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To my parents for their love and example,
and to Ralph for his help
Love is not a crime; if it were a crime to love,  
God would not have bound even the divine with love.  

_Carmina Burana_

Because of the diverse conditions of humans, it happens that some acts are  
virtuous to some people, as appropriate and suitable to them, while the same  
acts are immoral for others, as inappropriate to them.  

_Saint Thomas Aquinas, Summa theologiae_

We can easily reduce our detractors to absurdity and show them their hostility  
is groundless. But what does this prove? That their hatred is real. When every  
slander has been rebutted, every misconception cleared up, every false opinion  
about us overcome, intolerance itself will remain finally irrefutable.  

_Moritz Goldstein, “Deutsch-jüdischer Parnass”_
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in the cities of the later thirteenth century, where similar conditions increasingly prevailed. The contrast with the climate of opinion in the same cities only two centuries earlier—when saints wrote of gay love in the cloister, bishops celebrated it in verse, Muslim, Jewish, and Christian poets made it the coinage of an international subculture, and debates about it were copied into school texts—is remarkable.

Moreover, whatever its effect on individual lives, the change in public attitudes had a profound and lasting impact on European institutions and culture as a result of the permanent and official expression it achieved in thirteenth-century laws, literature, and theology, all of which continued to influence Western thought and social patterns long after the disappearance of the particular circumstances which produced them.

II Intellectual Change:

Men, Beasts, and "Nature"

Although the "natural" arguments of Barnabas and Clement of Alexandria exercised some influence on subsequent Christian attitudes toward homosexual behavior, especially at the popular level, they could never fully take root in the intellectual soil of the early Middle Ages, and scholarly appeals to animal behavior were rare through the tenth century. Among people struggling to keep alive in the face of the destructive powers of "nature," no only familiar with but dependent upon animals for labor and sustenance of every kind, prey to real wild beasts and terrified of imaginary ones, anima morality was not apt to be an effective philosophical construct. As late as the twelfth century in less urbanized areas, "realistic" approaches to "nature" predominated among the educated. Saint Aelred used animals as a decidedly negative example in regard to general sexuality, and although he recognized that homosexual behavior occurred among animals, he viewed this not as a moral indication pro or con, but simply as a matter of fact.

By the time of the High Middle Ages, however, the climate of opinion was highly conducive to moral arguments based on zoological example, and under its beneficent skies the seeds sown by early Christian moralists not only took root and grew but eventually overshadowed almost every other approach to the subject. As southern Europe became more and more urban and cultural centers more removed from daily contact with agricultural life-styles, "nature" came to seem a more and more important and benevolent force and

1. "... More sordid, if not morally worse, than those [involved in vanity and worldly pomp] are those in whom there is scarcely anything human left, whom obscene lust has transformed into animals" ("Alii etsi non deteriores, certe sordidiores, quibus pene de homine nihil est, quos obscura turpitudine transformaut in bestias," De speculo caritatis 3:40:111 [Hoste and Talbot, p. 260]). The translation of this line by Walker and Webb (p. 140) is particularly loose and misleading. Cf. De institutione incirratarum 32 (Hoste and Talbot, p. 674).

increasingly preoccupied Christian thought. The rediscovery of the zoological texts of Aristotle in the thirteenth century accelerated this tendency—both stimulating and satisfying an enormous demand for biological knowledge throughout the scholarly communities of Europe—but a demand that had existed centuries before, when there was little to fill it except bestiaries, based on classical sources (especially the Physiologus) and medieval legends. By the twelfth century bestiaries were among the more popular forms of literature in western Europe and were being copied and illustrated all over the continent.

The illustrations often made such works accessible to the common man, but their influence extended as well to kings and bishops, who commissioned them, and they were effective among all classes as sources of moral allegory. Saint Peter Damian wrote to the monks of Montecassino that

"the natural behavior of animals can be perceived in human acts through spiritual insight, just as some things may be observed among humans which belong to the sphere of the angels. As the almighty creator, God, established all earthly things for the use of humans, so he took care to enlighten man through the individual natures and instinctive behavior he bestowed on lower animals: from animals people may learn what behavior should be imitated, what avoided; what may wisely be borrowed from them, and what should rightly be avoided."


4. Despite their well-known popularity and great influence, relatively little scholarly attention has been focused on the bestiaries. Probably the most convenient single study is that of Florence McCulloch, Medieval Latin and French Bestiaries (Chapel Hill, N.C., 1962), which might be supplemented by Francis Klingender, Animals in Art and Thought to the End of the Middle Ages (Cambridge, Mass., 1971), and P. A. Robin, Animal Love in English Literature (London, 1939). Shorter but less general treatments may be found in M. James, "The Bestiary," History, n.s., 16, no. 61 (1951): 1-11; and G. Cronin, "The Bestiary and the Medieval Mind: Some Complexities," Modern Language Quarterly 2 (1914): 191-99.

5. "Nam et naturales actus pecorum per spirituallem intelligiamentiam repeririuntur in moribus hominum; sicut et in hominibus aliquid inventur, quod ad officia pertinent angelerum. Rerum quippe conditor omnipotent Deus, sicut terrae quaese quae ad usum hominum condicti; sic etiam per ipsas naturam viros, et necessarios motus, quos brutis animalibus indidit, hominem salubriter informare curavit. Ut in ipsis pecoris hono possit addiscere quid imitari debet, quid caver, quid ab eis mutari salubriter valeat, quid rite continentur."

6. Ibid., 17 (777-78), 19 (780).

7. It would be impossible to provide a listing here of all the bestiaries containing allusions to these animals and their sexuality. The entries in McCulloch will be of some help to the general reader. In addition to those works cited below, see, for the hyena, the important twelfth-century English bestiary translated by White, The Bestiary, pp. 31, 32; the thirteenth-century vernacular bestiary of William of Normandy, Le bestiaire: Das Thierbuch der normanischen Dichters Guillaume le Grec, ed. R. Reinach (Wiesbaden, 1967), pp. 290-93; and the Italian bestiary in M. Goldstaub and R. Wendriner, Et in toto veremotissimus Bestiarius (Iällc, 1892), pp. 183-85, with notes. For the weasel, see the discussion and notes in Goldstaub and Wendriner, pp. 491-93, and Richard of Fournival, Bestiaire d’amour, ed. Cesare Segre (Milan, 1957), pp. 26, 115; Libellus de natura animalium, ed. J. Davis (London, 1928), s.v. "mustela"; the Cambrai bestiary, ed. E. B. Ham, Modern Philology 56 (1959): 225-37, esp. sec. 1, p. 235; the Provençal bestiary, "Aiso son las naturas d’alcus aes e d’alcunas bestias," in Karl Bartsch, Provençalische Liederbuch (Elberfeld, 1855), p. 163; and Thomas of Canterbury Liber de naturis rerum, Cambridge, Mass., Houghton Library MS Lat. 125, fol. 44, s.v. "mustela," where the idea that it conceives through the mouth is attributed to "Clemen papa." For the hare, see nn. 15-17 below.

8. In the writings of Trota, for instance, the testicles of the weasel are a contraceptive: see On the Diseases of Women, trans. Elizabeth Mason-Hohl (Los Angeles, 1940), p. 18.

9. In the works of troton, for instance, the testicles of the weasel are a contraceptive: see On the Diseases of Women, trans. Elizabeth Mason-Hohl (Los Angeles, 1940), p. 18.

10. De bestis et aliis rebus 61-68; authorship presently disputed; probably late eleventh or early twelfth century (PL, 177).
the twelfth and thirteenth centuries more and more material became available from the Latin tradition and from the translations of Arabic works being effected in areas of Spain and Sicily recently conquered from the Muslims. To make such knowledge widely available, encyclopedias, or digests of information arranged topically, were compiled. These works, although far more comprehensive and scholarly than the more popular bestiaries, often drew the same conclusions about the "immorality" of sexually atypical animals. Alexander Neckam (d. 1217), an early and widely quoted encyclopedist, dealt at length with the peculiarities of the hare and its ethical implications:

They say that the hare of the noble sex [i.e., the male] bears the little hares in the womb. Can it be that a bizarre nature has made him a hermaphrodite? They also say that in the mother's womb, along with the tiny little hares, larger babies, previously conceived, are carried; in this one can perceive an affront to the law of [her] inferior nature. Effeminate men who violate the law of nature are thus said to imitate hares, offending against the highest majesty of nature. Not unjustly is Tiresias considered to have incurred the wrath of Juno and been deprived of the light of sight. For those who follow the unlawful law of the Phrygian youth [Ganymede] provoke the wrath of the divine power, and when they have been deprived of the light of grace they are assured of being cast into the outer darkness.


13. I.e., in addition to the male's violation of the "law of nature" by bearing the young, the female violates even the law of her "inferior nature" by supererogation. Note that "nature" is used in this paragraph in several different senses.


15. De naturis rerum 134, ed. Thomas Wright (London, 1803), pp. 215–16: "Ferunt leporem characterem sexus nobilioris habentem lepesculos in utero gravitate. Nonuimid eum hermaphroditam prodigiosa natura fecit? Addunt itiam in utero materno cum lepesculos tenellia grandisculos tempore priori conceptus contineri, in quo derogari videtur legi naturae inferioris. Lepora sinum dicitur qui juris naturae offendunt effeminaet, majestatis summae naturae rei. Non immittero Tiresias indignationem Saturniorum sensisse peribetur, lumine privatus. Divinae enim potentiae indignationem incurrunt, exlegem legem adolescentis Phrygii sequentes, et, dum lumine gratiae privantur, in tentaculis exteriores mitti promerentur." This passage is probably derived from Pliny, Natural History 8.81:118–19, although the dependence is not perfectly clear, and other sources are possible. Barnabas and Novatian both suggested homosexuality as a failing or association of the rabbit, but neither

The philosophical difficulties created by claiming that men "offend the highest majesty of nature" by imitating behavior determined by the same "nature" do not seem to have troubled Neckam, but they may have played a role in the reluctance of some scholars of the period to draw moral inferences from animal behavior. In the most influential encyclopedic of the later Middle Ages, On the Properties of Things, by Bartholomaeus Anglicus, the sexual legends about the weasel, hyena, and hare are all treated in greater detail than in Neckam's (or any other previous) treatise, but ethical implications are conspicuously absent.

The legends themselves nonetheless continued to be incorporated into serious zoological works throughout the Middle Ages and doubtless inspired many to draw the same moral conclusions Christians had drawn since the time of Barnabas. These influences were by no means limited to a credulous lower class: Vincent of Beauvais's encyclopedia, the Speculum majus, which included the stories about the hare and the weasel, was one of the most widely employed scholarly sources in Europe well into the Renaissance. These particular animals, however, were not the only "natural" objections was well known in the West in the twelfth century. Neither Aristotle nor the Physiologus accused the hare of hermaphroditism, although Aristotle did mention the hare's tendency to supererogation. Timothy of Gaza's treatment of the hare had passed into Muslim animal lore at least by the ninth century (e.g., in Ibn Qayyba 'Uyun al-Abhâr 4:28.2 [Cairo, 1925, 2:93]), and there is no doubt that Neckam had access to Arabic sources such as George the Syrian, Introduction to the History of Science [Baltimore, 1927], pt. 2, 1:385–86; also Miledzki]. It is especially interesting that the hare should have come under attack in later English animal lore (see White, p. 10, for another example), since there was an influential English translation of medicinal use of hares: see the "Penitential of Theodore" 11.5 (McNeill, p. 208): "The hare may be eaten, and it is good for dysentery; and its gall is to be mixed with pepper for pain." See also O. Cockrayne, Leeched, Worckunning, and Surcraf of Early England (London, 1864), 1:393–94. In his discussion of the weasel (123) and the hyena (125), Neckam relies on the sober accounts of Isidore and Solinus, respectively, rejecting or ignoring the traditional sexual associations of these creatures.

Bartholomaeus was an English Franciscan who composed his De rerum proprietatibus in the first half of the thirteenth century. Like the Speculum majus of Vincent of Beauvais, it was copied and read voraciously all over Europe, but being about one tenth the length of Vincent's encyclopedia, it enjoyed even greater popularity. Almost every major European library contains manuscripts of the De rerum (Paris alone has more than eighteen), which was translated in its entirety into French, English, and Spanish. Bartholomaeus accepts the sex changes of the hyena (18.39), although he is aware that Pliny followed Aristoteles in denying this. He repeats both medical and sexual lore regarding the hare (18.66), deriving the latter entirely from Pliny. For the weasel (19.72) he relies on Isidore's realistic and restrained information (supplemented by Pliny and Aristotle) and rejects the alleged sexual foibles of the animal.

17. Hare (lepus): "Speculum doctrinale" 15.90; "Speculum naturale" 18.61–62. Weasel (musita): "Speculum doctrinale" 15.96; "Speculum naturale" 19.34. These ideas survived in serious English zoological works nearly into modern times: see Izaak Walton's Compleat Angler, chap. 5.
to homosexual behavior among writers of the day. "Nature's intent," as interpreted by the observer, was explored at length on the basis of "natural" principles ranging from grammatical constructions to alchemical theories. In the "Dream of Aristeus," for instance, the hero is transported in a dream to a land where the natives practice exclusive homosexuality. Aristeus informs the country's king that such unions will not produce offspring but will always be sterile, and that only male-female unions will be fruitful. The treatise is an alchemical allegory: two of the principal characters are apparently allegorical representations of sulfur and mercury. The confusion of moral and "natural" laws in the work is striking; Aristeus urges the king to abandon homosexuality in favor of incest, which will be more productive, and counters the king's objections to incest with the biblical example of Adam's children.

By a curious paradox, the same centuries which fostered the revival and promulgation of the notion that certain animals were innately homosexual also witnessed the rebirth of the contrary idea: that the absence of such behavior among animals constituted proof of its "unnaturalness." One satirist declares,

A perverse custom it is to prefer boys to girls,
Since this type of love rebels against nature.

Animals curse and avoid evil caresses,
While man, more bestial than they, approves and pursues such things.

Late Latin and Hellenistic culture had managed to accommodate these seemingly irreconcilable beliefs largely by dint of their enormous variety and geographical expanse. Few early Christians claimed that homosexuality was at once unknown among animals and practiced by hyenas and hares. The Physiologus appealed to an audience unfamiliar with Ovid's description of homosexual behavior as unknown among animals, and probably relatively few people would have read both Augustine and the Physiologus before the eleventh or twelfth century.

18. See above, p. 359, n. 60.
20. Ibid., p. 332.
21. See explanation by Rüika, p. 334. The king's son is named Gabritus, which Rüika takes to be the Latin translation for the Arabic "kibrît," "sulfur"; he is persuaded to marry his sister Beis, which Rüika interprets as a garbled form of the Arabic "baïda," "mercury." Metzlerk works Ruska's interpretation (pp. 84-85).
22. Rüika, p. 337.
23. Translated in its entirety in app. 2, "A Perverse Custom."

By the end of the latter century, however, the two ideas were commonplace of the same culture at the same time. Their successful coexistence for centuries thereafter is evidence of the ability of the human mind to entertain paradoxes with equanimity. Although most writers who treated the subject can be shown to have embraced both beliefs only by implication, a few did so explicitly. Within the same thirty lines of poetry, for instance, Bernard of Morlaix castigated gay people for imitating hyenas and for indulging in behavior unknown to animals. In Vincent of Beauvais's widely read "Speculum doctrinale" the argument that animals do not practice homosexual behavior is followed immediately by the accusation that men who indulge in such acts are like hares.

Nonetheless, the claim that gay sexuality was reprehensible because unknown among animals did not win immediate acceptance. Early in the twelfth century, for instance, the author of "Ganymede and Helen" had Helen maintain that the heterosexuality of "birds, wild animals, and boars" should be an example to humans, to which Ganymede could still respond that humans were hierarchically superior to animals and should not imitate them: "But man should not be like birds or pigs: Man has reason." In his influential poem on the "community of the world," Bernard Silvestris agreed with Ganymede that "brute animals obviously have dim perceptions: with downward looks they keep their faces pointed to the ground;" heaven and its inhabitants should provide the models for humanity, "which alone turns its holy head to the stars." But Bernard contributed greatly to an idealization of "nature" which was to undermine this idea. The heroine of the poem is the goddess Natura, who laments that the world is in chaos and...

25. 4.162: "Inter quae animilia curcata, / Foemina foeminae correptra cupidine nulla est"; "Vir face, mulier gestu, sed crede quod ambo. / E lepura..." The quotations are from Ovid Metamorphoses 9.733-34 and Ennius Epiagrammata 58 (81, 83-84). In bk. 15 of the same work Vincent accepts as fact the legend which gave rise to Ennius's jibe (sec. 90: "Lepus autem sexum suum per annos singulos mutat"), so it is hardly likely that he failed to grasp its meaning. The apparent self-contradiction is all the more striking because in the "Speculum morale" attributed to Vincent and printed as part of the Speculum majus (or Bibliotheca mundi) the arguments of Aquinas about the "unnaturalness" of homosexuality are added (3.6.2: "De speciebus luxuriae."
26. 34.1-2: "Non aves aut pecora debet imitari / Homo, cui datum est raticinari" (Lemken, p. 177).
27. Bernard Silvestris De mundi universitate libri duo sive megacosmus et microcosmus, ed. C. S. Barach and J. Wrobel (Innsbruck, 1876).
should be restructured into a more harmonious and just whole. Bernard was not hostile to gay people, and his goddess has nothing to say on the subject, but she was the inspiration for a longer and even more influential poem by Alain de Lille, The Complaint of Nature, in which Natura complains specifically and at great length about the violations of her sovereignty practiced by twelfth-century society in sexual matters. Most of her harangue is concerned with heterosexual or nonsexual offenses, but Alain, who condemned homosexual behavior, directs Natura’s attention to homosexual activity in numerous places, directly rebutting some of the points scored against her in “Ganymede and Helen,” and capitalizes on the twelfth-century revival of Roman law by obliquely quoting the long-forgotten law of 342 against homosexual marriages.

No specifically Christian theology informs The Complaint of Nature; the arguments are theistic but entirely philosophical. An age preoccupied with effecting a union of theology and philosophy, however, the absence of specifically Christian referents only strengthened Alain’s case. Nothing so charmed the tastes of the age as non-Christian “proofs” of Christian moral principles, and the pagan figure of Natura employed by Alain and others provided just such reinforcement for those who wished to denigrate homosexual activity. This may have been deliberate. It would be a mistake to think of writings like The Complaint of Nature as literary exercises in invective, like the satires of Juvenal or Martial’s epigrams. Alain was very much influenced by the hostility to nonconformity which was sweeping Europe in his day, and he consciously tried to erect an intellectual structure which could support it. He wrote treatises against heretics, Jews, infidels, and Muslims, and he took part in the Third Lateran Council of 1179, which condemned or restricted the freedom of these and other nonconformist groups (as noted above, Lateran III was the first “ecumenical” council to condemn homosexual behavior). Alain was a celebrated and influential teacher, often called the “Universal Doctor,” and his philosophical support for popular hostility provided effective ammunition against gay people for later theologians.

30. For discussion, see Stock, Myth and Science; Economou, The Goddess Nature, provides a summary of the poem on pp. 151–58.
32. In Wright, 2:414: “Conqueruntur juria; leges armantur, et ulterro gladio suas effectas iurias vindicari.” The use of the indicative rather than the subjunctive employed is the original implication that Alain thought measures were being taken to outlaw such behavior. Cf. Peter Cantor’s more accurate citation.
34. In his treatise De virtutibus et titilib Alain defined “peccatum contra naturam” as any emission of semen outside the vessel appointed for it (i.e., the vagina): “Peccatum contra naturam est quando extra locum ad hoc deputatum funditur semen,” art. 1, published in O. Lotti, Psychologie et morale aux XIIe et XIIIe siècles (Gembloux, 1968), 6:75; but in the majority of his writings he clearly employs it in reference to homosexual behavior.
35. Natura’s popularity was due in some measure to contemporary fascination with idealized semidivine female figures—the Fates, Reason, “the Lady Poverty,” etc.—see Jean Ferrante, Woman as Image in Medieval Literature from the Twelfth Century to Dante (London, 1975).
36. Economou’s Goddess Nature is the best general description of this process; see also Curtius, pp. 106–27, 444 ff.; Drozdek, Poetic Individuality, 17, 21, 150ff.; etc.
unquestioned; she reigned supreme in almost every intellectual sphere. And in the moral sphere she represented, thanks to the efforts of Alain de Lille and others, an exclusively heterosexual constituency.

The popular appeal of the goddess Natura as the champion of heterosexual fecundity clearly had a profound impact on the development of moral theology in the thirteenth century. By a strange irony, a popular literary figure of decidedly pagan origin speaking on her own authority for the sexual preferences of the majority had come to dominate even dogmatic theology. Which, if any, of the many competing philosophical or theological meanings of "nature" could the goddess be said to represent? Throughout the twelfth century the most popular definitions of "nature" remained those based on Boethius. Gilbert de la Porée and other Scholastics of the day glossed, commented on, or simply appropriated Boethius's definition with very few changes.77 Boethius's "nature" made no appeal to animals, suggested nothing about human sexuality, and certainly did not preclude homosexual relations; even the goddess Natura could hardly derive her objections from it. Alain de Lille himself based his theological definitions of "nature" on Boethius, and of the nine definitions he provides, none excludes homosexual relations. It was not until the thirteenth century that actual definitions of "nature" were formulated to exclude homosexual activity, and in the beginning these were only tentatively related to even the most general meanings of "nature." A gloss on the Sentences of Peter of Poitiers, for instance, notes four meanings of "natural," of which the last is explicitly calculated to exclude homosexual behavior: "Sometimes 'natural' refers to what is not unusual [contra usum], like intercourse between man and woman, 'unnatural' [innatnale] to what is unusual."46 This means of removing gay sexuality from the realm of the


38. Distinctiois dictionum theologiam, s.v. "natura" (PL, 210:871).

39. Ibid.: (1) all that is known ("omnia illud quod quo modo potest intelligi"); (a) all that exists physically ("acta" or is acted upon); (b) quidquid agere vel pati potest; (3) the property by which something is defined (the divine and human "nature" of Christ); (4) a quality inherent from the time of origination (e.g., the ability to sin is "natural" to angels); (5) the native characteristics of a thing; (6) inherent defectiveness ("vitium inolitum"), as when one is said to die of "natural causes" ("de natura"); (7) something characteristic of or conducive to life (e.g., body heat); (8) what is common to all humans, as a concept of good and evil; (9) reproducible form (Alain finds the Incarnation "unnatural" here). Boethius is cited as the origin of nos. (1)–(3). Plato is the fourth. (Chenu finds twelve definitions in the passage rather than nine. Nature, p. 206.)

40. "Quandoque naturale, quod non est contra usum, ut coitus maris cum feminina; innatnale, quod est contra usum," from Al Erfurt, Amplon., Cod. Q. 17, cited in Chenu, Nature, p. 20, n. 41. Abaelard too had equated "nature" and "usum" but—possibly because of his recognition of the frequency of homosexuality—had then paramantically related the

"natural" presupposes something few subsequent theologians were willing to admit: that Christian society equates the "good" with the "common." Although to a certain extent this was true, it was not a position which the Church wished to espouse officially, and the influence of Aristotle was already convincing most Scholastics that mere statistical deviancy could not be held sinful, since "heroic virtue," saintliness, superior intellect, and even sexual continence were statistically deviant. Certainly according to the glossator's definition celibate clergy would be "unnatural."

Another means of excluding gay sexuality from the "natural," however, provisionally appeared in the twelfth century and proved ultimately decisive in formulating theological objections, although it was not originally a theological concept. Late Roman law had embraced the principle that there was a "natural law" known to mankind apart from legislation enacted by particular nations.11 Justinian's Digest, which was Roman law to the later Middle Ages, opens with a discussion in which the "natural law" known to all sentient beings is contrasted with the "law of nations" enacted by humans alone (1.1.1.1–4). This discussion was drafted by the Roman jurist Ulpian, in the third century of the Christian era, at the height of Christian idealization of "nature": "Natural law is what nature has taught all animals. This law is not unique to the human race but common to all animals born on land or sea and to birds as well. From it comes the union of male and female which we call marriage, as well as the procreation of children and their proper rearing [educatio]. We see in fact that all other animals, even wild beasts, are regulated by understanding of this law."42

latter to design: "Qui est contra naturum, et id inseparabile discendque est quum usus.

Contra naturam, hoc est contra naturae institutionem, quod genitalia femininarum usum virorum praeparavit, et e converso, non ut feminae semina cohabitant," Exsportio in Epistolum Pauli ad Romanos 1 (PL, 178:866). The argument from design triumphed in some Catholic circles but was derided as "moral plumbing" in others. It was rejected by Aquinas and is very rarely used in subsequent medieval authors. It is interesting that Abaelard limited his comments to female homosexuality.

41. For discussion of the development of the concept of "natural law" in the High Middle Ages, see, in addition to works cited earlier in this chapter, Odon Petitin, Le droit naturel chez Saint Thomas d'Aquin et ses prédécesseurs, 2d ed. (Bruges, 1931); and R. M. McNerny, "The Meaning of 'Naturals' in Aquinas's Theory of Natural Law," in La filosofia della natura, pp. 560–66.

42. 1.1.1.3: "Ius naturale est, quod natura omnium animalium ducit. Nam uest istud non humani sensus proprium: sed omnium animalium, que in terra, que in maris nascuntur: avium quoque commune est. Hinc descendit matri atque feminae coniunctio, quam non matrimentum appellatur: hinc liberrorum praeconia, hinc educatio, videmus enim e cetera quoque animalia, ferar etiam, istius iuris peritia cereber." In contrast, the ius gentium "est quo gentem humanam utatur, quod a naturali recedere facile intelligere licet: quia illud omnium animalium, hoc solis hominibus inter se commune sit," ibid., 4. Among other difficulties with Ulpian's definition, one might note that he had previously defined law (ius)
This concept of law was not popular during the early Middle Ages, when most writers entertained a less flattering image of animal morality, and Saint Isidore of Seville revised it when he offered his definition of "natural law" in sixth-century Spain:

Natural law is common to all nations, because it is maintained by natural instinct rather than legislation. Under it are comprised the union of male and female; care and rearing of children; common possession of all things; individual liberty for all; [free] acquisition of all things on land, sea, or sky; return of goods borrowed or owed; repelling violence with force. For these things and those like them are never considered unjust but always natural and right.

Animals are conspicuously absent from Isidore's adaptation. The "natural instinct" which dictates the return of borrowed goods could hardly be inferred from animals. "Nature" is still present, but what constitutes "natural law" seems to be a curious combination of utopian ideals and empirical observation, with little relation either to reality or Christian teaching.

By the opening of the twelfth century, "natural law" had been transformed from a force of "nature" to a specific and highly refined ethical precept. According to Gratian, "Natural law is what is contained in the law and the Gospels, according to which everyone is commanded to do to others what he would have done to himself and is forbidden to do anything to someone else which he would not have done to himself."

Had this definition of natural law triumphed in Scholastic circles, it would have been extremely difficult to prove that consensual homosexuality violated "natural law." But Roman law, urbanization, and interest in biology were just beginning to dominate Europe when Gratian wrote his

as the art of goodness and justice ("Ius est ars boni et aequi"; introduction). Given the classical distinction between "nature" and "art," it is hard to understand why Ulpian could consider law to be both "natural" and an "art."

43. Etymologiae 5.4.1–2 (PL, 82:199): "Jus naturale est commune omnium nationum, et quoque ubique instinctu naturae, non constitutione aliqua habatur, ut: viri et feminae concupiscunt, liberorum suscipere et educare, communis omnium possessor, ex omnium una libertas, acquisitio corum quae coelo, terra marique capiuntur. 2. Item depositae rei vel commodatae restitutione, violentiae per vim repulsio. Nam hoc aut siquid hauc similis est, nunquam injustum, sed naturale, aequumque habetur."

44. No secular society known to Isidore allowed "common possession of all things" or free "acquisition of all things on land, sea, or sky"; and yet if Isidore simply described an ideal state, why did he include the repelling of violence with force—a violation of both the direct command (Matt. 5:39, Luke 6:29) and the clear example of the author of "nature" in Christian philosophy?

45. Decretal, Distinctio prima: "Jus naturale est, quod in lege et evangelio continetur, quo quisque jubetur ali facere, quod sibi vult fieri, et prohibetur ali inferre, quod sibi nolit fieri." Cf. ibid., c.7, for Isidore's definition.

46. "Ius naturalis universalius est quod omnia naturalia animalia dictat [sic]," Summa in aurea in quattuor libros sententiarum a subtilissimo doctore magistro Guillermo Altissiodorensi (Paris, 1500), fol. 287r.

47. "Tertio modo dicitur ius naturale propriissime, quod 'natura docuit omnia animalia,'" Bonaventurai commentaria in quattuor libros sententiarum Magistri Petri Lombardi 33:1.1, Conclusio (Quaracchi, 1889), 4:748.
Albertus Magnus was the first of those responsible for the final synthesis to comment extensively on homosexual behavior. Almost inevitably, his writings evince a certain confusion and inconsistency in regard to the "naturalness" of homosexual acts. In his Summa theologiae Albertus condemned homosexual acts as the gravest type of sexual sins because they offended "grace, reason, and nature." (Next after these would be those acts that offended "only grace and reason," e.g., adultery.) Albertus offered no explanation of the precise way in which sodomy—which he defined as the carnal union of persons of the same gender—violated nature, but he did cite Romans 1:26-27 as an authority for his opinion.

In other writings, however, Albertus described homosexuality as a contagious disease which passed from one person to another and was especially common among the wealthy. In his commentary on Luke he cited a biblical text suggesting that it was innate and observed that those who had it scarcely ever got rid of it, but in his treatise on animals he described a relatively easy cure: the fur from the neck of an Arabian animal he called "alzabo," burned with pitch and ground to a fine powder, would "cure" a...

48. Numerous thirteenth-century writers mention homosexuality in passing, and most relate it to popular concepts of "nature": Vincent of Beauvais's Speculum doctrinale (10.49) treats (in addition to the matters discussed above) the "crime of sodomy" entirely in terms of the natural. It consists, however, of a simple grouping of the standard canonist statement excluding sodomy from treatment as a mortal vice. The most extensive treatment of homosexual intercourse, along with the assertion that "sodomy" (defined as any emission of semen outside the "appropriate vessel") is more serious than incest with one's mother (these comments are obviously addressed only to males), and claims that such acts are on a par with murder as sins that "cry out for heaven for vengeance." Cf. the comments of Peter Cantor above. No effort is made to analyze the precise import of "nature" in the materials employed. This would have been difficult, since the four texts use the word in widely divergent senses.

49. De pandemonio, 37.2; De decretis omnium pecatorum menaevaratur tribus; divitiarum, scilicet gratia, ratione, et natura. Et ulla quod est contra gratiam, rationem et naturam, maximum est, sicut est sodomia. (in Alberti Magni Ratisbonensis episcopi, ordinis praedicatorum opera omnia, ed. A. Borgnet [Paris, 1890-99], 3, 400-401).

50. "Quod autem est contra gratiam et rationem, post hoc majus est, sicut adulterium," p. 401.

51. "Sodomia est pecatum contra naturam, masculi cum masculo, vel feminae cum feminae," p. 400. In his commentary on Luke, Albertus interpreted a number of other biblical passages as applying to homosexual relations, often through the most extreme casuistry: see In evangelium Lucæ 17:29 (Borgnet, 23:488).

52. In the commentary on Luke Albertus argued that homosexual behavior is "more abominable" than other sins because of four characteristics: (1) it is a disorder, which overthrows the order of nature; (2) its "stink," which rises to heaven; "And well is it said that its stink rises, since this execrable vice is known to prevail more among the upper classes than the lower." (3) its existence, "because when it makes someone, it almost never leaves him"; and (4) its communicability, "because it is said to be a contagious disease and to spread from one person to another."

53. "Right from the womb these wicked men have gone astray," Ps. 58:9, cited by Albertus, ibid., as Ps. 57:4: "Peccatores a vulva, erraverunt ab utoera.

54. De animalibus 22.2.1.10, ed. Hermann Stadler, in Beiträge zur Geschichte der Philosophie des Mittelalters: Texte und Untersuchungen (Münster, 1920), vol. 16, pt. 2, p. 1950, sec. 25: "Alzabo ut in libro sexaginta Animalium dicitur, animal est multum valens medicinæ in deserts Arabiae conversans... . Ducunt etiam quod pili in colo hiuvs animalis accepti et matri pulverizati combusti cum pice, unctum in ano sodomitam curavit a vito." The alzabo section is not included in older editions of the De animalibus, including that of Borgnet (vols. 11-12), where sec. 12.2.1.10 dealt with the anus (see sec. 17.1, 1495). There is no doubt that the Cologne manuscript employed by Stadler for his edition is the best of all those extant. Some scholars—including George Sarton—have considered it an autograph.

55. "Jorach etiam dicit quod aliqualia [huauena] est mas et alique femina... . Sed iste Jurach frequenter mentitur," De animalibus 22.2.1.56 (Stadler, p. 1495, sec. 106). It is curious that Albertus should cite the mysterious Jorach (for whom see G. Sarton, Isis 15 [1931]: 171-72) as authority for an opinion given by Pliny and the authors of most Western zoological treatises. Pauline Aiken has shown ("The Animal History of Albertus Magnus and Thomas of Cantimpré," Speculum 22 [1947]: 205-25) that Albertus actually made little if any direct use of Pliny: almost all the material in the De animalibus is taken directly from the De naturis rerum of Thomas of Cantimpré, in many cases including rather crude misinterpretations of Pliny. In this particular case, however, Albertus clearly did not follow Thomas, who does not cite Jorach and accepts the dual sexuality of the hyena: "Hyena and the hare are both animals which habit the mountains. Duas habet naturae, maris et femine, Liber de naturis rerum, Cambridge, Mass., Houghton Library Ms Lat. 125, fol. 255, sv. "hyena." Neither Albertus's material on the alzabo nor that on the hyena is derived from Thomas of Cantimpré.

56. See, e.g., Kamal ad-Din ad-Damârî, Háyât al-Hayawân al-Kubrâ (Bulaq, 1875), 2:89-90, where similar properties are suggested. Ad-Damârî says that the curative properties of the hyena's anal fur are agreed upon by physicians ("al-baqâ al-sâlayhi al-âthâbi," p. 92) and cites as sources for his general material on this subject al-Jâhîz, ar-Râzi, as-Zamakhshâri, al-Qazwînî, et al. (p. 88). Ad-Damârî's treatments of the hare, hyena, and weasel were profoundly influenced by Greek legends and Christian "ideal" natural attitudes: see ibid., s.v. "âdâb," "arnab," and "ibn ird."
This seems even more ironic in view of the fact that the Arabic legends were derived from the same early Christian animal fables which had justified and partly produced antihomosexual prejudice in the first place: Scholastics thus unwittingly incorporated as separate data the antigay fables of the Clementine/Physiologus tradition and the Arabic medical/zooological lore based on them.\(^\text{58}\)

The moral authority of "ideal" nature reached its most influential and in many ways its final development at the hands of Albertus's most famous pupil, Saint Thomas Aquinas (d. 1274), whose Summa theologiae became the standard of orthodox opinion on every point of Catholic dogma for nearly a millennium and permanently and irrevocably established the "natural"\(^\text{59}\) as the touchstone of Roman Catholic sexual ethics.\(^\text{60}\)

Since Aquinas's teachings represent to a large extent the final synthesis of high medieval moral theology, they merit particularly detailed attention. It

and did not mention the Arabic *aslabo*. The number sixty may be the section of the Arabic encyclopedia from which Albertus derived the material in question, or the Latin translator merely added it. The Arabic *saba*" ("six"") as "the sixth" in the *Animalium* where the hyena actually occurs for "sixth"") and "hubane" disrupt the alphabetical order of the Cologne manuscript. This curious circumstance would be the logical result of the addition to the Latin text of the "aslabo" entry from a Latin translation of an Arabic encyclopedia, also alphabetical, in which "hubane" occurred within the article on *al-fabi* as an effort to reproduce in Arabic the Greek word "hubane" actually used by Aristotle (the basis of most Arabic zoological works).\(^\text{58}\)

The Physiologus itself was translated into Arabic in the early Middle Ages and included the traditional account of the hyena and its sex changes: see Land, pp. 139-40, s.v. "al-fabi".

Cf. al-Jābih, *Kitāb al-Hiyawān*. For another example, see Vincent of Beauvais, *Speculum naturae* 10.62: "De medicinis ex hyana: Etiain si viri mulierem coitus oederint, spine illius articulum primum in remediis habent comicalem"; this is almost identical with the relevant passage in ad-Damiri.

59. Almost all studies of Saint Thomas and his theology treat his concept of "nature" to some degree. For more specific studies see Lottin; and the several articles on the subject in *La filosofia della natura* (e.g., I. I. Aceostra, "El concepto de naturaleza en Santo Tomás") and in *St. Thomas Aquinas, 1224-1274: Commentator Studies*, ed. A. Maurer et al. (Toronto, 1974), vol. 1, esp. V. J. Bourke, "The Neo-machian Ethics and Thomas Aquinas," and M. B. Crowe, "St. Thomas and Ulpian's Natural Law."

60. Saint Thomas's positions did not triumph easily or immediately. His writings were controversial during his lifetime and for some time thereafter. His teachings on "nature" and "natural law," for example, appear to have been vigorously opposed by some (e.g., Duns Scotus: see E. Piernkarczyk, "Das Naturrecht bei Johannes Duns Scotus," *Philosophische Jahrbuch* 43 (1930): 67-91; and M. B. Crowe, "Nature and Natural Law in John Duns Scotus," in *La filosofia della natura*) and simply ignored by others (e.g., Ramon Lull *Libre de natura* 100, in *Raymond Lulli, philosophe de l'action*, ed. A. Llínarès [Grenoble, 1963]; briefly discussed in R. D. F. Prior-Mill, "La estructura del 'Liber de natura' del Beato Ramón Lull," in *La filosofia della natura*). Since the discussion in this chapter is intended only to elucidate the concepts of the "natural" upon which Aquinas grounded his condemnation of homosexual behavior, no effort is made to discuss "natural" philosophy subsequent to the *Summa theologiae*. For these the reader is referred to the general bibliography in n. 3 above.

may be worth repeating here that the aim of such analysis is not to engage in polemics on moral issues but to investigate the extent to which such positions reflect logical or consistent application of traditional Christian principles, and where they do not, to suggest other ways of accounting for their development. It is difficult to see how Aquinas's attitudes toward homosexual behavior could even be made consonant with his general moral principles, much less understood as the outgrowth of them. Despite his absolute conviction in every other context that humans were morally and intellectually superior to animals and therefore not only permitted but obliged to engage in many types of activity unknown or impossible to lower beings, Aquinas resorted again and again to animal behavior as the final arbiter in matters of human sexuality. Even granting the illogic of the premise, such an undertaking was no mean task for a mind of Thomas's acuity. In condemning promiscuity ("fornication"), for instance, he had to come to grips with the fact—well known in spite of the recent ascendance of animals as models of sexual propriety—that promiscuous sexuality was common among familiar animals like dogs and cats; so common, in fact, that even the most devoted adherents of "nature" compared humans given to obsessive or wanton venereal pursuits to animals. If animals could "naturally" pursue lives of such carefree and expansive sexuality, why could not humans "naturally" do likewise?

To answer this question, Aquinas had to stretch considerably the Platonic tradition of selective inference from birds, arguing that there is some inherent distinction among animals on the basis of postnatal requirements for the offspring:

We see in fact that among all those animals for whom the care of a male and a female is required for the upbringing of the offspring, there is no promiscuity *vagus concubitum* but only one male with one female, or several males: this is the case among all birds. It is different, however, among those animals for whom the female alone is sufficient for the upbringing of the offspring, among whom there is promiscuity, as is evident in the case of dogs and other similar animals.\(^\text{61}\)

61. *Summa theologiae* 2a.2ae.154.2 Resp.: "Videmus enim in omnibus animalibus in quibus ad educationem prolib requiriur cura maris et foeminae, quod in essentia est vagus concubitum, sed maris ad certam foeminam, unus vel plures, sicut patet in omnibus avibus; secur autem est in animalibus in quibus sola foemina sufficit ad educationem foetus, in quibus est vagus concubitum; ut pater in canibus et hujusmodi alii animalibus." This argument is repeated almost verbatim from an earlier (and less influential) work, the *Summa contra gentiles* 3.122, discussed below. The idea that humans should not imitate dogs was certainly not original to Aquinas; if nowhere else, he would have known it from the *Summa* of Alexander III (*Magistri Rolandi*), where it is introduced in commentary on Gratian's *Decretum*, *Causa* 27, *Quaes. 1* (Thamer, p. 125).
Although judged by the standards of the time this argument evinces remarkable biological insight, it presents a great many moral and philosophical difficulties. Aside from the fundamental paradox of this whole line of reasoning, that man, the paragon of the great chain of being, should have to follow the example of lower animals in matters of morality, and overlooking the factual error in the premise that all birds are monogamous, one is still struck by the many crucial questions left unanswered in Aquinas’s “answer.”

62. Saint Bonaventure, in a similar context, had limited his claims regarding avian monogamy to turdoves (Commentaria 53.1.1. Concl., p. 746): “Quaedam animalia bruta sunt, quae non omnino gratia coniunguntur in individuum copulam, ut sint naturae...” In his earlier treatment of the subject (Summa contra gentiles 3.122), Saint Thomas had also observed that only certain birds are monogamous (“sicut pactum in quibusdam avibus”) and apparently decided to broaden his claim in the more influential Summa theologiae.

63. E.g., (1) how is it known that human offspring require two parents? Do not widows and widowers rear children “naturally”? Is it sinful for only one parent to rear children? Certainly there is no biblical authority on the subject: the command to be “fruitful and multiply” suggests nothing particular about the duties of parenthood; Hagar had to raise her son alone; Esther appears to have been brought up by her uncle; New Testament comments on sexuality did not emphasize procreation, much less dual parenthood—a case could be made, in fact, that the discouragement of remarriage for widows and widowers constitutes a negative injunction in this regard. In the Summa theologiae Aquinas contains himself with observing that “it is obvious that for the upbringing of a human there is need not simply of nourishment, but the whole and even more of the nurture which when a human needs and which watches out for both interior and exterior well-being” (22.2ae.154.2 Resp.); but in the Summa contra gentiles he had explained more explicitly that the male is needed for the proper care of the human child because the male is “more perfect in reason, to give instruction, and stronger in virtue, to offer correction” (3.122). As in the cases of arguments about homosexuality, it was the position of the Summa theologiae which influenced later moralists: see the Speculum morale attributed to Vincent of Beauvais, 3.2. (2) Why should “found a father of an infant in any case”? Many bastards know their fathers, and it was particularly common in the Middle Ages for men to acknowledge with some pride what were (ironically) called “natural” children. In the fifteenth century both ruling houses of Spain traced their descent through illegitimate offspring, and the same could be observed of many European ruling families. Aquinas is either mistaken or devious in answering this question—the only one of those listed here which he addresses directly. “It does not matter,” he says, “if someone who commits fornication should provide for the upbringing of the child, because that which falls under the cognizance of the law is determined according to what commonly happens, not according to what might happen in a particular case” (Summa theologiae 22.2ae.154.2 Resp.). Even in regard to civil law this would not be a cogent argument, since Aquinas has already stated that civil law should not attempt to restrain all vice but only those acts which actually harm others (1a.2ae.96.2) and since the entire concept of “natural law” is predicated on what should happen rather than what does happen. The issue in this article, however, is not law at all but morality: what Saint Thomas purported to be discussing was not why the law might restrain fornication not in general but why fornication would be mortally sinful to the individual committing it. His argument here is manifestly irrelevant to this consideration, since it ignores the intent—the crucial determinant of sin—and addresses itself only to statistical probabilities and physical

It is difficult to believe, moreover, that animal behavior actually suggested this position to Saint Thomas: he can only appeal to birds, a tiny minority, as monogamous—elsewhere he qualifies his example even further as only some birds—and the analogy between the parental duties of birds and those of humans is questionable, to say the least. The invocation of “nature” is significant, however, as an indication of the lengths to which Scholastic apologists for Christian ethics would go to demonstrate that “nature” was at the foundation of Christian society’s sexual taboos. Even granting the selective inference from monogamous species of birds, sexual promiscuity ought to have been no more reprehensible in “natural” ethics than gluttony, which also prescinds from the supposedly “natural” tendency of animals to eat only what is necessary for sustenance. Indeed, Aquinas concedes, heterosexual promiscuity would be no more serious than gluttony if it were not for its potentially harmful effects. While one excessive meal has no permanent consequences, a single act of heterosexual fornication may ruin the life of a human being: that of the illegitimate and (Thomas assumes) uncared-for child produced by it (Summa theologiae 22.2ae.154.2 ad 6).

One would surmise from this argument that Aquinas would regard homosexual acts as no more serious than gluttony. He could argue that they did not fulfill any requirement of nature, but hardly that they produced unwanted or neglected children. The only argument which prevented his “natural” ethics from accepting heterosexual promiscuity as mere incompliance could not be applied to homosexual acts. This left gay sexuality in the position it had occupied in the minds of earlier theologians like Burchard, i.e., at the very worst comparable to drunkenness, and considerably less serious than heterosexual fornication.

But Aquinas could not pursue his logic this far out of the mainstream of thirteenth-century popular morality and public intolerance, and he struggled instead to construct a philosophical justification for classifying homosexual acts as not only serious but worse than comparable heterosexual ones; in fact he promoted them to a position of unique enormity unparalleled since the time of Chrysostom.

In an early work (Summa contra gentiles 3.122) Saint Thomas had predicated his objection to homosexual activity not on animal sexuality but on an argument which many later theologians were to seize upon in regard both
to contraception and "unnatural" sex acts—that semen and its ejaculation were intended by "nature" to produce children, and that any other use of them was "contrary to nature" and hence sinful, since the design of "nature" represented the will of God. Unlike later writers, however, Saint Thomas realized that this argument had fatal flaws. He himself raised the question of other "misuses" of "nature's" design. Is it sinful for a man to walk on his hands, when "nature" has clearly designed the feet for this purpose? Or is it morally wrong to use the feet for something (e.g., pedaling an organ) which the hands ordinarily do? To obviate this difficulty, he shifted ground and tacitly recognized that it was not the misuse of the organs involved which comprised the sin but the fact that through the act in question the propagation of the human species was impeded.

This line of reasoning was of course based on an ethical premise—that the physical increase of the human species constitutes a major moral good—which bore no relation to any New Testament or early Christian authority and which had been specifically rejected by Saint Augustine. Moreover, it contradicted Aquinas’s own teachings. Nocturnal emissions "impede" the increase of the human race in precisely the same way as homosexuality—i.e., by expending semen to no procreative purpose—and yet Aquinas not only considered them inherently sinless but the result of "natural" causes. And voluntary virginity, which Aquinas and others considered the crowning Christian virtue (Summa theologica 2a.2ae.151, 152), so clearly operated to the detriment of the species in this regard that he very specifically argued in its defense that individual humans are not obliged to contribute to the increase or preservation of the species through procreation; it is only the race as a whole which is so obligated. Because of this, Aquinas found it necessary to shift ground again in formulating theological opposition to sexual non-conformity in his major and most influential moral treatise, the Summa theologica.

64. "Ut si quis, verbi gratia, manibus ambulet, aut pedibus aliqud operetur manibus operandum: quia per huiusmodi inordinatos unus bonum hominis non multum impeditur."

65. "Inordinata vero seminis emission repugnat bono naturae, quod est conservatio speciei. Unde post peccatum homicidii, quo natura humana iam in actu existens destruetur, huiusmodi genus peccati videtur secundum locum tenere, quo impeditur generatione humanae naturae."

66. Summa theologica 2a.2ae.154-5, Resp.: "patet quod nocturna polluto nunquam est peccatum."

67. "A duty may be of two sorts: it may be enjoined on the individual, and such a duty cannot be ignored without sin. Or it may be enjoined upon a group; in this case no individual in the group is obligated to fulfill the duty. . . . The commandment regarding procreation applies to the human race as a whole, which is obligated not only to increase physically but to grow spiritually. It is therefore sufficient for the race if some people undertake to reproduce physically," ibid., 2a.2ae.152-2ad 1.

There are three substantive comments on homosexuality in the Summa. In the last and best known of these Aquinas discusses under two headings (1) whether "vices against nature" constitute a species of lust (he concludes they do) and (2) whether they are the most sinful species of lust (they are). "Vices against nature" include masturbation, intercourse with animals, homosexual intercourse, and nonprocreative heterosexual coitus.

Although nature is defined elsewhere in the Summa in many different, sometimes conflicting ways, ranging from "the order of creation" to "the principle of intrinsic motion," no definition is provided here for the "nature" these sins are against, and all common conceptions of "nature" are missing from or excluded by the particulars of the discussion. Animal sexuality is opposed to the "natural" at one point, and no other sense of "nature" suggested would apply any more to homosexual acts than to procreative extramarital sexuality. Although at one point he does remark

68. 1a.2ae.31.7; 1a.2ae.94.3 ad 2; 2a.2ae.154.11-12. Of these, only the last has received scholarly attention in the context of Scholastic attitudes toward homosexuality. The first was briefly touched upon by McNell, in The Church, p. 97, but unfortunately the location of the passage was cited incorrectly in the notes.

69. Aquinas uses "bestiality" ("bestialitas") in three distinct senses but does not define or distinguish them explicitly. In some contexts the word refers to "base" or "primitive" behavior: what Aristotle called "bestial" in the Nicomachean Ethics because of its similarity to the behavior of animals. In other contexts he uses the same term to designate human intercourse with animals, and in one place the related adjective appears to refer to the way in which animals copulate with each other (11 Resp.; this extreme inconsistency gives rise to a logical absurdity in the organization of article 11: in 1 "vices against nature" are classified as a subspecies of "bestiality," but in the response to the arguments "bestiality" appears as a subspecies of "vices against nature"). This confusion not only persisted but grew more pronounced under later Thomists. Giles of Rome (Aegidi Romanus, d. 1318) argued in his Commentary on Romans that homosexual behavior was a form of "bestiality" ("Sufficit scire coitum masculinum cum masculo et feminarum cum feminarum bestialitatem esse") but adduced as proof of its sinfulness the fact that it was unknown among animals (Aegidi Romani archiepiscopi Bzuricensis in Epistolam beati Pauli Apostoli ad Romas commentarii, in Operum D. Aegidi Romani [Rome, 1555], vol. 1 chap. 1). Giles's position is the more complicated because he maintains that homosexual acts are against the "nature" not only of the species but also of the genus and the individual (ibid.). For ramifications in literature, see, e.g., Alfred, Trinity, ""Mattia bestialità" in Dante's Inferno": Theory and Image, Traditio 24 (1968): 247-92.

70. "Natura est principium motus intrinsecum," 3a.32.4-3.

71. 11 Resp.: "Si non servetur naturalis modus concumbendi . . . quantum ad alios monstruosos et bestiales concubendi modos." Aquinas does not explain the principle by which he determines which aspects of animal sexuality should be avoided by humans (e.g., the position they adopt in coitus, as here) and which imitated (e.g., ornithological monogamy, as above).

72. These are many and inconsistent, ranging from the "nature" of the venereal act to the "order of nature." "Human nature" is the most prominent: this is reminiscent of Augustine (as above, chap. 6), who doubtless influenced Aquinas on the matter, but Thomas's position is markedly different.
that the potentially procreative types of lust discussed earlier under “fornication” and “adultery” do not “violate human nature,” this is directly contradicted by his assertion in the treatment of “fornication” that “it is against human nature to engage in promiscuous intercourse.” Indeed, as he subsequently admits, not only are all sexual sins “unnatural,” but all sins of any sort are “unnatural.” The “natural” in this section is in fact simply the “moral”; and it seems circular, to say the least, to argue that homosexual acts are immoral because they are immoral.

In an earlier part of the Summa, however, in a discussion of whether there can be “unnatural” pleasures (the answer is yes), Aquinas does offer more explicit ideas about “nature” and “natural” in relation to homosexuality. In fact, he provides some surprising definitions. “It should be observed that a thing is called ‘natural’ when it is according to ‘nature’ . . . ‘Nature,’ in the case of man, may be taken in two senses. On one hand the ‘nature’ of man is particularly the intellect and reason, since it is in regard to this that man is distinct as a species.” This first definition appears to refer to the “nature” of something, in this case man, but its use is paradoxical because what Aquinas here takes to comprise the “nature” of man is exactly what most adherents of “ideal” nature exclude: his reason. It is indeed very difficult to see how homosexuality violates “nature” in the sense of man’s reason. It was precisely the reason of man which proponents of gay sexuality had recently used to defend themselves against “ideal” nature,

73. 2a.2ae.154.2. Resp.: “Ideo contra naturam hominis est quod utatur vago concubitum.”
74. See n. 89 below.
75. This is the obvious import of many other discussions of “nature” and “natural law” in the Summa, e.g., 1a.2ae.91.2: “It is clear that natural law is nothing other than the participation of rational creatures in eternal law.” Cf. the discussion at 2a.2ae.153.2 Resp., where “reason” occupies the very same position as “nature” in 154:4: “It must be observed that in human affairs a sin is whatever is against the order of reason, which must order all things according to their ends.” Aquinas’s mentor, Aristotle, had also conflated “nature” with “reason” and morality: note, e.g., Politics 1.5, where it is asserted that it is “contrary to nature” for the body to rule the mind, and this is considered proven by the fact that this condition occurs only in “immoral” men.
76. 1a.2ae.91.7. The extent to which this discussion is indebted to Nicomachean Ethics 7.5 is often overlooked by editors. It is important to note, however, that Aquinas seriously misrepresents some of Aristotle’s comments. Despite the Summa’s assertion to the contrary (“Philosophus dicit quod quaedam delectiones sunt aegrotitudines et contra naturam”), Aristotle does not characterize the behavior treated in this section as “unnatural”; the actions discussed are classified as “unhealthy” (“νοηματωδῆς”), “wretched” (“μοιχηρός”), or “bestial” (“θηριωδής”). Aquinas also alters Aristotle’s meaning for “bestial.” On the general issue of Aquinas’s use of the Ethic, see Bourke. Aquinas’s commentary on this portion of the Ethic (lecture 5, commentary 1568–84) is less informative than the treatment in the Summa.
77. “Dicendum quod naturale dicitur quod est secundum naturam. . . . Natura autem in homine dupliciter sumi potest. Uno modo, prout intellectus et ratio est potissime hominis natura, quia secundum eam homo in specie constituitur.”

arguing that it is man’s “nature” to rise above what is “natural” to animals and to love regardless of the physical compulsions of procreation (e.g., in “Ganymede and Helen,” which Aquinas might have known). Aquinas would not have had to alter his commitment to procreation as the function of sexuality in any way to have recognized that “natural” affection, which in animals exists of “necessity” between mates and relatives, is transferred by “human nature” to relations where there is no “necessity” for affection—e.g., voluntary friendships—without moral defect, and that an analogous argument could be used to justify sexual relations among humans where no “necessity” compels. In the immediately preceding section, for instance, he distinguishes between “natural” and “unnatural” desires: the former are those which animals experience as a consequence of necessity. The latter are unique to humans, “who alone can recognize as good and fitting something which is beyond the requirements of nature.” These desires “beyond the natural” are characterized by Aquinas not only as “rational, individual, and acquired” but as pertaining to things which are “good and fitting,” despite their exceeding the “natural” and being unknown to animals.

As his second definition of “nature” Saint Thomas then offers a meaning which directly contradicts the first: “On the other hand, ‘nature’ in man may be taken to mean that which is distinct from the rational, i.e., that which is common to men and other beings, particularly that which is not subject to reason.” This appears to be the ever popular concept of “animal nature,” a meaning not just peripheral to but ostensibly rejected in the treatment of homosexuality above, but here providing the only substantiation for the claim that homosexual acts are “unnatural.” Things are “natural” to both men and animals when they pertain to the preservation of the individual or the species: the examples of food, drink, sleep, and sex are cited. They have nothing to do with thought but are the responses necessary for the existence of either the individual or the species. Homosexuality and celibacy might be “against nature” in this sense if one took the simplistic view that indulgence in them somehow precluded the reproduction of the human race; certainly they do not diminish the existence of the individual. Aquinas does not, however, show that homosexuality would preclude the reproduction of the
race; he could only do so if there were a logical compulsion that if any humans were to engage in homosexual acts, all would then be exclusively homosexual. Otherwise the position of homosexuality could be considered the same as "unnatural" desire (or celibacy): unnecessary, but not evil.

This difficulty pales, however, beside the startling revelation following the second definition that homosexuality may in fact be quite "natural" to a given individual, in either sense of the word. "Thus it may happen that something which is against human nature, in regard either to reason or to the preservation of the body, may become natural to a particular man, owing to some defect of nature in him." The "defect" of nature mentioned here should not be taken as implying some contravention of "natural laws." Aquinas compares this sort of "innate" homosexuality to hot water: although water is not "naturally" hot, it may be altogether "natural" for water under certain circumstances to become hot. Although it may not be "natural" for humans in general to be homosexual, it is apparently quite "natural" for particular individuals.

This circumstantial etiology of homosexuality cannot be taken as indicating in itself moral inferiority. Aquinas also believed that women were produced by "defective" circumstances (1a.92.1): if conception took place under completely "natural" circumstances, males would always result ("for the active force of the male seed intends to produce something similar to itself, perfect in its masculinity"), but if some peculiarity intervened—a defect in sperm or seed or the prevalence of a moist south wind at the time of con-

82. "Ita igitur contingit quod id quod est contra naturam hominis, vel quantum ad rationem, vel quattuor ad corporis conservacionem, fiat huic homini congenitum, propter aliquam corruptionem naturae in eo existentem," ibid. "Connaturale" does not in general have a meaning distinct from "naturale"; if there is any difference, it is that the former more often refers to what is "natural" to a particular individual—i.e., blue eyes—or to a group (white skin) than to what is "natural" to a species (humps) or all of the observable world (the effect of gravity). Of course what is "natural" to an individual is also, as part of the individual, "natural" to the whole. Aquinas's uses of "nature" and related terms, however, are so inconsistent that it is impossible to generalize about terminological subtleties without context; the interested reader should consult the relevant entries in the Index Thomisticus (Stuttgart, 1974) s.v. "connaturale.

83. The choice of heat as a point of comparison is striking: the metaphor is not taken from Aristotle and must be understood as Aquinas's own idea. Heat had been for earlier theologians not only "natural" but part of the very essence of "nature": one of Alain de Lille's definitions of "nature" was "heat"—"Dicitur naturalis calor, unde physicus dicit esse paganum inter morbum et naturam, id est naturalem calorem" (Distinctios, s.v. "natura" [PL, 910:871]; this is definition 7 in n. 39 above); and Thierry of Chartres envisioned heat as the "creative power and efficient cause" of everything—De sex dierum operibus, ed. N. Haring, in Archives d'histoire doctrinale et littéraire du moyen âge 22 (1955): 184–200; also John of Salisbury, Metalogics 1.8 (McGarry, p. 29).

84. "Quia virtus activa quae est in semine maris intendit producere sibi simile, perfectum, secundum masculinum sexum," 1a.92.1 ad 1.

85. "Woman is naturally [naturaler] of less character [minior virtutis] and dignity than man," ibid., 2.

86. Summa contra gentiles, 3.126: "Naturales inclinationes inant rebus, qui cuncta movet... Illud autem quod est finis aliquarum naturalium resum, non potest esse secundum se malum: quia ea quae naturaliter sunt, ex divina providentia ordinatur ad finem." See Aristotle Politics 1.2: "Nature does nothing without a purpose"; ibid., 8: "Nature makes nothing without a specific function, nothing without a purpose."

87. It is not necessary for God to effect the change from potential heterosexuality to actual homosexuality for it to be "natural": no active force is required for "natural" mutation, which may be entirely passive (3a.32.4 ad 3). Later in the same section of the Summa in which he accepted Aristotle's definition of homosexuality as "natural" (in a "real" sense), and immediately following the description of homosexuality quoted above, he observes, "In fact, because of the diverse conditions of humans, it happens that some acts are virtuous to some people, as appropriate and suitable to them, while the same acts are immoral for others, as inappropriate to them" (12a.94 ad 3; see ibid., 3: "What is virtuous for one person is sinful for another"). It would seem that Saint Thomas would have been constrained to admit that homosexual acts were "appropriate" to those whom he considered "naturally" homosexual.
real origin of his attitude toward the "unnaturalness" of homosexual behavior:

It must be noted that the nature of man may be spoken of either as that which is peculiar to man, and according to this all sins, insofar as they are against reason, are against nature (as is stated by Damascene); or as that which is common to man and other animals, according to which certain particular sins are said to be against nature, as intercourse between males (which is specifically called the vice against nature) is contrary to the union of male and female which is natural to all animals.

In the end Aquinas admits more or less frankly that his categorization of homosexual acts as "unnatural" is a concession to popular sentiment and parable. Since theologically sins are necessarily "unnatural," it is simply redundant to argue that homosexuality is sinful because it is "unnatural"; homosexual acts would have to be shown to be sinful apart from their "unnaturalness" to be immoral from a theological point of view; but Aquinas could bring to bear no argument against homosexual behavior which would make it more serious than overeating and admitted, moreover, that homosexual desire was the result of a "natural" condition, which would logically have made behavior resulting from it not only incoipelable but "good."

But homosexual acts "are called the unnatural vice," he observes, because they do not occur among animals, and he bows to the speech patterns and zoological notions of his contemporaries. Aquinas was not an innovator; the Summa's position, in this as in many matters, was a response to, not the origin of, popular attitudes. The arguments Aquinas and his contemporaries used

88. De fide orthodoxa 3.4, 4.20 (90, 94:376, 1196).
89. "Dicendum quod natura hominum potest dici vel illa quae est propria hominum, et secundum hoc omnia peccata infamant sunt contra rationem sunt etiam contra naturam, ut patet per Damascenum; vel illa quae est communis hominibus et alius animalibus, et secundum hoc quaedam speciales peccata diitentur esse contra naturam, sicut contra coniunctionem maris et foeminae, quae est naturalis omnibus animalibus, est concubinum masculorum, quod specialiter dicatur vitium contra naturam," 1a.2ae.94.3 ad 2.
90. Possibly biblical strictures played a role in Aquinas' insistence on the extreme gravity of homosexual acts despite the apparent incompatibility of this position with his general ethical schema. The Bible is not cited in his major moral treatises, however, as the reason for his condemnations, and there are problems with the approaches in his biblical commentary. In his commentary on Romans (1.8.151), for example, he establishes a connection between homosexuality and temple prostitution on the basis of the Vulgate's mistranslation of 2 Maccabees 4:12: ("et optimus quoque epheborum in lupanaribus ponerer": cf. LXX), and in his commentary on 1 Cor. 6:9 he seems to take molles as "catamites" (6.2.285: "mares muliebria patientes"), although this is in direct contradiction to the definition of "molitii" given in the Summa theologiae (2a.2ae.154.11). Most later theologians retained the Summa's definition.

91. "A Perverse Custom." It is not at all improbable that this poem was familiar to Saint Thomas and other Scholastics. What is probably the earliest copy was written in France, most likely in the twelfth century, and versions survive from as far away as Oxford and Leipzig and as late as the fourteenth century: obviously the work enjoyed a considerable popularity.
92. "Sicut si aliquis delectetur in consumtione carnium humanarum, aut in coitu bestiarum aut masculorum," 2a.2ae.142.4-3.
dangerous (like heresy). Aquinas subtly but definitively transferred it from its former position among sins of excess or wantonness to a new and singular degree of enormity among the types of behavior most feared by the common people and most severely repressed by the church.

Moreover, it was particularly significant for gay people that Thomas's ideas about homosexuality triumphed just at the moment when the church began to enforce orthodoxy more rigorously than ever before and to insist that everyone accept in every detail not just the infallible pronouncements of popes and councils but every statement of orthodox theologians. Although the intent was not to eradicate acceptance of homosexuality in particular, the effect was to eliminate all opinion in the church which did not accord with accepted theology on every matter, and since it was Aquinas's authority which ultimately became the rule, acceptance of homosexuality ceased to be a safe option for Catholics liable to prosecution for heresy.

Because of the extraordinarily conservative nature of Catholic theology and the persistence of the prejudices which animated the hostile theological developments of the thirteenth century, the popular opposition to homosexuality given official expression in the writings of Aquinas and his contemporaries continued to influence religious and moral attitudes well into modern times. It must be remembered, however, that intellectual responses to homosexuality generally reflected rather than caused intolerance. It is instructive to note in this regard that there was, by any objective standard, a much more powerful medieval moral tradition against usury than against homosexual behavior. Unlike homosexuality, usury had been condemned almost unanimously by philosophers of the ancient world as uncharitable, demeaning, and contrary to "nature," both because it violated the kindness which humans ought to extend to each other in times of need and because it represented an "unnatural" growth of money (the usurer did nothing to earn the increase which accrued to him, and the money therefore increased "unnaturally"). Because they were thought to exploit the poor, who were most in need of loans and least able to afford interest, usurers were looked upon everywhere with disgust. Cicero mentions them in the same breath with child molesters. Early theologians universally regarded Jesus's command to "lend hoping for nothing again" (Luke 6:35) as an extension of Levitical prohibitions of usury among Jews to the entire Christian community.

The ethical case against usury was considerably stronger that that against homosexuality. Many more biblical passages could be claimed to relate to it, including, with only a little stretching, Jesus's constant condemnations of the rich. "Natural law" forbade it. The fathers of the church forbade it. The very same theologians influential in condemning homosexuality forbade absolutely and in no uncertain terms lending money at interest: Peter Cantor, Albertus Magnus, and Saint Thomas Aquinas. Many more church councils had condemned it, beginning with Nicaea, the most famous of all, and including dozens of others before the steady and severe proscriptions of the First, Third and Fourth Laterans.

By the fourteenth century usury incurred more severe penalties in church law than "sodomy" did and was derogated in exactly the same terms. The most famous of the commentators on canon law, Panormitanus, equated it explicitly with "unnatural" sexuality: "Whenever humans sin against nature, whether in sexual intercourse, worshiping idols, or any other unnatural act, the church may always exercise its jurisdiction.... For by such sins God Himself is offended, since He is the author of nature. This is why Jean Lemoine felt that the church could prosecute usurers and not thieves or robbers, because usurers violate nature by making money grow which would not increase naturally." 97

Because usurers were almost necessarily well-to-do, they were at first even more eagerly prosecuted under civil law than gay people. The same thirteenth-century laws which penalized gay people—the Coutumes of Touraine-Anjou, the Établissements, etc.—stipulated that the property of anyone who had practiced usury within a year of his death was to be confiscated to the king automatically. Many local statutes empowered nobles to exact the same lucrative penalty. Less judicious proceedings were also employed: the crusade against the Albigensians named usurers as well as heretics as the

95. Jean Lemoine commented that "usury is condemned in both Old and New Testaments as well as in canon law, and its punishment therefore belongs to the founder of the canons and to the vicar of Christ" ("Utara est peccatum inductum ex veteri et novo testamento et ex lege canonica et ideo punitio spectat ad conditorum canonum et ad vicarium Christi"), Panormitanus Commentaria 7.231.
96. For Peter Cantor, see Verbum abbreviatum (22, 205:144–47); for Albertus Magnus, In III librum sententiarum 37.3 ad 3 (Borgnet, 28:702); for Aquinas, Summa theologica 2a, 2ae:78, where the practice is declared an absolute evil even for Jews, regardless of any laws to the contrary.
97. Panormitanus Commentaria 7.180: "qualitatemque homines peccant contra naturam, vel in actu venereo, vel adoranda idola, vel alio modo contra naturam, semper ecclesia potest jurisdictionem suam exercere in laicis.... Nam ex hoc peccato laudatam ipsa Deus, qui est author naturae. Et per hanc rationem sensit Joannes Moschus... quod idem ecclesia puniit usurarios, et non fure suo latrones, quia usurarii delinquunt contra naturam facientes germimine pecuniam, quae naturale non germinat." Cf. 241: "Judei peccant contra legem suam et contra naturam exercendo usura." Panormitanus quotes Innocentus as observing that the church's jurisdiction in this matter could be extended even to pagans (180).
objects of its enmity. The former were presumably even more tempting to northern nobles short of cash.

But theology, ethics, law, and even crusades were powerless against a practice which increasingly met the needs of the age and which soon ceased to derive support from widespread popular antipathy. As long as most usurers were Jews, prejudice provided a visceral impetus to prosecution for usury, but by the fourteenth century interest banking more and more frequently involved the Christian majority as well, and the emotional basis of opposition to the practice was steadily eroded by its manifest utility and increased familiarity. As a part of the everyday life of the majority culture, its erstwhile objectionableness eventually came to seem so distant that the ethical tradition against it was sidestepped altogether by the ingenious expedient of declaring ancient prohibitions against it to apply only to the demanding of excessive interest.

There were few popular reasons for reinterpreting thirteenth-century strictures against gay people, Jews, witches, or other groups who remained objects of suspicion or hatred on the part of the general population. The prejudices which had been largely responsible for ecclesiastical condemnations continued to animate them, and most of them stood unchallenged at least through the Reformation. There was of course great variation in the fortunes of such groups and their individual members in varying locales and times; this story remains to be written. But there was little change, for a very long time, in public and institutional attitudes toward them, and the history of these attitudes in regard to gay people—at least in its broadest outlines—has already been told here. Religious sanctions and intellectual support created by later medieval theology crystallized public and official expression of such attitudes in the thirteenth century and prolonged their effects for centuries thereafter; such expression both inspired and drew life from the vehement antipathy of the masses. Only when and where the latter abated did such groups experience a general amelioration of their fortunes. In the case of gay people, such changes were relatively rare and lie far beyond the scope of this study.

12 Conclusions

"Conclusions" may be too strong a term for the type of generalization or summary which can be made on the basis of this study; early treatments of any historical phenomena, no matter how thoroughly effected, must be regarded as provisional. Only a few themes emerge clearly from what has preceded. Roman society, at least in its urban centers, did not for the most part distinguish gay people from others and regarded homosexual interest and practice as an ordinary part of the range of human eroticism. The early Christian church does not appear to have opposed homosexual behavior per se. The most influential Christian literature was mute on the issue; no prominent writers seem to have considered homosexual attraction "unnatural," and those who objected to physical expression of homosexual feelings generally did so on the basis of considerations unrelated to the teachings of Jesus or his early followers. Hostility to gay people and their sexuality became noticeable in the West during the period of the dissolution of the Roman state—i.e., from the third through the sixth centuries—due to factors which cannot be satisfactorily analyzed, but which probably included the disappearance of urban subcultures, increased governmental regulation of personal morality, and public pressure for asceticism in all sexual matters. Neither Christian society nor Christian theology as a whole evinced or supported any particular hostility to homosexuality, but both reflected and in the end retained positions adopted by some governments and theologians which could be used to derogate homosexual acts.

During the early Middle Ages gay people were as a consequence rarely visible. Manifestations of a distinctive subculture are almost wholly absent from this period, although many individual expressions of homosexual love, especially among clerics, survive. Moral theology through the twelfth century treated homosexuality as at worst comparable to heterosexual fornication but more often remained silent on the issue. Legal enactments were very rare and of dubious efficacy.

The revival of urban economies and city life notable by the eleventh