390, whereas the *Collatio* 5.3.1 version was posted in the Atrium of Minerva in March 390.

<sup>61</sup> Frakes, *Compiling the Collatio*, 128–29.

Jewish.<sup>62</sup> Frakes does not provide a commentary on the differences between *Collatio* 5.3.1 and *C.Th.* 9.7.6, and it is unlikely that definitive answers can be given on the relationship and relative transmission of these two laws. Our concern here is not to settle this debate, but rather to illustrate that what has often been considered as proof of ‘Christianised’ imperial laws against homosexual acts is not so. It seems likely that the law of 390 wished to tackle male sex work but was not objecting to all male/male sex. These laws focused on receptive males and problematised the dangerous gender blurring that these men embodied. In response to these developments in emphasising the dangers of letting oneself be penetrated, the collator felt the need to make Judaic tradition focus more specifically on the receptive party likewise. As such, the dominance of Roman ethics regarding sex between men became the overriding framework for interpreting these laws, instead of scripture.

It would be erroneous to claim that fourth-century laws on sex between men represent Christianisation or are reflective of a more widely shared sentiment in the lay, pagan, clerical, or Christian population. If these laws had any effect, they certainly emphasised that a man should never let himself be penetrated by another man, and this might have forced men who wished to engage in such activities into finding more discreet ways of achieving their sexual goals. Presumably, one could not turn to male sex workers in Rome anymore, but one’s own male slaves would still have been acceptable receptive partners. The laws, however, do not address this, nor does the topic of sex between men come up again in the surviving legal evidence from this time.

The very limited legal tradition on sex between men is not extensive enough to support any notion that ‘Christianisation’ was in effect here – it only attests to anxiety, discomfort, and aggression towards receptive males, who were betraying their gender roles. The marginalisation of male sex workers and punishments for receptive men both say more about the Roman idea of *uir* than they do about Christian ideals of men or Christian ideas of male/male sex. One must be careful, therefore, not to find grand Christianising ideologies in the law, and even more careful not to place ‘Christianisation’ into the law retrospectively.

This latter is particularly hard not to do, as the next wave of Roman legislation on homosexual acts discussed the topic more thoroughly than before, thus creating a sense of progression between laws that were, fundamentally, independent of each other and issued over a 200-year span in vastly different circumstances. These later laws come from Justinian in the 530s and 540s, beyond the temporal and spatial span here examined – but

<sup>62</sup> Frakes, *Compiling the Collatio*, 130–40.

it would be remiss not to briefly address them.<sup>63</sup> In these sixth-century laws, both the receptive and insertive parties are equally condemned, and *Novel* 141 even cites Sodom as an example of inappropriate male behaviour.<sup>64</sup> In the context discussed here, this is an ideological milestone for both Sodom and for insertive/receptive dynamics, which had not been condemned in law before. For Christianising laws, therefore, we must look well into the sixth century, which underlines how fourth-century laws have misleadingly been interpreted. However, sixth-century laws that condemned both the insertive and the receptive man do not mean that traditional views on male/male attraction were now obsolete. As we turn to discuss homoeroticism and homoerotic desire in Christian texts, we find both in abundance.

## Homoeroticism

Homoerotic desire in Christian texts is our penultimate point of consideration. Same-sex attraction continued to be understood as inevitable in Christian texts, as it was in Roman thinking. This shows contradictory approaches: on the one hand homoerotic desire and attraction was thought to be dangerous by Christian writers, but it was simultaneously

<sup>63</sup> The legislations of Justinian included *C.Th.* 9.7.3 forbidding unions between men, but excluded *C.Th.* 9.7.6, discussed at length here. Justinian summarised punishments for men in *Inst.* 4.18.4 in 533, subjecting such criminals to the same punishments as for adultery, that is, death. *Nov.* 77, from 538, punished men who committed ‘reprehensible vices, and commit crimes against nature’. *Nov.* 77 then moves to punish those who blaspheme and calls for all such sinners to be punished with death. *Nov.* 77 is a confusing law, being both vague in its expression of sex between men and its lengthy inclusion on blasphemy, which takes up the majority of the law. *Nov.* 77 also stipulates strict punishment for judges who avoid sentencing people guilty of crimes against nature and blasphemy. *Nov.* 141 from 559, on the other hand, is more explicit. Again, the law states that it is concerned with crimes against nature, but it is more definite in who it is targeting: ‘We have reference to the corruption of males (*de stupro masculorum*), a crime which some persons have the sacrilegious audacity to perpetrate.’ This time the law does not call for death, but a confession before the Patriarch, followed by a penitent life. Those who do not confess will face consequences. There are clear problems here even in the consistency, scope, and definition of Justinian’s attitudes towards male/male sex, one notable observation being that Justinian relaxes the law from 538 with his addition in 559. The law does not differentiate between insertive/receptive sex, but Justinian’s argument that homosexual acts are against nature unifies both laws. A thorough examination of Justinian’s laws on male/male sex must fall outside the research presented here – however, while the Christian core of Justinian’s legislation cannot be denied, the legislation on homosexual acts in his law codes is vague and confused.

<sup>64</sup> *Nov.* 141: ‘Scimus enim ex sacris scripturis edocti, qualem deus iustum supplicium iis qui Sodomis olim habitarunt, propter hunc in commixtione furorem intulerit.’

thought to be natural. The subtleties in expressing such desire have been expertly studied by Mark Masterson, who has shown that homoerotic desire remained a central part of late ancient homosocial relationships, impacting how men related to each other, expressed admiration, and showed rank and status.<sup>65</sup> However, this language was highly complex and coded, relying on intertextuality, which educated elites would have felt comfortable with and have mutually understood. Considering these findings on secular elites in relation to Christian texts, we find a similar appreciation of desire as defining male relationships, but in these contexts desire is always potentially harmful.

As seen in our commentary on Sodom, one of the few aspects not problematised was the desire in and of itself that the men of Sodom had for the angels; rather, the maddening, violent, or overly passionate aspects of this desire were questioned. In other words, the desire was expressed in offensive and excessive ways, but the desire itself was not described as unnatural. Examining same-sex desire will add to our understanding of the sway that Roman sexual norms held over Christian thinking about attraction between people of the same biological sex.

The most sexually charged discussions on male/male intimacy come, perhaps unsurprisingly, from those seeking to suppress sexuality as a whole: from ascetic texts. The potential danger of intimacy found in these texts represents an intensified concern over lust: written for audiences striving for absolute continence, the problem of desire is heightened to proportions that might not be found in other contexts. These texts demonstrate a shift from policing sexual acts to policing desire itself – something much more instinctive and intangible, and as such even more difficult to control.

One key text in discussing homoerotic desire at this time came from the East. Around 404 Jerome translated *Regulae S. Pachonii*, the Rule of Pachomius, from Coptic-based Greek to Latin.<sup>66</sup> Pachomius (292–348) was an Egyptian, credited as the founder of coenobitic monasticism and whose rule only survives in Jerome's translation.<sup>67</sup> The *Regulae* were circulated widely in the West in the fifth century, and Pachomius's contributions to promoting monastic life were acknowledged by western figures such as Leo the Great and Gennadius, who added Pachomius to his list of illustrious

<sup>65</sup> Masterson, *Man to Man*.

<sup>66</sup> For the dating of the translation, see J. N. D. Kelly, *Jerome: His Life, Writings, and Controversies* (London: Duckworth, 1975), 280.

<sup>67</sup> Jerome's translation, however, might not be very reflective of Pachomius himself or his ideas. See Philip Rousseau, *Pachomius: The Making of a Community in Fourth-century Egypt* (Berkeley, CA: University of California Press, 1999), 38; trans. Armand Veilleux, *Pachomian Koinonia*, vol. 2: *Pachomian Chronicles and Rules* (Kalamazoo, MI: Cistercian Publications, 1981).

men.<sup>68</sup> The reception of the *Regulae* appears to have been positive, resonating in western communities despite their rather different origins in the fourth-century Egyptian desert.

The rule that was distributed among a Latin readership had much to say on homoerotic desire and its dangers in monastic settings. This may have been somewhat foreign in the West, where monasticism was still new, yet western communities were growing in number.<sup>69</sup> The extent to which the *Regulae* worried over physical intimacy between men is indicative of how innate male/male desire was thought to be. Rule 93 stipulated that no monk should rub oil on another's body unless expressly told to do so,<sup>70</sup> nor should a monk assist another who had a thorn in his foot, but such touching of another's foot must be supervised – perhaps there was concern that the touching would turn into fondling, which in turn might escalate into something more.<sup>71</sup> The most explicit are Rules 94 and 95:

94. No one may speak to his neighbours in the dark.

95. Nor shall you sleep two together on a mat or a carpet. No one may clasp the hand or anything else of his companion; but whether you are sitting or standing or walking, you shall leave a forearm's space (*cubito*) between you and him.<sup>72</sup>

This is but to offer a few examples – several rules focus on limiting contact between individual monks.<sup>73</sup> These stipulations discouraged the comforts of this world, and while they might have been concerned with intimate friendships since such affections are earthly rather than spiritual, the worry over sexual interest was only one cubit – that is 45.72 centimetres – away. Rule 7 decreed 'let no one look at another twisting ropes or praying; let him rather be intent on his own work with eyes cast down'.<sup>74</sup> Such a rule has

<sup>68</sup> Leo, *Ep.* 3; Gennadius, *De uiris illustribus* 7.

<sup>69</sup> Owen Chadwick, *John Cassian*, 2nd edn (Cambridge: Cambridge University Press, 1968), 41–53; Goodrich, *Contextualizing Cassian*; Dunn, *Emergence of Monasticism*, 82–110.

<sup>70</sup> *Reg. Pach.* 93: 'Nullus lauere alterum poterit, aut ungere, nisi ei fuerit imperatum.'

<sup>71</sup> *Reg. Pach.* 96: 'Spinam de pede alterius, excepto domus praeposito, et secundo, et alio cui iussum fuerit, nemo audebit euellere.'

<sup>72</sup> *Reg. Pach.* 94–95, trans. Veilleux, 161: 'Nemo alteri loquatur in tenebris: nullus in psiathio cum altero dormiat: manum alterius nemo teneat; sed siue steterit, siue ambulauerit, siue sederit, uno cubito distet ab altero.' I have altered Veilleux's translation of *dormiat* as 'sit' to 'sleep', in accordance with Jerome.

<sup>73</sup> For a more thorough listing, see Rousseau, *Pachomius*, 155.

<sup>74</sup> *Reg. Pach.* 7, trans. Veilleux, 146: 'Nemo aspiciat alterum torquentem funiculum, uel orantem; sed in suo defixis luminibus opere sit intentus.'

a dual function: keeping one's eyes cast down was an exercise in humility, but this also echoes the danger of the gaze. As attested in scripture and by many early church fathers, even the act of looking could constitute the deadly sin of adultery.<sup>75</sup> In these texts, the dangers of same-sex desire step into the void that the lack of an explicit discussion about sex left in its wake.

Western counterparts of these anxieties are not without precedent, again taking an important role in ascetic texts. The Augustinian Rule – which was not an official rule but rather was based on a letter Augustine wrote to nuns, presumably residing in Hippo, in 423 – guided monastics in their daily religious life.<sup>76</sup> *Ep.* 211 provides us with rare mentions of sex and desire between women, which has thus far gone unmentioned. The silence regarding this is largely due to a silence in the sources themselves,<sup>77</sup> as well as the phallogocentric idea of sex that Augustine himself demonstrated.<sup>78</sup> Addressing holy women, Augustine wrote:

The love between you, however, ought not to be carnal (*carnalis*) but spiritual, for the things which shameless women do even to other women jokingly or playingly are to be avoided not only by widows and chaste handmaids of Christ, living under a holy rule of life, but also entirely by married women and maidens destined for marriage.<sup>79</sup>

Augustine condemned the unmentionable 'things' done by women, which were *iocando* and *ludendo* – done jokingly or playingly. He did not consider sexual acts between women as very intense experiences or, really, even as conclusive acts of sex. He did not label this activity as *fornicatio* or *stuprum*, so in his mind this kind of carnal love was something lesser. It is unclear if these acts should be thought of as oral sex or mutual masturbation, or

<sup>75</sup> Matt. 5:27–28: 'You have heard that it was said, "You shall not commit adultery." But I say to you that everyone who looks at a woman with lust has already committed adultery with her in his heart.' For John Chrysostom's views on the dangers of the gaze, see Blake Leyerle, 'John Chrysostom on the Gaze', *Journal of Early Christian Studies* 1.2 (1993), 159–74.

<sup>76</sup> Augustine, *Ep.* 211 (CSEL 57.356–71).

<sup>77</sup> For this topic, see Brooten, *Love Between Women*; Sandra Boehringer, *L'homosexualité féminine dans l'antiquité grecque et romaine* (Paris: Les Belles Lettres, 2007).

<sup>78</sup> Jacqueline Murray, 'Twice Marginal and Twice Invisible: Lesbians in the Middle Ages', in *Handbook of Medieval Sexuality*, ed. Vern L. Bullough and James A. Brundage (New York: Garland, 2000), 191–222.

<sup>79</sup> Augustine, *Ep.* 211.14 (CSEL 57.369), trans. FCNT 32.50: 'Non autem carnalis sed spiritalis inter uos debet esse dilectio; nam quae faciunt pudoris inmemores etiam feminis feminae iocando turpiter et ludendo, non solum a uiduis et intactis ancillis Christi in sancto proposito constitutis sed omnino Christianis nec a mulieribus nuptis nec a uirginibus sunt facienda nupturis.' I have modified the FCNT translation slightly.

whether perhaps women rubbing against each other was in question here.<sup>80</sup> One would think that if these acts were explicit to this degree, Augustine would not have mentioned them so passingly – surely mutual masturbation required more serious rebuke? Yet the extent to which late antique men failed to conceptualise sex acts without the presence of men means that Augustine ultimately thought these acts were in a different category than the male-centred vices he so often condemned. If these women were doing something less intense than described above – kissing, cuddling, hugging? – then he did not make this clear. Nevertheless, a little earlier in the letter he had advised:

If [nuns] go to the baths or wherever they have to go, let there be no less than three. The one who is under the necessity of going somewhere shall not go with the companions of her choice, but with those whom the Superior shall ordain.<sup>81</sup>

It may be that a male presence at the baths or on the way to the baths was feared, or that two women left alone might commit sinful acts with each other or, indeed, form too intimate a bond with each other when out of sight of others.

Yet Augustine did not condemn *quae faciunt pudoris inmemores* as horrendous sinning, although clearly these acts were something women should not engage in. Even so, he did not question the desire itself – he just admonished it. Bernadette Brooten has argued that ‘Augustine takes for granted that women will be sexually attracted to other women.’<sup>82</sup> The view that Augustine had of sex between women as something less than sex also explains why female homoeroticism is less of a topic in clerical texts than its male counterpart: it constituted, perhaps, some kind of foreplay that men thought could not be consummated.

Not only did Augustine criticise carnal lust in an ascetic community of women, but he claimed that married and single women were also in danger from these frivolous temptations. Not only, therefore, did Augustine perceive that an intensely ascetic environment was capable of producing such behaviour in women, but that this could happen among laywomen likewise. *Ep.* 211 is a unique document as it attests to sexual acts and desire among laywomen *and* religious women alike – after all, why would

<sup>80</sup> Church fathers were not completely unaware of the ways in which women could pleasure each other. For instance, Tertullian refers to rubbing as a sexual act between women in *De pallio* 4.9.5. This may refer to women rubbing their vaginas together.

<sup>81</sup> Augustine, *Ep.* 211.13, trans. FCNT 32.48: ‘Nec eant ad balneas siue quocumque ire necesse fuerit minus quam tres. Nec illa quae habet aliquo eundi necessitatem, cum quibus ipsa uoluerit, sed cum quibus praeposita iusserit, ire debebit.’

<sup>82</sup> Brooten, *Love Between Women*, 351.



Augustine worry over these acts if they were unheard of? One wonders how common such activities were, then, if a response to them was that they were playfully done and did not bear any immediate moral consequences. In terms of desire, not only were men perfectly capable of desiring one another, but so were women, and women did not necessarily even need the homosocially intense environment of an ascetic community to be in danger of acting on these ‘frivolous’ urges.

Augustine has also spurred scholarly discussion on desire between men, the evidence for which comes from his autobiography. His *Confessiones* contains a touching interlude in which Augustine described a friend who died in his youth and whom Augustine had most ardently loved. The use of emotive and romantic phrasing such as ‘I had felt that my soul and his soul were one soul in two bodies’<sup>83</sup> has sparked speculation (and counter-speculation) about this relationship: John Boswell interpreted such homoeroticism as equating to homosexuality, while others have denied that there was any place for sexual tension or desire in such discourses and friendships.<sup>84</sup> However, as demonstrated by Mark Masterson, such articulations of intense desire played a significant part in social interactions between elite men in late Roman society.<sup>85</sup> Expressions of same-sex love were familiar to Augustine and the value of male intimacy was idealised by him. Augustine’s love for his friend ought to be read as homosocial discourse seeking to strengthen bonds between men. We must also note the difference between intense male friendships in secular settings and the same feelings in monastic settings, in which such intimacy could be much more dangerous.

A comparison of Augustine’s advice on ascetic homoeroticism and *Regulae S. Pachonii* shows that intimacy was worried over, and some did this more explicitly than others. Augustine acknowledged that carnal desire was an issue, whereas the *Regulae* only hinted at this reading. If monastic warnings such as those in *Regulae S. Pachonii* and Augustine’s letter demonstrate anything, it is that same-sex attraction was not seen as unnatural or something that required explanation. Homoeroticism was part of the cultural tradition of late antiquity, and natural in the context in which these authors wrote – but such temptation could lead to sin, and as such one had to be mindful of these potentially harmful desires.

<sup>83</sup> Augustine, *Confessiones* 4.6.11 (CSEL 33.73), trans. Chadwick, 59: ‘nam ego sensi animam meam et animam illius unam fuisse animam in duobus corporibus’. Augustine referenced ancient texts for this bond; see Chadwick, 59, n. 14.

<sup>84</sup> For views that Augustine’s relationship with his friend may have been romantic or sexual, see Boswell, *Christianity*, 135, and Louis Crompton, *Homosexuality and Civilization* (Cambridge, MA: Belknap Press of Harvard University Press, 2003), 137–38. For opposing views, see Carolinne White, *Christian Friendship in the Fourth Century* (Cambridge: Cambridge University Press, 1992), 59–60.

<sup>85</sup> Masterson, *Man to Man*.

Romans themselves saw homoeroticism, whether platonic or physical, as an influence from Greek culture and overly luxurious living. The interconnectedness of homosexual practices and Eastern luxury has led some historians, such as Ramsay MacMullen, to suggest that elite men of Rome took up same-sex relationships because they were fashionable, and that such behaviour remained largely constrained to the upper classes, as to engage in homosexual liaisons would not occur to the less privileged.<sup>86</sup> Others have agreed that Greek culture played a part but that it influenced all of society, including the lower classes, in furthering enthusiasm for homosexual acts.<sup>87</sup> The ideas represented by such scholarship demonstrate the continuing problem of heteronormativity in studies on ancient sexuality, which is difficult to escape when our own society is fixated on clearly defined sexualities (although perhaps increasingly less so – this shift may prove illuminating for future studies). Older studies begin with the assumption that homosexual acts and desires *need* to be rationalised, but this detective impulse simply does not exist in the source material. In his article on how heterosexism has influenced interpretations of Paul's epistles, Dale Martin has demonstrated the tendency of modern scholars to read Paul's letters as addressing homoeroticism because from our modern perspective it is felt that homoeroticism *has* to be explained.<sup>88</sup> This in itself is a heteronormative oversight that, crucially, was not shared by the authors of ancient texts, and was not shared by Christian moralists either.

The fear of same-sex desire in Christian sources might appear novel when contrasted with the early imperial centuries, when satires and speeches are full of humorous, even if critiquing, comments on men having sex with one another. However, Augustine warned against homoerotic desire, even as he had ardently and intimately loved his friend. Desire, within reason and non-sexual, was perfectly acceptable even as laws against certain sexual acts between men were passed. Desire was not in itself deviant, but acting on such desire was, especially if acted upon in the *wrong* way – violently, madly, or without social or religious decorum. As such, Christian texts were aware of the potential dangers of desire and warned against them. While an ascetic goal might have been to feel no desire for anyone at all, many of these writers took the more humane approach that sexual desires would be felt; indeed, it was the mark of an ascetic to be able to battle these urges. However, one simply must not act on them.

<sup>86</sup> MacMullen, 'Roman Attitudes to Greek Love'.

<sup>87</sup> B. C. Verstraete, 'Slavery and the Social Dynamics of Male Homosexual Relations in Ancient Rome', *Journal of Homosexuality* 5.3 (1980), 227–36, 230.

<sup>88</sup> Dale B. Martin, 'Heterosexism and the Interpretation of Romans 1:18-23', in Kuefler, ed., *The Boswell Thesis*, 135–37.

It might be that from homosexual to homoerotic to homosocial was the trend that intimacy between men took at this time, but such interpretations are hindered by limited evidence. Many continued to view homosexual desire as inherently luxurious and as the wont of men who had been morally spoiled by excesses – and for this we once more turn to Salvian.

## Male Gender Transgression

Conceptions of Roman homosexuality dominated church thinking on male/male sex from Christian treatises to histories to ascetic rules. We have also seen how male/male sex could be utilised to critique substandard morals more broadly – such broader attacks, as we by now know, were a favoured topic of Salvian, who provided an elaborate account of the sexual customs of Roman men in pre-Vandal North Africa.

North Africa holds a special place in the narrative of *De gubernatione Dei*, as the fall of Carthage contributed to a lengthy discussion on the region. As Augustine was prompted to write *De ciuitate Dei* in response to the Gothic sack of Rome in 410, so Salvian wrote his treatise in the aftermath of the Vandal conquest of Carthage and the defeat of the Roman army at Toulouse in 439.<sup>89</sup> Between the years 410 and 439, barbarians had breached two of the greatest cities in the Western Empire, and as news of these events circulated, clerics attempted to place them within a Christian understanding of divine intent. Salvian's discussion of North Africa demonstrates his need to interpret contemporary events as acts of God, spurred by divine dismay over Christian sins.

When the Vandals crossed into North Africa from southern Spain in 429, their numbers were recorded at 80,000 people, of whom some 16,000 may have been warriors.<sup>90</sup> In the following decade the Vandals progressed eastwards along the North African coast, and when Salvian wrote *De gubernatione Dei* in the 440s, the Vandal king Geiseric was expanding his control of North Africa further.<sup>91</sup> The Vandals subjected the local Catholic population to a religious persecution unparalleled in other parts of the West. This persecution left many of the clergy dead

<sup>89</sup> While the composition of both *De gubernatione Dei* and *De ciuitate Dei* was inspired by barbarian victories and Roman defeats, a study of *De gubernatione Dei* does not suggest that Salvian had read *De ciuitate Dei*, although he was likely to have been aware of it. See David Lambert, 'The Uses of Decay: History in Salvian's *De gubernatione Dei*', *Augustinian Studies* 30.2 (1999), 115–30, at 128–29.

<sup>90</sup> Ludwig Schmidt, *Histoire des Vandales* (Paris: Payot, 1953), 149. The figure of 80,000 is given by Victor of Vita, *Historia persecutionis Africanae Prouinciae* 1.1, trans. John Moorhead, *Victor of Vita: History of the Vandal Persecution* (Liverpool: Liverpool University Press, 1992).

<sup>91</sup> Merrills and Miles, *The Vandals*, 60–70.

and many in exile, enabling Arians to take over church buildings and property.<sup>92</sup> Furthermore, the new rulers sought to replace the local ruling classes with their own people – unlike in Gaul, for instance, where the old elite found new ways to reinstate themselves at the top of the changing social and political hierarchy.<sup>93</sup> The relationship between the Vandals and the local population, therefore, was different from other such situations. The long-lasting aggression speaks of a more systematic persecution and takeover than in Italy, Spain, or Gaul.<sup>94</sup> In other words, as Salvian turned his attention to North Africa, he was entering a world where the experience of barbarians had been more oppressive than in other regions. The sins of North Africans must have been proportionate to these developments.

Salvian began the denouement of his work with a scrutiny of why a region once so great was now suffering Vandal control and heretical persecution. Salvian lamented that North Africa had once been the richest of all provinces – many of Salvian's contemporaries shared this sense of horror over Africa's fate.<sup>95</sup> Already prior to the Vandal conquest, however, North Africans had been full of greed, avarice, and pride, Salvian claimed. They committed fraud, forgery, and perjury, and Salvian knew 'of no baseness that did not abound there'.<sup>96</sup> Once again, Salvian chose sexual behaviour as the overriding feature of Christian sinfulness: being African, he said, equated to being unchaste.<sup>97</sup>

Salvian singled out Carthage as the home of sin. He was nothing if not extravagant in his discussion of the city, the citizens of which 'stank from the mire of lust as they inhaled the unclean vapor of their mutual impurity'.<sup>98</sup> This description is reminiscent of Augustine's *Confessiones*: 'I came to

<sup>92</sup> Victor of Vita, *Historia persecutionis Africanae Prouvinciae* 1.1–8; Victor of Tonnena, *Chronicon* 51 (CCSL 173A.16). The severity depicted in these accounts, however, is dictated by their religious agenda. See Danuta Shanzer, 'Intentions and Audiences: History, Hagiography, Martyrdom, and Confession in Victor of Vita's *Historia Persecutionis*', in *Vandals, Romans and Berbers: New Perspectives on Late Antique North Africa*, ed. A. Merrills (Aldershot: Ashgate, 2004), 271–90.

<sup>93</sup> Ralph W. Mathisen, *Roman Aristocrats in Barbarian Gaul: Strategies for Survival in an Age of Transition* (Austin, TX: University of Texas Press, 1993), 89–104; see also Ralph W. Mathisen, 'Provinciales, Gentiles, and Marriages between Romans and Barbarians in the Late Roman Empire', *Journal of Roman Studies* 99 (2009), 140–55, at 145–46.

<sup>94</sup> Collins, 'The Western Kingdoms', 121–30.

<sup>95</sup> Salvian, *De gub.* 7.60; Quodvultdeus, *De tempore barbarico* 2.5.4–5; *Chronicle* 452 108, 129 (MGH AA 9.658–60); Prosper, *Chronicon*, s.a. 439 (MGH AA 9.477).

<sup>96</sup> Salvian, *De gub.* 7.63, trans. FCNT 3.207: 'nullam enim improbitatem scio, quae illic non redundauerit'.

<sup>97</sup> Salvian, *De gub.* 7.66.

<sup>98</sup> Salvian, *De gub.* 7.73, trans. FCNT 3.210: 'faetebant ... cuncti urbis illius ciues coeno libidinis, spurcum sibimet ipsis mutuo impudicitiae nidorem inhalantes'.

Carthage and all around me hissed a cauldron of illicit loves.<sup>99</sup> The city remained true to this reputation for bustling, sinful life up to its downfall, as Salvian equated extreme corruption with inevitable demise: as the Vandals reached the walls of Carthage, the Christian citizens within were in the circus and the theatre, too preoccupied with their filthy pleasures to protect themselves.<sup>100</sup> Such a reputation was not wholly ill-founded: Tertullian had criticised Carthaginians for their love of games, and Augustine had warned his listeners and readers of the inherent dangers of public amusements.<sup>101</sup> While this was a popular critique by Christian clerics, Carthage also held the most impressive games in the region: the circus in Carthage seated around 40,000 spectators and was the largest building in the province.<sup>102</sup> Neither did the Vandal takeover stop these amusements, as the circus and theatre continued to be popular well into the sixth century.<sup>103</sup> Such a city was a good setting for criticism far beyond mere game attendance.

Having adequately set the scene for sin, Salvian introduced extreme sexual deviance which fell easily into place with the promiscuous, lust-filled city he had described. Having already argued that sexual vice had brought divine wrath down on Gaul – which will be examined in the next chapter – Salvian introduced the worst deviance of all: homosexual acts.<sup>104</sup>

Salvian began by quoting Rom. 1:27–28, often seen as a Pauline condemnation of male/male sex. He introduced the passage to set his discussion within a scripturally informed argument. We should note, however, that Salvian quoted only Rom. 1:27–28, omitting Rom. 1:26, which is the only Pauline mention of sex between women: ‘their women exchanged natural intercourse for unnatural’.<sup>105</sup> Salvian’s selective use of Romans – omitting the condemnation of female/female acts – highlights his preoccupation with men and reinforces the interpretation that sexually illicit Christian men were his main target of critique. Salvian’s use of Romans 1:27–28 is also indicative of his attitude towards homosexual behaviour as a whole: he did not seek to pick out nuances in sexual relationships with men as many of his contemporaries did. Instead, Salvian sought to condemn completely – this is, at least, how his comments first appear.

<sup>99</sup> Augustine, *Confessiones* 3.1 (CCSL 33.43), trans. Chadwick, 35: ‘Ueni Karthaginem et circumstrepebat me undique sartago flagitiosorum amorum.’

<sup>100</sup> Salvian, *De gub.* 6.69.

<sup>101</sup> Tertullian, *De spectaculis* (CSEL 20.1–29); Lim, ‘Augustine and Roman Public Spectacles’.

<sup>102</sup> John H. Humphrey, *Roman Circuses: Arenas for Chariot Racing* (London: Batsford, 1986), 303.

<sup>103</sup> Daniel Van Slyke, ‘The Devil and His Poms in Fifth-Century Carthage: Renouncing *Spectacula* with Spectacular Imagery’, *Dumbarton Oaks Papers* 59 (2005), 53–72, at 54.

<sup>104</sup> Salvian, *De gub.* 7.77–88.

<sup>105</sup> For full discussion, see Brooten, *Love Between Women*, 197–214.

Salvian was quick to point out that Paul's criticism of those practising homosexual acts was not aimed at barbarians, but at Romans themselves.<sup>106</sup> Yet the extent of this vice in Carthage was much more complex than clear-cut sexual acts. Salvian's criticism is worth quoting in full:

In a Christian city, in an ecclesiastical city, where the Apostles taught with their own teaching,<sup>107</sup> where martyrs were crowned for their sufferings, men acted as women, and this without any protection of shame, without any cloak of modesty. Then, as if their fault would be light if only the authors of the evils were sullied by the evil, it became the sin of the whole city, because the public had knowledge of the vice. The entire city saw and allowed it to continue. The judges saw and were quiet. The people saw and applauded. Thus the fellowship of vice and crime was diffused throughout the entire city. Consent made it common to all, though its performance was not common to all. You are saying, the evil was at last ended and the wrong corrected. Who could believe or even hear that men converted to feminine bearing not only their habits and nature, but even their looks, walk, dress, and everything that is proper to the sex or appearance of a man? Therefore, everything was put contrariwise, so that, since nothing should be more shameful to men than if they seem to have something feminine about them, in Carthage nothing seemed worse to certain men than to have something masculine about them.<sup>108</sup>

For Salvian the most horrendous act, therefore, was not simply sex between men, but male gender deviance that was publicly performed. This deviance took the form of female dress and female mannerisms, going beyond sexual

<sup>106</sup> Salvian, *De gub.* 7.74.

<sup>107</sup> By the fifth century, Carthage had established a claim of apostolic origin for its Christian community, although there is no evidence to support this.

<sup>108</sup> Salvian, *De gub.* 7.79–80, trans. FCNT 3.212: 'in urbe Christiana, in urbe ecclesiastica, quam quondam doctrinis suis apostoli instituerant, quam passionibus suis martyres coronarant, uiri in semetipsis feminas profitebantur, et hoc sine pudoris umbraculo, sine ullo uerecundiae amictu: ac sic, quasi parum piaculi esset si malo illo malorum tantum inquinarentur auctores, per publicam sceleris professionem fiebat etiam scelus integrae ciuitatis. Uidebat quippe hoc uniuersa urbs, et patiebatur: uidebant iudices, et acquiescebant: populus uidebat, et applaudebat: ac sic diffuso per totam urbem dedecoris scelerisque consortio, etsi hoc commune omnibus non faciebat actus, commune omnibus faciebat assensus. Sed finis aliquando forsitan mali aut emendatio aliqua labis istius fuit? Quis credere aut etiam audire possit conuertisse in muliebrem tolerantiam uiros non usum tantum atque naturam, sed etiam uultum, incessum, habitum, et totum penitus quidquid aut in sexu est aut in usu uiri: adeo uersa in diuersum omnia erant, ut cum uiris nihil magis pudori esse oporteat quam si muliebri aliquid in se habere uideantur; illic nihil uiris quibusdam turpius uideretur quam si in aliquo uiri uiderentur.'

acts themselves. The gender blurring caused by effeminate behaviour has a long history of causing anxiety in Roman male authors, and may have been a motivating factor for fourth-century imperial laws on homosexual acts likewise.<sup>109</sup> While Salvian quoted a section of the letter to the Romans that critiqued men abandoning the natural use of women, he went much further in his attack than sex acts or lust alone. By arguing that God had not only created man and woman as sexual counterparts biologically, but that God was also behind one's gender performance – mannerisms, speech, clothing – Salvian expanded the scope of the scriptural passage considerably. These men's abandonment of their masculinity was more complete than the deviance expounded in Rom. 1:27–28, and thus worse.

While initially Salvian depicted a city where all men preferred male/male sex acts, he soon clarified that this was not the case:

I say that there was not a little but too much of this evil in Carthage, not because many were *molles*,<sup>110</sup> but because the voluptuousness of a few is the ruin of many. Even if they who live indecently are few, there are many tainted by the baseness of the few. For, just as one prostitute makes many fornicators, in the same way the abominable mixture of a few *molles* infects almost the greatest portion of the population.<sup>111</sup>

This passage contains two key observations. Firstly, Salvian used the rhetoric of infectious vice, depicting sexual misdeeds as a disease that could spread from one to many, placing 'soft' men into a tainting category alongside sex workers. The active, contagious nature of vice has been central to much of the evidence examined in this study, and it is crucial in understanding Salvian likewise. Secondly, in his commentary on Carthaginian men, Salvian attacked the typical *cinaedus* of the Roman world: a man who acted and dressed in effeminate fashion, and who was marked by the assumption that he enjoyed and sought anal penetration by other men, although he was

<sup>109</sup> Cantarella, *Bisexuality*, 175–96.

<sup>110</sup> *molles* = soft (ones). Some translations, including O'Sullivan's, use the word 'effeminate' as a translation, but this is inadequate. See Craig Williams, 'The Language of Gender: Lexical Semantics and the Latin Vocabulary of Unmanly Men', in *Sex in Antiquity*, ed. Mark Masterson, Nancy Sorkin Rabinowitz, and James Robson (Abingdon: Routledge, 2014), 461–81.

<sup>111</sup> Salvian, *De gub.* 7.82, trans. FCNT 3.213: 'quamuis ego illic non modicum de hoc malo, sed nimis fuisse dicam; non quia molles plurimi fuerint, sed quia mollities paucorum, labes est plurimorum. Nam etsi pauci sunt qui dedecorosa sustineant, multi sunt qui paucorum sordibus polluantur. Sicut enim una meretrix multos fornicatores facit, sic plurimam populi partem inquinat paucorum effeminatorum abominanda permixtio.'

likewise capable of seducing men's wives.<sup>112</sup> This deviant male is in contrast to Salvian's use of Pauline scripture, which condemned sex between men as a whole and did not focus on either party specifically.

Roman moral thinking on male transgression of gender boundaries was thus more significant for Salvian than the criticism in scripture of male/male sex. Indeed, even when Salvian quoted scripture that condemned both the insertive and receptive parties, his subsequent tirade against softened men emphasised the receptive male more.<sup>113</sup> Salvian argued that receptive males were leading other men astray, which is a curious interpretation of sexual dynamics, as it suggests that the active desire to penetrate another man existed whenever the opportunity was actively offered by the receptive partner. In other words, every man in Carthage had a dormant homosexual desire that was waiting to be prompted. Salvian is testifying to a mutual homoerotic discourse in which the softened men desire more masculine men, and the feeling is mutual when the opportunity arises. By this logic, homosexual acts would be permanently extinguished if the *molles* were done away with – without their presence, no man would desire another. In Salvian's interpretation, therefore, homosexual behaviour is circumstantial but present in everyone, and desire is provoked by a specific group of men transgressing gender norms.

In parallel with these claims, Salvian offered Vandal men as a respectable point of contrast. Indeed, Salvian claimed that sexual vices had been completely abolished in Vandal North Africa, and we have already examined his dubious claims about the abolition of sex work there in an earlier chapter.<sup>114</sup> This erasure of sexual vice did not only stretch to sex work, however; Salvian also argued that homosexual acts never crossed a Vandal's mind. As such, these activities had ceased upon their arrival: '[The Vandals] entered the richest towns where all these vices were rampant, and [...] they have abominated the impurities of men.'<sup>115</sup> Once the barbarians had settled in North Africa, enjoying its wealth and riches, 'none of them became *mollis*', Salvian marvelled, and he added, 'Does this seem a small matter? Certainly, the Roman families were even those of noble birth. What do I say in addition? None of the Vandals were stained by the impurity (*incestu*) of the soft Romans in that country.'<sup>116</sup> Not only

<sup>112</sup> Williams, *Roman Homosexuality*, 175–76.

<sup>113</sup> Salvian also quoted 1 Cor. 6:9–10 in an abbreviated form in *De gub.* 7.82, trans. FCNT 3.214: 'For neither the effeminate [nor] men who love men will possess the kingdom of God.' The NRSV edition has the word 'sodomites' for ἀρσενοκοῖται, which should be dismissed as a translation.

<sup>114</sup> Salvian, *De gub.* 7.90.

<sup>115</sup> Salvian, *De gub.* 7.89, trans. FCNT 3.216: 'qui ingressi urbem opulentissimam, ubi haec omnia passim agebantur ... abominati enim sunt uirorum impuritates'.

<sup>116</sup> Salvian, *De gub.* 7.87, trans. FCNT 3.215: 'Igitur in tanta affluentia rerum atque



did Salvian attack the local elites, but he also returned to the notion of homosexual acts as a form of Roman self-indulgence. According to Salvian, these ‘pleasures’ were foreign to the Vandals, and even when surrounded by Romans they did not adopt their questionable sexual habits.

However, as with Salvian’s claims that sex work had been abolished, with male/male sex we also find other sources that offer us a different impression. Salvian’s contemporary Prosper of Aquitaine (d. 455) claimed that the Vandal king Geiseric had a favourite youth in North Africa by the name of Paulillus, who ‘was wholly agreeable to the king on account of his fine body and refined nature’.<sup>117</sup> Geiseric tried to convert the boy but in vain, after which he had the boy beaten and enslaved. Prosper’s commentary on the matter is fleeting and is not found in other sources – the reliability of Prosper is therefore questionable. But significantly, while Salvian was praising Vandal chastity, another writer was circulating rumours that the Vandal king appreciated the beauty of young men and had picked favourites.<sup>118</sup> Prosper’s note on both the physical beauty of the youth as well as his intellectual capacity are wholly in line with Roman views on the appeal of young men as sexual partners. The name of the youth – Paulillus, the little one – also suggests the boy’s submissive character and his role as the object of sexual desire. In sum, Geiseric’s homoerotic desires were typically Roman.

If Prosper were to be believed, it would seem that the Vandals were not as immune to Roman homosexual norms as Salvian wanted his audience to think. Furthermore, when the emperor Justinian’s forces set out to reconquer Africa in 533, Procopius noted that the Vandal elite had enjoyed luxurious lives involving banquets and abundant sex during their time there.<sup>119</sup> Excavations of late antique structures in Carthage demonstrate sustained amusements under Vandal rule, including venues of entertainment such as theatres and circuses, but also the townhouses and large villas of the Carthaginian suburbs which would have been occupied

luxuria nullus eorum mollis effectus est. Nunquid parum uidetur? Certe familiariter etiam nobiles hoc fuere Romani. Sed quid adhuc addo? Nullus uel qui Romanorum illic mollium pollueretur incestu?’ Translation partly altered.

<sup>117</sup> Prosper, *Chronicon*, s.a. 437 (MGH AA 9.476): ‘pro elegantia formae atque ingenii admodum regi acceptus’. Murray’s translation is somewhat misleading: ‘very dear to the king’. The Latin appears more neutral than this (‘admodum ... acceptus’) and I have altered the translation accordingly.

<sup>118</sup> Prosper studied in Marseille in the 420s and moved to Rome in the 430s. On his life, see Steven Muhlberger, *The Fifth-century Chroniclers: Prosper, Hydatius, and the Gallic Chronicler of 452* (Leeds: F. Cairns, 1990), 48–55.

<sup>119</sup> Procopius, *De bello uandalico* 4.6.5–9. For Procopius’s depictions of masculinity, see also Michael E. Stewart, ‘The Danger of the Soft Life: Manly and Unmanly Romans in Procopius’s *Gothic War*’, *Journal of Late Antiquity* 10.2 (2017), 473–502.

by the Vandal elite.<sup>120</sup> These reconstructions do not depict the Vandals as the uncorrupted newcomers that Salvian made them out to be. Indeed, the satirical poet Luxorius mocked his fellow sixth-century North Africans for homosexual love affairs: epigram 35 mocked a man called Becca who spent too much on lavish gifts for his male lovers; epigram 50 joked at the expense of a charioteer who let himself be penetrated; epigram 78 made jest of a woman who did not wish to marry, with Luxorius saying she should partner up with another woman instead.<sup>121</sup> Alternatives to heterosexual relationships made for a witty arsenal in Vandal Africa, suggesting that these types of liaisons had a touching point with historical reality.

The dubious realism of Salvian's account is highlighted further by Quodvultdeus, bishop of Carthage.<sup>122</sup> His earliest works date to mid-430s Carthage, while his later works were written while in exile in Naples.<sup>123</sup> These later works were his attempts to prove that the world was going to end in sixty years' time – a stance likely sprung from his own hardships.<sup>124</sup>

Like Salvian, Quodvultdeus blamed African Christians for the calamities they experienced.<sup>125</sup> However, he did not single out sexual behaviour as a primary factor in this. Rather he focused on greed and other non-carnal worldly pleasures as the cause of God's wrath, made corporeal in the form of the Vandal conquerors: 'You pile up your money for your own temporal welfare. After a little while, a fever comes along and you are forced to die. Where is that which you bought?'<sup>126</sup> This criticism of worldly habits was a recurring theme in the writings of Quodvultdeus.<sup>127</sup> Yet Salvian and Quodvultdeus also shared some opinions. Akin to Salvian, while still in Carthage, Quodvultdeus asked: 'Where is Africa, which for the whole world

<sup>120</sup> Frank M. Clover, 'Carthage and the Vandals', in *Excavations at Carthage 1978, Conducted by the University of Michigan*, ed. John H. Humphrey (Ann Arbor, MI: Kelsey Museum, 1982), 1–22. Reprinted in Frank M. Clover, *The Late Roman West and the Vandals* (Aldershot: Variorum, 1993).

<sup>121</sup> Luxorius, *Epigram* 35, 50, 78, in Rosenblum, *Luxorius*, 132–33, 140–41, 156–57. For the homoerotic interpretation of epigram 78, see Rosenblum, *Luxorius*, 239, n. 78.7.

<sup>122</sup> PCBE 1, 'Quodvultdeus 5', 947–29. For Quodvultdeus, see Van Slyke, *Quodvultdeus*; Finn, *Quodvultdeus*.

<sup>123</sup> For Quodvultdean works, see the summary in Quasten, *Patrology*, 501–03.

<sup>124</sup> Van Slyke, *Quodvultdeus*, 140–41.

<sup>125</sup> Quodvultdeus, *De tempore barbarico* 1.4.11: 'What such a good thing, dearly beloved, have we done; or rather, on the contrary, what evils have we not done? [...] This was no work of an enemy, of barbarians, rather of each man himself.' = 'Quid tale, dilectissimi, fecimus, imo e contrario quae mala non fecimus? [...] Nec ab hostibus, nec a barbaris, sed a se ipso ... consentiendo.'

<sup>126</sup> Quodvultdeus, *De tempore barbarico* 2.9.5–6 (CCSL 60.481): 'pro salute tua temporale pecuniam congregas. Post paululum febre adueniente exire cogeris. Ubi est quod emisti?'

<sup>127</sup> Quodvultdeus, *De symbolo* 1.2.1–10 (CCSL 60.307–08).

was like a garden of pleasures? ... Was she not chastised more sharply, the more unwilling she was to take on discipline to remedy those evils, when other provinces had reformed themselves?<sup>128</sup> The notion that North Africa had suffered more than other provinces was common to both.

Tellingly, once Quodvultdeus had relocated to Italy, he found it difficult to convince the local audience of the disasters to come, perhaps due to Italy's more stable status which enhanced people's confidence in the future there.<sup>129</sup> In a similar way, Salvian was attempting to convince his audience in Marseille and the rest of Gaul of his vision of history, current affairs, and indeed the future. Quodvultdeus and Salvian agreed that God had brought oppressors upon them as punishment for Christian sins – their views on what the sins of the North Africans were, however, differed. Salvian was therefore right in his own way: there was tension within the Christian community of Carthage regarding how they lived and behaved as Christians, but Salvian's claims that male/male sex and gender transgression had doomed the city are not to be found in local sources – and, further, his claims that the Vandals were exceptionally pure with regard to male/male sex find no corroboration, as neither did his claims about sex work.<sup>130</sup> The excessive depiction of homosexual acts in North Africa is, furthermore, the peak of Salvian's moralistic attacks in *De gubernatione Dei*: this sexual vice was not outdone by any other.<sup>131</sup>

As such, what can one make of Salvian's discussion of homosexual behaviour in North Africa – that the Romans overindulged in it, and that the Vandals abolished it? Should the section be seen as satire working with hyperbolic ideas of sexual vice that fitted a city with a lustful reputation? Does Salvian offer evidence of cross-dressing men in Carthage, or was this his vision of proportionate deviance to account for the capture of a great city? The inhabitants of Marseille would have heard many versions of the Vandal conquest, as eyewitnesses in the form of merchants and exiles frequented the city – indeed, Marseille continued to trade with North Africa throughout this period, with African goods taking on a growing share of the local market.<sup>132</sup> Perhaps through these contacts blame and poor morals were assigned to Roman Africans – perhaps Salvian even replicated some

<sup>128</sup> Quodvultdeus, *De tempore barbarico* 2.5.4–5: 'ubi est Africa, quae toto mundo fuit uelut hortus deliciarum?' ... Nonne tanto haec acerbius castigata est, quanto aliis prouinciis emendatis ista corrigendo noluit suscipere disciplinam?'

<sup>129</sup> Van Slyke, *Quodvultdeus*, 105, 199–200.

<sup>130</sup> For the possibility of Vandal purity laws, see discussion in Chapter 5.

<sup>131</sup> Cf. Augustine's comments that homosexual acts were the ultimate sin, of which one could not even speak, in *De bon. conj.* 8 (CSEL 41.198).

<sup>132</sup> S. T. Loseby, 'Marseille: A Late Antique Success Story?', *Journal of Roman Studies* 82 (1992), 165–85, at 172. The African economy overall seems to have done well under Vandal rule; see Merrills and Miles, *The Vandals*, 141–76.

such rumours in *De gubernatione Dei*. While he offers limited knowledge of the actual customs in North Africa, he does underline that male/male sex, when performed in excess and in ways that betrayed Roman norms for these relations, was one of the most effective ways to damn a group of men. He heavily relied on this to account for the fall of Carthage.

Salvian's depiction of Carthage and the sexual customs of the city should be interpreted as a premonition: Gallic men were committing sexual vice as Salvian had detailed earlier in his work. North African Christians had done all of these acts and even worse, for which they had now been struck down by God on an unprecedented scale. The purpose of Salvian's rather bizarre discussion was to show Gallic Christians a future which might take place in Gaul if his audience did not correct their ways: a life of luxury and sexual indulgence was a slippery slope, and Gallo-Romans in areas not controlled by barbarian forces still stood a chance of escaping the fate of North Africa and Aquitaine. It was in this quest for correction that Salvian's pure barbarians were invaluable: their presence provided him with a new medium of social criticism. Having the Vandals as a point of contrast enabled Salvian to write a treatise of internal examination which sought to explain the calamities and upheavals of the Western Empire that both the author and his intended audience had experienced.

Salvian finished *De gubernatione Dei* with a concluding chapter, the end of which has been lost. Even so, early in Book 8 he reminded Christians that by their actions they were the masters of their own fate.<sup>133</sup> This final book emphasised that redemption and salvation were attainable by changing one's ways, reinforcing the argument that Salvian was seeking to offer a way out of future disasters. Moreover, Salvian expected his vision of gender deviance to strike a chord with his audience: even within traditional ideas of male/male sex, men dressing up as women and mimicking their movements and mannerisms was scandalous. While Salvian, therefore, envisaged North Africa as a cesspool of depravity, his cautionary vision was intended to warn of a future for Gaul, rather than prove a history for North Africa.

The deviant men of North Africa demonstrate how male/male sex continued to be criticised by Christian writers within the framework of Roman masculine ideals. This occurred in Christian histories, treatises, and in imperial laws, and across a broad range of contexts. Ascetic texts, in turn, did not question homoerotic desire, seeing this to be inevitable, but strongly warned against acting on it. Even Salvian, who quoted Paul to condemn both the insertive and receptive man, moved his criticism to the betrayal of Roman manliness and sexual norms, and ultimately shifted the blame on to

<sup>133</sup> Salvian, *De gub.* 8.2.

the receptive male. Roman norms overruled solely Christian reasoning – in this way, the long shadow of Rome loomed over not only Christian moral discourses, but Christian conduct more broadly. To explore this, we turn from male/male relations to female/male relations to examine late Roman polygyny.



## CHAPTER 7

# Reject All Others

## Polygyny in the Late Roman West

At the beginning of the sixth century, Fulgentius of Ruspe lamented the sexual standards of his flock. With an air of critique and defeat, he said:

If someone ... has so kept moderation in regard to his wife that he has relations with his wife only for the sake of procreating children, such a person is without a doubt worthy of much praise, if there is anyone in our times who can fulfil this description.<sup>1</sup>

Fulgentius's scepticism regarding the existence of such men highlights the most significant challenge facing clerics who sought sexual reform: how to restrain the sexual impulses of Christian men to procreation only and to their wives only. Cultural tradition in late antique society struggled to change under Christian guidance, especially when discussing male sexual licence.

Fulgentius's despair had been preceded by exhortations by numerous Christian leaders from Paul onwards. Scripture provided many proof-texts for the clerical position that married men should not stray. 'You shall not commit adultery' (Exod. 20:14) left no room for debate on the Christian doctrine of marital infidelity, nor did the Pauline list of 'fornicators, idolaters, adulterers', none of whom would inherit the kingdom of God (1 Cor. 6:9–10). These sinful adulterers, significantly, were men, and not just adulterous wives. Clerical figures reminded their flocks of this list of unworthy individuals frequently in the late fourth century and at the start of the fifth: John Cassian, Jerome, and Augustine all referred to this passage, as did Fulgentius.<sup>2</sup> An even stricter clerical stance was that by gazing with lust one was committing adultery in one's heart (Matt. 5:28).

<sup>1</sup> Fulgentius, *Ep.* 1.9 (CCSL 91.192), trans. FCNT 95.283: 'si uero ... tantam seruauerit in uxore temperiem, ut filiorum procreandorum causa tantummodo misceatur uxori, multa laude talis est proculdubio dignus, si quis hoc nostris potest implere temporibus'.

<sup>2</sup> This is by no means intended to be an exhaustive list: John Cassian, *Coll.* 23.15; Jerome, *Apologia* 2.18; Augustine, *Speculum: De Epistola B 6*; Fulgentius, *De fide ad Petrum*

Even so, men's sexual escapades were widely accepted in late Roman society by Christians and non-Christians alike. Gillian Clark observed that Christian men 'continued to act in ways which did not really seem to them (or their families) to be wrong'.<sup>3</sup> The typical late Roman male was not monogynous, did not feel badly about not being so, and did not even think he should behave in some other way. While male/male relationships invited scrutiny as to how to perform such acts within approved Roman paradigms of male power, male/female relationships were pervasively questioned in the contexts of paternal legitimacy, marital relations, and female chastity – male chastity, however, was less of an issue. One legal wife was allowed, but the husband could still 'pursue additional non-casual sexual and reproductive relationships that may (but need not) entail cohabitation'.<sup>4</sup> In other words, men had concubines and mistresses, visited sex workers, and made use of the sexual access they had to slaves in their households.

Christian ideals objected to two aspects of this model: Christian moral codes forbade extra-spousal sex for men and women alike, on top of which serial monogamy was discouraged, as marrying once was preferable to remarriages.<sup>5</sup> Despite such Christian guidance, late ancient communities were polygynous or semi-polygynous societies, even as the influence of Christianity with its emphasis on monogynous monogamy spread. The reluctance of communities to change – and of men to change – under Christian guidance has been insufficiently examined, but this area perhaps best demonstrates the limited impact that clerical rebukes had.

The most extensive evidence for late Roman polygyny comes from Christian discussions of adultery, or *adulterium*. The Roman definition centred around the married woman: *adulterium* was committed by her and with her. A married man did not commit adultery when he slept with sex workers, slaves, foreigners, or unmarried free(d)women – the only time he was guilty of *adulterium* was if he slept with someone else's wife.<sup>6</sup> For Christian clergy, however, *adulterium* was defined much more broadly: a man always committed adultery when straying from the marital bed, just as his wife did. Upon marrying each other, a husband and wife became one flesh, after which sexual relations with anyone else was a breach of this union. In this light, Christian married men lost their privilege of sex with

36. The authorship of *Speculum* is challenged; see Anne-Marie La Bonnardière, *Saint Augustin et la Bible* (Paris: Beauchesne, 1986), 401–09.

<sup>3</sup> Clark, *Women in Late Antiquity*, 38.

<sup>4</sup> Walter Scheidel, 'A Peculiar Institution? Greco-Roman Monogamy in Global Context', *The History of the Family* 14.3 (2009), 280–91, at 282.

<sup>5</sup> Polyandry was not a common practice in late Roman society. See the discussion below on women having sex with their male slaves – an act punishable by death.

<sup>6</sup> For more on the dynamics of Roman adultery, see Gardner, *Women in Roman Law and Society*, 127–31; Evans-Grubbs, *Law and Family in Late Antiquity*, 201–25.



others with impunity. Their *adulterium* was considered equally sinful – yet such a sentiment was not widely shared.

Premarital sex, on the other hand, was not adultery unless a married woman was involved. Rather this was *fornicatio*, signifying sinful sexual behaviour of some description. The distinction is not always clear: *fornicatio* is at times used for sexual relations where one person is married, instead of the *adulterium* we might expect. Not all fornication is adultery, but all adultery is fornication. Even Augustine, when discussing situations that permitted a man to separate from his wife, admitted this to be a ‘most obscure question’.<sup>7</sup> Adultery would have warranted separation, but did fornication – and if so, what was the difference? Ideas and precise terminology regarding acceptable and unacceptable behaviour were still evolving.

Past studies on late ancient adultery have focused on theological rebukes and imperial laws.<sup>8</sup> We should also consider, however, the extent to which adultery committed by married men was normalised practice, as long as these men did not sleep with someone else’s wife. Clerical critiques of extramarital sex reflect lay disregard of these more ‘Christianised’ moral standards, showing the struggle that clerics faced in shifting religious ideals into practice. Illicit behaviours of this era increasingly invited clerical involvement, showing that private matters of sex were being brought into the realm of the church.<sup>9</sup> Yet the majority of sexual engagements passed without clerical involvement or judgement, occurring in private rather than in public. Sources on adultery, therefore, are glimpses of much wider practices, and here I wish to shift the focus from frustrated clerical demands

<sup>7</sup> Augustine, *Retractacionum libri duo* 1.18.6 (PL 32.616): ‘Sed quatenus intelligenda atque limitanda sit haec fornicatio, et utrum etiam propter hanc liceat dimittere uxorem, latebrosissima quaestio est.’

<sup>8</sup> For the legal developments, some of which will be considered below, see Arjava, *Women and Law*, 193–205; Mathew Kuefler, ‘The Marriage Revolution in Late Antiquity: The Theodosian Code and Later Roman Marriage Law’, *Journal of Family History* 32.4 (2007), 343–70. For the complexities of polygynous monogamy, see Laura Betzig, ‘Roman Monogamy’, *Ethology and Sociobiology* 13.5 (1992), 351–83, and Laura Betzig, ‘Roman Polygyny’, *Ethology and Sociobiology* 13.5 (1992), 309–49. See also Satoshi Kanazawa and Mary C. Still, ‘Why Monogamy?’, *Social Forces* 78.1 (1999), 25–50.

<sup>9</sup> See, for instance, Danuta Shanzer, ‘Some Treatments of Sexual Scandal in (Primarily) Later Latin Epistolography’, and Ralph W. Mathisen, ‘Seething Adolescence, Suspect Relations, and Extraneous Women: Extra-Marital Sex in Late and Post-Roman Gaul’, both in *In Pursuit of Wissenschaft: Festschrift für William M. Calder III zum 75. Geburtstag*, ed. Stephan Heilen and William M. Calder (Hildesheim: Georg Olms, 2008), 393–414, 303–14.

about male chastity to viewing such evidence as reflecting cultural and societal continuity in the late Roman West.

As with homosexual acts, Roman moral standards on male sexual licence continued to prevail over Christian ideas. While clerics and ascetics were admired for their chastity, there is little evidence that laymen at large longed for such recognition themselves.<sup>10</sup> In fact, when we consider the habits traditionally allowed to married men – sex with slaves, concubines, sex workers, girlfriends, or ‘mistresses’ – we see lay resistance to attempts to limit these allowances. Arguments have been made that this resistance can, at least partly, be explained by the dwindling sociopolitical power of Roman men – and, indeed, the loss of political power in the western provinces may have been a further manifestation of emasculation for local men.<sup>11</sup> In this context, any articulation of masculine power, especially one as central as sexual licence, was given heightened importance.

This chapter will first examine why polygyny was considered to be dangerous to Christian communities. An examination of lay resistance to monogamy follows, and I will conclude with a discussion of late Roman laws that, significantly, do not reflect stricter Christian notions of acceptable sexual behaviour for married men. The fact that secular law did not seek to limit male sexual licence weakened clerical ability to tackle these sexual excesses. A process of Christianising sexual morality had to question practices that for many were not sinful – and, indeed, as with incest, there likewise was significant confusion over what behaviours, exactly, constituted a moral wrong.

## The Dangers of Polygyny

Salvian provides an apt Christian perspective on the potential harm that polygyny posed for late Roman communities. While he considered homosexual acts to be the most deplorable form of Christian sinning, this was not the most widespread form of vice. Instead, the most common sexual vice was adultery for married men and fornication for the unmarried. Salvian based his criticism of adultery on Matt. 5:28, thereby determining that to gaze with lust was to commit adultery in one’s heart.<sup>12</sup>

In response to this, Salvian stated, ‘God commanded all Christians to keep their eyes pure, but how many are there who do not roll about in

<sup>10</sup> Little evidence, but not none. See Laes, ‘Male Virgins in Latin Inscriptions’.

<sup>11</sup> For the connection between loss of sociopolitical power and the construction of masculine identities in the late Roman world, see the discussion in Kuefler, *Manly Eunuch*, 77–78. Also see Salvian’s remarks on male gender transgression as accounting for military defeat, examined in Chapter 6.

<sup>12</sup> Salvian, *De gub.* 3.37.

the mire of fornication?<sup>13</sup> By adopting the scriptural stance that even by looking – that is, by desiring – one committed adultery, Salvian’s scope of criticism broadened considerably. However, what is notable in Salvian’s criticism is his focus on wealthy Christian men. He stated that while it was generally expected that slaves sinned most of all, it was in fact the upper classes who were prone to committing sexual misdeeds.<sup>14</sup> The behaviour of rich men, to which Salvian dedicated much time, had been under scrutiny from numerous clerics from the third century onwards.<sup>15</sup> Many Christian ideals, such as humility and modesty, were an ill fit for the lavish lifestyles that wealthier men were used to, causing tension in early religious communities. As argued by Walter Scheidel, resource-rich males – that is wealthy men – have more access to polygyny than poorer men.<sup>16</sup> In Roman terms, wealthy men could afford more sex workers and slaves, and could afford the upkeep of concubines.

Salvian considered the elite custom of polygyny to be a profound problem: ‘How few among the rich, observing the sacrament of marriage, are not dragged down headlong by the madness of lust? To how few are not home and family regarded as harlots? How few do not pursue their madness toward anybody on whom the heat of their evil desire centres?’<sup>17</sup> He condemned this within the frame of Christian marriage: ‘Certain men who have contracted honourable marriages take additional wives of servile status, thereby debasing the dignity of marriage by the debasement of degenerate cohabitation’,<sup>18</sup> he complained.

Significantly, Salvian suggested that concubines were taken up alongside a legitimate wife, creating a polygynous household. This should not necessarily be seen as the continuation of old customs, however. Traditionally a man engaged in concubinage prior to a formal marriage, and

<sup>13</sup> Salvian, *De gub.* 3.43, trans. FCNT 3.83: ‘iubet Deus ut omnis qui Christianus est, etiam oculos castos habeat; quotus quisque est qui non se luto fornicationis inuoluat?’

<sup>14</sup> Salvian, *De gub.* 3.50–55.

<sup>15</sup> See the extensive overview offered in Brown, *Through the Eye of a Needle*, and the continuation in Peter Brown, *The Ransom of the Soul: Afterlife and Wealth in Early Western Christianity* (Cambridge, MA: Harvard University Press, 2015).

<sup>16</sup> Walter Scheidel, ‘Sex and Empire: A Darwinian Perspective’, in *The Dynamics of Ancient Empires: State Power from Assyria to Byzantium*, ed. Ian Morris and Walter Scheidel (Oxford: Oxford University Press, 2009), 255–324, at 257.

<sup>17</sup> Salvian, *De gub.* 4.24, trans. FCNT 3.99: ‘quotus enim quisque est diutum conubii sacramenta conseruans, quem non libidinis furor rapiat in praeceps, cui non domus ac familia sua scortum sit, et qui non, in quamcumque personam cupiditatis improbae calor traxerit, mentis sequatur insaniam?’

<sup>18</sup> Salvian, *De gub.* 4.26, trans. FCNT 3.99: ‘quod quidam matrimonia honorata sortiti, alias sibi rursus seruilis status coniuges sumunt, deformantes sancti connubii honorem.’

these unions differed from premarital love affairs in terms of their duration as well as cohabitation. Yet Salvian's concubines were more complex: these *concubinae* did not occupy a premarital context, but the post-marital sphere. Not only this, these *concubinae* were household slaves considered as *alias coniuges*, elevated to a quasi-marital status by their already married master. This behaviour was explicitly linked to social status, as Salvian also pointed out that slaves had no concubines, unlike their owners – why was this? ‘The answer seems to be that it is not lawful for slaves to do those things; indeed, they would if they could.’<sup>19</sup> As elite men should be morally superior to enslaved people, it was even more appalling that rich men were exhibiting such low morals.

Fifth-century Gallic sources on concubinage are scarce, but when mentions are found, concubinage still appears as the sport of young, unmarried men, and not the married as Salvian attested. Some time after 472, Sidonius Apollinaris wrote of a youth who had at last put away his slave concubine and married an honourable woman of good social standing, much to the relief of his friends.<sup>20</sup> Gallic church councils did not touch on the issue of concubinage, but across the Pyrenees the Council of Toledo in 400 decreed on Christian men who had legitimate wives *and* concubines, which Salvian criticised in Gaul. These men were not to receive communion if they were bigamous – however, if they only had a concubine and were not married, communion could be given to them.<sup>21</sup> Such leniency suggests that unmarried men having concubines was not viewed as a particularly severe moral wrong. After marriage, however, this became a problem.

Yet we should be aware that Salvian *likened* slave-concubines to wives and that this was still not actual bigamy. Instead, he exposed the confusing threat that such practices were not far away from bigamy. Such quasi-wives created problems of hierarchy and undermined the power of the *domina*.<sup>22</sup> This, as noted by Chris de Wet, was the central wrongdoing for Salvian: the subversion of domestic hierarchy.<sup>23</sup> What, after all, was the difference between a favourite household slave, who might have been a long-term

<sup>19</sup> Salvian, *De gub.* 4.29, trans. FCNT 3.100: ‘sed responderi uidelicet ad haec potest, quod facere seruis ista non liceat’.

<sup>20</sup> Sidonius Apollinaris, *Ep.* 9.6.

<sup>21</sup> Council of Toledo, Canon 17 (Gonzalo Martínez Díez, ed., *La colección canónica Hispana*, vol. 4 [Madrid: Consejo Superior de Investigaciones Científicas, 1984], 336): ‘Si quis habens uxorem fidelis, si concubinam habeat, non communicet. Ceterum is qui non habet uxorem et pro uxore concubinam habeat, a communione non repellatur; tantum ut unius mulieris, aut uxoris aut concubinae, ut ei placuerit, sit coniunctione contentus. Alias uero uiuens abiciatur donec desinat et per paenitentiam reuertatur.’

<sup>22</sup> Salvian, *De gub.* 7.17.

<sup>23</sup> De Wet, “‘The Barbarians Themselves Are Offended by Our Vices’”.

girlfriend of the married master, and a concubine? More worryingly, what was the difference between such a woman and the wife? The status difference should be clearly demarcated, even from a legal perspective of enslaved versus freewoman, but by calling slave/master relationships concubinage, Salvian emphasised the severity and the dangerously bigamous aura of such set-ups. The extent of post-marital concubinage in Christian households at this time is impossible to discern, yet some Christian masters had wives and favourite female slaves who all shared the same household.

Sex with domestic slaves was not problematised by late Romans, and it has further been argued that in the Roman mind there was little difference between sex with a slave and masturbation: slaves were unquestioned sources of sexual release.<sup>24</sup> Salvian, however, is a notable exception in addressing the sexual abuse of enslaved people. He wrote that ‘certain intimacies of domestic relationships have become so necessary to us that we use them sometimes as hands and eyes’, as mere extensions of one’s own body, and he quickly warned against such use of slaves with the threat of eternal fire.<sup>25</sup> As this description follows immediately after the scriptural condemnation of adultery, Salvian’s description of slaves as body parts carries a sexual connotation. He further argued that:

By a kind of enforced necessity, unwilling female slaves (*famulae*) were compelled to obey their shameless masters. The lewdness of the masters meant the subjection of his female subjects. From this it can be understood how sordid was the mire of shamelessness where women, living against their will under the most impure masters, were not allowed to be chaste.<sup>26</sup>

For Salvian, masturbation by means of an enslaved person was no longer permissible, as he emphasised lack of consent and the revulsion felt by female slaves, describing them as victims. He also quoted Jer. 5:8: ‘They had become as post-horses on the mares. Each one whinnied after his neighbour’s wife.’ He attached this behaviour in particular to the conquered region of Aquitaine, accusing the men there of lusting after ‘all their young female slaves’.<sup>27</sup> These men’s sexual desire for the young women in their

<sup>24</sup> Harper, *From Shame to Sin*, 26–30.

<sup>25</sup> Salvian, *De gub.* 3.39, trans. FCNT 3.82: ‘quia tam necessariae nobis sunt quaedam domesticorum obsequiorum necessitudines, ut his quasi oculis, interdum autem quasi manibus utamur’.

<sup>26</sup> Salvian, *De gub.* 7.20, trans. FCNT 3.192: ‘quia parere impudicissimis dominis famulae cogebantur inuitae, et libido dominantium necessitas subjectarum erat. Ex quo intelligi potest quantum coenum impudicarum sordium fuerit, ubi sub impurissimis dominis castas esse, etiamsi uoluissent, feminas non licebat.’

<sup>27</sup> Salvian, *De gub.* 7.18, trans. FCNT 3.191: ‘Hi autem uere ut emissarii equi non ad paucas tantum, sed paene ad omnes uernulas suas.’

household was described as animalistic and, by extension, uncontrolled and irrational.

However, we should exercise caution when interpreting Salvian's remarks on consent. As with concubines, Salvian pushed the role of female slaves to a concubinal extreme to emphasise its sinfulness in the context of Christian marriage. In discussing consent, he again offered an unthinkable situation: a slave's theoretical right to refuse, which an enslaved person did not have. As at many other points in *De gubernatione Dei*, Salvian chose a despised social group to contrast with Roman men in order to criticise their behaviour. Indeed, his general attitude towards enslaved people was negative, seeing their servitude as a sign of their innate inferiority.<sup>28</sup> It was only an enslaved person's lot in life that kept their sexual misbehaviour at bay, and as such we should not mistake Salvian as having a high regard for enslaved people.<sup>29</sup>

Salvian's discussion of chaste slaves is reminiscent of early Christian martyrologies and hagiographies, where those persecuted were subject to unwanted sexual advances by oppressors.<sup>30</sup> Stories of female efforts to remain chaste in the face of persecution remained popular in fifth-century accounts,<sup>31</sup> and we have explored similar stories in our discussion of rape. Salvian was able to contrast Christian feminine piety as embodied by a subversive, chaste female slave with manly, unchristian lusts. Not only this, but the innately inferior female slaves were held in higher esteem than their rich male owners – Salvian turned social hierarchy on its head, challenging his audience's views of the world around them.

Salvian also attested to the use of sex workers, in addition to concubines and slaves. In Aquitaine, the sex workers found in brothels were less sinful than the Christian men who visited them, as these sex workers were not committing adultery. They were of course sinful, but ultimately their clients were more in the wrong for breaching Christian marriage.<sup>32</sup> Salvian also viewed Carthage as overrun by sex workers and used the city to envision a world in which sex work no longer existed, contrasting this with the sinful and lewd life that Carthaginians had enjoyed before.<sup>33</sup> From Salvian's accusations, we find polygynous practices that a pagan Roman male would

<sup>28</sup> Salvian, *De gub.* 4.29.

<sup>29</sup> Salvian falls in line with a long tradition of perceiving slaves as fundamentally different from their masters, an idea already perpetuated by Plato. For elite perceptions of slaves as always lusting after base pleasures, see Edwards, *Politics of Immorality*, 195–98; Knust, *Abandoned to Lust*, 27.

<sup>30</sup> Ambrose, *Ep.* 37.38 (PL 16.1093); John Chrysostom, *De s. Bernice et Prosdoce* (PG 50.641–44).

<sup>31</sup> Victor of Vita, *Historia persecutionis Africanae Provinciae* 1.30–38, 3.23–22.

<sup>32</sup> Salvian, *De gub.* 7.15.

<sup>33</sup> Salvian, *De gub.* 7.91–100.

have enjoyed centuries earlier. The same issues – slaves, concubines, sex workers – were recorded by other clerics of the era, including Augustine, Leo, Maximus, Valerian, and others, and as such I cannot find a persuasive reason to question the validity of Salvian's basic comments on the nature of polygyny. Some Christian men only had sex with their wives, but many continued to have sex with others, too. Salvian might exaggerate the extent of this issue – there is not much in his treatise that he did not take to extremes – but the characterisation of polygyny finds much contemporary support.

Indeed, if something can be said to be amiss in Salvian's account, it is the regionalised perception of vice: did men of Aquitaine really have more extramarital sex than men in other regions? (Similarly, did the men of Carthage really have more male/male sex than men in other regions?) Such behaviour cannot be quantified, neither could Salvian have quantified this from the confines of Marseille. This kind of regionalism echoes Roman ethnographic ideas about specific peoples exhibiting certain customs and characteristics, sexual and otherwise, thus linking Salvian's commentary once more to pre-Christian ways of thinking.<sup>34</sup> In line with this literary tradition, an exaggerated sense of Aquitanian sexual vice explained to Salvian's readers the conquest of the region and supported the narrative that divine punishment was inspired by sexual sinning.

Returning to Salvian's use of Matt. 5:28 for his definition of adultery, he added that from this passage 'we can fully understand how chaste the Saviour wished us to be'.<sup>35</sup> Salvian did not want to see any lingering gazes on the streets of Marseille. The Christian ideal in his work is strict, especially if we choose to accept that Salvian was writing in a society where many men still exercised pre-Christian sexual licence. Salvian marked the boundaries of licit sexual conduct throughout his work, summarising for his audience what kinds of behaviour were allowed within the Christian religion. At the very conclusion of Book 7, he added a telling remark: 'I know what I say seems intolerable to some, but I must act according to the reason of things, not to the whims of wishes'.<sup>36</sup> The problems of polygyny, in the forms of adultery, fornication, sex with one's slaves, and so forth, were pervasive, at least in Salvian's ascetically influenced view. He knew that his shining a light on these practices would not be welcomed, yet he considered it his obligation to do so.

<sup>34</sup> This type of Roman discourse is well synthesised in Benjamin Isaac, 'Proto-Racism in Graeco-Roman Antiquity', *World Archaeology* 38.1 (2006), 32–47.

<sup>35</sup> Salvian, *De gub.* 3.37, trans. FCNT 3.81: 'hinc intellegere plene possumus quam castos nos esse saluator iusserit'.

<sup>36</sup> Salvian, *De gub.* 7.101, trans. FCNT 3.220: 'Scio quia intolerabilia quibusdam uideantur ista quae diximus. Sed ratione rerum agendum est, non libidine uoluptatum.'

The historical value of *De gubernatione Dei* is not in its depiction of Christians as fornicators, but of Christians at a moral crossroads: people found themselves between a more relaxed secular life and a stricter Christian one. In other words, Salvian's work is demonstrative of a struggle between normalised practices and new ideals for late ancient sexuality. The restrictions that Christian *mores* placed on the sex lives of lay Christians were being met with resistance, and Salvian knew that his call to reform would be met with opposition. Elite men were enjoying their traditional sexual privileges, and *De gubernatione Dei* used divine wrath to demonstrate how these actions bore consequences in the world around them. Salvian was not only intending to be moralising; he was seeking to be corrective.

Ultimately, divine laws were not optional: change had to come. Reflecting on the lives of Christians who did not follow divine commands, Quodvultdeus had predicted eventual doom: 'The world that they love cannot remain.'<sup>37</sup> This was Salvian's stance likewise in mid-fifth-century Marseille, where the time of sexual liberty had not yet passed, although from the point of view of a presbyter monk it certainly should have. The political chaos of the preceding decades only underlined his point. *De gubernatione Dei*, therefore, is a telling account of ongoing conflict exacerbated by contemporary unrest between Christian idealism and the sexual habits of lay Christians. Salvian's rebukes can, once more, be placed into a wider context of contemporary moralists, showing that he was not alone in his concerns over polygyny.

## Resistance to Monogyny

The expectation of male chastity was the most radical element of Christian moralistic thinking. Women of any notable status were expected to have sexual relations with their husbands alone, although in Christian thought this could also be expected of lower-status women as a demonstration of chastity and piety.<sup>38</sup> Asking men to display similar sexual humility and restraint, however, was new – although not necessarily unique to Christian moral thinking, as Stoicism displayed similar ideals.<sup>39</sup> Nevertheless, Christian

<sup>37</sup> Quodvultdeus, *De tempore barbarico* 1.4.19 (CCSL 60.430): 'non potest stare mundus quem amauerunt'.

<sup>38</sup> On late antique marriages and women more generally, see Clark, *Women in Late Antiquity*; Reynolds, *Marriage in the Western Church*; Evans-Grubbs, *Law and Family in Late Antiquity*; Kuefler, 'Marriage Revolution in Late Antiquity'.

<sup>39</sup> Malin Grahn-Wilder, *Gender and Sexuality in Stoic Philosophy* (Cham: Palgrave Macmillan, 2018), 210–13. As argued by Grahn-Wilder, however, Stoic encouragement of abstinence did not stem from a belief that 'there was something ideal in not being sexually active' (213); rather this was a further way to express and test Stoic self-restraint.



insistence on, first, monogynous monogamy and, secondly, restraint and moderation within this monogamy were areas in which adjustment was needed in late antique society. This is also where the most significant ideological failure was felt.

For clerical figures, the problems of polygynous practices were numerous: they undermined Christian marriage, revealed the double standard of men's sexual licence versus women's, as well as upheld non-marital relationships and illicit sexual encounters. Against these problems, there is consistency in anti-adulterous rhetoric, which is partly due to the clarity that scripture offered: adultery was a sin that conversion might forgive, but once converted adultery became a mortal sin.<sup>40</sup> While early Christian scripture was stricter than the Jewish tradition, the consequences were less severe than the death penalties dictated by Judaic texts.

The most extensive commentaries relating to polygyny beyond Salvian come from Augustine, who considered adultery to be a disease (*morbus*) to which men were particularly prone.<sup>41</sup> This disease imagery is already familiar to us, as we have examined how sexual vice was often likened to a contaminating sickness. What is interesting in these writings is their reflection of lay resistance. Christian men's use of concubines was a debated topic, causing tension between clergymen and their flocks. This becomes apparent in the creation of opposing interlocutors in textual evidence – Augustine had conversations in his works to discuss views that the opposition would have offered. For our purposes, these constructed lay 'responses' reveal the other half of this conflict.

*Serm.* 224, dated c. 412–416, is a telling example of the differences between clerical and lay arguments regarding non-marital relations. Exemplary in oratory rhetoric, and as such quoted here at length, the sermon has the feel of a spoken tirade. Augustine confronted his congregation with the following:

<sup>40</sup> John 8:1–12 has Jesus forgiving a woman caught committing adultery. Famously, in this episode Jesus asks those who have not sinned to throw the first stone at the adulteress. In response no one does, and Jesus sends the woman away with a command to sin no more. By comparison, Lev. 20:10 punishes a man and a married woman with death for committing adultery. The Gospels offered a new view, that adultery could be forgiven, but one had to repent, convert, and enter a life of piety.

<sup>41</sup> Augustine, *De adulterinis coniugiis* 1.6 (CSEL 41.352): 'facile enim uiris perquam est in hoc morbi uitium irruere'. Augustine discussed adultery extensively: in 401 CE he wrote *De bono coniugali* and *De sancta uirginate*, and in 419/420 he wrote *De adulterinis coniugiis*, and he revised some of his views in 426/427 in *Retractiones*. For a concise discussion of Augustine's views on adultery, see Anne-Marie La Bonnardière, 'Adulterium', in *Augustinus-Lexikon*, vol. 1: *Aaron–Conuersio*, ed. Cornelius Petrus Mayer, Erich Feldmann, Karl Heinz Chelius, Andreas E. J. Grote, Robert Dodaro, and Christof Müller (Basel: Schwabe, 1994), 125–37.

Therefore, I say to you, my brethren, my sons, to you who have wives, do not admit any other interest; to you who do not have wives and who wish to marry, keep yourselves inviolate for your wives, as you desire to find them inviolate. You, who have vowed chastity to God, do not look back. Behold, I say this to you; I cry out to you; I exonerate myself, for God has placed me here as a minister, not as an overseer. Nevertheless, wherever I can, wherever I am given the opportunity, wherever I am permitted, wherever I know circumstances, I chide; I rebuke; I anathematize; I excommunicate; yet I do not correct. Why? Because ‘neither he who plants is anything, nor he who waters, but God who gives the growth’ (1 Cor. 3:7). Now, since I am speaking, since I am admonishing you, what else is needed except that God hear me on your behalf and that He accomplish something in you, that is, in your hearts. I speak briefly; to you I commend the faithful, yet I alarm them; I am trying to build you up (in the Lord). You are members of Christ; hear, not me, but the Apostle when he says: ‘Shall I then take the members of Christ and make them members of a harlot?’ (1 Cor. 6:15) But someone or other says to me: ‘She whom I have is not a harlot; she is my concubine. Holy bishop, you have made my concubine a harlot!’ Did I say that? The Apostle makes the complaint and I have brought a false charge upon myself! I wish you to be sound in mind; why do you rave at me as if you were insane? Do you, who say this, have a wife? You answer: ‘Yes.’ Well, then, as I said, whether you wish it or not, any woman other than your wife who cohabits with you is a harlot. There, go, tell her that the bishop has insulted you. You have your lawful wife, and another cohabits with you; whoever she is, as I said before, she is a harlot. On the contrary, your wife is faithful to you; she knows no one except you alone and she does not contemplate knowing another. Therefore, since she is chaste, why do you commit fornication? If she loves you alone, why do you love two women? But you say: ‘My servant is my concubine. I do not go to somebody else’s wife, do I? I do not go to a public harlot, do I? Am I not permitted to do what I wish in my own house?’ I answer: You are not so permitted. They who act thus go to hell and will burn in everlasting fire.<sup>42</sup>

<sup>42</sup> Augustine, *Serm.* 224.3 (PL 38.1094–95), trans. FCNT 38.186–88: ‘Ideo uobis dico, fratres mei, filii mei, qui habetis uxores, ut nihil aliud noueritis; et qui non habetis, et ducere uultis, integros uos ad eas seruate, sicut integras uultis eas inuenire. Vos qui continentiam Deo uouistis, nolite retro respicere. Ecce dico uobis, ecce clamo uobis, ego me absoluo: erogatorem me Deus posuit, non exactorem. Et tamen ubi possumus, ubi datur locus, ubi conceditur, ubi scimus, corripimus, obiurgamus, anathematizamus, excommunicamus: et tamen non corrigimus. Quare? Quia neque qui plantat est aliquid, neque qui rigat; sed qui incrementum dat Deus (I Cor. 3:7). Modo quia loquor, quia moneo, quid opus est, nisi exaudiat me Deus pro uobis, et agat aliquid in uobis, hoc est, in cordibus uestris? Breuiter dico, et uobis commendo, et fideles terreo, et uos aedifico. Membra Christi estis: nolite me, sed Apostolum audire: Tollens, inquit, membra Christi, faciam membra meretricis (I Cor. 6:15)? Sed dicit nescio quis: Meretrix non

In this fiery sermon, the question of extramarital sex is depicted as an active debate in the Christian communities of North Africa, where some lay Christians felt that they were being wronged by Christian moral ideologies. The accused were married Christian men, who had a concubine in their household in addition to their legitimate wife – therefore, the same set-up that Salvian had criticised.<sup>43</sup> Such a situation was most certainly unacceptable. The steps that Augustine made his imagined protester go through further exemplify the ways in which Christian men responded to accusations of infidelity.

First, there was denial from married men: ‘She whom I have is not a harlot.’ They considered their live-in concubine to have elevated, even if unrecognised, status. Augustine disagreed and explicitly stated that such women were sexual deviants. Anger followed: ‘Holy bishop, you have made my concubine a harlot!’ To be a harlot was shameful, but to be a married man’s concubine was not. Men who were engaged in these long-term relationships formed emotional attachments to their concubines and were not pleased to be told that these women were comparable to common sex workers. Lastly, the married Christian men resorted to bargaining – or perhaps even blackmail. Augustine’s invisible interlocutors said that at least they were not sleeping with someone else’s wife (unquestionably *adulterium*) or visiting sex workers. Compared to these two, having a live-in concubine was acceptable. Implied is the clear assumption by these fornicating men that they *could* be sleeping with married women or sex workers if they wanted to, and as indeed some of their peers did. Augustine should, therefore, grant them their concubines at least, as this sinning was lesser.

The last lines of the passage reveal a further level of this issue: ‘Am I not permitted to do as I wish in my own house?’ The men in Augustine’s

est quam habeo, concubina mea est. O sancte episcope, meretricem fecisti concubinam meam! Numquid ego dixi? Apostolus clamat, et ego incurri calumniam. Ego te uolo esse sanum: in me quare furis sicut insanus? Habes uxorem, qui hoc dicis? Habeo, inquis. Bene: uelis nolis, illa quae praeter uxorem tecum dormit, iam dixi, meretrix est. Ecce uade, et dic ei quia iniuriam tibi fecit episcopus. Habes uxorem tuam legitimam, et alia tecum dormit: quaecumque est illa, iam dixi, meretrix est. Sed seruat tibi uxor tua fidem, nec nouit alium nisi te solum, et non disponit se nosse alterum. Cum sit ergo illa casta, tu quare fornicaris? Si illa te unum, tu quare duas? Sed dicis: Ancilla mea concubina mea est, numquid ad uxorem alienam uado? numquid ad meretricem publicam uado? An non licet mihi in domo mea facere quod uolo? Dico tibi, non licet. In gehennam uadunt, qui hoc faciunt, in sempiterno igne ardebunt.’

<sup>43</sup> The presence of live-in concubines alongside legitimate wives is debated for Roman societies, but here Augustine seems to suggest cohabitation. See the discussion in Beryl Rawson, ‘Roman Concubinage and Other De Facto Marriages’, *Transactions of the American Philological Association* 104 (1974), 279–305; Raimund Friedl, *Der Konkubinat im kaiserzeitlichen Rom: von Augustus bis Septimius Severus* (Stuttgart: Steiner, 1996).

audience felt that the church's moral judgement should not reach into the privacy of their homes. Augustine, however, said that they would burn in hell for such acts. The sermon testifies to tensions between clerical preaching on marital monogyny and lay culture on the same, especially men's power over their own households and their possession of concubines. Indeed, it seems that Christian calls to monogyny were causing a crisis of masculine identity.

Augustine's juxtaposition of such concubines with sex workers strove for obvious results: to downgrade and diminish these relationships. This needed to be done as concubinage was a societal norm to which no moral judgement was attached – numerous people had such relationships, including Augustine himself when he was younger.<sup>44</sup> Yet, as his religious understanding grew, so did his estimation of concubines fall. Other sources further attest to the polygynous habits of Christian laymen, providing further context for Salvian's rebukes. Maximus of Turin complained to his community in the early fifth century that 'there are some who, when they have married wives in lawful fashion, associate with concubines contrary to the divine law, not realising that by acting against marriage they have bound themselves by their own fetters.'<sup>45</sup> This time in northern Italy, we again have Christian men who took concubines although they were already married. Maximus also included in his sermon a counterargument from the men in Turin, now giving voice not only to disgruntled married men, but also single men. 'But suppose someone says: "I have no wife; therefore I have taken a little serving girl for myself."<sup>46</sup> Again, the invisible interlocutor tries to fend off episcopal judgement by countering accusations with an activity that was perceived to be 'less bad' than something else. Indeed, an unmarried man having sex with a slave girl could not be adultery. Yet even here Maximus's response was stern, pointing out the illegitimacy of any children born from such a union, thus making it futile – this was in keeping with imperial laws.<sup>47</sup> This again demonstrates the monogamous-yet-polygynous mentality of late Roman men, attesting that cultural norms did not support the Christian ideal of monogyny.

<sup>44</sup> On Roman concubinage, see Rawson, 'Roman Concubinage'. On Augustine's own affairs, see Brent D. Shaw, 'The Family in Late Antiquity: The Experience of Augustine', *Past & Present* 115 (1987), 3–51, and Shanzer, *Avulsa a Latere Meo*.

<sup>45</sup> Maximus, *Serm.* 88.5 (CCSL 23.361), trans. ACW 50.210: 'Sunt enim nonnulli qui, cum legibus uxores duxerint, contra diuinitatis legem sibi sociant concubinas, non intelligentes quod contrahendo matrimonia propriis se uinculis constrinxerunt.'

<sup>46</sup> Maximus, *Serm.* 88.5: 'Sed dicit aliquis: "Uxorem non habeo, ideo mihi ancillulam sociaui."<sup>47</sup>

<sup>47</sup> The legal tradition on inheritance and illegitimate children is patchy, although both patristic sources and legal evidence indicate that laws were in place to deal with these issues. See the discussion in Harper, *Slavery*, 452–60.

Notably, as Salvian, Augustine, and Maximus testify, there was ambiguity about the status of these concubines and/or female slaves. The word used for such women by Augustine and Maximus was *ancilla* instead of *serua* – Salvian also used *ancilla*, but in conjunction with *serua*.<sup>48</sup> In the post-Roman kingdoms, *ancilla* increasingly came to signify an unmarried, unfree tenant woman who spent a part of her youth in the master's household – with sexual access to her often assumed, but nevertheless in a different kind of bondage than a female slave purchased as chattel.<sup>49</sup> The *ancillae* that these sermons' interlocutors were having sex with might have been servant girls who were in their households among the master's clients and tenants. If so, late ancient men considered their sexual relationships with these women to be more morally acceptable than those with other kinds of unfree women, likely because these women's status was not as low as that of women in chattel slavery. Some of the lay resistance might have stemmed from this ambiguity in these women's status as semi-reputable long-term partners – in the eyes of many married and single men, but not in the eyes of the church.

Other religious figures agreed that there was no scenario in which an unfree 'girlfriend' could be an endorsed relationship. Leo the Great was quick to clarify this in a letter to Narbonne in 458/459: 'A wife is one thing, a concubine is another, just as a slave girl (*ancilla*) is different from a free woman.'<sup>50</sup> Leo also cleared away obstacles that might hinder anyone from obtaining a legitimate wife: 'Since a married woman is different from a concubine, to eject an *ancilla* from union and receive a woman of unquestioned free birth is not bigamy but an honourable procedure.'<sup>51</sup> There was uncertainty over the legitimacy of concubines, wives, *ancillae*, and their coexistence in Christian households, with *ancillae* in particular blurring the boundaries of concubinage. Leo wanted to clarify that one could abandon such an unfree woman with impunity, endorsing entering into legitimate marriage with a free woman instead. One could not, however, enjoy multiple partners simultaneously.

Scholarship has generally interpreted concubinal relationships as being dictated by men who got involved with women who they did not wish to or could not marry, often for financial reasons or because of difference

<sup>48</sup> Salvian, *De gub.* 4.26.

<sup>49</sup> Alice Rio, *Slavery after Rome, 500–1100* (Oxford: Oxford University Press, 2017), 160–63.

<sup>50</sup> Leo, *Ep.* 167.7 (PL 54.1204), trans. FCNT 34.293: 'Itaque aliud est uxor, aliud concubina; sicut aliud ancilla, aliud libera.'

<sup>51</sup> Leo, *Ep.* 167.7 (PL 54.1205), 'Quia aliud est nupta, aliud concubina, ancillam a toro abjicere et uxorem certae ingenuitatis accipere, non duplicatio coniugii, sed profectus est honestatis.'

in status.<sup>52</sup> The man's role in terminating such relationships is certainly attested to by Leo in his letter. However, women's assumed passivity and their assumed low status might also be misleading – Danuta Shanzer has pointed out that those who became concubines might have been women who themselves did not wish to marry and whose good social status might have played a role in that decision.<sup>53</sup> Not all, then, would have been low-status *ancillae*. Nevertheless, it is this subgroup of unfree women that most of the evidence here is concerned with, suggesting that these women could be dismissed on the man's whim, and portraying men as the ones who controlled the majority of these relationships.

Clerics were well aware that a double standard existed in the polygynous society that they inhabited: for extramarital affairs, women were punished and men were excused. In an undated sermon given in Chusa, a small village in North Africa, Augustine retorted:

They hear of women dragged to the forum if they are found with slaves. They have never heard of a man dragged to the forum because he was found with a slave-woman (*ancilla*). Yet the sin is equal. In equal sin, it is not God's truth but human perversity, which makes the man seem more innocent.<sup>54</sup>

This unequal treatment of adulterous men and women was mentioned in many of Augustine's sermons and was likewise noted by his contemporaries.<sup>55</sup> Not only was this a question of hypocrisy, however, but it illuminates the problems in determining the sexual functions of unfree people in domestic settings. In an important article, Carolyn Osiek has problematised the sexual use and abuse of slaves in Christian communities and the lack of contemporary commentary on this.<sup>56</sup> Sexual encounters with one's slaves took place away from the public eye and as such caused anxiety for clerics, but these relationships had historically been part of wider public discourse: they were sources of humour for comedies and satires of the High Empire, and they were also dealt with in Roman law if

<sup>52</sup> Arjava, *Women and Law*, 205–17; Shaw, 'Family in Late Antiquity', 16–17.

<sup>53</sup> Shanzer, '*Avulsa a Latere Meo*', 166. See also 158–59, for historiography.

<sup>54</sup> Augustine, *Serm.* 9.4 (PL 38.78): 'solent enim audire adductas mulieres esse ad forum, quae forte cum seruis inuentae sunt. adductum uirum ad forum, quia inuentus est cum ancilla sua, numquam audierunt, cum sit par peccatum. In peccato pari innocentiorum facit uideri uirum non diuina ueritas sed humana peruersitas.'

<sup>55</sup> See Augustine, *Serm.* 82.2, 132.2–4, 153.5–6, 224.3, 332.4, 392.4. Eastern bishops and clerics were also struggling with Christian men's polygynous practices, highlighting the double standards in the punishment of adulterous women but not adulterous men. See Jerome, *Ep.* 77.3; John Chrysostom, *in I Thess.* 5.2; Gregory Nazianzen, *Or.* 37.6–7.

<sup>56</sup> Osiek, 'Female Slaves'.

children were born of such unions.<sup>57</sup> Osiek concludes that the sexual use of enslaved people was so ingrained in late antique culture that church authorities either did not consider it a problem or thought it a problem so widespread that attempts to tackle it were futile, leading to few even trying.<sup>58</sup> Indeed, not many figures commented on these matters, and the experience of slaves was considered only by Salvian, and even then only with the intent of offending his freeborn readers. Other clerics did not even do this much: instead, it was the behaviour of elite men they were concerned with, and not the sexual abuse of slaves.

There are numerous further examples of polygyny troubling Christian communities across the West. In the province of Hispania in the 390s, Pacian of Barcelona noted that many of his congregation were adulterers, much to his disappointment.<sup>59</sup> At the end of the fifth century in Gaul, Bishop Ruricius had to admonish his own son for his various affairs with women, although the son was not yet married, which reduced the charge to fornication.<sup>60</sup> Around 513, Ennodius of Pavia criticised a man who enjoyed calling his sexual conquests his ‘wives’, suggesting either that the ideology of marital monogyny was well understood and, indeed, made a mockery of, or the opposing view that some lay Christians completely failed to understand even the basics of Christian monogynous marriages.<sup>61</sup>

Some clerics, however, were sympathetic to the plight of men. Peter Chrysologus, bishop of Ravenna (d. 450), lamented in a sermon given on John the Baptist’s feast day that:

If John, who was so great, so noble, and segregated from women by so vast a desert, did not escape the perils of women, who is there who lives in the midst of women and has confidence that he will escape such perils without the greatest effort and without taking the utmost precaution?<sup>62</sup>

<sup>57</sup> On sex and slaves in comedy, see Amy Richlin, ‘Talking to Slaves in the Plautine Audience’, *Classical Antiquity* 33.1 (2014), 174–226; for masters having sex with their male slaves, see Williams, *Roman Homosexuality*, 27–28; for laws on unions between freemen and slaves, see Kuefler, ‘Marriage Revolution in Late Antiquity’, 360–62; for Roman attitudes to slavery, see Paul Veyne, ‘The Roman Empire’, in Veyne, ed., *A History of Private Life*, 51–69; Harper, *Slavery*.

<sup>58</sup> Osiek, ‘Female Slaves’. Slaves lacked sexual honour by default and thus, from a Roman perspective, they could not be raped or made impure by sexual acts. See also the discussion in Witzke, ‘Violence Against Women’, 260–64.

<sup>59</sup> Pacian, *De paenitentia* 5.2 (CCSL 69B.17): ‘Multi etiam animo haec peccata ceciderunt ... Multi adulteri.’

<sup>60</sup> Ruricius, *Ep.* 2.24–25 (PL 58.104A–105B).

<sup>61</sup> Ennodius, *Ep.* 9.33 (PL 63.167): ‘fornicationes suas nomine uestit uxorum’.

<sup>62</sup> Peter Chrysologus, *Serm.* 174.9 (CCSL 24B.1064), trans. FCNT 110.334: ‘Et si Iohannes tantus, Iohannes talis, tanta eremo separatus a feminis, feminarum pericula

Chrysologus, however, good-naturedly assumed that a man would wish to avoid women – not all did. For many men, sexually engaging with multiple women was a matter of pride. In commenting on why women could refrain from adultery while men found it difficult, Augustine said: ‘Women preserve chastity, which men will not preserve; and in that they preserve it not, would wish to appear men.’<sup>63</sup> Augustine acknowledged what further sources support: outside the confines of the church, men obtained, maintained, and promoted their masculine identity by engaging in non-marital sex. Some clergymen tried to combat this by telling their male congregants that chastity could also be a worthy masculine quality: Ambrose of Milan offered biblical examples of chaste men, noting that Abraham had remained chaste after his wife Sarah’s death. Here, Ambrose conveniently practised ‘selective omission’, because Abraham in fact took a concubine, Keturah, and fathered many more children by her.<sup>64</sup> While clerics thought that chastity was becoming of men, they were often left clutching at straws in pushing this ideology onto others.

Salvian made a similar argument about the importance of sex to Roman masculine identity in his attack on Roman polygyny, which was allegedly abhorred by the Vandals:

It seems the Romans feared men would be too chaste and pure if they completely prevented them from all impurity. But not so the Vandals about who I am speaking, who thus forbade prostitution as well as adultery; who wished women to be wives to none but their husbands and men to be husbands to none but their wives; who did not permit intercourse to stray outside the legitimate marriage bed. They directed their laws according to the rule of divine Law, so that they believe nothing is lawful in this matter which God does not wish to be lawful. They thought that no man should permit himself anything unless it is permitted to all by God.<sup>65</sup>

non euasit, quis est qui inter feminas uiuens euasurum se sine labore maximo, maxima sine cautione confidit, nisi is qui sancto alitur spiritu?

<sup>63</sup> Augustine, *Serm.* 132.2 (PL 38.735), trans. NPNF 6.505: ‘Seruant feminae castitatem, quam uiri seruare nolunt: et in eo quod non seruant, se uiros uideri uolunt.’

<sup>64</sup> Marcia L. Colish, ‘Ambrose of Milan on Chastity’, in *Chastity: A Study in Perception, Ideals, and Opposition*, ed. Nancy van Deusen (Leiden: Brill, 2008), 37–60, at 43.

<sup>65</sup> Salvian, *De gub.* 7.99–100, trans. FCNT 3.219–20: ‘Timuerunt uidelicet ne nimis casti homines ac puri essent, si ab omni eos penitus impuritate prohiberent. At non ita isti de quibus loquimur, qui sic inhibuerunt scorta ut adulteria, qui et feminas nullis uolunt esse feminas nisi maritis suis, et uiros nullis uolunt mulieribus esse masculos nisi uxoribus suis; qui euagari obscenas libidines extra legitimum torum non sinunt, leges suas scilicet ad diuinae legis regulam dirigentes, ut nihil sibi in hac re crederent licere quod Deus uoluit non licere. Et ideo non putauerunt a se ulli homini permittendum, nisi quod fuisset omnibus a Diuinitate permissum.’



There is a problem of quantifying evidence, of course – there would have been many Christians who did not engage in polygynous practices, even if society would not have frowned upon such actions. As this was a question of finance and expense as well, there were economic restrictions on who could afford polygyny and who could not, and even then there would have been differences in the extent to which individual men broadened their sexual relations.

Yet the evidence for polygyny in Christian texts ought to be maximised rather than minimised, if such extremes are considered: the problem of public versus private behaviour has already been commented upon, indicating that much illicit sexual behaviour happened privately. It made little difference whether a man used household slaves as something akin to masturbation tools, or gave favourites the elevated status of a quasi-concubine, as local clerics and outsiders would not easily have observed either practice. Simultaneously sources depict these customs as widespread and normative. We must of course be aware that moralising texts might exaggerate the problem of polygyny, yet its universality in our sources, spatially and chronologically, attests to its regularity, and the long tradition that supported such practices as morally neutral or acceptable would also have facilitated their continuation. The use of sex workers, which we have already discussed, falls into the same category of invisible sexual misbehaviour that remained a problem throughout this era. Once more, a further contextualisation of Salvian finds his rebukes to be timely and astute.

While some authors considered differing sexual customs between men and women to demonstrate the feminine inclination to chastity, the reality was probably much simpler, as even Augustine acknowledged: ‘She is in fear of the laws of which you are not afraid.’<sup>66</sup> Augustine was right: a consideration of the law shows that women were legally confined to monogamy and monoandry, and that breaking such stipulations came at great personal if not fatal cost for women. On the other hand, late Roman laws supported a broad male sexual licence in the form of polygyny. Not only, therefore, are we faced with Roman moralistic norms supported by lay tradition, but with a practice that was supported by the legal foundations of these societies themselves. In this sense, Christianity was facing a losing battle.

### Crime and Punishment, or a Lack Thereof

The failure of monogynous monogamy was rooted, according to some Christian moralists, in secular law. Salvian thought that if marital fidelity could be stipulated in legislation, this would ensure that extramarital affairs ceased. Here, once more, he had a non-Roman example to give:

<sup>66</sup> Augustine, *Serm.* 132.2 (PL 38.736): ‘Leges timet, quas tu non times.’

For the suppression of lust the Vandals also added severe ordinances for chastity. They repressed impurity with the sword of the law, so that the affection of marriage at home and the fear of the law in public preserved the purity of both sexes. Thus, morality rested upon a double defense, since it had love indoors and fear outdoors. The Vandal laws never were in accord with those Roman laws which so removed a portion of the wrong that they could commit the obscene portion, or those Roman laws which forbade adultery with other men's wives, but freely permitted the act with all single women (*C.Th.* 9.7.1). They thus forbade adultery, but set up brothels.<sup>67</sup>

We have already examined Salvian's claims about Vandal purity laws, but his commentary on Roman law reflects inherent flaws that he perceived in it. Legal definitions enabled the continuation of polygynous practices, giving a legal backing to the resistance that marital monogyny met with.

Strict adultery laws had been established during the reign of Augustus, yet these laws have been highly contested by historians and were an ill fit among the Romans of the early empire.<sup>68</sup> The crime of *adulterium* was severe as it jeopardised the legitimacy of children within a marriage, thus affecting inheritance, and it was also seen as an attack upon a man's control over his household. The offence of *adulterium* deserved severe punishment: for instance, fourth-century laws made a point of excluding adulterers – that is, men who had slept with someone else's wife – from pardons given on special occasions.<sup>69</sup> As such, imperial law and Christian authorities were both concerned with extramarital affairs, but for quite different reasons.

Roman laws on marital relations saw a further wave of changes in the Constantinian era, and these developments have likewise been well studied.<sup>70</sup>

<sup>67</sup> Salvian, *De gov.* 7.99, trans. FCNT 3.219: 'Addiderunt quoque hoc ad libidinem comprimentam, seueras pudicitiae sanctiones decretorum gladio impudicitiam coercentes; ut puritatem scilicet utriusque sexus et domi connubii reseruaret affectus, et in publico metus legum; ac sic duplici praesidio castimonia niteretur, cum et intus esset quod amaretur, et foris quod timeretur. Leges autem ipsae nequaquam illis sunt legibus consentaneae quae ita partem improbitatis remouent ut partem obscenitatis admittant; aut ut Romana illa decreta, quae scortatores quidem ab alienis uxoribus remouerunt, ad omnes autem solitarias passim admiserunt, adulteria uetantes, lupanaria aedificantes.'

<sup>68</sup> For the Augustan *Lex Iulia*, which has drawn considerable scholarly attention, see Gardner, *Women in Roman Law and Society*, 127–31; Thomas A. McGinn, 'Concubinage and the *Lex Iulia* on Adultery', *Transactions of the American Philological Association* 121 (1991), 335–75; Evans-Grubbs, *Law and Family in Late Antiquity*, 94–96; Thomas A. McGinn, 'Missing Females? Augustus' Encouragement of Marriage between Freeborn Males and Freedwomen', *Historia: Zeitschrift für Alte Geschichte* 53.2 (2004), 200–08.

<sup>69</sup> *C.Th.* 9.38.6.

<sup>70</sup> Kuefler, 'Marriage Revolution in Late Antiquity'.

The Constantinian developments made it more difficult to divorce, but a law issued by Constantine in 331 stated that while a man could leave an adulterous wife, she could only leave him if he was a murderer, a sorcerer, or a tomb robber.<sup>71</sup> Significantly, a man's infidelity was not grounds for divorce. Concubines, slaves, and sex workers are unmentioned, but we may presume that a wife was in no position – legally – to challenge extramarital sexual activity. Constantinian laws on adultery also sought to define who could be charged with the crime of adultery, and who could bring such accusations.<sup>72</sup> In 385, Gratian, Valentinian II, and Theodosius I allowed for the torture of household slaves during interrogations regarding adultery.<sup>73</sup> In 421, Honorius and Theodosius II decreed that a woman who wished to divorce but whose case did not meet the legal justifications for her to do so should be sent into exile and forbidden to remarry – if, however, the husband initiated divorce, then he could remarry immediately if he so wished.<sup>74</sup> Again, the different treatment of men and women is clear. These laws focus on the processing of *adulterium* in court, and while they punished men who had slept with other men's wives, the legislation did not touch upon married men sleeping with slaves, concubines, sex workers, and so forth in any way whatsoever.

There has not been much commentary on how little imperial law addressed the sexual behaviour of men. We have seen that incestuous practices and male and female sex work were all restricted in late Roman law, and as such we might expect men to have found fewer suitable partners, at least to some degree, to have illicit sex with. However, Christian texts continued to raise polygyny as a pressing issue to which imperial laws did not respond. If anything, imperial law on adultery was considered too harsh: in 459, the emperor Majorian relaxed the punishment for men who had slept with other men's wives from death to exile.<sup>75</sup> A woman having sex with a slave of her household, on the other hand, was a capital crime: both participants were to be killed, as decreed by Constantine in 329.<sup>76</sup> No such law for a man having sex with a slave or an unfree person existed. There is

<sup>71</sup> *C.Th.* 3.16.1.

<sup>72</sup> *C.Th.* 9.7.1, issued in 326 by Constantine, exempted women working in taverns from charges of adultery due to their low status and the implication that as tavern workers they were more or less equivalent to sex workers. *C.Th.* 9.7.2, issued by Constantine also in 326, decreed that only a woman's male relatives could bring charges of adultery against her.

<sup>73</sup> *C.Th.* 9.7.4.

<sup>74</sup> *C.Th.* 3.16.2.

<sup>75</sup> *N. Maj.* 9.1. See also *C.Th.* 11.36.4, from 339, which threatened judges who did not punish adulterers fully with punishments of their own. Again, there seems to be a sense that adultery laws were considered too harsh by contemporaries.

<sup>76</sup> *C.Th.* 9.9.1; see also Judith Evans-Grubbs, "Marriage More Shameful Than

no indication in any late Roman law that a man having sex with his slave was in any way a punishable act. Despite a moralising Christian discourse condemning sex with one's slaves, which was fleeting and meek at best, these religious ideals were not incorporated into legislative practice.

Furthermore, not only did Roman law fail to create a more thorough position on 'Christianised' adultery, but the laws discussed above also received negative reactions from clerics. First, there were those who considered secular laws as interfering with religious moral judgements. This is emphasised by Valerian of Cimiez: 'Neither should anyone think that his offence of adultery has been fully overlooked if he got arrested, indeed, but then went free again through some easy-going custom of pardoning.'<sup>77</sup> Secular rulings on adultery were too lax and, more importantly, lacked the religious gravity that the sin in question required. Legislation might have been harsh regarding cases where a man slept with someone else's wife, but Valerian's dismissive attitude suggests that adultery was not always punished as harshly as imperial legislation required – a point further supported by the relaxation of the rules discussed above.

There was competition and overlap, therefore, over whose domain adultery really was – the secular or the ecclesiastical. Imperial legislation, however, was only interested in regulating a small proportion of what according to Christian exhortations constituted 'adultery'. The Code of Justinian demonstrates that adultery remained a female crime and a male prerogative, retaining former laws that no wives could accuse their husbands of adultery and that, as described in the Augustan *Lex Iulia*, only husbands could bring their wives to trial over infidelity. The Code repeats a law credited to Severus and Antoninus from 198: 'The *Lex Julia* declares that wives have no right to bring criminal accusations for adultery against their husbands, even though they may desire to complain of the violation of the marriage vow, for while the law grants this privilege to men it does not concede it to women.'<sup>78</sup>

Interestingly, we observed in the previous chapter that homosexual acts were – at last – condemned in Justinian's legislation. However, we do not find a similar 'breakthrough' for *adulterium*. Justinian's legislation on sexual affairs cannot be considered as a manifestation of Christianised law

Adultery": Slave–Mistress Relationships, "Mixed Marriages", and Late Roman Law', *Phoenix* 47.2 (1993), 125–54.

<sup>77</sup> Valerian, *Hom.* 1.3.3 (PL 52.694A), trans. FCNT 17.303: 'Nec ille adulterii facinus praetermissum putet, qui indulgentiae lege deprehensus euasit.' Prior to this, he said the same of homicide, adding that the laws were not severe enough: 'excusatum saecularis iudicii corrupti sententia absoluerit'.

<sup>78</sup> *C.J.* 9.9.1: 'Publico iudicio non habere mulieres adulterii accusationem, quamvis de matrimonio suo uiolato queri uelint, lex Iulia declarat, quae, cum masculis iure mariti facultatem accusandi detulisset, non idem feminis priuilegium detulit.'

or moral understanding – the legislation failed to respond to a mortal sin, committed by men, protested about by clerics, but fundamentally accepted as normative by most.

A final point must be made regarding these legislative developments: penance. A Christian man caught having extramarital sex was expected to perform penance, even if secular law did not wish to punish him. Yet the rulings on penance were inconvenient and largely impractical. Penance could be performed only once, which meant that many people waited until they were dying to do so. Any sin committed after penance could not be pardoned but doomed one's soul eternally. This was inconvenient for those who performed penance halfway through their lives and then wanted to resume their lives as before.<sup>79</sup> An indication of this impracticality is found in the letter collections of Fulgentius of Ruspe, who counselled a couple where the wife, having performed penance at death's door but recovered, was no longer permitted to have sex with her husband. The husband thought this unfair as they were both young and keen to have marital sex, and he wrote to Fulgentius for advice. Fulgentius's response was a lengthy reflection on marital continence versus conjugal sex that took a moderate stance on the issue of sex within marriage. He stated:

If you, with equal assent have vowed continence, preserve the quality of your love together with the fear of God, and, if any time, the weakness of the flesh troubles your mind, let your spirit hasten to the assistance of the divine pity and not give in to lust but as a believer pray to God with all humility and not give in to the carnal desire fighting against the soul but rather repel it. If, on the other hand, one of you has made a vow of continence without the agreement of the other, he knows that he has made the vow rashly and, with a chaste sincerity, let him render the debt to his spouse.<sup>80</sup>

It is clear that mutual vows were required for a continent marriage, as otherwise the spouses owed each other conjugal sex. However, abstinence

<sup>79</sup> For penance in the early church, see the discussions in Biller and Minnis, eds, *Handling Sin*; G. H. Joyce, 'Private Penance in the Early Church', *Journal of Theological Studies* 42.1 (1941), 18–42; R. C. Mortimer, *The Origins of Private Penance in the Western Church* (Oxford: Clarendon Press, 1939).

<sup>80</sup> Fulgentius, *Ep.* 1.18 (CCSL 91.195), trans. FCNT 95.288: 'Proinde cuncta quae superius disputata sunt, conscientia uobis testimonium perhibente perpendite. Et si quidem continentiam pari uouistis assensu, tenorem uestrae dilectionis cum Dei timore seruare, et si quando carnis infirmitas mentem pulsat, animus ad auxilium diuinae miserationis accurat, nec cedat libidini, sed Deum tota humilitate fidelis exoret, et carnali desiderio militanti aduersus animam non consentiat, sed repugnet. Si uero continentiam unus uestrum sine alterius uouit assensu, temerarie se uouisse cognoscat, et debitum coniugi casta sinceritate redhibeat.'

after penance was a different circumstance than the one Fulgentius reflected on, as penance imposed continence on the wife rather than it being self-sought. At this point of the letter, Fulgentius offered a more generic reflection on continence before advising the couple to continue having marital relations.<sup>81</sup>

The nature of penance in early Christian and late antique communities is debated, with M. B. De Jong having criticised scholarship for buying into a medieval idealisation of early penance as a dramatic ritual that shook the entire community.<sup>82</sup> Already Innocent I of Rome, around 401, noted that rules regarding sin had become more lax than before. After receiving baptism, Innocent said, people continued to sin just as before – and it was only upon dying that they sought reconciliation through penance.<sup>83</sup> In earlier periods of the church, such sinners would have entered the status of a penitent during their lifetime, but by the fifth century Christians could postpone the consequences of their misdeeds. Augustine's sermons likewise suggest complacency among penitents whose penitential state affected them little.<sup>84</sup> In other words, many lay Christians were not particularly upset about the theoretical consequences of their sins and did not seek to atone for them immediately – this, at least, is what disgruntled clerics tell us. This might further explain the complacency that Christian men felt as they engaged in adulterous affairs and, furthermore, might explain the attitude attested to earlier, when imagined adulterers talked back to preachers: these men were not overly worried by non-existent legal punishments or potential ecclesiastical punishments, but were annoyed by attempts at church intervention. When there was no imperial precedent for Christian figures to build upon, they were left with persuasion and scripturally backed rebukes, as well as attempts to create social pressure within Christian communities to limit immoral behaviour. The lack of effective Christian punishments for adultery likewise likely hindered the development of such punishments in secular law.

There is a rift, therefore, between Christian commentary on married men's misbehaviour and secular rulings regarding it: late Roman laws do not seek to limit men's sexual licence. This should be seen as one of the reasons why Christian moralistic thinking on concubines, having sex

<sup>81</sup> The episode is examined at greater length in Cooper, 'Marriage, Law, and Christian Rhetoric', 244–47.

<sup>82</sup> M. B. De Jong, 'Transformations of Penance', in *Rituals of Power: From Late Antiquity to the Early Middle Ages*, ed. F. Theuvs and Janet L. Nelson (Leiden: Brill, 2000), 185–224. On penance as an alternative to legal punishment, see Julia Hillner, *Prison, Punishment and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015), 104–11.

<sup>83</sup> Innocent I, *Ep. ad Exuperium* 2 (PL 20.498).

<sup>84</sup> See De Jong, 'Transformations of Penance'; Deferrari, 'St. Augustine's Method', 195.

with slaves, or simply with anyone who was not one's wife, failed to take root. This should also make us question the extent to which laws of this time suggest 'Christianisation' – late Roman sexual *mores* were evolving, being partly Christian and partly not. Roman acceptance of married men's polygyny as a non-punishable act continued unchanged, and secular law reflects a wider acceptance of these social traditions. This demonstrates late Roman cultural values and how masculine identities continued to be constructed around sexual prowess. If the military-political context impacted this, then it did so by making Roman men defend their domestic masculine privileges even more wilfully, in the face of diminishing political control across the West.

This examination of *adulterium* indicates the failure of Christianising sexual norms in late antique society. We should note the persistence of polygyny as a source of conflict between clerics and their flocks: polygyny marked societal continuity, while in other parts of this book I have argued for changing conceptions of sexual norms in response to late antique societal disruptions. Polygyny was not a behaviour, however, where significant changes can be seen, reflecting the dominance of traditional Roman sexual licence. The continuance of polygyny demonstrates the wide sexual licence given to men throughout the Roman West during the barbarian re-settlement era – and, more to the point, a stubborn clinging on to this licence.

The 'Christianisation' of sexual morality was not consistent or, at times, even that Christian. Older cultural traditions overrode Christian attempts to limit the habits of men, and extramarital unions and homosexual acts continued to be viewed through non-Christian paradigms. Roman conceptions of male/male sex and the practice of polygyny were an integral part of late antique perceptions of sex and masculine identity.

The lens of Roman sexual ethics has shown that parts of these traditions were challenged by clerics, but others, such as the Roman constructions of male/male sex, were a central part of clerical thinking and formed the core of their anti-homosexual argumentation. For late antique clerics, Christianised or scripturally based factors were less significant than traditional Roman views on sex between men. Discussions of homosexual acts thus reflect traditional ethics regurgitated by Christian writers. This was partly due to limited scriptural discussion on sex acts between men, leaving clerics to condemn such acts using the sociocultural heritage that they were a part of and familiar with.

As we turned our attention to polygyny, we again examined Roman values of male sexual licence that clashed with Christian attempts to root out extramarital sex. This discussion allowed us to explore the influence of Roman sexual ethics further – however, instead of extramarital sex being a habit that clerics and lay Christians agreed upon, as with the

marginalisation of receptive males (receptive men should be enslaved, foreign, or in some other way socially inferior), polygyny divided opinion, as lay Christians did not consider extramarital sex to be adulterous or sinful. This proved the most challenging and difficult battle for Christian sexual ethics to win.

A discursive lens of Roman sexual ethics in Christian texts has proved most revealing, reflecting conflict within communities and even clashes with clerics who attempted to espouse stricter rules. The evidence suggests that a broader sexual licence was accepted in late ancient communities than the one advocated in Christian teachings. This emphasises that religious texts such as sermons, treatises, and ascetic rules can be used in the study of everyday life and that patristic texts *should* be examined in the light not only of Christian teachings, but also of secular cultural views that they likewise attest to. The inability to transition from Roman ideology to Christian restrictions demonstrates that many believers continued to view their sexual habits and moral markers through a Roman, and not a Christian lens.



## Conclusion

In the preface of *De gubernatione Dei*, Salvian said that he was ‘a lover more of deeds than of words’, underlining that he wished to write what was useful rather than what would win him praise.<sup>1</sup> He had uncanny foresight: he has not been praised for his efforts to correct late antique Christians. Instead, Salvian has been the victim of his own passions, which has caused him to be dismissed, neglected, and overlooked by scholarship. His commentary on sexual customs in particular has often been completely ignored, even as this formed the core of his arguments. Yet he captures a key moment when Christian ideas of appropriate sexual behaviour were in flux, disagreed upon, and in the process of being formulated.

In this book I have argued for a reactive and fragmented approach to Christianising late ancient sexuality in western discourses in the long fifth century. While past studies have considered the views of individuals or have provided overviews of several centuries or a millennium, I have presented a more spatially and chronologically focused discussion to show how, by doing so, we can identify contemporary and local influences in discussions of sexual norms. Through this, I have argued that moralising discussions demonstrate disunity, and that clerics examined sexual norms through contextual and discursive lenses, of which I have highlighted three. The contextual lens of unrest invited the examination of Christian moral failings, but also enabled the creation of new rules – as such, ideas on sexual norms were reactive and localised. A further lens is the discursive tool of impure sexual vice as active and contagious, accounting for the importance of chaste, collective behaviour – but this ideal was quickly dismissed in favour of flexibility and adaptation in the face of communal realities. The third and final lens is the continued influence of Roman sexual ethics, which both clerics and lay Christians continued to adhere to, even when this was in opposition to scriptural ideals. Christianised ideas of sexuality were much more fragmented and their impact much more limited than has been previously acknowledged.

Clerics of this time nevertheless idealised strict sexual standards, even as they repeatedly fell back on adaptation and compromise. Kyle Harper

<sup>1</sup> Salvian, *De gub. praef.*, trans. FCNT 3.25: ‘qui rerum magis quam uerborum amatores’.

has argued that the Christianisation of sex occurred later than is currently thought, highlighting that the process was much slower than suggested by prior scholarship.<sup>2</sup> This study supports a later dating and a slow ‘transformation’, although it is doubtful that a date, tentative or otherwise, can confidently be given to such gradual cultural change. Indeed, did sexual ethics ever become fully ‘Christianised’? Is there an era in which Christian moralists reflect agreement and unified, scripturally backed reasoning on Christian sexual ethics? What evidence is there that such views were not just the niche opinions of a religious elite, but were also adopted by broader audiences? Can we find evidence of a late ancient or early medieval Christian culture where polygyny was not practised with impunity by at least some men, or where incestuous marriages as defined by the church no longer took place even in small communities? What of ‘invisible’ vices, such as homosexual acts or the sexual abuse of household dependents – while such encounters are rarely recorded, are there grounds to argue that the rise of the Christian church did anything other than push these habits further into secrecy? Ultimately, what evidence is there of adherence to clerically defined sexual standards by lay Christians at large? There is a danger of too easily believing that the ascetically minded were speaking for the agreeing masses – it has been shown in this book, repeatedly, that this was not the case.

Furthermore, when studying the sexual culture of the late ancient period, we should not only look at the ideals espoused by noted thinkers, but contrast these with what can be pieced together of Christian habits on the ground. This is, of course, difficult, but not impossible. The historical value of moralising exhortations and treatises is not that they reflect an impressive Christian success story of new sexual boundaries, but that they reacted to events and incidents across Christian communities in the late antique West. They show what kinds of behaviours and acts caused clerical concern and involvement – even if we cannot reconstruct the exact events, or gauge how common a specific kind of moral lapse was, the clerical reaction nevertheless underlines the historical reality of varied sexual customs and norms, often existing in opposition to clerical ideals. These documents attest to the practices of lay Christians as they lived their lives and had sexual and romantic relationships with each other – often not in ways that clerics approved of.

Christian success in creating a new sexual regime was, in part, limited due to a lack of legislative power. While it is clear that clerics gradually involved themselves in private affairs and, through this, were able to increase ecclesiastical authority, we have seen their frustrations that this newly gained capacity was not extensive enough. Crucially, church figures

<sup>2</sup> See Harper, *From Shame to Sin*, 238–39.

often lacked the backing of imperial or royal legislation, limiting the ecclesiastical ability to shape sexual norms. Of course, at times imperial legislation and Christian thinking were aligned: we see this, to some degree, in attitudes to sex work and incest, which imperial and Christian authorities sought to limit and legislate against, even if their approaches and reasoning differed. On other issues the two missed each other completely, most notably on the question of polygyny. Clerics cited frustration over insufficient support and stubborn lay resistance, both of which limited the successful implementation of a Christian moral ideology.

Christian thinkers of the fifth century also knew that they could more likely impact some behaviours than others: incestuous marriages could be tackled through conciliary consensus. Polygyny, on the other hand, was likely a lost cause. I have questioned the validity of Roman imperial laws as proof of a Christianising society: when laws restrict sexual freedoms, Christian influence is cited, yet the lack of legal commentary on men having sex with enslaved people, concubines, and so forth has not stimulated discussion about the fact that late Roman law enabled behaviour that was at odds with Christian idealism. This should make us sceptical of the view that secular law reflected Christian ideas and make us question how we might use law to discuss sociocultural developments, if at all. We must seek evidence of the 'Christianisation' of society elsewhere. Still, even if secular law did not support a cleric's views, one's moral duty was to remind congregants of their shortcomings, even if no one's behaviour would change. Clerics could seek to create societal pressure and subsequent guilt with the hope that at least some Christians would change their ways.

The Christianisation of sexual norms also failed because there was no one coherent package that could be put forward. As we can see in hindsight, clerical rulings were not in agreement with each other, but rather we see individual solutions and perspectives. Furthermore, the discussions here examined could easily fail to reach their target audience. Christians were criticised for many additional errors alongside their sexual habits – indeed, even a frequent churchgoer would hear critique of sexual norms only now and then, when a situation necessitated it: a local sex scandal, perhaps, or the broader context of warfare, which required a moralising explanation of divine wrath. Lay Christians would also be rebuked about lingering pagan habits, poor attendance, attending Roman amusements, lukewarm dedication to God, and numerous other issues. Correcting one's sexual habits was only one issue among many.

Against all these challenges, Salvian remains exceptional: he wrote the most extensive, most explicit, and most damning account of sexual vices of his time. What sets this work apart is Salvian's personal conviction of the centrality of vice to the religious collective and the current state of affairs. Yet he was not discussing these issues in a void; rather, we have placed

his commentary on warfare, contaminating vice, sex work, homosexual acts, polygyny, adultery, and all the other sore spots into a wider network of clerical concerns and challenges. If Salvian is guilty of anything in his treatise, it is his inability to be concise and to prevent his narrative from going to unnecessary lengths: many statements are unfounded, such as claiming that the people of Gaul were so numbed by their sins that they did not fear barbarian threat or try to protect themselves. This was untrue, as we know from other sources, including Salvian, who contradicted himself on the matter.<sup>3</sup> However, the moments when Salvian's polemical narrative against his people passes the point of credibility should not discredit his other observations on lay habits and sexual customs – even less so, as the vices that he recorded are attested to by his predecessors and successors alike.

Salvian's uniqueness is in offering an extensive reform programme, which no other surviving work of this time does. He touched upon not just one sexual vice, but a plethora of them in a single work. His peers in contrast provide much more fragmented discussions, on an 'as needed' basis in letters and sermons. Most clerics were not proactive in articulating sexual reform, but rather were reactive. Why was Salvian so solitary a voice? The clerical frustrations discussed above account for some of this: many clerical figures were fully aware of the challenges before them, facing likely resistance and subsequent failure. In his 1990 study, Robert Markus highlighted that men such as Augustine knew and, indeed, accepted that most lay Christians simply could not meet the ideals of Christianity.<sup>4</sup> Seeking an overhaul of sexual habits in line with ascetic ideals was a waste of one's time and effort – and, if anything, would highlight the inability of the church to tackle these issues. Ascetically fuelled discourses had limited reach, and each cleric had to decide what vices were worth tackling and when, if at all.

Overall, late ancient sexual practice was little affected by Christian ideals – that is not to deny that some change occurred. The rise of asceticism and monasticism was revolutionary for female and male adherents, but these individuals were few in number and were not representative of Christians at large. Similarly, continued Christian critique of some behaviours likely helped in further ostracising these – homosexual acts being a notable example. However, the marginalisation of male/male intimacy did not result in these customs vanishing altogether; this critique was also not unique to Christian thought, nor, indeed, did it lead to male/male sex being viewed from a distinct perspective of Christian sin, as opposed to Roman

<sup>3</sup> Salvian, *De gub.* 6.80; contradicted by *De gub.* 6.98: 'timebantur Romani ueteres, nos timemus'.

<sup>4</sup> Markus, *End of Ancient Christianity*, 53–55.

male gender transgression. It may seem self-evident that Christian ideas about sex were conditioned by pre-existing Roman cultural traditions, but this complicated relationship needs further study. The extent to which the views of clerics were distinctly Christianising needs to be questioned rather than assumed.

I have also put forward the argument that a significant proportion of late Roman society remained polygynous. We cannot quantify this statement, but objections to polygynous habits are universal enough to suggest that polygyny continued to be widely practised. This needs to be reintroduced into traditional narratives of early Christian households and into studies of the impact of asceticism on the late Roman world. An articulation of chastity does not necessarily reflect a chaste world, and we should not assume that fifth-century society was significantly more sexually restrained than, for instance, third-century society was.

Two developments outside the chronological limits of this study suggest that new, more comprehensive approaches were nevertheless on the horizon: the appearance of penitentials in Anglo-Irish religious communities in the sixth century, carefully outlining and detailing sexual vices and their respective punishments for Christians, as well as, perhaps, the laws of Justinian from the 530s onwards, self-identifying as Christian laws, which condemned homosexual acts, sex work, incest, and concubinage much more definitively and with clearer Christian ideology than the legal sources examined here. These insular and eastern developments underline that despite persuasive-sounding treatises and sermons, Christianity had not revolutionised people's behaviour in the fifth century. This is no longer surprising after our examination of the disunity and variation of ideas. However, an in-depth study of sixth-century contexts might reveal regional and contemporary factors independent of and distinct from the observations made here that would account for these later, more austere developments, and indeed the reception they received. By considering other regions and eras to discern how ideas of sexual morality were constructed, we might find further local characteristics and conflicts – and, indeed, continued disunity and confusion.

Ultimately, we are left with Salvian's self-inspecting mirror: a moralistic discourse on Christian society and its flaws as understood and depicted through contemporary events and Christian as well as Roman discursive lenses. In this way, Salvian takes his place in the ranks of late antique Christian moralists, but his work also speaks of him as an individual, warning of dangers to come and calling for an examination of one's moral failings. This turn inward is reminiscent of a Foucauldian care of the self – however, far from a philosophical exercise left to religious elites, Salvian's self-care was rooted in communal discord, ongoing unrest and uncertainty, and undue Christian laxity. Change had to come from within

and from among the ranks of regular Christians – this could not purely be a top-down phenomenon, not that this stopped Salvian from trying. Among his contemporaries, Salvian would not have been perceived as a lone fanatic for his views; rather, his rhetoric and criticisms would have been recognised as timely and perceptive.

While late antique clerics were undoubtedly expressing ideas of sexual behaviour in Christian terms – in relation to sin, Christian marriage, one's relationship with God, or one's relationship with the Christian church – the variety of thought and the ad hoc nature of criticism meant that such discourses were unable to produce behavioural change. Ascetic ideals held little appeal for most Christians, who wished to live as they had before. The shaping of sexual morality was contextually defined, often localised and individualistic, and relied heavily on Roman traditions. There was no overarching narrative of Christianised sexual morality for late antique societies, nor did a new set of agreed, more pious standards appear as the result of a dramatic Christian revolution. Neither the fifth century nor, I doubt, any century afterwards could bring about a harmonised agreement on sexual conduct. Collective, communal purity would always remain an aspiration, if not an impossible dream.

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