

## Carnal Knowledge: Regulating Sex in England 1470–1600

MARTIN INGRAM

Cambridge University Press, Cambridge, 2017, xv + 465 pp (hardback £64.99)

ISBN: 978-1-107-17987-5 (paperback £21.99) ISBN: 978-1-316-63173-7

## Judging Faith, Punishing Sin: Inquisitions and Consistories in the Early Modern World

Edited by CHARLES H PARKER AND GRETCHEN STARR-LEBEAU

Cambridge University Press, Cambridge, 2017, xx + 391 pp (hardback £90)

ISBN: 978-1-107-14024-0

Although these two fascinating volumes in many ways complement each other, *Carnal Knowledge*, which is solely concerned with England, is likely to be of greater interest to a non-specialist reader of this *Journal* than is *Judging Faith, Punishing Sin*. This is because the latter is a collection of 25 short articles (each by a recognised expert in his or her field) dealing almost exclusively with, and in part contrasting, protestant consistories in Scotland, mainland Europe and to some extent further afield with Roman Catholic inquisitions, whereas the former is concerned almost entirely with the English courts.

Individual historians necessarily have their own specialties and the study of inquisitions and consistories have in the past followed parallel trajectories or, as the introduction to *Judging Faith, Punishing Sin* states: ‘For all the rich insight yielded . . . scholarship on Catholic and Calvinist programs of discipline has remained in two divergent and self-contained fields of research and discourse’ (p 2).

*Judging Faith, Punishing Sin* is aimed at bringing together these differing fields of scholarship and, in so doing, it threads together three themes: the bureaucratic framework of early modern inquisitions and consistories; consistories and inquisitions in action; and the expanding reach and decline of ecclesiastical discipline. The breadth of field is necessarily immense but, judging from these articles, there is a growing interest in a comparative approach, the fruits of which are likely to throw greater light on each of the institutions concerned and those persons involved with them. Although all such scholarship is both complicated and limited by the extent to which court records have survived, historians are becoming increasingly aware of the treasures to be mined from those that have survived. Indeed, while this reviewer was reading the volume in question, the *Times Literary Supplement* (8 December 2017) included an article by another historian, Suzannah Lipscomb, entitled ‘Magdaleine’s dance’ and outlining ‘what court records can tell us about the lives of women in early modern France’. It is therefore not surprising that court and inquisitorial records throw a light, not only on the machinery of the institutions themselves and their administrators, but on the lives of the everyday men and women who

were brought before them. This is the more so as, at least in some consistories, the emphasis was upon fostering good relations among their congregations rather than upon the rectification of what might be the heterodox beliefs of some of their members. In this regard, in Reformed consistories the emphasis was not upon penance (as viewed by the Roman Catholic Church) but, rather, upon penitence, although in either system the individual might be subject to humiliating public shaming rituals. In addition, in both systems, the civil administration might be called upon to inflict physical punishment.

As its full title suggests, *Carnal Knowledge* is concerned with the regulation by English courts (both civil and ecclesiastical) of sexual relations in the early modern period, although it, too, is affected by the scarcity at times of court records; nevertheless, its author, although acknowledging the limitations thereby imposed, demonstrates how this may often be overcome by judicious comparison with other jurisdictions and localities. That said, the pattern of sexual regulation by the courts could be exceptionally complex, especially in the metropolitan area:

In Southwark [where the notorious licensed stews were located until their abolition in 1546], behaviour was policed by a mosaic of manorial jurisdictions as well as by the courts of the bishop of Winchester. Westminster was a special case. The abbey had its own courts, while large numbers of prosecutions against brothel keepers were mounted in the court of King's Bench. Secular jurisdiction over sexual offences was most elaborately organised in the city of London. Its three-tiered system included regular searches at ward level, backed up by a ubiquitous and often prurient neighbourhood watch . . . ; formal presentments . . . at the wardmote courts; and exemplary action by the court of aldermen. (pp 391–392)

In addition, there were the episcopal and archidiaconal visitations. If the records for some of these jurisdictions are missing, it is nevertheless sometimes possible to draw careful inferences from the records of those that do survive.

Yet, during the period in question, the attitudes and approaches of different courts and of courts in different localities might also change or be at odds with those in other regions, for example because of the incidence at the relevant time of protestant zeal. The ability of the clergy to marry, unsurprisingly (at least to this reviewer) also seems to have had beneficial effect upon the number of the clergy caught up in sexual immorality. That said, the incidence of clerical immorality (though presumably always at too high a level as far as the ecclesiastical authorities were concerned) seems not to have been as great as some protestant reformers suggested, although the indignation aroused in the laity caused by such immorality may in part have fuelled the protestant backlash against the established Church.

As on the continent, English court records help flesh out the lives of ordinary men and women, even though, in some courts, the names of the person at fault might be identified merely by the use of initials or, in the case of a professor of theology, not otherwise identified at all. Yet, when details are given, they may be illuminating: for example, by demonstrating through the records of other courts that the accused person was a multiple offender. At other times a particular human face may be demonstrated: in 1556, for example, the borough court of Devizes heard a case where a husband had returned home to find himself locked out; on gaining entry he found his journeyman committing adultery with his wife. Nevertheless, the sentence of the court was that both husband and wife should sit in the stocks for a whole day; it seems that the manner in which the journeyman was able to regain his clothing raised doubts as to the husband's general complicity. At a more general level it seems that the effectiveness of the visitatorial system in its regulation of sexual behaviour was tempered in part by the fact that a churchwarden, whose duty it was to report to the archdeacon or bishop, would only be in office for a limited time and would thereafter be open himself to reports of his way of life. It is clear that court records can be mined at many different levels and be used by historians to throw light on our history in multifaceted ways.

RUPERT BURSELL QC  
Winchester Cathedral

[doi:10.1017/S0956618X18000637](https://doi.org/10.1017/S0956618X18000637)

## **An Introduction to Biblical Law**

WILLIAM S MORROW

Wm B Eerdmans, Grand Rapids, 2017, xvi + 270 pp (paperback £19.99) ISBN: 978-0-8028-6865-7

A serious work on biblical law by a scholar whose bread and butter has been introducing generations of students to this complex area is welcome. It is often forgotten that the first five books of the Hebrew Scriptures, in Christian study known as the Pentateuch, are identical with what Jewish tradition understands as the Torah. As Morrow points out, Christian study of the Hebrew Scriptures (he introduces us to the inclusive synonym *Tanakh*) has tended to emphasise the storyline and the significance of the prophets, but ignore the Law (Torah), except for a brief mention of the Ten Commandments and Leviticus 19:18 'You shall love your neighbour as yourself: I am the Lord'. This study of biblical law is a contribution to redressing that imbalance.