

The Implications of Exclusion:
The Regulation of Churching in Medieval Northern France

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Bishop Nicholas Gellent of Angers included the following instructions to his parish clergy in his diocesan statutes of 1270:

We understand that not only the women kept away [from church] by the stubborn disobedience of their husbands who stand excommunicated but also many women who, having given birth by fornication, adultery, or other illicit couplings, desiring purification after birth, are secretly or clandestinely coming into church after the priests have begun solemn mass and so by this improvisation having themselves purified by the priest. On account of this we order and prohibit any woman from being admitted to her mass of purification after childbirth unless through sure messenger, either on that day by early morning before the church bells ring for mass or on the day before, she makes known to the priest that she wants to come for purification so that the priests, having considered [the matter], may admit those who should be admitted and turn away those who should be turned away.¹

Apparently, the bishop was having some trouble controlling who was being churching in his diocese. He clearly expected his clergy to know whom they were churching and insisted that they use this knowledge and their authority to ensure that only the proper women were being admitted for purification. In this case, Nicholas meant only wives who were under no ecclesiastical prohibition and had borne a legitimate child.

Already in the early twentieth century scholars noted the fact that French diocesan statutes made churching, the ritual purification of a woman at her first visit to church after the birth of a child, a privilege reserved for legitimately married women, but no effort was made to explore the development or implications of this legislation.² In fact, even though churching was a widespread custom in medieval Europe and a unique ritual, being the only ecclesiastical rite that specifi-

cally addressed the needs and concerns of lay women, it has drawn little scholarly attention until recently. To my knowledge, no work has been done on the regulation of medieval churching in other European countries and it is possible that the French bishops' attempts to control access to the ritual of churching was peculiar to France. Whether it is distinctly French or not, however, this legislation represents a compelling form of discipline and socialization aimed specifically at sexually active women, particularly in their roles as wives and mothers.

As a rite of purification, churching cleansed a woman in two ways: first, from the pollution of intercourse and, second, from the dangers connected to the bloody process of childbirth. From an ecclesiastical point of view, both of these conditions were ideally and theoretically applicable only to married women. As the statute of Bishop Gellent demonstrates, this association was being made and used explicitly by the thirteenth century. Local statutes issued from a diocesan or sometimes a provincial level were meant to regulate the lives of the diocesan clergy and their parishioners. In these statutes we find churching regulated in such a way as to make it serve the ecclesiastical definition of marriage worked out in the eleventh and twelfth centuries. This paper explores this regulatory aspect of the connection between churching and marriage, looking first at the regulations and then at their social consequences for the women involved and for their parish communities.

Regulating Churching

The stipulation that churching ought to be restricted to legitimate mothers first appears in a statute of Pierre Colmieu, archbishop of Rouen from 1238 to 1244. The bishop ordered "to be punished priests who purify the serving girls/concubines (*focarias*) of their brother priests as well as other adulteresses or concubines (*focarias*) without

license from us either through the local archdeacon or the penitentiaries at Rouen."³ The wording of this statute, specifically addressing the problem of clerical concubines being churching by other clerics, is unique to Rouen, probably reflecting the deeply entrenched custom of clerical concubinage in Normandy. The fact that the term used is *focarias* rather than *concupinas* is also interesting. *Focarias* can be translated as kitchen girls, servants, or concubines. Thus while the statute clearly prohibits the churching of clerical wives, it also operates as a slur on these women and as a condemnation of clerical concubinage.

After 1238, statutes barring the churching of improperly married women without special license from the bishop became common. We have already seen the statute of Bishop Gellent from 1270, excluding adulterers, fornicators, and other unwed mothers. A similar statute was published in Cambrai in 1311 under Bishop Pierre de Mirepoix. In addition to specifying who should not be churching, this statute also spelled out the punishment a priest could expect if he failed to follow the law. Any priest, chaplain, or vicar who purified a woman guilty of "shameful intercourse or public fornication" without receiving a special license from the bishop should "incur a sentence of excommunication and ... be punished as gravely as his guilt demanded."⁴ A few years later, in 1320, this statute

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was repeated with a slight alteration. The punishment was omitted and the prohibition against churching without special license was stated to include all unmarried women (*mulieres non uxoratas*) who gave birth by illicit intercourse or fornication.⁵ At the end of the fourteenth and throughout the fifteenth century, similar prohibitions were issued at Sées, Bayeux, Tournai, Rouen, and Meaux.⁶

In the fourteenth century, the bishops broadened the category of women excluded from churching by adding a prohibition against the purification of women who had conceived within incestuous relationships. A statute issued from Bayeux in 1370 stated, "It is painful to note that, in this diocese incestuous intercourse is very frequently reported to have occurred: we order that, if the said incest is public or is divulged in any place, the woman in no way is to be admitted for purification before [she is] punished by suspension and excommunication."⁷ The tone of this statute and its harsh treatment of the women in question suggests that the bishop was primarily concerned with eliminating incest and avoiding public scandal rather than with the regulation of churching *per se*. In other places, such women are simply included among the list of unwed mothers and are not denied churching altogether nor threatened with excommunication. This less stringent approach is found in the statutes from Tournai in 1481 and Meaux in 1493.

Clerical concubines had been excluded from churching in the thirteenth century but the first statute explicitly excluding laymen's concubines appeared only in the fifteenth century. For example, a statute issued from Liseux in 1452 declared that "all of our priests, if they know of any parishioner who publicly keeps a concubine, should denounce him to our promoter: neither should the concubine in any way be admitted for purification without a letter from us under pain of grave punishment."⁸

So, by the end of the Middle Ages the bishops of northern France had issued statutes explicitly excluding fornicators, adulteresses, lay and clerical concubines, and women guilty of incest from solemn churching unless they received a letter from the bishop. That is, all mothers not married to the father of the child could only be churching by special license. Free and open access to the ritual was a privilege of the properly married mother.

Whether the appearance of statutes restricting churching to married women expressed a new attitude towards the ritual in its relation to marriage or were rather the logical extension of long tradition is difficult to determine with certainty. The formalization and expression of these ideas in diocesan statutes beginning in the first half of the thirteenth century, however, was a result of two related developments: the success of eleventh-century church reforms that had increased the scope and influence of ecclesiastical authority and the regular meeting of diocesan synods formally established at the Fourth Lateran Council in 1215.

Between roughly 1050 and 1150 church authorities worked to increase and tighten church discipline. One of the key elements in this effort was the work of the eleventh-century reformers who sought to establish ecclesiastical authority over moral issues, such as marriage, that had previously been under secular con-

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trol. By the early twelfth century, the reformers were largely successful in this.⁹ Coinciding with this effort were

extremely important developments in canon law during the late eleventh and throughout the twelfth century which resulted in a clarification of certain legal definitions, such as that of a legal and valid marriage, and a growth in the complexity of canon law. For the majority of medieval Christians, this stricter and more comprehensive ecclesiastical authority was exercised through the bishop's court which, as a result of the increasing complexity of canon law, had developed during the late twelfth and early thirteenth century into a separate institution known in France as the *officialité*. This court was presided over by a cleric trained in canon law and appointed directly by the bishop.¹⁰ Thus, by the early thirteenth century efficient mechanisms for the exercise of ecclesiastical discipline were firmly established with clear authority over the moral conduct of the laity.

While the bishop was guided in the exercise of his authority by canon law and papal decrees, he could also promulgate his own legislation shaped to meet the particular needs and circumstances of his diocese. Often, though not exclusively, this was done by issuing statutes at diocesan synods, obligatory meetings of all the clergy in the diocese designed to educate and control the local clergy, especially parish priests.¹¹ The regularity of these diocesan synods had increased during the twelfth century and was formalized at the Fourth Lateran Council. The decrees of this council ordered that diocesan synods were to be held twice a year, the time and place to be established by each bishop. After 1215, consequently, the number of synodal statutes increased markedly. The appearance around 1238 of statutes controlling access to the ritual of churching are, thus, a reflection of strengthened, regularized church discipline and increased ecclesiastical jurisdiction over matters of lay morality. These regulations concerning churching had important consequences for those involved in the rite, those excluded from it, and the parish community in which the ritual and its regulation were acted out.

The Implications of Exclusion

The impact of regulating churching would have been most immediate for the women involved, both those whose access to the rite was now assured and those for whom the ritual could only be attained by conforming to the strictures of church discipline. The legislation that made churching a rite primarily for properly married mothers strengthened the ability of the ritual to enhance the role of wife and mother. Consider, for example, the way the bishop of Troyes described the purpose of churching in a statute of 1374:

The priests should instruct the women of their parishes who have sought purification that when, rising from childbed, they come to church for the first time, they should do this respectably, at the decent and customary hour, not secretly but in the open, so that at this service respect for the church may be demonstrated, the honor of marriage may be shown, and a legitimate birth may be acknowledged.¹²

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Because of the way it was regulated, churching highlighted the value and importance of being a properly married woman. Women who were allowed to assume the favored position given to new mothers on their first day back to church were clearly intended to be seen and recognized as married women in good standing. The ideal of a married woman reflected in these regulations conformed to the definition of marriage that had been carved out by canon lawyers, theologians, and bishops during the twelfth century. Marriage was a life-long commitment made freely and in public and, ideally, blessed by the church. It was, also, the only legitimate outlet for sexual activity. These new mothers, therefore, served as a public proclamation of the church's definition of marriage since they were legally wedded to the father of their child and were living in a union that was free from any taint of sexual misconduct. Moreover, since women from all levels of society were churched after the birth of each of their children, the ritual would have been celebrated quite frequently, thus increasing its ability to communicate and reinforce the bishop's message.

On the day of her churching, a woman had, for that moment, a prominent position in the parish family that was both personal and communal. Because churching was seen as the province of legitimately married women, the woman being churched stood forward as part of the community of wives. She was not just any wife but one who had exhibited the proper behavior, who had borne a child of her husband and was now ready to return to his bed, to take up again the responsibilities and duties of marriage. All wives benefited from and shared in this privileged position. The woman being churched stood for them, as they in turn stood for her on the day of their churching. For medieval wives, who

seldom were singled out in such a direct and positive manner, the community identification and approval that this legislation enabled could have been quite powerful.

However, this privileged position was not uncomplicated. Like so many other aspects of women's lives, churching was an ambiguous moment in which the new mother was applauded precisely because she accepted her role as submissive wife and obedient daughter of the church. She was privileged only insofar as she placed herself under proper male authority. By being churched, a woman identified herself in this relatively inferior role vis-à-vis men while she gained a superior position over some other women. Her place in the order of things and her willing acceptance of that place were thus acknowledged and approved by the authority of the church and the witness of the community. By making churching a rite especially, if not exclusively, applicable to proper wives, the regulations underlined and enhanced the role of a woman as a good and fruitful wife and affirmed her place under male dominion.

The legislation regulating the rite was also meant to control and discourage the churching of the improperly married mother. As we have seen, by the early twelfth century the church had gained the right to act as judge in cases concerning marital rights. Since the church considered all sexual activity to be appropriate only within the bounds of marriage, it was therefore in a position to demand and exact conformity with its vision of proper sexual conduct. By requiring a special license for the purification of an improperly married woman, the church

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created a disciplinary system that attempted to identify the illegitimate mother and bring her to the attention of church authority where she could be disciplined and so brought back into the community as a repentant sinner. In order to obtain the special license a woman's parish priest needed to send a letter to the bishop's court or the local dean. There is no record of exactly what information this letter needed to contain, but when a properly married woman came to be churched, priests were expected to know and have recorded in writing the names and surnames of the parents of the child as well as the parishes in which they lived.¹³ Surely no less was required for an improperly married mother. The license that was then given clearly stated the crime of which the illegitimate mother was guilty, that is, simple fornication, intercourse with a priest, adultery, concubinage, or incest. Those who tried to avoid this exposure by lying about the actual circumstances surrounding a birth were brought before the *officialité*, the bishop's court. In 1438 or 39, Pierre Eustarii, a married man in the parish of St-Macoute in Rouen, made amends in the bishop's court for having impregnated Guillermina Henri, a single woman, and then having her churched with a letter of simple fornication when, clearly, they were guilty of adultery.¹⁴ The priest Guillaume Dybart, similarly, was brought before the bishop's court in 1451 for having procured the purification of his concubine, Jeanne Melle, with a letter of simple fornication.¹⁵

So, in order to be churched, an improperly married mother had to allow herself to be identified as a sinner and a woman guilty of a serious crime. Only if she accepted the discipline required by ecclesiastical statute and admitted her crime was she allowed to take her place among the women being churched and so, through the ritual of churching, resume her place as a member of the parish community. The legislation of churching and the ritual itself moved her from a marginal status as fornicator or adulteress to a place within the community as a repentant woman. The identity she claimed and created for herself in the ritual was, thus, complicated and, perhaps, conflicted. We can only speculate on the emotional and personal significance of such a position, but it surely was not without impact on the woman herself and on the gathered community of observers.

If a woman was unwilling or unable to obtain the special license, she was excluded from purification. She became an outsider to the parish community since exclusion from the ritual meant that she was denied admission to church services. Exclusion removed her from the sight of the rest of the community, making her invisible but in a very public way. This public invisibility was possible because her exclusion from churching and other parish services could be observed; people could see that she was absent while they very probably knew she had given birth. Village and neighborhood communities were not so large that such a fact would have gone unnoticed or that a woman's marital status would have been a secret from her neighbors. The community would surely be aware of what had happened and why. Thus her absence would speak loudly. The personal impact of this on the woman herself or on her parish community we cannot say. But I think we can say that the church hoped the impact was significant. The bishops who regulated churching presumably hoped that what people saw and

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heard would serve as a cautionary tale warning other women not to place themselves in the same predicament, thereby discouraging illicit sexual activity or, in lieu of that, encouraging repentance and submission to ecclesiastical discipline.

The regulation of churching thus put into place a disciplinary system which gave a very powerful position not only to the bishop who issued the statutes but also to the parish priest who administered them. The priest's power resided in his role as policeman of the social boundaries and categories made visible and real through the administration and regulation of the ritual. He determined who was and was not purified. He was expected to know the women he churched, "to admit those who should be admitted and turn away those who should be turned away." He guarded the boundaries of proper marriage and of churching by admitting proper wives, ensuring that improperly married mothers applied for and received the special license, and excluding from purification any woman who failed to conform. Those who tried to evade his control were brought before the bishop's court and punished. In 1333, Willemota, named in the record as the daughter of Henri le Doutey, which probably indicates that she was a single woman, came before the *officialité* at the abbey of Cerisy in Normandy to make amends for having had a son fathered by Thomas Freschet, a married man, and then for having had herself purified by someone other than her parish priest and without the proper license. She was fined 33 sous.¹⁶

As protector of the social boundaries of his parish, in a position of authority over the laity, the priest acted as head of the parish family. Like a father, he knew all those under his protection by face and name. When the parish gathered to celebrate the churching of one of its daughters, he ensured that she was not a wayward child whose presence at the family feast might embarrass or cause scandal. He was, thus, careful of family honor, aware that his actions would affect all those under his care, for good or ill. The impact of the disciplinary character of churching was not, therefore, restricted to the women being churched and the priest who purified but extended beyond them to include the entire parish.

The parish church often served as the town hall and the center of social life in the medieval village or neighborhood. Rituals enacted at the parish were therefore played out in a privileged arena, at the heart of the community. By insisting that churching be done publicly, at the time of the parish weekly Mass, the clergy allowed this simple rite a prominent role in parish life. The regulation of churching, with its power to include and exclude women from the rite, marked and established the perimeters of the community, making clear who was in and who was out. In that way, it served to create a parish community identity. It also identified groups within the parish, distinguishing between legitimate and illegitimate mothers as well as between properly married couples and those engaged in illicit intercourse. It reinforced the distinction between celibate priests and the sexually active laity and divided the parish community into obedient parishioners governed by a directing clergy. The regulation of churching enabled the rite to successfully produce order in the parish community, indicating and creating membership and hierarchy.

The consequences of regulating churching can be summarized by seeing them

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as an exercise of disciplinary power used to normalize social categories. I am borrowing here the terminology of Michel Foucault who described disciplinary power as the "art of correct training" and normalization as a process that compares, differentiates, hierarchizes, and excludes.¹⁷ Although Foucault saw these dynamics at work in the nineteenth century, medieval bishops exercised a similar power by issuing and enforcing statutes regulating access to the public celebration of churching. Apparently the bishops hoped that such legislation would train lay women to accept their proper place in the medieval order and encourage them to play their roles as dutiful wives and mothers. By forcing women to engage in a form of self-discipline or else suffer exclusion from the community, the regulation of churching acted as a potent form of productive power, producing identity through the very act of disciplining. It produced the identity of properly married wife and mother as appropriate and praiseworthy, setting such women forward as examples of the ideal towards which all women ought to strive. This is not to say that every woman who was churched identified unquestioningly with the bishop's notion of wife and mother. As a number of scholars have argued, medieval women and men were capable of resisting the pressures of social construction, even the considerable pressures applied by the medieval church, and worked to shape their own, distinct identities.¹⁸ The words of Bishop Gellent with which this paper began remind us, in fact, that some women actively resisted the identities the bishops sought to construct. While such individual actions may have modified the impact of the regulations, at least in the lives

of some women, they could not completely negate the disciplinary power of the legislation to shape and influence the perception of who was and was not a proper Christian wife.

In addition to affecting social identity, the regulation of churching also served to normalize the parish hierarchy, comparing, contrasting, hierarchizing, and determining who was a member of the parish community. It helped to enforce and naturalize the authority of the parish priest, giving him a superior status that appeared to be God-given, natural, part of the divine order. It reinforced the position of the laity as obedient subjects called to conform to the moral codes established for them by ecclesiastical authority. These are, of course, some of the effects of religious rituals in general, but the regulation of churching acted out, as it was, on a public stage strengthened the ability of the rite to work in these ways. By turning churching into the privilege of properly married mothers, medieval bishops intensified the ritual's ability to create and reinforce essential social categories in the medieval world.

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Notes

1. "Intelleximus quod nonnullae mulieres, maritorum suorum exigente contumacia, ecclesiastico interdictio supposita, necnon plures ex fornicario coitu, seu de adulterio, aut alio illicito parientes, et purificatione post partum indigentes latenter sive clandestine ecclesias ingrediuntur, postquam sacerdotes missarum solempnia inceperint, se facientes a dictis improvisi sacerdotibus purificari. Propter quod statuimus et prohibemus ne qua mulier ad missam seu purificationem admittatur post partum, nisi per certum nuncium vel saltem in mane diu antequam pulsetur ad missam, vel die precedenti denunciari fecerit sacerdoti de velle venire ad purificationem, ut sic deliberatione habita a sacerdotibus, admittendas admittant et repellendas repellant" Joseph Avril, *Les statuts synodaux angevins de la seconde moitié du XIIIe siècle*, Les statuts synodaux français du XIIIe siècle, 3, Collection des documents inédits sur l'histoire de France, 19 (Paris, 1988), p. 102.
2. Adolph Franz, *Die Kirchlichen Benediktionen im Mittelalter*, 2 vols. (1909; repr. Graz, 1960), 2: 231. Franz cites a statute issued from Cambrai around 1300 but uses this information only to comment on women's tendency to make the celebration of the ritual an excuse for adorning themselves in expensive clothing.
3. "Precipimus puniri sacerdotes qui sacerdotum focarias suorum sociorum vel etiam alias adulteras, seu focarias purificent sine licentia nostra, vel archidiaconi loci vel penitentiarum existentium Rotomagi." Odette Pontal, *Les statuts de 1230 à 1260*, Les statuts synodaux français du XIIIe siècle, 2, Collection des documents inédits sur l'histoire de France, 15 (Paris, 1983), p. 134.
4. "Prohibemus ne sacerdotes, sive capellani, aut vicarii eorumdem, mulieres jacentes de partu damno, coitu nefario vel fornicario et manifesto, ad purificationem recipiant, sine nostra vel officialis nostri Cameracensis, aut decanorum locorum civitatis Cameracensis, recepta licentia speciali. Qui contra hoc facere praesumpserit, excommunicationis sententiam, eo ipso, incurrat, et nihilominus per officialem nostrum, aut decanum loci, graviter, prout culpa ipsius exegerit, puniatur." Thomas Gousset, *Les actes de la province ecclésiastique de Reims*, 4 vols. (Reims, 1843), 2:493.
5. "Item prohibemus ne sacerdotes capellanam seu vicarii mulieres [sic] non uxoratas iacentes de partu dampnato aut coitu nephario vel fornicario procreato sine nostra aut officialis nostri vel de canonorum nostrorum licentia speciali ad purificationem recipiant." Bibliothèque Nationale, MS lat. 1591, fol. 40.
6. Sées in 1369 and 1444: Guillaume Bessin, *Concilia Rotomagensis Provincia*, 2 vols. (Rouen, 1717), 2:436; Bayeux in 1370: Bessin, *Concilia*, 2:238; Tournai in 1481: Gousset, *Les actes*, 2:750-1; Rouen in 1484: Ste-Geneviève (Rouen, 1484), fol 20v; Meaux in 1493: Michel Toussaints DuPlessis, *Histoire de l'église de Meaux*, 2 vols. (Paris, 1731), 2:540-1.
7. "Cum frequentissime, de quo dolendum est, in ista Diocesi sit repertum coitus incestuosos committi: statuimus ut si dictus incestus sit publico, vel in

- loco aliquo divulgatus, suspensionis et excommunicationis poenis prius muliere ad purificationem nullatenus admittendam." Bessin, *Concilia*, 2:238.
8. "Praecipimus etiam omnibus Presbyteris nobis subditis, quod si sciverint aliquos Parochianos habentes penes se publice concubinas, hoc Promotori nostro denuntient: nec concubinas huiusmodi recipiant ad purificationem absque litteris nostris emanatis, sub poena gravi." Bessin, *Concilia*, 2:484.
 9. James Brundage, *Law, Sex, and Christian Society in Medieval Europe* (Chicago, 1987), p. 184.
 10. For the development of the *officialité* see: Jean-François Lemarignier, Jean Gaudemet, and Guillaume Mollat, *Institutions Ecclésiastiques*, Histoire des institutions françaises au moyen âge, 3 (Paris, 1962), pp. 257-73 and 357-60; also, old but still very useful is Paul Fournier, *Les Officialités au moyen âge* (Paris, 1880).
 11. On diocesan assemblies and synodal statutes, see Odette Pontal, *Les Statuts synodaux*, Typologie des sources du moyen âge occidental, 11

(Turnhout, Belgium, 1975); C. R. Cheney, *English Synodalia of the Thirteenth Century*, second ed. (Oxford, 1968). On synods in the north of France, see Joseph Avril, "L'évolution du synode diocésain, principalement dans la France du Nord du Xe au XIIIe siècle," in *Proceedings of the Seventh International Congress of Medieval Canon Law*, ed. Peter Linehan, Monumenta Iuris Canonici, Series C: Subsidia, 8 (Vatican City, 1988), pp. 305-25.

12. "Instruant sacerdotes suas parrochianas ut a puerperio relevantes, cum ad ecclesiam eas primitus venire contigerit ad purificationem, quod faciant hoc honeste, hora decenti et consueta, non clam, sed publice, cum in hoc ministerio exhibeatur, Ecclesie reverencia, et honor maritalis, et partus legitimas comprobetur." Abbé Ch. Lalore, *Ancienne discipline du diocèse de Troyes* (Troyes, 1882), p. 108.

13. Gousset, *Les actes*, 2: 750-51.

14. Archives Départementales de la Seine-Maritime, G255, fol. 18v.

15. Archives Départementales de la Seine-Maritime, G259, fol. 75.

16. Gustave Dupont, *Registre de l'officialité de l'abbaye de Cerisy* (Caen, 1880), p. 119.

17. Michel Foucault, *Discipline and Punish: the Birth of the Prison*, trans. Alan Sheridan (New York, 1979), pp. 170 and 183.

18. See, for example, Martin Irvine, "Abelard and (Re)Writing the Male Body: Castration, Identity, and Remasculinization," in *Becoming Male in the Middle Ages*, ed. Jeffrey Jerome Cohen and Bonnie Wheeler (New York, 1997), pp. 87-106; and Nancy Partner, "No Sex, No Gender," *Speculum* 68 (1993), 419-43. Partner's article is especially helpful. She offers a thoughtful discussion of and useful bibliography for the debate between social constructionists and essentialists concerning the formation of sexual identity and also makes a convincing case for the self-determined identity of Heloise based on her letters to Abelard.