

THE MARGINAL GROUPS IN THE LATE MEDIEVAL
URBAN SOCIETY: A CASE STUDY OF
LEPERS AND PROSTITUTES

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Introduction

For the last twenty years, research into the social history of the medieval towns has paid special attention to the lower urban strata. Demographic and statistical analysis of the urban structure revealed a great diversity in the social and professional composition of the medieval town, and made historians realize that the study of marginal social groups was of key importance to understand the development of the medieval town and its social relations.⁽¹⁾

According to B.Geremek(1976), one of the pioneering researchers of this subject, marginal people or groups (marginiaux in French) are defined primarily on the basis of judicial records. "They were forced on to, or situated themselves on the margins of urban life, played no part in the process of production, and they did not belong to the society of estates because in the hierarchy of rank, honour and respect they were defined only negatively. They occupied no permanent role in either economic or social life".⁽²⁾

In Germany too, F.Graus(1981) has argued that modern scholars need to find the appropriate term for "marginal groups", since the medieval documents do not show any common terminology for indicating these groups. Thus he uses the term "Randgruppen" as the German equivalent for the French "marginiaux". According to Graus, Randgruppen are defined as "people or groups whom the norm of the society did not recognize or did not accept, and who were not equally accepted among the social majority on the basis of their refusal or disability. They were excluded from the society for some reasons and were stigmatized through formalized act".⁽³⁾ Among these groups lepers, heretics, criminals, prostitutes, Jews, Gipsies, beggars and the poor, the strolling players and musicians, the dishonourables, and the outlaws could be included (Graus,1981; J.Le Goff,1979; Geremek,1989). In order to understand the relationships of these groups with the medieval urban society, we need to

analyse the mechanism of the "marginalization" of these groups, while investigating the social attitude of the authorities towards them. Geremek and Graus drew special attention to the important change of their position in the late medieval urban society, by discussing the religious, hygienic, moral and infamous aspects of their existence.

In this paper we will therefore examine the process of "marginalization" of these groups through two examples of lepers and prostitutes as case studies.

I Lepers

The history of leprosy and lepers in medieval Europe has not been free from ambiguity, because of the contemporaries' unreliable medical diagnosis.⁽⁴⁾ Modern medicine has classified certain variants of leprosy, but the medieval conception of leprosy was only based on the rudimentary level of medical knowledge (namely the humoral theory)⁽⁵⁾. However, from our viewpoint, it is more important to know the response of the medieval urban society to the diffusion of leprosy, which was widely believed to be contagious, and to know the changing attitude of people towards those who were called lepers.

Under the influence of a famous passage of the Ancient Testament (Leviticus XIII,44-46) leprosy, or the disease which was "regarded" as leprosy, was not only treated as a disease but also as a state of impurity. Medieval Church Fathers since Jérôme, Ambroise and Caesarius of Arles used the disease as a metaphor for spiritual degeneration, mentioning that the leper was both sinful and meritorious, at the same time cursed by God and blessed.⁽⁶⁾ Though the code of Rothari of 635 had already decreed the segregation of lepers,⁽⁷⁾ historians guess it was only gradually put into effect after the 12th century. With the establishment of towns in Western Europe, a remarkable effort to found leper hospitals (leprosariums) as well as other charitable

institutions for the needy (the poor, the sick, pilgrims, etc.) was made by the laity (citizens).⁽⁸⁾

The chronology of the foundations of these leper hospitals in England, Flanders and Northern France shows that the movement started from the last quarter of the 11th and the beginning of the 12th century, and reached its peak around 1200-1250.⁽⁹⁾ The ideological basis of this remarkable increase in foundations could be traced to the famous Third Lateran Council in 1179. It decreed that the lepers should be segregated from society and that their seclusion should be accompanied by an appropriate ceremony (separatio leprosororum), which came to be accepted widely during the high and late Middle Ages.⁽¹⁰⁾ This Council also provided these leper hospitals as asylums, with their own chapel, cemetery and priest. Therefore these self-contained institutions could confine lepers and keep them from the other urban dwellers. R.I. Moore (1987) has convincingly demonstrated that the construction of leper hospitals took place in a context of rising hostility to lepers, and of a growing conviction that they should be segregated from the community at large from the 12th century onwards.⁽¹¹⁾ Although in theory all lepers of any social rank, were to be isolated in asylums, in reality those who belonged to the wealthy or privileged classes could obtain permission to stay outside the leper hospitals. And even if they had to enter such a type of institution, they could choose one of the leprosariums which were reserved exclusively for noble lepers, not for common civic people.

It is difficult to know the inside life of the leper hospitals, but certain statutes show that such institutions were more exactly a combination of a prison, a monastery and an almshouse, rather than real hospitals.⁽¹²⁾ Lepers were quite severely treated and they were under obligation of regular prayers, according to the ecclesiastical calendar. They were also forbidden to come near to the kitchen, the church

choir, the women's quarters, the food storeroom, and the well (e.g. the statute of leprosarium in Amiens in 1305)⁽¹³⁾.

In addition, the statutes set up punishments for various kinds of offenses by lepers, such as assault, fornication and sleeping outside the leper house.⁽¹⁴⁾ Drinking, playing dice and chess games were also forbidden. Their goods had to be turned over to the institution, at the moment of their admittance. In short, these statutes were intended to mortify the leper's spirit and body. Moreover, from the end of the 13th century, regulations applying to the lepers contained much more minute stipulations than before.

S.N.Brody (1974) has rightly interpreted the demand that the leper degrade himself, stated in an early 14th century document, as the expression of a moral judgement, of fear of contagion, and of a need to exclude lepers.⁽¹⁵⁾

As for the juridical situation of the leper, most of the 13th century customary laws show that the leper was denied all or part of the privileges of ownership. Mostly the leper had no right to make a will, and his property went to the leper house, though some exceptional groups of lepers like the cagots (white lepers) of Southern France were not deprived of their ownership rights.

Urban lepers, on the other hand, were usually denied the legal privileges and protections.⁽¹⁶⁾ Though the Church maintained the law that leprosy could not essentially alter the nature of a marriage, the principle that the spouse of the leper could be free to remarry was accepted. It could in fact deprive the leper of his rights to marry or stay married, and could relegate him to the marginal sphere.⁽¹⁷⁾

The 13th century saw for the first time some kinds of municipal regulations for the control and isolation of lepers, such as those which forbade them to walk the streets of London in 1200, Paris and Sens in 1202 etc.⁽¹⁸⁾ These regulations were often proclaimed during the following centuries. As F.Beriac (1988) has recently pointed out, by

the early 14th century the exclusion of lepers became the chief measure for the urban public hygiene.⁽¹⁹⁾

Similar hygienic policies were implemented since the late 13th century by the magistrates of some Italian cities like Bologna, Padua, Modena, Venice. They took initiatives to exclude lepers from the towns and instructed gatekeepers to watch out for them.⁽²⁰⁾

The Royal authority, in accordance with the city magistrates, became conscious of its role as the enforcer of public order and decency. In England a writ "De Leproso Amovendo" appeared as early as 1220, authorizing the expulsion of lepers on account of the danger of contagion.⁽²¹⁾ The French royal edicts of 1321 (21 June) by Philip V and of 1322 (31 July) by Charles IV which demanded the confinement of lepers to leprosariums, were based on sanitary intentions as well as on fear of the "poisonous" lepers who were thought to have a plot to poison all the wells in France and kill the healthy people or turn them into lepers.⁽²²⁾ By accusing lepers of having poisoned the wells, Philip succeeded in having hundreds of lepers in Southern French towns burned to death, and seized their land and wealth as his additional income. The action taken in response to the King's edict was widespread, especially in the region of Northern France and Flanders.

In 1346 (15 March) Edward III of England ordered to banish lepers from London. This edict stressed the danger of contagion, especially by sexual intercourse with women in brothels(stews), and ordered lepers to get out of the city of London within fifteen days, on account of spreading the disease and infecting other urban dwellers.⁽²³⁾ Further, in 1375, the city magistrate made the gatekeepers of London swear that they would prevent lepers from entering the city, and in 1376 lepers as well as beggars were forbidden to beg in the streets.⁽²⁴⁾ This suggests that in spite of such regulations lepers were still widely present in the city. In

1371 King Charles V also complained about the lepers of Paris freely roaming through the city, and ordered to expell those who were not residing there.⁽²⁵⁾ Similar regulations by the Royal Provost (prévot royal) of Paris were issued in 1388, 1394, 1402, 1403, and 1488.⁽²⁶⁾ The aldermen (échevins) of Poitiers also tried to prevent the lepers from entering the town, by threatening with a stiff fine, on eight occasions between 1413 and 1466.⁽²⁷⁾

On the other hand, the Church also developed a programme of effective segregation of lepers. A Church council in Southern France in 1368, clearly issued that lepers should be sequestered from the rest of the faithful, that they were not to enter any public places like churches, markets, public squares or inns; their clothing had to be uniform and they were always to carry a signal by which one was able to recognize them.⁽²⁸⁾ It could be said that these decrees clearly show common attitudes towards the leper in the late medieval urban society. They concerned the problem of physical contagion, which had as much a moral as a medical connotation. In this point the Church, the Crown and the town magistrates, put by their respective commands a stigma on the leper by linking sin and disease, sexuality and disease.

Medieval commentators and popular preachers often defined leprosy as a punishment for moral failure, especially sexual sin. Through preachers' manuals and sermon collections as well as popular anecdote, the ecclesiastical idea of moral leprosy was conveyed to the public and became deeply ingrained into the urban people's mentality.⁽²⁹⁾

Therefore, in the public consciousness, leprosy became automatically associated with lust. In short, the effort of the authorities to segregate and exclude the leper from the towns could be seen, both in terms of trying to isolate a living symbol of lust and fear of infection.

The requirement of lepers to wear distinctive dress and carry signals constituted another aspect of their stigma-

tization. The nature of the costume and signal, however, varied from place to place. In Flemish towns like Brugge and Gent for example, the leper had to wear a grey robe, black hat and gloves and carry a rattle for warning the people of his approach, a bowl and a stick (Brugge, the Statuten of the 14th century; Gent, Statuten of 1424⁽³⁶⁾). In certain areas, the costumes were distinguished by cut or colour. In Northern France lepers were supposed to wear grey or black with an embroidered red letter L (from Lazarus). The type of signal to announce their approach varied also from area to area.⁽³¹⁾ Usually a rattle or castanets were used, sometimes it was a bell, either carried or worn on the shoes, and on other occasions even a small horn or a clapper could be heard. All these signals symbolized the leper as a member of the marginal group.⁽³²⁾

Whatever the scale of the disease might have been during the 13th century, the number of lepers seems to have gradually declined from the middle of the 14th century onwards, partly by an improvement in bodily resistance and partly by the availability of better public health provisions in towns after the Black Death.⁽³³⁾

This time however, lepers were often joined to other outcast groups like the prostitutes, the heretics, and the Jews, by the authorities and by the common urban people. The above mentioned case of 1321 in France shows clearly the popular fear of lepers who were seen to be threatening urban daily life to the same degree as the Jews.⁽³⁴⁾ It is also true that the idea of the leper as specially chosen by God for salvation (the so-called pauperes Christi) was proposed by the Church Fathers, but the late medieval urban society promoted a discriminative policy against lepers, by branding them as sinners in a Christian society.⁽³⁵⁾

II Prostitutes

During the Middle Ages prostitution and prostitutes were an essential part of urban life. Though the oldest profession was largely accepted as a matter of fact during the early Middle Ages, it developed from the 12th century onwards, into a moral and social issue of growing importance, parallel with a rapid urbanization.⁽³⁶⁾

For the Church it was a very controversial matter and the attitude of the theologians was, at least, extremely dualistic. The 12th century canonists denounced prostitution, but at the same time----and in this case they referred mainly to St. Augustine----they realized that it was a necessary evil, a practice whose existence made it possible to maintain stable social and sexual patterns for the rest of the society. The 13th century theologians like St. Thomas Aquinas and Thomas of Chobham elaborated this argument, adding the further remark that prostitution prevented greater evils, such as sodomy. At the same time, however, Thomas of Chobham was apparently enough in touch with the daily reality to propose that prostitutes should be counted amongst the wageearners.⁽³⁷⁾ The opinion of Thomas of Chobham reveals that the Church people of his time were able to consider the matter in terms of work and trade. Their pragmatic attitude is greatly different from the view of St. Augustine, who could only see the problem from the perspective of religious morals. Ecclesiastics seem thus to have accepted the inevitability of prostitution in urban society.

In reality however, neither the ecclesiastical nor the secular authorities were not willing to consider prostitution as a ordinary profession and therefore relegated prostitutes to marginality.⁽³⁸⁾

Robert of Coursson, one of the leading theologians of the 13th century, published a canon at the Council of Paris of 1213, which decreed that public prostitutes were prohibited

to live in the city or bourg, and had to be set apart as was the custom with lepers⁽³⁹⁾. It could be said that this announcement as well as the canon of the Fourth Lateran Council of 1215, though not totally effective, led from the mid-13th century onwards to the distinctive "Ghettosierung" of prostitutes in official red-light districts and to their "Stigmatisierung" by dress and accessory codes (F.Graus, 1981)⁽⁴⁰⁾. L.L. Otis has clearly demonstrated in her recently published study that the authorities gradually came to think that creating ghettos was the only way to satisfactory control prostitution. Her statement is documented with the ordinances of the French king Louis IX (Saint Louis) of 1254 and 1256, respectively. While the ordinance of 1254 denounced prostitution quite harshly and ordered the expulsion of prostitutes from the towns and even from the surrounding countryside⁽⁴¹⁾, the ordinance of 1256 was more moderate in tone and commanded the prostitutes to stay outside the town walls and keep away from all holy places such as churches⁽⁴²⁾. Otis emphasizes that the legislation of 1256 reveals an increasingly pragmatic attitude towards prostitution and a more outspoken tendency to deal with it: prostitution is not only treated as a natural and inevitable human phenomenon, but also as a social matter to be actively regulated by the authorities⁽⁴³⁾. The same intention to interfere with prostitution can be found in the municipal statutes of some Southern French towns which were proclaimed some years before the ordinance (Arles:1240s; Avignon: 1245; Marseille:1253/57). These municipal decrees represented a primitive step towards a policy of regulating the places of prostitution in towns. In the same way, the legislation of Saint Louis led to the creation of brothels and red-light districts inside or outside of the towns, in line with the segregation decreed by the Church⁽⁴⁴⁾. In other words, the king's policy became the foundation of the institutionalized prostitution, typical of the late medieval towns.

The first establishment of an authorized red-light district in the South of France is found in Montpellier in 1285, when one suburban street was assigned to the prostitutes and their trade, since they had previously been expelled from the more respectable urban districts.⁽⁴⁵⁾ This example was followed in Toulouse (1296), Nîmes (the end of 13th century), Uzès (1326) and Narbonne (1335) as well as in Italian cities like Venice (1340).⁽⁴⁶⁾

Some city magistrates and the throne went even one step further in their zealous efforts to keep public order, by establishing municipally owned brothels. In his classical work, I. Bloch (1912-25) has identified seventy-five German cities that had brothels.⁽⁴⁷⁾ Scholars argued recently, that between 1350 and 1450 French, Italian, Spanish and German cities institutionalized prostitution, by means of setting up municipal or municipally regulated brothels (prostibulum publicum; bordellum).⁽⁴⁸⁾

It should also be pointed out that municipal brothels were, quite ironically, sources of a considerable income for the city magistrates and for the king himself. And of course, the privately owned brothels, on the other hand, proved also to be a lucrative business. According to J. Richards (1990), it was the ownership of the Southwark brothels by prominent aldermen that led Wat Tyler and his rebels to burn them down in 1381.⁽⁴⁹⁾ The Church and the bishops too, leased property to brothelkeepers and were thus able to reap their share of profit.⁽⁵⁰⁾

The institutionalization of brothels served, undoubtedly, a social purpose and the contemporary documents gave a wide array of reasons, which were clearly based on the urban reality; that is to shore up a declining birthrate by turning men away from homosexuality in Florence (R.C. Trexler, 1981), to provide young men with opportunities for fornication with prostitutes as a substitute for a sexual violence in Dijon (J. Rossiaud, 1984); in Albi and Montpellier prosti-

tutes were to serve a very negative example for respectable women, in order to make them shy away from lasciviousness (L.L.Otis, 1985), and in London they were expected to protect civic people from potential violence (J.Richards, 1990)⁽⁵¹⁾. All these arguments show common preoccupations: the establishment of the brothels could be seen mainly as a safety device for keeping the social order and public good, for preventing potential crimes and the "contagion of sin".

In fact the detailed police regulations on brothels and prostitutes by the municipal authorities appeared against the background of an increasing moral rigour, particularly after the Black Death. The statutes of municipal brothels in Languedoc, in Germany and in England provide that the houses should not operate on holy days and during the Holy Week. Once in the brothel, the customer had to turn over his weapons to the brothel keeper, as a means of safeguarding the place. Many municipal brothels prohibited gambling and blasphemy on their premises and often refused admittance to Jews, lepers and sick customers, as well as to married men and priests in the 15th century (Avignon, Pamiers, Nürnberg, etc). Only some Italian municipal brothels relaxed, to a certain extent, the rules.⁽⁵²⁾

Not only the customer, but also the prostitutes were subject to minute regulations: they were denied admission to taverns and prohibited to walk around in town, in order to avoid any potential contact with respectable women. They were also regulated in church, had to stay behind and were segregated from the "good" women.⁽⁵³⁾

Other conspicuous signs of their trade, setting them apart from the ordinary people, were the detailed dress codes which required them to wear certain distinguishing clothing or forbade, on the other hand, some types of garment or accessory.⁽⁵⁴⁾ These dress codes originated in the period preceding the establishment of municipal brothels. As Otis has shown in the case of the Languedoc towns, prostitutes were

not to wear veils (in Arles), or coats (in Avignon and Nîmes), so that they could not be mistaken for respectable women.⁽⁵⁵⁾ In addition, rich and elegant clothing and decorations like silver or ermine apparel were also forbidden. These regulations were a part of the urban sumptuary laws of some late medieval French, German and especially Italian towns, to restrict conspicuous consumption and to make the social class divisions more visible.⁽⁵⁶⁾

From the second quarter of the 14th century, provisions obliging prostitutes to wear a peculiar sign or a badge of infamy, indicating their profession, appeared in many urban statutes.⁽⁵⁷⁾ In some Languedoc towns, for example, prostitutes were obliged to wear an aiguillete, a knotted cord falling from the shoulder and of a different colour from the dress. The aiguillete became the direct equivalent of the rouelle (a yellow round felt patch) of the Jews and the leper's rattle.⁽⁵⁸⁾ While the red, yellow or sometimes white coloured cord was common in French, Flemish, and German towns, the distinctive insignia varied from town to town, in accordance with the statutes, dating from the 14th and 15th centuries.⁽⁵⁹⁾ According to Otis, such distinctive insignia functioned not only as a stigma for the prostitutes, but also as an instrument of public order, by preventing respectable women from being exposed to possible embarrassing or compromising situations.⁽⁶⁰⁾

By the late 14th century, urban legislation became, together with the precise spatial definition of the places of prostitution, more and more discriminating. Many of the police regulations prohibited public women from working outside the official brothels, while the citizens were forbidden to accept prostitutes in their own house. Prostitution was still tolerated in the urban bathhouse, but city magistrates of the 15th century tried to establish the principle of the separation between bathhouses of good and bad reputation.⁽⁶¹⁾ Between 1450 and the end of the 15th century,

some police regulations were partially or totally abolished, allowing the prostitutes more freedom of action. From the end of the 15th century onwards, the municipal authorities and the clergy took every measure within their power to restore the social and religious mores and therefore severely criticized the custom of letting city prostitutes participate in urban ceremonies (e.g. Arras and Metz in 1493). Their actions reveal a climate of stricter moral repression, which would eventually lead to the Reformation.⁽²⁾

The phenomenon of the institutionalized prostitution and the stigmatization of the prostitute can therefore be interpreted as a sign of increasing concern for the social and public morality. Besides, the late medieval society became gradually intolerant of so-called unnatural sexual practices like homosexuality, adultery and bestiality. Regulating prostitution can be seen as an attempt of the municipal and royal authorities to impose an uniform standard of sexual conduct on the urban society. During the late 14th and 15th centuries, prostitutes were, on the one hand, recognized as an integral part of the urban system. On the other hand, the authorities tended to perceive them as potential threats to the existing social status quo and stigmatized them. The policy concerning prostitutes, therefore, reveals that their trade was perceived as a distasteful but necessary aspect of urban society, that had to be tolerated for fear of insecurity and immorality.⁽³⁾

Conclusion

The late 13th and 14th centuries were marked by the repressive attitudes of the authorities towards lepers and prostitutes. They were considered to be impure and were for that reason segregated and excluded from the public space by the royal and municipal authorities.

It's no exaggeration to say that their social position was

similar to that of the Jews.⁽⁶⁴⁾ These three categories of social outcasts were required to wear distinctive clothes and the badge of infamy. They were incessantly urged to repent and atone for their religiously and morally offensive behaviour and attributes. In addition, it is also important to point out that they were treated as untouchable from the mid-13th century onwards, in many Southern French towns. The statutes of Avignon (1243) for example, stipulated that Jews and prostitutes alike, were not allowed to freely touch foodstuffs in the market like bread and fruit, and in other towns this included fish and meat. They were also forced to purchase whatever food they happened to touch.⁽⁶⁵⁾ The statutes of Salon-de-Provence (1293) contained similar provisions, but concerned also the lepers.⁽⁶⁶⁾

In the late medieval popular perception, Jews, lepers and prostitutes thus constituted overlapping categories. On other occasions, lepers became associated with heretics by the use of the metaphor of the disease, infecting the healthy body of the believers.⁽⁶⁷⁾ In a certain sense, the beggars and the poor also stood out by their appearance, not only by their shabby clothes, revealing their materially miserable conditions, but also by their physical deformities. They were gradually discriminated against and subjected to oppressive laws by the royal and municipal authorities, from the middle of the 14th century onwards.⁽⁶⁸⁾

These facts suggest that there was a moral ambivalence towards marginal groups and a physical fear of contagion among ordinary citizens. The obvious peculiarity of these marginal groups thus fulfilled a well-defined part in the late medieval urban society. These groups were controlled, but in some measure recognized by the authorities. It could be said that their "marginalization" was a symptom of the social, economic and moral crisis of the late Middle Ages.

Notes*

- (1) For the general introduction on this subject, see G.H. Allard [1]; B.Geremek [25]; J.Le Goff [45]; A.McCall [52]; J-C.Schmitt [66]; W.Hartung [30bis].
- (2) B.Geremek [23] pp.5-6.
- (3) F.Graus [28] pp.395-396.
- (4) For the recent important studies on lepers and leprosy in the Middle Ages, see F.Beriac [5]; A.Bourgeois [10]; S.N.Brody [11]; P.Richards [60].
- (5) Brody [11] pp.25-41; F.Beriac [6] pp.145-150.
- (6) Brody [11] pp.123-127; Beriac [5] pp.95ff.
- (7) Edictum Rotharis regis, CLXXVI. Cf. E.Jeanselme [35] p.138.
- (8) J.L.Goglin [27] pp.72-73.
- (9) Goglin [27] pp.184-86; Beriac [5] pp.151-154, 163-164.
- (10) J.B.Mansi (ed.) Sacrorum Conciliorum nova et amplissima Collectio, Venezia, 1757-98, t.XXII. Cf. Brody [11] pp. 64-65, 74; K.Tomaru [71] p.100.
- (11) R.I.Moore [53] p.54.
- (12) Brody [11] p.75.
- (13) Le Grand [47] Ile Partie: Statuts de Léproseries, Nr.IX, p.226, art.15; art.16.
- (14) For example, see Règlement de la léproserie à Bruges (14th century without date), in: L.Gilliodts-Van Severen (ed.), Coutume de la ville de Bruges, t.I, Brussel, 1874. Nr.XXXII (47 articles), pp.368-378. Especially see art.24 (adultery), art.25 (fornication), art.27, 28 (Entrance to the taverns and brothels).
- (15) Brody [11] pp.78-79; Beriac [6] pp.160-162.
- (16) Brody [11] pp.81-83.
- (17) Brody [11] pp.85-86; Tomaru [71] p.98.
- (18) Moore [53] p.59.
- (19) Beriac [5] pp.194-195.
- (20) Richards [59] p.158.
- (21) Richards [59] p.158; Brody [11] p.94.

- (22) "...Ordinantes quod ipsi leprosi presentes et futuri in regno nostro, ubilibet includantur, in muris in quibus tam firmiter tenantur, quod ab inde non possint recedere vel exire. Illis vero qui in domibus pro leprosis fundatis et redditus pro earum sustentatione habentibus de bonis dictae domus ministrabuntur infra dictam murorum clausuram victui necessaria competuntur..." (Ordonnance contre les lépreux, in: Bibliothèque de l'École des Chartes, t.XVIII, pp.265-272). Cf. Beriac [5] pp.197-198.
- (23) "...and that some of them, endeavouring to contaminate others with that abominable blemish, as well in the way of mutual communications, and by the contagion of their polluted breath, as by carnal intercourse with women in stews and other secret places...; (...)all persons who have such blemish, shall, within fifteen days from the date of these presents, quit the City and the suburbs aforesaid, (...) within the city and suburbs aforesaid you shall find to be smitten with the aforesaid blemish of leprosy, you are to cause to be removed from the communion of sound citizens and persons without delay, and taken to solitary places in the country..." (Memorials of London and London Life, ed. and trans. H.T. Riley, London 1868, pp.230-231). Cited from Brody [11] pp.96-97.
- (24) Memorials of London and London Life, pp.384ff. Cf. Brody [11] p.98; Richards [59] pp.158-159.
- (25) "...plusieurs hommes et femmes meseaulx et infects de la maladie de lèpre, de jour en jour sont toujours allans et venans par lesdites Villes, querans leurs vies et aumosnes, bevans et mangeans parmy les rues, carrefours et autres lieux publiques où il passe le plus de gens, (...)et faut qu'ils pasent parmy et emprès eux, et sentent leurs alaines qui est grand peril et puet tourner ou grand dommage de nos subgets." Jeanselme [35] pp. 18-21.

- (26) Brody [11] p.99; Richards [59] p.159.
- (27) Beriac [5] p.198.
- (28) Concilium Vaurense (1368), canon XXI, in: Sacrorum conciliorum nova et amplissima collectio, t.XXVI, p.499.
See also above mentioned text (Note 14) 'Règlement de la léproserie à Bruges' of 14th century, p.374, art.32: "et ceux-ci ne peuvent aller au bourg, ni dans les églises, ni en quelque assemblée du peuple, sous peine de iij liv. par." Cf. Brody [11] p.65; Beriac [5] p.186.
- (29) Brody [11] p.140; Richards [59] p.160. See for example, the sermons of Saint Anthony of Padua(1195-1231) (Sermones, Joannes de la Haye, ed.,1739, pp.276-277) and see also the story of Gesta Romanorum, XCV; CLI(trans.C.Swan London, 1905, pp.218-219, 297). Cited from Brody, p.141.
- (30) J.Tricot=Royer [72] pp.9-15; M.Maes [49] pp.151-152.
- (31) A.Viaene[75] pp.25-26; Beriac [6] pp.159-160.
- (32) Brody [11] p.67; Beriac [5] pp.186-187. A Southern French provincial Council at Marciac in 1330(December 6) orders to wear a sign to distinguish lepers as well as Jews from the others:"...Et tam Judei quam ipsi[leprosi] signa patencia defferant ut ab aliis discernantur."
(Livre rouge du chapitre d'Auch, Archives départementales du Gras, G 19, fol.22 v). Cited from U.Robert [61] p. 148.
- (33) As for the numbers of lepers A.Viaene estimates that there were about 19,000 leper houses in Europe in the middle of the 13th century out of a population of some 60-70 million from the description of 13th century chronicler M. Paris 'Chrónica Majora' (ca.1250).
Viaene [75] pp.19-20. See also Richards [59] p.153.
- (34) Beriac [5] pp.141-142.
- (35) Cf., Geremek [25] p.408; Brody [11] pp.101. 105-106, 146.

- (36) For the recent important studies on medieval prostitution and prostitutes, see J.A.Brundage [12], [13]; V.L.Bullough [15]; Geremek [23]; F.Irsiegler [34]; R.M. Karras [37]; M-T.Lorcin [48]; R.Muchembled [54]; L.L. Otis [55]; B.Rath [58]; J.Rossiaud [65]; R.C.Trexler [73].
- (37) "Licet meretrices et historiones non suspendantur ab ingressu ecclesie, debent tamen suspendi ab accessu altari." Thomas of Chobham, Summa Confessorum, (F.Bloomfield, ed. Louvain & Paris, 1968), p.349. Cf. J.Le Goff [44] pp.101-102; Geremek [23] p.259; Otis [55] p.23; Brundage [12] pp.89-90.
- (38) For example, Jacques de Vitry (1160/70-1240), a bishop of Akkon, mentions on the prostitutes in Paris and compares them to 'an incurable leprosy': "Meretrices publice ubique per uicos et plateas ciuitatis passim ad lupnaria sua clericos transeuntes quasi per uiolentiam pertrahabant.(...) Illud enim fedum et abhominabile uitium adeo ciuitatem, quasi lepra incurabilis et uenenum insanabile, occupauerat, (...). (Historia occidentalis, Capit.VII ed. J.F.Hinnebusch, Fribourg, 1972, p.91).
- (39) "Inhibemus etiam ne publicae meretrices, quarum cohabitatio ex frequenti usu ad nocendum efficacior pestis est, intra ciuitatem vel oppida permittantur habitare, immo potius iuxta leprosorum consuetudinem sequestrentur." G.Mansi, ed. Sacrorum conciliorum nova et amplissima collectio, Venezia, 1757-98, XXII, p.854.
- (40) Graus [28] p.421; Bullough [15] p.179.
- (41) "Expellantur autem publice meretrices, tam de campis, quam de villis, et factis monitionibus, seu prohibitionibus, bona earum per locorum iudices capiantur, vel eorum auctoritate a quolibet occupentur, etiam usque ad tunicam vel ad pellicium. Qui vero domum publice meretrici locauerit scienter, volumus quod ipsa domus incidat domino a quo tenebitur in comissum." (Ordonnances des rois de France, vol.I, p.74).

- (42) "Item que toutes foies femmes et ribaudes communes soient boutées et mises hors de toutes nos bonne citez et villes especiallement qu'elles soient boutées hors des rues qui sont en cuer desdites bonnes villes, et mises hors des murs, et loing de tous lieux saints, comme églises et cimetières." (Ordonnances des rois de France, vol.I, p.79).
- (43) Otis [55] pp.19-20. Cf. Rossiaud [65] pp.55-56.
- (44) Otis [55] pp.17-18, 21.
- (45) Otis [55] pp.25-28.
- (46) Otis [55] pp.29-31.
- (47) I.P.Bloch [7] Band.I, pp.740-747.
- (48) Rossiaud [65] pp.59-61; Karras[37] pp.102-103; Otis[55] pp.31-37. For the date of the survival documents on the regulations of Brothels in French, Italian, German and English towns before 1500, see as follows: Toulouse (1363/72); Albi (by 1380); Dijon (by 1385); Perugia (1388); Mons (1398); Florence (1403); Pavia (1405); Ulm (1430); Genoa (1459); Venice (1460); Southwark (Middle of the 15th century); Sandwich (1494); Strassbourg (1500); Pamier (1491/94). Cf. Otis [55] Note 43. p.201; Karras [37] pp.112-113.
- (49) Richards [59] p.126. For the French crown, to be regarded as the sole authority capable of authorizing the creation of a municipal brothel could be very important for his political control towards the city as well as for economic and moral reasons. Cf. Otis [55] p.38.
- (50) Graus [28] p.408; Otis [55] pp.36-37.
- (51) Karras [37] p.103; Otis [55] pp.100-104; Rossiaud [65] pp.21-23.
- (52) Otis [55] pp.81-86; Graus [28] p.409-410; Karras [37] pp.117-122.
- (53) Otis [55] p.81; Richards [59] p.119
- (54) For this problem see classical work of U.Robert [61] pp.175-189.
- (55) Otis [55] p.80.

- (56) J.A.Brundage [14] pp.352-353; Aizawa [79] pp.20-22.
- (57) In Nîme for example, the royal court also issued a provision for a obligatory sign for prostitutes(1353):
 "Item, ut tales viles mulieres propter ornamenta que portant discernantur alterius, quod in rauba quam portabunt desuper fiat una manica alterius panni et alterius coloris...." Cited from Otis [55] Note 27, p.200. For the other date of reference on urban dress code and sign of prostitutes see as follows: Castelnaudary(1333); Avignon(1347); Parme(1352); Bagnols(1358); Beaucaire (1373); Castres(1375);Strassbourg(1388);Dijon(1425);Mons (1466); Leipzig(1470');Lyon(1475); Amiens(1484/85) etc.
- (58) Rossiaud [65] p.57.
- (59) Maes [49] pp.145-146; F.Irsiegler [34] p.189; Richards [59] p.119. For the symbolical meaning of the red and yellow colour as a stigma, see M. Pastreau [57] and R. Van Uytfen [74].
- (60) Otis [55] pp.80-81.
- (61) Otis [55] pp.97-99, 109-110; Graus [28] pp.409-410.
- (62) Rossiaud [65] pp.66-70; Muchembled [54] p.123.
- (63) Otis [55] p.110; Muchembled [54] pp.123-124.
- (64) Graus [28] p.428; Rossiaud [65] pp.56-58; Richards [59] p.21. For the social position of the Jews in the late medieval towns, see B.Blumenkranz [9]; R.Chazan [18]; W. C.Jordan [36]; G.Kisch [40]; R.Kohn [42]; M.Kriegel [43].
- (65) "Item statuimus good Judei vel meretrices non audeant tangere manu panem vel fructus qui exponuntur venales; quod si fecerent, tunc emere illud quod tetigerint teneantur."(Coutumes d'Avignon, 200). Cited from Otis [55] Note 75, p.191.
- (66) Kriegel [42] pp.327-328; Rossiaud [65] p.57; Otis[55] p.59, 191.
- (67) Richards [59] pp.19-20.
- (68) Cf., Geremek [26]; Kawahara [38]; Tanaka [69].

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