

## ABSTRACT

Title of Thesis:

“WHAT PERSONS, MASCULINE OR FEMININE”: EXAMINATIONS OF IDENTITY CONSTRUCTION AND QUEER POTENTIALITIES IN WESTERN MEDIEVAL EUROPE

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In this thesis, I argue that medieval people in Latin Europe had complex, overlapping identities and experiences of gender and sexuality that developed in their specific temporal and geographical contexts. The internal understandings of identities and the external expressions and interpretations of such identities are sites of historical possibility—and sources of potential inter-and intra-personal conflicts. Medieval writings like *Le Roman de Silence* demonstrate how these identities could be constructed and expressed for literary and rhetorical purposes. Extant court cases, including those of John/Eleanor Rykener, Vitoria of Lisbon, and Katherina Hetzeldorfer, demonstrate the complexity of lived experiences of identity, and how deviation from accepted community and cultural norms could prove dangerous. It is impossible to assert such identities of gender and sexuality for historical figures of the medieval era with complete certainty, but the exploration of these identities is necessary for a fuller understanding and representation of the period and the people who lived throughout it.

“WHAT PERSONS, MASCULINE OR FEMININE”: EXAMINATIONS OF  
IDENTITY CONSTRUCTION AND QUEER POTENTIALITIES IN WESTERN  
MEDIEVAL EUROPE

by

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## Table of Contents

Table of Contents .....	ii
Section 1.....	1
Section 2.....	23
Section 3.....	50
Bibliography .....	92

This Table of Contents is automatically generated by MS Word, linked to the Heading formats used within the Chapter text.

## Section 1

There is a linguistic tendency towards a negative perception of the medieval period, as evidenced by vernacular epithets like “The Dark Ages” to imply a lack of records (and thus a corresponding lack of accomplishments or “advancements”) and the association of “medieval” with dirty, backwards, or superstitious actions and beliefs.<sup>1</sup> The casual study of the period through historical surveys and overviews tends to focus primarily on “historical winners” of military conflicts and rulers to the exclusion of nuanced discussions of sociocultural circumstances.<sup>2</sup> The drawbacks of this approach are often compounded by the (unfortunately) rich tradition of privileging powerful individuals and culturally dominant perspectives in both surviving contemporaneous records and in subsequent historiographical work; an approach which was not widely challenged until the latter half of the last century. This shallow popular understanding of the broad millennium of medieval history does not fully reckon with the ways in which minority voices are present—or absent—from such a narrative. In contrast to these approaches that privilege the dominant perspectives of the period, Roland Betancourt emphasizes the importance of working on and writing historical scholarship while not being complicit with oppression.<sup>3</sup> Studying and recording historically marginalized and excluded voices is a vital part of this process, but is also complicated by challenges presented by the records

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<sup>1</sup> Carol Lansing and Edward D. English, “The Idea of a Middle Ages,” in *A Companion to the Medieval World*, ed. Carol Lansing and Edward D. English (Malden, MA: Wiley-Blackwell, 2009), 3.

<sup>2</sup> Lansing et al, “The Idea of a Middle Ages,” 4.

<sup>3</sup> Roland Betancourt, *Byzantine Intersectionality: Sexuality, Gender, and Race in the Middle Ages*, (Princeton, NJ: Princeton University Press, 2020), <https://www-jstor-org.proxy-um.researchport.umd.edu/stable/j.ctv104t9rq>, 207.

themselves. Historical records, particularly those regarding minority groups and those expressing ideas contrary to dominant cultural forces, can be hard to find intact and challenging to work with for researchers and academics. Working as a historian can be like assembling a puzzle—without knowing the final shape and while missing half of the pieces. Such missing pieces and the gaps they create can obscure details of daily life and cultural contexts that make it harder to interpret extant sources with a view towards identifying and understanding how medieval people understood themselves.

As part of this study of the medieval period, scholarship that challenges and complicates dominant narratives is vital to expanding the field and gaining a fuller understanding of medieval people, their experiences, and particularly how they constructed their own individual and communal identities. In this thesis, I argue that medieval people in Latin Europe had complex, overlapping identities and experiences of gender and sexuality that developed in their specific temporal and geographical contexts. Records of these specific marginalized identities provide a means to understand and theorize about individuals and the specific communities and cultures that shaped them. These identities were constructed and expressed by individuals through their own internal dialogue and sense of self and through their interactions with other people in their communities. These sites of identity could be sources of inter- and intra-personal conflict, as represented through surviving historical and legal records, religious writings, and literary works that demonstrate how facets of identity encompassing gender and sexuality were formed and understood. Such identities were also constructed and expressed in medieval writings, generally to serve some

literary or rhetorical purpose.

Identity itself is a complex topic, and perhaps one more suited to the contemplations of philosophers and psychologists. Modern scholars can use historiographical methods to study historical people to attempt reconstructing and understanding their identities, perspectives, and experiences. Then as now, the concept of personal identity was variable and multifaceted, but for the purposes of this discussion it can be broadly understood as a multidimensional construction determined both by the person in question *and* in part by the community proximate to that person. A person's conception of their own "Self," their understanding of their own being and "inner world," may *or may not* have aligned with their community's perception of their person. An individual's actions influenced how their identity was constructed and understood by the community at large, and these actions in turn were influenced by the sociocultural and religious context of their community.

Contributing factors to someone's external presentation of their identity, including clothing and "behavior and outward physical appearance," were key in "determining the manner in which their community—or at least other individuals with whom they interacted—perceived them."<sup>4</sup> This perception, mediated by and through the broader community's perception, constructed an external identity that was visible to and understood by others.

Community- and communally-based constructions of identity were (and still

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<sup>4</sup> François Soyer, "Gender Stereotypes and Sexual Transgressions in Early Modern Spain and Portugal," chapter in *Ambiguous Gender in Early Modern Spain and Portugal: Inquisitors, Doctors and the Transgression of Gender Norms*, 17–49. Leiden: Brill, 2012, 22.

are) an unavoidable consequence of interpersonal interaction.<sup>5</sup> However, even if externally constructed and communally accepted interpretations of a person's identity existed, these perceptions were not necessarily accurate to that person's *internal* experience.<sup>6</sup> In contrast to external identity, internal identity is how someone perceives themselves as a person *as well as* their status and responsibilities as a single member in a larger community. This distinction between the *internal* and *external* self is not a strict binary, and someone's outward actions may or may not accurately reflect their inner thoughts and emotions. Without this direct historical internal monologue, scholars instead construct plausible internal identities for historical people to match as closely as possible with what is known about that person's lived experiences, based on the information available. First-person accounts do exist in the historical record and are useful tools, but these accounts are relatively rare and not an entirely representative sample of the population at large. These accounts provide a wealth of specific information about their authors and their particular circumstances, but do not always generalize outwards to their communities. However, such personal accounts do contain information about the sociocultural environment of their writers and subjects, which can be used to create a larger perspective of their community at that time.

When exploring how medieval people constructed identity in their given sociocultural contexts, specificity and contextualization are vital. The "question" of

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<sup>5</sup> Identity and its accompanying questions and expressions remains an integral part of culture and expression into the modern day, but for consistency's sake this work will situate the discussion in the past tense. The exception to this rule is the literary present tense used to discuss works of fiction.

<sup>6</sup> Nor are they necessarily *inaccurate*, either.



identity in and of itself is difficult to pin down precisely because there were many ways to construct and express identity. Internal identity could encompass someone's perception of their own gender, view of their occupation and socioeconomic status, their sense of religious identity, and their community membership and affiliation. All these internally understood aspects of identity could also be externally expressed and thus interpreted by other individuals, but these may or may *not* have matched that person's internal sense of self. External perceptions of an individual's identity could also be constructed by others without direct input from the person in question, or consideration for their own sense of identity.

In regards to gender, external constructions of identity could constitute an individual's "public-facing" gender identity and become internalized and incorporated into their own sense of self.<sup>7</sup> Neither identities nor people existed within ideological vacuums or sharply delineated spheres, but rather within the more nebulous sociocultural context of an interconnected society. By living in a society, individuals were exposed to and influenced by the beliefs of their community, and then often (though not always) perpetuated those beliefs and reinforced their ideological place in the community. This cyclical perpetuation was not static, as community standards and sociocultural beliefs shifted and changed over time and in response to outside influences like religion, economic pressures, disease, and famine,

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<sup>7</sup> The internalization of sociocultural standards of "acceptable" identity is not new, and can cause very real damage to people in those societies and cultures. Eating disorders are a relatively common modern example of harmful internalization of identity standards, specifically highly gendered health and beauty standards. Other examples like internalized racism, homophobia, and transphobia are potentially damaging on personal and interpersonal levels, as such beliefs can affect behaviors and relationships with other people. The modern "ex-gay" movement and promotion of the debunked practice of conversion therapy are public examples of harmful behavior that can perpetuate from internalized—and externalized—homophobia and transphobia.

but community transmission of such concepts continued. For example, contemporaneous religious and sociocultural belief in the medieval period was that women were physically and morally inferior to men, derived from theological interpretations of “original sin” and Aristotelian philosophy that ascribed moral weight to biological differences.<sup>8</sup> This belief in the inherent inferiority of women could be internalized by a woman raised in that context, causing her to believe that women—including herself—are inferior to men. This woman could then perpetuate this belief by her behavior and interactions with other members of her community, further reinforcing the status quo. While individuals and groups developed and perpetuated identities and ideological stances contrary to the prevailing majority (and still do), these dominant<sup>9</sup> cultural contexts are still important for understanding the development of identity.

Questions of identity in historical persons and contexts are difficult to know concretely because there is rarely—if ever—a first person account from an individual that is explicitly about their experiences and personal identity. However, in demonstrating the complexity of medieval identity construction, it is possible to infer about individuals based on their known cultural and historical circumstances, and thus explore potential identities for that person. Sara Salih provides a useful framework of historical analysis for refining perceptions of historical identity, particularly in relation to bodies, gender, and religion. Salih compares medieval male and female bodies both as objects of gendered gaze that were both ultimately under male control,

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<sup>8</sup> Murray, “One Flesh, Two Sexes, Three Genders?”, 34.

<sup>9</sup> These can also be understood in Betancourt’s marginal/central framework of understanding identities and sociocultural forces.

while also challenging whether religion and gender are necessarily inevitable framings of each other in such research.<sup>10</sup> This intertwined framing of gendered bodies and religion is useful for examining the interrelatedness of religious identity and gender identity. Queer theory and queer approaches to history are useful in the study of sex and gender, as they can be utilized to “draw attention to normative expressions of same-sex desire” and the ways those expressions may have been understood in the medieval period, including an “alternative paradigm” where homoerotic desire was contemporaneously normative and “the modern hetero/homo binary [was] not clearly defined” in a historical context.<sup>11</sup>

Using these approaches as frameworks to examine and interpret medieval sources allows a more nuanced examination of the sociocultural anxieties that were present among the elite, including the religious and ruling classes, through the understanding that “elite” and “common” concerns were not necessarily aligned and that works by and about elites were more likely to survive in the historical record. Utilizing “hermeneutics of remembrance” as an approach to these frameworks involves understanding the forces that shaped the original historical sources, contextualizing information as much as possible, and “challenging” claims made by sources when necessary.<sup>12</sup> Gender historiography is another useful tool for considering how identity and markers of identity—particularly gender identity—were

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<sup>10</sup> Samantha Riches and Sarah Salih, “Gender and Holiness: Performance and Representation in the Later Middle Ages,” chapter in *Gender and Holiness: Men, Women and Saints in Late Medieval Europe*, 1–8 (London: Routledge, 2002), 1–8.

<sup>11</sup> Richard E. Zeikowitz, *Homoeroticism and Chivalry: Discourses of Male Same-Sex Desire in the Fourteenth Century* (New York, New York: Palgrave Macmillan US, 2003), 2.

<sup>12</sup> Maeve Brigid Callan, *Sacred Sisters: Gender, Sanctity, and Power in Medieval Ireland* (Amsterdam: Amsterdam University Press, 2020), 26.

constructed during the medieval period.<sup>13</sup> In particular, the framing structure of gender historiography can be used to explore the construction of “woman” as a category of classification built through legal methods, literature, and intellectual discourse; this framing structure can also be used to provide challenges to misogyny in the historical record and in other dominant narrative constructions.<sup>14</sup> Gendered sociocultural concepts can be explored to determine how they were defined and how they functioned during the medieval period—and in particular to assist in comparing forms of masculinity in different social groups<sup>15</sup>—but unfortunately, a lack of firsthand accounts of “peasant” masculinity render such obscured perspectives the hardest to know.<sup>16</sup>

While direct records of and by non-elites are uncommon, there are still ways to investigate the methods of gender and identity construction that likely influenced those people. The medieval church’s investment in “the governance of human sexual experience” of the people and its own clergy provides critical context to the exploration of gender and sexuality construction in the medieval period.<sup>17</sup> The church attempted to shape the sexual and gender identities of people on individual and community levels by delineating which behaviors were permitted, which were encouraged, and which were explicitly disallowed. This and other “cultural specificit[ies]” that informed and shaped individual and communal identities, as well

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<sup>13</sup> John Arnold, “Gender and Sexuality,” in *A Companion to the Medieval World*, ed. Carol Lansing and Edward D. English (Malden, MA: Wiley-Blackwell, 2009), 162-164.

<sup>14</sup> Arnold, “Gender and Sexuality,” 165-167.

<sup>15</sup> Such as the masculinity and sociocultural expectations of noblemen, in comparison with those attitudes towards the clergy. Both groups were by definition groups of men (and men with privilege), but occupied different places in medieval society and had *very* different cultural roles and expectations.

<sup>16</sup> Arnold, “Gender and Sexuality,” 169-170.

<sup>17</sup> Arnold, “Gender and Sexuality,” 172.

as the ways in which these identities were understood, is also crucial to this exploration.<sup>18</sup> Cultural specificity is important when examining how lived gender-specific experiences could have influenced the development of an individual's public and personal identity,<sup>19</sup> and in considering tensions between the marginal and central parts of a society without collapsing these positions down to a simple binary opposition.<sup>20</sup>

In this discussion, “marginal” and “center” are deliberately broad descriptive terms and intended to cover a wide variety of sociocultural situations, and most particularly the distribution of power within a society. As an analysis of power distribution, this framework can be used to discuss relative degrees of representation in historical records. In his exploration of these interplays of marginal and central aspects of Byzantine society, Roland Betancourt demonstrates that the larger thematic observations and structural approaches of this scholarship apply to geographic and temporal contexts beyond Byzantium. The tensions present between marginal and central aspects of society framed the construction and expression of individual and group identities and thus later examination of these identities. An individual and a group could influence each other, as the person's conception of their own identity informed their external expression of that identity, which in turn potentially influenced the identity of the larger group. This interplay of identities and interpretations were influenced by the degrees of marginalization<sup>21</sup> involved, made

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<sup>18</sup> Arnold, “Gender and Sexuality,” 173.

<sup>19</sup> Arnold, “Gender and Sexuality,” 175.

<sup>20</sup> Betancourt, *Byzantine Intersectionality*, 205.

<sup>21</sup> And the relative amounts of power available to the people in question

apparent by determining which groups and individuals were allowed power over constructing their own identities—and which ones were denied such personal agency. Interrogating which identities conferred power upon an individual or group, and which did *not* confer—or even reduced—that power provides important context for interpreting an individual’s presence in the historical record.

Building on this broader framework of marginalized and central aspects of identity and culture, Betancourt also offers a “non-binary” perspective in the examination of Byzantine history, society, and culture.<sup>22</sup> This approach, applicable to historical entities beyond the Byzantine sphere, allows for a more nuanced and intersectional approach to examinations of sociocultural circumstances by interrogating which people and identities were considered “marginal” and which were considered “central” in specific contexts.<sup>23</sup> Such examinations necessitate exploration of how the relative “value” of such identities was determined and what factors shaped these categorizations. Thus, remaining aware of the nonbinary nature of tensions present in the construction and interpretation of identity emphasizes the necessity of interrogating traditional frameworks of historical scholarship to construct a more holistic understanding of the past.

As an expansion on this discussion of a non-binary approach to understanding power, Betancourt also urges fellow historians “to write a truer, more ethical past” by including intersectional and alternative readings in their examination of texts, by challenging traditional power structures in those readings, and by questioning

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<sup>22</sup> Betancourt, *Byzantine Intersectionality*, 205.

<sup>23</sup> This approach also addresses the issues of nuance and intersecting factors that are limited by the binary structure of other similar models.

dominant narratives that have excluded other voices from holding a presence in the existing scholarship—thus leaving spaces ripe for exploration.<sup>24</sup> With the understanding that the power valence of someone’s identity (as internally understood and outwardly expressed) could and did vary based on that person’s circumstances, Judith Butler’s approach of “anatomical sex, gender identity, and gender performance” as discrete categories can be used in alignment with Betancourt’s method to understanding and examining trans, non-binary, and gender nonconforming people present in historical records and narrative texts.<sup>25</sup> Butler’s approach is useful for positioning individuals relative to their contemporaneous contexts, while Betancourt’s theoretical framework centers treating people in “texts and images as possible medieval subjects with a past, a present, and--most importantly--a future” to represent their fully lived realities in the continuum of past and present.<sup>26</sup> Therefore, combining these theoretical approaches is helpful when examining the lives of real people as well as characters who appear in contemporaneous narrative and literary texts. While literary characters are not necessarily “real” in that they existed in the world as specific, historically-verifiable individuals, they *do* represent identities and experiences present in the population at large. Literary characters have an “agency beyond the page” as “real and viable possibilities for lived subjectivities,” which acknowledges the “feasibility” of such identities in the medieval period, even if such identities may lack an explicit presence

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<sup>24</sup> Betancourt, *Byzantine Intersectionality*, 208.

<sup>25</sup> Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, (New York, NY: Routledge, 1999), 135.

<sup>26</sup> Betancourt, *Byzantine Intersectionality*, 17.

in sources such as court records and legal documents.<sup>27</sup> Betancourt asserts that such “stories give us a glimpse into the intersectionality of identity in the medieval world,” providing another avenue for exploring methods of medieval identity construction.<sup>28</sup>

The published lives of Christian saints provide an excellent example of the power of stories to both influence and reflect reality. These saints’ lives were recorded through hagiographies that included (purportedly) true accounts of a particular saint’s life and their associated miracles, serving as a “proof-case” for their holiness and thus their inclusion in the broader host of legitimate Christian religious figures. Along with remarkable holiness in life<sup>29</sup>, post-mortem miracles were necessary to prove the efficacy of a saint via their ability to intervene on behalf of petitioners, which created a marked incentive to record any and all such incidents that occurred during a saint’s life and after their death. Venerators of a particular saint could be motivated by personal and familial piety, a sense of obligation to the saint in return for a miracle or good fortune, or even by the potential revenue from pilgrims visiting a saint-associated holy site. Depending on the saint in question, historical evidence for their actual *physical* existence ranges in quality from the verifiable and well-documented historical figure Joan of Arc to the mythical dragon-slaying St. George. Regardless of the historical existence of any given saint, the influence of Christianity and saints at large in medieval European society renders their depictions meaningful by virtue of the meaning *ascribed to them* by contemporaneous people and religious practice—namely, they were important because people believed they

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<sup>27</sup> Betancourt, *Byzantine Intersectionality*, 91.

<sup>28</sup> Betancourt, *Byzantine Intersectionality*, 2.

<sup>29</sup> Or martyrdom in death



were important and acted accordingly.

Veneration of saints (and their accompanying hagiographies) was transmitted cross-culturally in the medieval period, as evidenced by the veneration of saints that existed outside of their initial geographical centers of worship. This transfer of religious practice also provided a pathway for identity transmission across distances both geographical and cultural. Veneration of the ascetic St. Mary of Egypt, for example, was not restricted to Byzantium, so exploration of her more masculine—or even transmasculine—presentations is relevant to discussions of religion and gender identity across Europe.<sup>30</sup> The asceticism and masculinity of St. Mary of Egypt was part of a larger pattern of shared sociocultural signifiers of transmasculine identity in depictions of AFAB<sup>31</sup> “eunuch” monks and in their hagiographies, demonstrating that the general typology for this identity construction of saints was present in regions outside of Byzantium.<sup>32</sup> Saint Marino,<sup>33</sup> specifically, was accused of fathering a child and punished for breaking his monastic vows, but his AFAB status was revealed only after his death when his body was prepared for burial by his monastic brothers. Such accounts of Saint Marino reveal that he deliberately lived and conducted himself as a man, even when “revealing” his birth identity could have saved him from false accusation and undeserved punishment, considering his easily-proven inability to sire any children at all. This does not speak to a disguise of convenience, but rather an expression of personal, deeply felt identity.

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<sup>30</sup> Betancourt, *Byzantine Intersectionality*, 6.

<sup>31</sup> Assigned female at birth.

<sup>32</sup> Betancourt, *Byzantine Intersectionality*, 89.

<sup>33</sup> Also called Saint Marina

This constructed nature of gender identity,<sup>34</sup> particularly within a medieval Christian context, serves as a useful ideological scaffolding for gendered identity construction within narratives more broadly, particularly in regards to saints and theological discourses from earlier in Christian history.<sup>35</sup> As demonstrated by Saint Mary of Egypt, there was a distinctive thread in earlier Christian history of trans-masculinity amongst AFAB people because masculinity was considered more virtuous than femininity in a Christian context.<sup>36</sup> Saint Marino demonstrated this virtuousness by maintaining his pious, celibate lifestyle even when reprimanded and ostracized from his monastic community for his presumed sin of fornication and by raising his alleged son, despite knowing that he could disprove the accusations by revealing himself. However, this reveal would also have destroyed his existence as Marino, and would also require him to submit to the religious and societal expectations of women and leave his monastic community. Postmortem, his perseverance was praised and he was eventually canonized. While this and other efforts at masculinization were praised in early Church history, this was somewhat reversed by later prohibitions against crossdressing for ascetic or monastic purposes, although these rulings did *not* revoke the holiness or sainthood of already venerated “crossdressing” saints.<sup>37</sup> The previously discussed spread of saints and hagiographies across vast geographic and cultural distances demonstrates how modes of identity construction could also travel across similar distances and in similar ways.

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<sup>34</sup> As in, the concept of gender and gendered behavior.

<sup>35</sup> Betancourt, *Byzantine Intersectionality*, 91-92.

<sup>36</sup> Betancourt, *Byzantine Intersectionality*, 96-97.

<sup>37</sup> Betancourt, *Byzantine Intersectionality*, 99.

Contemporary literary and narrative sources also serve as a source of information beyond hagiographies. Literary sources in the medieval period included moralizing and aspirational literature, such as Ramon Lull's *Book of Knighthood & Chivalry*, as well as more purely entertaining fictionalized romances like *Amys and Amylion* and *Le roman de Silence*.<sup>38</sup> Romances and other literary sources portrayed characters with depth and emotions familiar to their audiences, and in situations that were both relatable and fantastic. Kings and subjects existed in both reality and fiction, for example, but in such tales there could also be magic, intricate love triangles, and convoluted identity plots. Silence, the protagonist of *Le roman de Silence*, is the subject of one such plot focused on his birth and the nature of his identity, and is explored later in this discussion in greater detail. Other more religious sources, like morality plays and penitentials, were more widely and publicly accessible than more academic works written by and for a specific educated audience. While the average medieval person would not have read a penitential themselves, they could have encountered one at some point while participating in confession. Penitentials were guidebooks for clergy to suggest penances, and as such described specific sins and the appropriate associated penance for the repenting parishioner. However, the existence of a particular sin in a penitential did *not* necessarily mean that the sin in question was widely practiced, or even practiced at all. Whether or not the sins in a penitential were common, their inclusion indicated religious condemnation of the described behaviors and their described consequences, as well as

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<sup>38</sup> Also known as *Amis et Amiles* and *Amicus and Amelius*, depending on the original language of the text.

the cultural and religious context around the proscribed behavior.<sup>39</sup> Dr. Eleanor Janega discusses the penitential written by Bishop Burchard of Worms, in which he outlined the appropriate penance for married women who suffocated a live fish in their vagina, then cooked and served it to their husbands as a type of love magic—but despite Bishop Burchard’s exacting detail this particular ritual was probably not widely practiced (if it was practiced at all).<sup>40</sup> Including this ritual in his penitential demonstrates that the Bishop was concerned about the *possibility* of clergy encountering practitioners of vagina-fish love magic during confession, but this concern did not necessarily reflect reality. Because penitentials were guidebooks to sin and penance for a specifically clerical audience, they included “uncommon” sins to prepare priests for a wide variety of potential sins they could encounter, demonstrating a certain level of anxiety about what sins parishioners might have committed. Because penitentials were created by and for members of the clergy, Dr. Eleanor Janega argues that some of the more wildly outlandish sins outlined in the books were the product of a repressed clergy obsessively ruminating on potential sexual sins rather than reflections of actual confessed sins.<sup>41</sup> However, regardless of the actual frequency of sins outlined in penitentials, they were clear that “transgressive sexuality,” of any type, was sinful and dangerous.<sup>42</sup>

When considering transgressive sexuality in the medieval period (whether or

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<sup>39</sup> Edith Benkov, “The Erased Lesbian: Sodomy and the Legal Tradition in Medieval Europe,” chapter, in *Same Sex Love and Desire among Women in the Middle Ages*, edited by Francesca Canadé Sautman and Pamela Sheingorn, 101–22 (New York: Palgrave, 2001), 104.

<sup>40</sup> Eleanor Janega, “On Dildos and Penance,” *Going Medieval*, WordPress, posted January 9, 2019, <https://going-medieval.com/2019/01/09/on-dildos-and-penance/>.

<sup>41</sup> Janega, “On Dildos and Penance.”

<sup>42</sup> Benkov, “The Erased Lesbian,” 108.

not as a mode of identity formation specifically), it is important to acknowledge the limitations of language in *describing* personal identity as it relates to gender and sexuality. Explorations of identity, particularly of historical persons, nearly always rely on modern language and terms that were not in use during the period in question. Therefore, contextualizing both the circumstances of historical identities as well as the usage of modern terms is necessary to clearly discuss those identities and their contemporaneous construction. Valerie Hotchkiss defines gender as the word

“used to describe the societal perceptions and expectations for behavior, familial roles, physical and mental abilities, and even sexual orientation that distinguish, and divide, men and women. To what extent those differences are considered a natural consequence of biological sex or a response to cultural influences is a recurring question within the texts of gender disguise and in [Hotchkiss’] analysis of them.”<sup>43</sup>

In this vein, Hotchkiss acknowledges that “the boundaries between genders blurred long before the ‘modern’ era, if, in fact, they were ever clear.”<sup>44</sup> In determining the external perception and construction of identity, Hotchkiss’ description of gender is a solid working definition because it explicitly relies on the societal perceptions and expectations of the gendered individual by their community. The community perception of a person’s gender in a historical context is *much* easier to determine than their internal sense of their own gender, but the community perspective was not perfect.

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<sup>43</sup> Valerie R. Hotchkiss, *Clothes Make the Man: Female Cross Dressing in Medieval Europe* (New York, New York: Routledge, 1996), 8.

<sup>44</sup> Hotchkiss, *Clothes Make the Man*, 9.

Community perceptions and expectations could be complicated by local ideas of gender, physiological expressions of sexual traits, and contemporaneous medical understandings of sex and gender. The perceived relationship between dimorphic expressions of primary and secondary sexual characteristics in people was filtered through previously established understandings of biology and bodily differences, and thus shaped what they understood as “possible.” For example, the “essentialist approach” of “Galenic medical theories”—that understood internal genitalia as an “inverted form” of external genitalia—allowed for a belief that “gender transmutations could occur naturally,” and that actions by men “whose behavior transgressed both gender and sexual boundaries were initially destined by Nature to be women.”<sup>45</sup> While the medical theory underpinning this belief was Galenic, the binarist understanding of genitalia as oppositional and binary in a hierarchical structure were heavily derived from Aristotelian thought—any derivation from the accepted categorization of “men” was interpreted as indications towards a “womanly” nature, and the category of “woman” was assumed to be less perfectly formed than the category of “man.” The scientific observation that physiological sexual characteristics lack clearly defined boundaries between the two commonly understood sexes demonstrates the distinction between cultural construction and the variety inherent in the broader human population.

Even now, there is still a disconnect between ideologies of gender and lived experiences of gender, and lived experiences are extremely contextual to an individual’s specific time and place. Drawing at least partially from this disconnect,

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<sup>45</sup> Soyer, “Gender Stereotypes and Sexual Transgressions in Early Modern Spain and Portugal,” 23.

there is a strain of avoidance of explicitly queer readings of Christian religious texts regarding potentially queer historical figures that is sometimes attributed to an aversion to modern language relating to sexuality in order to describe historical figures, although it is doubtful that this excuse is always used in good faith. However, it is possible, and even necessary, to use modern language in relation to historical persons and identities in pursuit of that “truer, more ethical past.”<sup>46</sup> This language usage also allows for a clearer discussion in instances where all the information is not available, like in the forthcoming examinations of the court cases of John/Eleanor Rykener, Vitoria of Lisbon, and Katherina Hetzeldorfer, who were each accused of sodomy and whose identities were more complex than initially described.

In an approach to religious identity construction as it intersects with gender, Robert Mills identifies a distinct construction of eroticism—especially homoeroticism—in religious passion, and specifically calls out the “culture of hesitancy—even chastisement—” around explicitly queer readings of Christian texts by modern scholars.<sup>47</sup> While Mills’ criticism of scholars is not directly tied to medieval identity constructions per se, it is still associated because it addresses attitudes and approaches towards the study of medieval identity. When scholars read and interpret medieval texts, what they do and do not consider possible during their readings shapes those texts, their contents, and their interpretations. Not allowing for explicitly queer<sup>48</sup>

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<sup>46</sup> Betancourt, *Byzantine Intersectionality*, 208.

<sup>47</sup> Robert Mills, “Ecce Homo,” chapter in *Gender and Holiness: Men, Women and Saints in Late Medieval Europe*, 152–73 (London: Routledge, 2002), 153.

<sup>48</sup> In this context, “queer” is used as a deliberately broad umbrella term to refer to the modern sense of the word, including but not limited to lesbian, gay, bisexual, transgender, intersex, asexual, and/or two-spirit individuals, as well as the broader social-community sense that includes individuals like drag queens and kings regardless of their gender and sexuality, as well as the more archaic sense of the word meaning anything and anyone that does not fit within or deviates from the established norms and

readings of those texts removes possible interpretations, even as there is increasing amounts of evidence for historical gender and sexual variance from what is now understood as cisgender and heterosexual identities and behaviors. Fundamentally, people have always been people;<sup>49</sup> medieval people fell in love, fought with each other, had sex, experienced mental and physical illness, raised children, made art, and told each other stories. The experience of sex and sexual attraction in particular in all its varied configurations is not a modern development. Allowing any potential stigma attached to words like “queer” to prevent fuller readings and framings of such historical texts often serves no productive purpose, only that of personal comfort.<sup>50</sup> Mills criticizes the assumption that medieval people were “psychically and libidinally distinct from the ‘sex obsessed’ inclinations of ‘we moderns,’” and exposes the intellectual inconsistency of the argument that homosexuality is a modern and historically distinct phenomenon while motherhood is assumed as a historically continual experience.<sup>51</sup> Framing historical explorations within the continuity of the human experience is a critical component of determining medieval methods of identity construction.

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expectations of behavior. This allows for a discussion of individuals and practices that, had they existed in the twenty-first century, might have been considered transgender, bisexual, etc., but without the modern context are difficult to categorize with any certainty, if such a categorization were even desired by the individuals and communities in question.

<sup>49</sup> There is no species difference between medieval and modern humans, and no reason to expect that medieval people would experience different emotions, physical sensations, or illnesses than modern people, with very few exceptions for circumstance-specific conditions like radiation sickness.

<sup>50</sup> This is not to say that there is anything inherently negative or stigmatizing about queerness or a queer identity; however, there does exist a history of negative associations to accusations of gender and sexual nonconformity, and even in modern usage the term “queer” can carry a semantic load. This connotation is not always necessarily negative, but the heavy associations of “queer” do not mean that medieval individuals would have a negative reaction to the actions and identities currently understood to fall within the broader queer umbrella.

<sup>51</sup> Mills, “Ecce Homo,” 155-157.



All of these pieces of medieval cultural forces, including religion, culture, and community context, are crucial to understanding how individuals formulated their own internal individual and communal identities, as well as how these identities were expressed and interpreted by other people. Medieval people developed complex and overlapping identities, including gender and sexuality, that provide insight about the broader culture and community. In the next section, the romance *Le roman de Silence* is examined for both storytelling and characterization of the titular Silence, whose identity is the primary source of conflict and displays a nuanced understanding of how individual identity was shaped and developed by personal experiences and by outside influences. Furthermore, Silence also provides an opportunity to examine medieval queerness of both gender and sexuality in a literary setting, thus allowing a look at his internal thoughts and the process of his identity construction and formation. While *Le roman de Silence* and Silence are fictional, they serve as a point of reflection and comparison to real medieval experiences, by virtue of their existence in the medieval period. Following this literary examination, the third section provides a closer look at the court cases of John/Eleanor Rykener, Vitoria of Lisbon, and Katherina Hetzeldorfer provides examples of real medieval people whose identities were other than that expected by their communities and demonstrate how queer genders and sexualities could manifest in the medieval period. These cases provide evidence of queer existence and the variability of experience available to medieval people, as well as providing clues to how each of these individuals constructed their own identities in their specific circumstances. This section also includes an exploration of how narratives of identity could be weaponized against specific people

through the efforts of the fourteenth century French clergy and their efforts to weaken the local nobility and by the efforts of the English nobles against the English kings Edward II and Richard II and their favorites. By examining records of marginalized identities in comparison with socioculturally dominant identities, scholars can determine points of complexity and overlapping identities in individuals and communities. These records also provide evidence of how identities were expressed by individuals, as well as means by which communities interpreted each other's identities. These identities, including gender and sexuality, were constructed and expressed through interactions of individuals with their communities and through their interior dialogue and sense of self.

## Section 2

The medieval western European gendered framework drew from classical-era medicine and philosophers, including Aristotle, and eventually resulted in an understanding of gender as a hierarchical and (generally) binary system. Men held the dominant position in this hierarchy; they were considered mentally stronger and more rational than women, less prone to temptation, and possessed of the ideal physical human form. In contrast, women held the subordinate position in this hierarchy and were considered weaker, less rational, and more prone to temptation. The component parts of this conception of gender as a key aspect of identity were derived from secular and spiritual sources, and were enshrined in legal codes and in Latin Church theology. This structure of hierarchical binaries meant men were associated with positive and more valued qualities, while women were associated with negative and more derided qualities—in fact, under some medieval medical theories women’s bodies were understood as “imperfect versions” of the perfect (male) human form.<sup>52</sup> Since women were associated with corrupting influences both physical and moral, men having unregulated interactions with women were morally suspect. Richard Zeikowitz’s assertion that the “ideal chivalric conduct promotes male-male intimacy” demonstrates how negative perspectives on interactions between genders resulted in socially approved ways for men to interact with each other. These homosocial interactions were a way to avoid such moral danger, as interactions between medieval knights strengthened the sociopolitical ties and emotional intimacy between men

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<sup>52</sup> Soyer, “Gender Stereotypes and Sexual Transgressions,” 17.

without the potentially “corrupting” influence of women.<sup>53</sup> These interpersonal interactions were explicitly gendered, in that the genders of the participants shaped their interactions with each other. Literary sources are useful for examining such medieval identities, as they can provide a clearer “window” into the internal processes of identity formation and expression. The formation and presentation of gender identity—and the attending forms of queerness—in medieval literary sources, and *Le Roman de Silence* in particular, provide an avenue to understand and theorize about queerness and gender variance in medieval culture, as well as a means to explore the potentiality and the interiority of individual queer identities underrepresented in the surviving records.

In this chapter’s examination of gender and queer and genderqueer identity as expressed through medieval fiction (primarily *Le Roman de Silence*), the hierarchical conception of gender and the associated sociocultural gender roles are made visible through the narrative progression and the ways that the characters explore and understand their own identities. The internal perspective presented in *Le Roman de Silence* provides a “window” for both modern and contemporaneous audiences to use to explore the potentialities of medieval gender variance and queer identity that is rendered invisible—or, perhaps, untranslatable—by the surviving legal documentation of the same. The hierarchical gender binary created a cultural milieu where it was understandable, and in some circumstances even laudable, for women to

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<sup>53</sup> Zeikowitz, *Homoeroticism and Chivalry*, 23.

aspire to be like men because men were the superior version of humanity.<sup>54</sup> In turn, it was anathema for men to desire to become like women, as the understanding was that women were physically, socially, morally, mentally, and spiritually inferior to men.<sup>55</sup> A woman's desire for advancement in the form of increased masculinity was understandable, if not always achievable or permissible, but a man's desire to be more feminine was understood as desire for a "regressed" state and thus highly suspect, both morally and spiritually. This understanding of the ideological framework underpinning medieval conceptions of gender is critical to exploring gendered tensions present in literary texts. The homosocial interactions and socialization portrayed in *Le Roman de Silence* and similar texts reinforced and were in turn reinforced by the hierarchical gendered binary by reinforcing the perception and experience of gender as a defining feature of identity. Disconnects between the social perceptions of men and women created sources of gendered tension, particularly in texts that relied upon the inversion or confusion of expected gendered norms. Such experimentation with gender summoned the specter of queerness, as a confusion of gender could easily preface improper interpersonal relations and the horrors of sodomy.

Potentially transgressive concepts and actions that challenge established

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<sup>54</sup> Jerome (circa 340-420): "As long as woman is for birth and children, she is different from man as body is from soul. But when she wishes to serve Christ more than the world, she will cease to be a woman and will be called a man."

Osbert of Clare (fl. 1136): "Do not let lascivious mirth reduce you to your sex. Conquer the woman, conquer the flesh; conquer desire...to become a splendid and radiant *virgo*, or rather a virile and incorrupt *virago*."

Peter the Venerable (circa 1092-1156): "You have overcome all women and risen above almost all men."

All quotes from Murray, "One Flesh, Two Sexes, Three Genders?", 42-43.

<sup>55</sup> Murray, "One Flesh, Two Sexes, Three Genders?", 38-39.

societal structures are generally more allowable in fiction than they are in “real” life. Thought experiments that transgress cultural norms are more allowable than *actual* transgressions, particularly when those thought experiments at least gesture towards compliance with those norms.<sup>56</sup> This interplay between cultural norms and transgressions is particularly evident amongst accounts of queerly-gendered characters in medieval literature. According to Valerie Hotchkiss, literary cross-dressing in the medieval period often occurred as a plot device in response to a “loss of status” in the family structure that caused the wife to disguise herself as a man, with her character qualities and ensuing actions attributed “to her female persona as a good wife” rather than any innate desire to dress like or be treated as a man.<sup>57</sup> While presenting as a man *was* an act of transgression, even as a “man” a woman’s actions reinforced her status as a good *woman* and, if she married, as a good *wife*, as she generally cross-dressed for the benefit of her husband. Although the female “crossdresser” was read and understood as a man by other characters, the narrative structure and the plot still reinforced sociocultural standards of womanhood through restoration of her “correct” gender status and the attribution of her character traits to her womanly nature.<sup>58</sup> Thus, despite transgressive elements, such literary works still rendered their depictions of “crossdressing” women as part of the established sociocultural understanding of gender in the culture at large.

Medieval literary crossdressing allowed a more detailed exploration of the

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<sup>56</sup> Or towards compliance with those in power.

<sup>57</sup> Hotchkiss, *Clothes Make the Man*, 83.

<sup>58</sup> In this context, “read” refers to a common sociocultural understanding of identity, wherein other people in the community see an individual and use their appearance, dress, mannerisms, voice, etc. to form conclusions about that person’s identity. However, those conclusions may or may not be accurate to the individual’s understanding of their own identity.

messy intersections of identity, gender, and performance by a contemporary audience, as evidenced by the complex treatment of the titular character “Silence” in *Le Roman de Silence*. Silence provides one such case study of “crossdressing,” although as interpreted through a queer lens Silence arguably does not *truly* “cross-dress” until the conclusion of the story. As a romance, *Silence* presents a complicated portrayal of gender, with nuanced development and exploration of how gender is experienced by and how it affects different characters in the text. The plot of the romance revolves around issues of gender performance, identity, and experience primarily by presenting the self-identification of Silence’s gender and the gendered perspective of the community around him.<sup>59</sup> In *Silence*, Silence is AFAB but deliberately raised, educated, and treated socially and politically as a boy (and later as a nobleman) by his parents, the nobles Cador and Eufemie.<sup>60</sup> Cador and Eufemie decide to raise Silence as a man so that he can inherit his father’s estate, as the current King Evan barred women from inheriting and Cador and Eufemie are otherwise childless. As part of this endeavor, very few people outside of Silence’s immediate family are aware of the circumstances of his birth. As a consequence of this secrecy, Silence undergoes periods of gender-focused introspection with the dubiously-helpful assistance of anthropomorphizations of Nature and Nurture, with his eventual conclusion that he would rather be a man and continue living his life as such. Silence appears at court as

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<sup>59</sup> While the referenced translation of *Silence* uses a mixture of gendered pronouns throughout to refer to Silence, the pronouns used seem to reflect more what outside observers would “read” his gender as than to reflect his own conception of himself as a gendered person. As Silence explicitly claims a masculine gender and rejects a feminine identity in the text of the romance, and does not ever *verbalize* a change to this understanding of himself, masculine pronouns are used throughout this discussion (instead of feminine or neutral pronouns).

<sup>60</sup> To avoid any potential confusion, the name of Silence’s mother is *Eufemie*, and the name of the queen married to King Evan is *Eufeme*.

a young man and is later sent to France after Queen Eufeme falsely accuses him of sexual assault in retaliation for rejecting her romantic and sexual advances. While in France, Silence is knighted and returns to help King Evan win a war before being assigned the (presumed) impossible task of finding Merlin, who is impossible for any man to catch. Unfortunately for Silence he succeeds in his quest, and in front of the whole court Merlin outs Silence's complicated gender status by revealing that he was assigned female at birth but raised and lived as a man. In the process, Merlin also reveals Queen Eufeme's ongoing infidelity and the existence of her decidedly male lover, who was hiding their relationship and his access to the Queen by pretending to be a nun. As a result of the whole debacle, King Evan repeals the ban on women inheriting, Queen Eufeme is executed for her infidelity, and Silence is put into the role of a woman and swiftly married to the conveniently-newly-widowed King Evan, neatly ending with a return to order.

As a literary text, Heldris de Cornuälle's *Le Roman de Silence* presents an intriguing longform exploration of the gendered interplay between internal and external personal qualities, while also examining complex—and potentially destabilizing—questions of whether “nature” or “nurture” is primarily responsible for forming the gender and overall identity of an individual. As a romance, *Le Roman de Silence* is primarily a work of fiction, but literary works do not exist in a historical vacuum and are informed both by the culture of the creator and of the intended audience. The plot, setting, and characters of *Silence* were informed by Heldris' own medieval context, and as such the text itself is a useful tool for exploring contemporaneous methods of identity construction; specifically, *Silence* gives voice



to Silence as a vehicle for layers of exploration within a medieval literary structure. While not falling into the category of the “good wife” narrative pattern in medieval fiction, Silence is also not alone in his ambiguous placement and gender identity plot; other figures present in the cultural milieu including Iphis, Yde, Blanchandine, and Grisandole,<sup>61</sup> also portrayed tensions of sociocultural gender expectations and assigned sex.<sup>62</sup> Each of these figures disguised their assigned birth identity and “cross dressed” as men in their respective stories (*Ovide moralisé*, *Yde et Olive*, *Tristan de Nanteuil*, and *L’Estoire de Merlin*), although the ultimate resolution of this identity ambiguity varies between the tales and in some cases resulted in physical transformation.<sup>63</sup> Much like Silence, for Iphis the primary tension is between his “cultural” gender as a man and his physical body, which is read and understood as a woman’s body by other characters. Iphis is also raised and considers himself a man, again similar to Silence, and even falls in love with and becomes engaged to a woman. *Unlike* Silence, Iphis’ tension is resolved decisively in his favor by godly intervention and transformation of his body into one that matches his gender, and he marries his fiancée with no further complications.<sup>64</sup> This divine transformation reveals that some authors and audiences<sup>65</sup> were receptive to the idea of gendered transformation, at least in the safely removed abstraction of fiction, and if that transition was towards masculinity and *away* from femininity.

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<sup>61</sup> For each of these individuals, as well as others discussed elsewhere in this work, the usage of pronouns is adjusted to most closely align with the gendered (or ungendered) identities expressed *by those individuals*.

<sup>62</sup> Hotchkiss, “Clothes Make the Man,” 107.

<sup>63</sup> Hotchkiss, “Clothes Make the Man,” 113-120.

<sup>64</sup> Hotchkiss, *Clothes Make the Man*, 114.

<sup>65</sup> As well as those individuals involved in publishing, copying, and disseminating these works

In an early illustration of cultural tensions around Silence's gender and the very real consequences thereof, Cadore and Eufemie discuss potential names while planning to raise him as their son: Silence, or Silentius, with the acknowledged possibility of changing to the feminine form "Silentia" if his assigned gender were ever made public.<sup>66</sup> Even before Silence's birth, each of his potential names corresponds to a facet of Silence's gendered life. "Silentius" is the masculine version of his name, meant to indicate his maleness and thus his eligibility to inherit the family's wealth and position. "Silentia" is the backup plan name, and unquestionably feminine. From the beginning, Silence's parents planned to change his name to "Silentia" if his birth circumstances were discovered so that his name would correspond with the broader cultural expectation for him to live as a woman. Interestingly, both in the modern English translation and the original French, the name "Silence" exists between the two obviously gendered extremes in a more ambiguous middle ground. French is a Romance language with gendered words,<sup>67</sup> but as a name "Silence" is still neutral in that it does not evoke an immediate *assumption* of gender the same way as a more overtly gendered name like "Marie" or "Louis." Declaring their child a boy and naming him "Silence" allows the people around Cadore and Eufemie to assume Silence is a cisgender man<sup>68</sup> based on his gender presentation and performance of his identity, particularly with the efforts of his

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<sup>66</sup> Heldris, *Silence*, lines 2067-2069 and 2073-2082, 97-99.

<sup>67</sup> Even though Latin did contain a category of neuter-gender nouns.

<sup>68</sup> While terms including "cis/cisgender," "trans/transgender," and "genderfluid" did not exist in the Middle Ages, the experiences they describe are not confined only to the present. As such, this essay will utilize them in order to more concisely and precisely describe experiences and concepts, while understanding that the specific terminology would be foreign to historical persons even if the experiences would be understandable.

parents to reinforce this perception and conceal the specifics of his delivery. Cador and Euphemie's deliberate obfuscations provide the foundational structure for Silence to form his own identity, as well as the scaffolding for a larger exploration of gender and gendered signifiers within the text of *Silence*.

In this exploration, Heldris references Silence's unique circumstances and introspections on his own gender to keep Silence himself existing in a transmasculine and genderfluid space throughout the text. Heldris generally refers to Silence with masculine pronouns and descriptors, but also never fails to add reminders of femininity. As a character, Silence is strongly implied to have had no natural or intrinsically inborn sense of his assigned "birth" gender as he grows up. His first introduction to the concept that he might *not* have been born a man is when his father, Cador, sits "down to reason with him/ and explain the circumstances" of his situation after Silence reaches the age when he is "old enough/ to understand he was a girl."<sup>69</sup> Cador's actions here suggest that Silence did not question his gender or express any particular level of femininity until his father introduced the idea that he was not a man when he reached some certain age, perhaps the theologically established age of reason that Heldris and his audience would have understood as delineating a new developmental phase. Whatever his age at the time of the conversation with his father, it is made clear by that conversation that Silence did not question his gender during his upbringing as a boy. As this scene demonstrates, the text of the romance is clear that Silence considers himself a cisgender man until his parents reveal the circumstances surrounding his birth and upbringing, but that after Cador's revelation

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<sup>69</sup> Heldris, *Silence*, lines 2439-2442, 115.

his sense of identity is destabilized by the intersections of his own lived experiences and cultural gendered expectations. Silence is more prone to question his gender after this point, comparing his current lived experiences as a boy with the potential changes and expectations of him if he is ever “revealed” as a girl. Silence’s musings make it clear that he understands how he “should” have been raised, but that he is also more comfortable as a man without any personal desire to *be* a woman or any intrinsic understanding of himself *as* a woman. Silence’s internal struggle and disconnect serve as a vehicle for the audience, who would also have grappled with the nature of Silence’s identity and the contrasts between his cultural and physical bodies.

The introduction of Silence’s internal gendered conflict allows for a considerable amount of room for interpretation of Silence’s own gender identity.<sup>70</sup> His first major internal conflict over his gender is externalized by an argument between the anthropomorphized characters of Nature and Nurture. Nature, unhappy with Silence’s masculine identity because she gave him great beauty and many attractive qualities, orders him to abandon his masculinity:

[“]You have no business going off into the forest,  
jousting, hunting, shooting off arrows.

Desist from all of this!” said Nature.

“Go to a chamber and learn to sew!

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<sup>70</sup> While there are solid arguments to be made for using masculine, feminine, or neutral pronouns for Silence over other pronouns, for the purposes of this essay Silence is referred to with masculine pronouns except within quotations from the text. Silence continually reasserts his decision to live as a man, and although he is placed into the feminine role of Queen Silentia at the end of the text he never overtly indicates that this transition was his *own* desire or decision. After Silence’s birth gender is revealed, he loses all of the agency over his own life that he previously wielded within the text, so this essay treats the reveal as an unwanted and unconsented outing, and will thus use the masculine pronouns that Silence asserts in the text.

That's what Nature's usage wants of you!

You are not Silentius!"<sup>71</sup>

Nature makes an explicitly gendered appeal to Silence and plays to Heldris' audience's expectations of gendered behaviors—and gender-*appropriate* behavior. Nature clearly defines correctly gendered behavior based in part on physical location: men are expected to be outdoors, active, and engaged in violent activity, while women are expected to be indoors and engaged in productive activity to provide for the family, as spinning and sewing are necessary skills for a sufficiently clothed and supplied household. Nature's argument further expresses the understanding of gender as an inborn characteristic indistinguishable from sex, as well as the contemporaneous understanding that a person deviating in dress and in action from those acceptable for their sex was cross-dressing, not expressing an alternate gender identity. While Nature begins her argument with Silence's beauty, her emphasis on Silence's physical attractiveness does not detract from his masculinity, as "medieval notions of male and female beauty [were] compatible" and expressed "little difference... in strictly physical terms," to the point that the "courtly concept of beauty" in the medieval period in some ways resembled androgyny.<sup>72</sup> The gendered interpretation of Silence's visible beauty was read through his positioning in society and his masculine actions, such that he was perceived as an attractive young nobleman. By mentioning his beauty, Nature's argument emphasizes the ways Silence's cultural body as a man

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<sup>71</sup> Heldris, *Silence*, lines 2525-2530, 119.

<sup>72</sup> Hotchkiss, "Clothes Make the Man," 120-122.

contrasted with his physical body, which Heldris and his audience understood to be a woman and whose appearance would be just as striking if he was “read” as a woman instead of as a man. In emphasizing the expectations of Silence in relation to his physical body, Nature fully denies Silence his own sense of self by denying that he is even “Silentius” at all.

To emphasize further the disconnect between Silence’s cultural identity and his physical body, Heldris included references to Silence’s originally assigned gender by using occasional feminine descriptors for him as reminders to the audience of the “deception” of Silence and his family:

I’m not saying that he didn’t  
go through periods of hesitation  
and inner conflict,  
as might be expected in a young person who came of such good stock,  
but who was also a tender child  
who had to force herself to live that way.<sup>73</sup>

In this short passage, Heldris switches the pronouns used to describe Silence from an outside perspective to reflect how Silence’s cultural body is constructed for the audience, internally and externally. The close third person perspective of Silence keeps the audience very aware of the conflict between Silence’s lived experience as a man and his originally assigned gender as a woman. As if in active defiance of his inconsistent third person characterization by Heldris, Silence has a well-established

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<sup>73</sup> Heldris, *Silence*, lines 2661-2666, 125.

and consistent internal sense of gender and is fairly consistent in his refusal of womanhood, despite his occasionally conflicted conscience over what he knows he “should” want based on his sociocultural expectations of gender. Silence recognizes the precariousness of his own position, and he learns to play music for his own entertainment *just in case* he is ever reclassified as a woman and thus confined to the domestic sphere.<sup>74</sup> Music was an ambiguously gendered middle ground—men and women could both entertain musical pursuits, and an interest and ability in music did not strongly “read,” culturally speaking, as an overly masculine or feminine skill. This ambiguity, much like his name, allows Silence to continue occupying a middle position in the sociocultural understanding and construction of gender while also demonstrating Silence’s understanding of the precarity of his situation. Silence understands himself to be a man, while also inhabiting a more ambiguous “in-between” state in the text and serving as an example of queered gendered distinctions—presenting alternately to the audience as a man and a cross-dressing woman.

The “crossdressing” drama in *Le Roman de Silence* dovetails with the dangers of crossdressing as seen by medieval society—the dangers of illicit sexuality.<sup>75</sup> Later in the text, Silence becomes an object of lust for the queen, who attempts to seduce him into an adulterous affair and then accuses him of sexual assault as revenge for his refusal. While in the text of the romance the queen believes she is propositioning a

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<sup>74</sup> Heldris, *Silence*, lines 2863-2872, 135.

<sup>75</sup> While Silence considers himself a man, the audience was more likely to interpret his character and plot arc through the lens of the “cross-dressing woman” trope.

young man into a heterosexual <sup>76</sup>affair, the contemporary medieval audience would have understood that the queen is not only trying to commit adultery,<sup>77</sup> but also attempting to have “impossible” sex. To a modern audience, if Silence is interpreted as a woman then this potential relationship with the queen would be both adulterous and sodomitical, but a medieval audience would probably understand it as closer to a joke than a sincere expression of transgressive sexuality. While currently “sodomy” is generally understood as referring to specifically homosexual sexual acts, in the medieval period it was understood to encompass *all* sexual behavior that was not procreative male to female penis-in-vagina sex, including many sex acts done between heterosexual partners. Penis-in-vagina sex between people not married to each other was fornication and possibly adultery, depending on the marital status of the individuals involved, but other sex acts like manual, oral, anal, and femoral sex—as well as “solo” sexual activities like masturbation—were sodomitical because no offspring were possible, and thus the sex acts were contrary to divine ordinance.<sup>78</sup>

The primary conception of sex in the Middle Ages necessitated an active partner and the passive partner, a penetrator and the penetrated. Understanding Silence and Queen Eufeme both as women, a medieval audience would also understand the overall lack of a penis meant that “real” (penetrative) sex between them was not possible at all. Despite the cultural and social forces shaping the interactions between Silence and Queen Eufeme—and Silence’s careful cultivation of

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<sup>76</sup> In the context of this discussion, “heterosexual” is used as a shorthand to refer to the sexual interactions between men and women, in contrast to the same or similar sexual interactions between men and sexual interactions between women.

<sup>77</sup> Not only with Silence, as it is later revealed that Queen Eufeme also has an unnamed lover who has disguised himself as a nun.

<sup>78</sup> Janega, “On Dildos and Penance.”



his masculine identity—the lack of procreative ability meant any sexual relations would technically constitute sodomy. If there was no penis involved, or no penetration by a phallic object, then such sexual activity might not have been considered as serious a transgression as forms of penetrative sex.<sup>79</sup> However, AFAB individuals could still be charged with sodomy, and some were convicted and punished—generally because they took the “active” role in sexual encounters and may have used phallic objects to penetrate their partner(s). In some literary cases of these potentially sodomitical relationships created by “cross-dressing,” these instances of sexual “confusion” were validated with a divine sex change (as with Iphis),<sup>80</sup> but more often they were resolved with a return to the cisgendered norm (as in hagiographies of supposedly “crossdressing” saints).<sup>81</sup>

Considering Heldris’ presentation of Silence as a “cross-dressing” woman rather than as a “straight-dressing” man, the art and practice of drag provides another enlightening framework for understanding the framing of gender and identity through the characters of Silence and of Queen Eufeme’s unnamed lover. Contemporary audiences may have conflated Silence’s physical body with his internal sense of gendered identity and read him as a woman, understanding his masculine dress and actions as merely a necessary performance to please his parents and preserve his inheritance.<sup>82</sup> However, Silence’s previously discussed explicit preference for his

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<sup>79</sup> Of course, all this sex and sodomy remains theoretical, as Silence would be expected to maintain his chastity as the virtuous hero of the romance, regardless of whether he was a man or a woman.

<sup>80</sup> From a modern perspective, sexuality and gender are understood as separate facets of an individual’s identity. However, given the interplay of sexuality and gender in a lived sociocultural context, it is somewhat hard to separate them totally when working from historical sources. Furthermore, sexuality and gender have not always been conceptualized as separate forms of identity.

<sup>81</sup> Betancourt, *Byzantine Intersectionality*, 93-96.

<sup>82</sup> And, of course, to advance the plot of the romance.

identity as a man complicates this narrative, and allows fluidity in understanding how gender can be constructed and performed by individuals. In the modern era, drag is understood as an over-exaggerated performance of gender. Drag performers can use clothing, makeup, prosthetics, and exaggerated voice and gestures to convey a kind of hyper-gendered presentation of the self that is instantly recognizable to other people. Drag is explicitly a performance and is meant to be witnessed, with audiences understanding from the performer's visual and vocal cues what gender is being performed, parodied, and/or celebrated by the performer. Drag performers copy and exaggerate aspects of femininity and masculinity for their audiences, revealing the artificiality of "those aspects of gendered experience which are falsely naturalized as a unity through the regulatory fiction of heterosexual coherence."<sup>83</sup> Modern drag personae tend to be over-the-top in a way that unmistakably expresses gender while deliberately emphasizing the highly constructed nature of the performance, and even less elaborate performances that imitate specific people and characters still exaggerate gendered aspects of appearance and presentation so that the audience will successfully "read" the performer as the intended gender.<sup>84</sup> Although drag performances did not exist in their current form in the thirteenth century, it is still possible to use the framework of exaggerated gender performance as a method to examine the conventionally performed gender of individuals, particularly when the performed gender does not necessarily align with the individual's gender identity.

In this framework, Queen Eufeme's disguised secret lover can be compared to

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<sup>83</sup> Butler, *Gender Trouble*, 135.

<sup>84</sup> The personae are further established by their often humorous or provocative names.

a drag performer for the short time he is visible within the text. In the denouement, the revelation that a nun at King Evan's court is actually Queen Eufeme's male lover in disguise is shocking to both the real-world audience and the fictional court, implying that this unnamed lover was imitating and performing femininity convincingly before an audience. Notably *unlike* Silence, this nameless lover has a gender identity that conflicts with his deliberate gender performance, and likely his anatomical sex and gender identity are also unified. In this case pretending to be a woman is an obvious choice for Queen Eufeme's lover, as it is much more acceptable for the Queen to spend time alone with another woman than with an unrelated man.<sup>85</sup> However, the choice to perform his womanly deception as a nun *specifically* is what elevates his deception to a form of drag performance, as nuns were arguably a category of hyper-feminine medieval womanhood. All women, particularly "good" women, were expected to perform to certain social and sartorial standards. By wearing appropriate clothing and hairstyles and behaving chastely within the boundaries of marriage and celibately outside of marriage, good women signaled that they were correctly performing femininity. This correct performance positioned the women with "good" moral character in direct opposition to women deemed to have "bad" moral character. "Bad" women, such as prostitutes, were often subject to specific sumptuary laws, which were designed to visually set them apart from the "good" women of the community and served as a visible marker of which women were performing femininity incorrectly—and thus deserving of public disapproval.

Both "good" and "bad" women were still *women*, and were incorporated into

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<sup>85</sup> And particularly somewhere as intimate as the queen's chambers.

the larger social fabric and held different niches within the society. However, nuns performed “correct” femininity more visibly and to a higher standard of behavior than regular good women, thus their arguable categorization as hyper-feminine. Where the ideal good woman behaved chastely, wore appropriate clothing, and attended relevant religious ceremonies, the ideal nun remained celibate (preferably virginal), wore specific and distinctive clothing that marked her apart as holier, lived by a specific and stricter set of interpersonal rules, and engaged in religious behavior more often and more regularly than other women. Taken together, these qualities elevated nuns to a higher status of womanhood than good women in a highly visible way, because a nun’s habit immediately indicated to the viewer her exceptional adherence to feminine “virtues” beyond the scope of what was expected or realistically feasible for other women. Of course, the high cultural and religious premium on virginity and chastity in nuns meant that their special status also arguably removed them outside of the normal gendered structure<sup>86</sup>, with this special status clearly marked by their concealing clothing and known sexual unavailability. The religious devotion and physical regulation of nuns also arguably made them live more “masculine” lives than regular women, particularly in conjunction with the church’s approval of spiritual masculinity in holy women.<sup>87</sup> Certain monastic and saintly women, such as St. Mary of Egypt, were described as resembling men physically due to their devout ascetic practices, but these women were both in the minority of religious women generally

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<sup>86</sup> Murray, “One Flesh, Two Sexes, Three Genders?”, 34-35.

<sup>87</sup> Jacqueline Murray, “One Flesh, Two Sexes, Three Genders?,” chapter, in *Gender and Christianity in Medieval Europe: New Perspectives*, edited by Lisa M. Bitel and Felice Lifshitz, 34–51, (Philadelphia, Pennsylvania: University of Pennsylvania Press, 2008), 41-43; Also, Betancourt, *Byzantine Intersectionality*, 96-99.

and still subject to the same religious and sociocultural restrictions as other women. Despite potentially masculine elements, nuns were still unquestionably feminine and were subject to special rules and restrictions beyond those of clerical men. Nuns could not preach or be ordained as clergy, were cloistered even if their associated brother orders were mendicant<sup>88</sup>, and were considered to be married to Christ and expected to maintain the sanctity of that marriage in chastity and celibacy.<sup>89</sup>

When understood as an over-exaggeration of the regular qualities expected of good women, nunhood was an ultimate performance of feminine gender. This heightened level performance allows Queen Eufeme's lover to convincingly perform feminine-gendered behavior by disguising himself as a nun. As a nun, the lover is even less likely to be exposed in his deception; if he performs a feminine disguise as a "regular" good woman, he could be subject to unwanted and potentially nonconsensual interactions with other men—men who assume that he is sexually and/or romantically available—that could reveal his identity. While certain physical encounters such as kissing<sup>90</sup>, would not be likely to reveal the lover's identity, actions like groping would be much more likely to reveal something amiss. Adopting the disguise of a woman of sufficient rank to accompany the Queen while also being unknown to the other members of court would invite much more scrutiny on his female persona, as the lover would have to either invent a convincingly fake identity or assume the identity of a real person and hope that no one noticed any discrepancies. In contrast, a nun could feasibly be unknown to the court but also have

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<sup>88</sup> As in the case of the Poor Clares and the Franciscan Order.

<sup>89</sup> To be completely fair, monks and clergy were also expected to be chaste and celibate, not just nuns.

<sup>90</sup> Consensual or nonconsensual

a religious justification for accompanying the Queen as a spiritual advisor and confidant.

Because nuns were considered above other women by dint of their holy chastity,<sup>91</sup> they were thus far less likely to be subject to unwanted sexual advances for fear of offending the church. On account of said supposed chastity, the nun-disguised lover was considered a trustworthy companion to the Queen who would prevent sexual impropriety by “her” presence, which allowed them time spent unsupervised. Queen Eufeme’s lover’s gender performance as a nun was so convincing to King Evan and the court that it could have continued indefinitely, as it was only revealed by Merlin’s direct interference. By imitating nunhood as the apex of feminine-gendered performance, Queen Eufeme’s lover rendered himself as visibly above suspicion and beyond reproach, and his exposure before the court also exposed how easily the performance of nunhood can be utilized as “an imitative structure of gender itself.”<sup>92</sup> At the end of *Silence*, the masterful performances of gender by Silence and the queen’s lover render it more difficult to determine which, if any, of the genders performed in the text match the internal gender identities of the characters. And although Silence strongly and consistently presents himself as a man, perhaps the ultimate gendered performance in *Silence* is by the prose that causes the audience to question whether Silence is a man or woman at any given point in the text.

In the text, Silence and Queen Eufeme’s lover provide narrative foils to each other in their actions and in their methods of identity construction. In contrast to

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<sup>91</sup> Murray, “One Flesh, Two Sexes, Three Genders?”, 36.

<sup>92</sup> Butler, *Gender Trouble*, 135.

Silence's consistent masculine dress and self-identification, Queen Eufeme's lover is disguised as a nun but gives no indication that this manner of dress reflects any sort of internal sense of identity. Instead, the lover uses the identity of a nun as a pragmatically gendered performance, and arguably as an exaggeratedly feminine performance, in order to support his *true* identity as a masculine lover—that is, his disguise as a nun enabled him to have sex with the Queen without interruption and without raising suspicion. This level of deception was possible because nuns represented<sup>93</sup> the most socioculturally exalted qualities of women—piety, chastity, modesty, charity, enclosure, and ideally, virginity. In contrast, Silence's life as a man is *not* presented in this highly idealized manner, but is instead portrayed as a more accurate reflection of his internal sense of self. However, despite his understanding of his own gender and explicit identification of himself as a man, once Silence's physical body is revealed in front of the king and court he is swiftly transitioned to live as a woman and is married to the king. Silence is silenced in a drag-like over-exaggeration of feminine virtue as the new queen, and in direct contrast to his earlier exercise of agency as a young knight and nobleman. During this transition Silence is subject to Nature “removing every trace/ of anything that being a man had left there” on his body and face, and immediate marriage to King Evan after his physical “refinishing.”<sup>94</sup> In a short span of time and text, Silence's gender performance is completely reversed and he instead performs the feminine actions other characters now expect of him, but at an accelerated pace and to a heightened degree. A beautiful

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<sup>93</sup> And, ideally, exhibited

<sup>94</sup> Heldris, *Silence*, lines 6669-6680, 313.

appearance, a good marriage, and deference to a husband's authority<sup>95</sup> were all easily identifiable markers of idealized feminine performance, and accordingly Silence becomes beautiful, immediately "marries up," and never speaks again in the text. Silence is no longer the central character who expounded eloquently about his own identity and exercised personal agency; he is transformed instead into an even less substantial character than the two other named women in *Silence*: the late Queen Eufeme and Silence's own mother, Eufemie. Notably, Heldris never gives any indication of Silence's feelings on this sudden reversal, or of his feelings towards his sudden marriage to the *very* recently widowed King Evan. In this, too, Silence is less visible than Queen Eufeme and his mother Eufemie; Queen Eufeme's infidelity is central to Silence's own narrative journey, and Eufemie's sincere romance comprises a not-insignificant portion of the beginning of the text. Unlike the more active Eufeme and Eufemie, once Silence is legally and socioculturally cast back into the role of a woman, he loses his voice and his agency.

In an exploration of identity in the text of *Le Roman de Silence* outside a purely gendered framework, Silence is queered in his interactions with others in the text. Silence expresses that he has romantic feelings for someone during his conflict with Queen Eufeme, but he withholds all information about them and avoids revealing any sort of identifying information, including their name, social status, or gender.<sup>96</sup> While avoiding identifying who, specifically, he loves is a shrewd decision considering Queen Eufeme's deadly response to rejection, the avoidance of gendered

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<sup>95</sup> And the authority of men more generally, particularly relatives.

<sup>96</sup> Heldris, *Silence*, lines 5724-5726, 269.



signifiers for Silence's mysterious love is noticeable in comparison to the otherwise continual reflection of gender around Silence himself. This lack of specificity could suggest that Silence is lying to save face, but the lack of any gendered markers causes this passage to demonstrate a degree of queer ambiguity.<sup>97</sup> If Silence is *not* lying to save face in a fraught situation, he still would be unable to marry his beloved (regardless of their gender) after his extremely public outing in front of the court.<sup>98</sup> If the mystery lover is a woman, the relationship would be illicit because Silence's physical sex would be interpreted as representative of his gender, and a relationship with a "fellow" woman would constitute sodomy.<sup>99</sup> If the beloved is a man, the relationship would be adulterous after Silence's marriage to the King. As a man, it would be easy for Silence to invent a fake lady to solidify his position and reinforce his identity as a young nobleman, so the avoidance of feminine markers for this mystery lover is not necessarily a neutral choice. Therefore, his avoidance of pronouns for his lover supports the possibility of a queer relationship for Silence, or at least a refusal to deny the possibility.<sup>100</sup>

Between Queen Eufeme's adulterous advances, his mysterious maybe-lover, and his eventual marriage to King Evan, Silence also shares similarities with transgender saints explored by Betancourt who are "the recipients of both male and

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<sup>97</sup> Much of queer identity and exploration lies within, amongst, and between boundaries and within the realm of ambiguity in contrast to delineated expectations of gendered roles and sexual behavior.

<sup>98</sup> Both his own face and Queen Eufeme's face. Unfortunately, this deflection does not work and the Queen still retaliates against him for the perceived slight.

<sup>99</sup> Again, if the relationship was even understood to have a possible sexual component at all given the lack of a naturally occurring penis on either party.

<sup>100</sup> Of course, all of this presupposes that Silence's potential love includes a sexual component—and the "A" in LGBTQIA+ stands for "asexual"/"aromantic," emphasizing the inclusion of "a-spec" identities (those on the asexual, aromantic, and/or agender spectrums) under the broader queer umbrella.

female sexual interest” in ways that are not as commonly portrayed in the lives of cisgender saints.<sup>101</sup> This comparison strengthens the queer ways in which Silence can be interpreted throughout the text. Although there is no evidence of the gender (or even the existence) of Silence’s beloved that indicates his own preferences, whenever he is the target of Queen Eufeme and King Evan’s interest he is performing a gender identity that causes the relationship to appear “straight.”<sup>102</sup> However, this is an overly reductive view of gender and relationships, and the appearance of heterosexuality is not the same thing as the *existence* of heterosexuality. Indeed, throughout the text Silence seems to lack a strongly expressed opinion of his own sexuality at all, beyond his determination to remain chaste and to not commit adultery with Queen Eufeme. The closest Silence comes to contemplating his own sexuality is when Nature berates him for wasting his beauty, which has caused “a thousand women in this world” to fall in love with him, by living as a man when those women would be heartbroken and “consider themselves misused,/ having their hopes so cruelly dashed” by Silence’s birth gender and lack of a phallus.<sup>103</sup> Silence is momentarily swayed by Nature’s argument on the value of his attractive appearance, but Nurture eventually convinces him to remain a man and he resolves that his “mouth [is] too hard for kisses,/ and arms too rough for embraces,” and that “one could easily make a fool of [him]/ in any game played under the covers.”<sup>104</sup> In this interlude, Silence concludes that he himself is unfit for physical lovemaking, due to his upbringing and his lack of

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<sup>101</sup> Betancourt, *Byzantine Intersectionality*, 125.

<sup>102</sup> With Queen Eufeme, he is the “man” in the heterosexual pairing, while with King Evan he is the “woman.”

<sup>103</sup> Heldris, *Silence*, lines 2509-2524, 119.

<sup>104</sup> Heldris, *Silence*, lines 2645-2650, 125.

experience. Furthermore, Silence seems to consider himself perhaps *too* much of a man, considering he would be well aware that other men were attracted to women and slept with them, both within and without the bonds of marriage, without being too rough or harsh for their partners. Silence's abstention from sexual interactions preserves the secret of his birth and reinforces his own sense of himself as a man. Following Betancourt's affirmation that "queer desire and intimacy need not always be affirmed or confirmed by sexual intercourse" and that therefore those "demisexual, asexual, aromantic, and even antisexual subjectivities [exist] among queer subjectivities," Silence's desire for a lack of romantic and sexual interactions is itself a form of queer desire.<sup>105</sup> However, in the classic return to the "natural" order, at the end of the text Silence is constrained to the identity of a woman and married to the King, cementing his "proper" role performing as a woman and wife, and presumably having proper procreative sex to produce heirs.<sup>106</sup>

As a foil to Silence, the Wife from *The Wright's Chaste Wife* provides a fascinating point of comparison and contrast with *Le Roman de Silence*.<sup>107</sup> Both texts depict titular AFAB characters, but in vastly different circumstances and from vastly different perspectives. In contrast to Silence's fluid and narratively dramatic characterization, the Wife is a static but humorous character who utilizes her mastery of the domestic sphere to entrap and humiliate the powerful men who attempt to

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<sup>105</sup> Betancourt, *Byzantine Intersectionality*, 130.

<sup>106</sup> While sex was not *technically* required for a valid marriage, as long as both parties agreed to the marriage and neither contested it, it is also safe to assume that Silence's marriage to King Evan would involve consummation. Once consummated, Silence would be married until his death or the death of the King.

<sup>107</sup> Unlike in *Le Roman de Silence*, the characters in *The Wright's Chaste Wife* are not named and are instead referred to only by title or occupation.

seduce her while her husband, the Wright, is absent. Unlike Silence, the Wife does not conceal her assigned gender, and seems to experience no dissonance or dysphoria with her internal sense of self or her exterior, culturally reinforced identity. Like Silence, the Wife is the subject of seduction attempts and her gender is a driving factor of the narrative, but she does *not* seek to change her own gender or subvert the larger gendered hierarchy—beyond using her own cunning to trap her three would-be suitors. The Wife forces her suitors to do feminine labor as punishment for their actions, which does subvert gendered notions of power and division of labor, but by the end of the text the “correct” social order and gender binary are restored. While the Wife engages in gender-based mischief in retribution and self-defense, she never fully transgresses cultural (cis)gender boundaries by changing her own gendered presentation or those of her temporary captives. In this setting, the Wife’s subversion is temporary and unconcealed, while Silence’s subversion is baked into his very identity and is unsustainable once it is made public. Unlike the Wife’s presumably cisgender identity, Silence’s trans/trans-adjacent identity constantly and consciously informs how he interacts with other people and how his actions shape the narrative. The contrast between the generally orthodox treatment of gender in *The Wright’s Chaste Wife* and the queered gender explorations in *Le Roman de Silence* therefore allows them to function as rich texts for examining the ways that the Wife and Silence construct their genders, and how that gender informs their narratives and their interactions with others.

Despite their differences, the Wife and Silence are both deeply realized individuals, even as literary characters, because aspects of their characters are

representative of wider societal conceptions of identity and experiences of historical individuals who may not have a visible presence in the historical record. The Wife and Silence have very different experiences navigating and constructing their own identities in relation to gender and, consequently, have very different experiences when interacting with other characters. While both characters subvert contemporaneous expectations of women, the Wife is comfortable in her role as a woman and a wife and is portrayed accordingly. In contrast, Silence is identified throughout the text by the author Heldris and the other characters as a man, and who undergoes internal struggle around his gender identity that is eventually “resolved” by outside forces by “restoring” him to his originally assigned gender. Through his rich inner life, Silence demonstrates a clearly queer identity developed in dialogue with himself and with the circumstances and people he encounters through this life and adventures. His complex relationship with his own internal sense of gender and his gendered presentation allows Silence to serve as an access point to an “internal monologue” of the potentiality of medieval gender variance, as well as serve as a comparison point for the circumstances of historical people and expectations of gendered behavior.

### Section 3

While the previous section explored the potentialities of medieval queer identities through fictional representation, this is not the only type of representation available from the period. Evidence of actual people survived in legal and court records, but such evidence both reveals and conceals evidence about the accused and their accusers. The crimes outlined in such documents allow exploration of potential medieval queer identities, but much of this work is extrapolation from descriptions and circumlocutions around sex and sodomy. The focus on the physicality of such “crimes” (and the queer individuals involved) allows comparisons between different cases and deeper examinations of the existing records, which can reveal more personal information than directly recorded by the original court scribes about various queer identities.

In this section particularly, queer is a multifaceted descriptor. “Queer” as an adjective is generally used as a summation of gender and/or sexuality, but also as a marker of difference, of something or someone considered strange. In this historical discussion, queer also denotes divergence from expected gendered behaviors and “deviation” from accepted sexual mores and behavior.<sup>108</sup> For the three individuals discussed here—John/Eleanor Rykener, Vitoria, and Katherina Hetzeldorfer—each appeared before their local legal system as a result of such divergence, and for at least two of them it was a fatal encounter. Each of these people was arguably genderqueer,

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<sup>108</sup> Deviation is a tricky term because it is *technically* accurate and has an accepted meaning that fits the content of this discussion; however, it also trends closely with “deviant,” which is an accusation historically used against the queer community and others to class them as “sexual deviants”/“sexually deviant”—in some cases not only socially but also legally. Therefore, it is important to note the boundaries of its use and misuse in discussions of historical identity.

both in the modern sense of the term and in that there was something distinctly *queer* happening in their relationships with their genders (both assigned and otherwise).<sup>109</sup> Like *queer*, *genderqueer* is an umbrella term and has no solidly defined boundaries. Rather, *queer* and *genderqueer* as categories resist easy classification in the same ways as the people they describe. While Rykener, Vitoria, and Katherina did not have identical personal experiences of *individual* gender identity, each of them did share the experience of their gendered expression not “fitting” within their sociocultural contexts—to the point that they faced serious personal consequences.

For Rykener, Vitoria, and Katherina, their personal experiences diverged from sociocultural expectations of gender and sexuality. While the primary “crime” in each of their cases was sodomy, these sexual charges were inextricably linked to Rykener, Vitoria, and Katherina’s genders. Participation in any sort of non-normative or “unacceptable” sexual activities involved transgressing against expected gender roles, as part of “correct” sexual behavior was part of correctly performing gender roles. Men were expected to be the pursuing partners in heterosexual romantic relationships and the active, penetrating partners in (non-sodomitical) heterosexual sex. Conversely, women were expected to be the passive, penetrated partners in such heterosexual encounters.<sup>110</sup> A man being penetrated, or a woman being the active penetrating partner, in sex counted both as sodomy and as a transgression against

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<sup>109</sup> There is no one, definitive, “hard-and-fast” definition of *genderqueer*. However, the modern definition of “*genderqueer*” includes people who push or subvert social expectations and notions of gender and gendered behavior, regardless of whether or not an individual’s personal identity is cis or otherwise. There is significant overlap with the term “gender nonconforming” (sometimes abbreviated as “gnc”), although the two are not perfect synonyms.

<sup>110</sup> A man could also be the penetrating partner and a woman could be the penetrated partner in *sodomitical heterosexual* sex, but this was not acceptable sexual behavior despite its heterosexuality.

gendered norms. Such historical transgressions create spaces in the dominant presentation of recorded norms, spaces that allow the potentiality of queer and genderqueer experiences rendered otherwise invisible by their successful perpetration. As sodomy and crossdressing (and “crossdressing”) were both crimes and violations of established sociocultural norms and values, any appearance of people engaging in such behaviors in the historical record indicates that they were *caught*—and often punished. Conversely, other queer people who successfully managed to escape the notice of local authorities would *not* appear in such records.<sup>111</sup> From an academic perspective, such personal successes represent a lack of recorded information and absence of historical evidence, but from a more personal perspective such silence is indicative of survival, in whatever shape it took.

John/Eleanor Rykener’s experiences with gender, work, and sex work placed their experiences firmly outside the gendered expectations of the medieval English legal system when they appeared in 1435 before the courts in London, England.<sup>112</sup> Vitoria’s identification of her own womanhood had the potential to fit within preexisting cultural understandings of gender and intersexuality, but her defense before the court in Lisbon, Portugal from her own physicality was denied and she was instead classified, prosecuted, and punished as a sodomitical man in 1557 after she was denounced to the courts in Lisbon, Portugal.<sup>113</sup> Katherina was doubly damned, as the surviving record indicates they acted and presented themselves as a man. They

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<sup>111</sup> Or, at least were not so obvious a target for enforcement, and were thus able to avoid prosecution and punishment.

<sup>112</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>113</sup> Soyer, “Gender Stereotypes,” 21.



were charged and eventually executed for female sodomy in 1477 in Speyer, in what is now Germany.<sup>114</sup> In each of these cases, the individuals in question marked out their identities in ways that were socially read and understood by the people around them in ways that ultimately resulted in their appearance before the courts.

Regardless of its legality, medieval gender as an aspect of individual identity was constructed in various ways. At the time, the information encompassed by modern definitions of “sex” and “gender” were then understood jointly as the idea of “sexus.”<sup>115</sup> However, for the purposes of modern scholarship, it is useful to separate sexus into “sex” and “gender” to allow a more linguistically specific discussion of different aspects of identity. While both sex and gender are culturally constructed,<sup>116</sup> in the context of this discussion “sex” refers to physical qualities assigned significance in terms of identity, such as genital configuration and expression of secondary sexual characteristics,<sup>117</sup> while “gender” refers to personal and social signifiers of such identities, like clothing choices, pronoun usage, personal mannerisms, names and titles, and interpersonal relationships. These concepts function as guidelines to facilitate discussions of medieval people and their identities, as well as their interactions with the broader communities around them. While Rykener, Vitoria, and Katherina transgressed outside the sociocultural and legal boundaries of gender, medieval people who complied with these norms were still

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<sup>114</sup> Puff, “Female Sodomy,” 60.

<sup>115</sup> DeVun, Leah, *The Shape of Sex: Nonbinary Gender from Genesis to the Renaissance*, Columbia University Press: New York, 2021, 61.

<sup>116</sup> Georgian Davis and Sharon Preves. (2017). *Intersex and the social construction of sex*. Contexts, 16(1), 80–80. <https://doi.org/10.1177/1536504217696082>

<sup>117</sup> Including features like fat distribution, post-puberty hair growth patterns, and “Adam’s apples.”

subject to the same external social pressures and cultural forces. These norms shaped gendered experiences in a variety of ways, both physical and metaphorical.

For women in particular (cis and otherwise), their identities were literally constructed through the space they occupied. Women's "legitimate space" was marked out sartorially and geographically, visually delineating their gendered community identities.<sup>118</sup> Aside from religious institutions, few spaces were *exclusive* to men or women but many spaces were *dominated* by men, and women who transgressed the boundaries of such spaces were "subject to harassment."<sup>119</sup> Perhaps by transgressing boundaries of gendered spaces, such women were also seen as transgressing community boundaries of gender identity and thus became "legitimate" targets of "corrective" harassment.<sup>120</sup> Hanawalt suggests that this physical construction of the intangible boundaries of gender led to a "spatial identity and an early awareness of the consequences of marginalization" for medieval people.<sup>121</sup> The socio-religious understanding was that women were both more easily tempted to sin than men and themselves a source of temptation for men, as exemplified in the biblical person of Eve.<sup>122</sup> This understanding of women as more prone to sin is part of the socioreligious construction of gender, in conjunction with the ideological prevalence of (Aristotelian-influenced) hierarchical binaries. As a consequence of this construction of gender, women could be physically and socially excluded from

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<sup>118</sup> Hanawalt, 'Of Good and Ill Repute', 72.

<sup>119</sup> Hanawalt, 'Of Good and Ill Repute', 73.

<sup>120</sup> Unfortunately, the notion of corrective punishment for behavior that deviates from the accepted gendered norms has persisted.

<sup>121</sup> Hanawalt, 'Of Good and Ill Repute', 74.

<sup>122</sup> In this Christian narrative, Eve is the first human being to sin and also is interpreted as leading her husband Adam to sin as well, thus committing "Original Sin" and leading to all future human sins and their associated negative consequences.

broader society by behavioral and sartorial regulations,<sup>123</sup> and silence could add another layer to this seclusion.<sup>124</sup> While medieval women were not completely confined or prohibited from public participation, they did “spend the larger part of their lives within prescribed spaces.”<sup>125</sup>

In contrast to seclusion and regulation, inns and taverns were public spaces that allowed for mingling between genders and classes. These unstratified spaces existed despite fears of social disorder that “permeated all social ranks” and were associated with sex work by virtue of such disorder, so female patrons were also suspect as potential sex workers just by their presence.<sup>126</sup> Unfortunately for individual women who patronized taverns and inns, a woman could be truly chaste but a known association with public houses meant that her virtue (and thus her womanhood) were tarnished and rendered suspect in the eyes of the community. This compromised status was particularly important because of the importance of community assigned identity markers,<sup>127</sup> particularly the chaste (or virginal) social expectations of correctly performed and embodied womanhood. As a secular and mixed-gender space outside the domestic sphere, taverns and inns were spaces almost tailor-made to allow individuals the opportunity to flex the boundaries of sociocultural rules and expectations. Such *interpersonal* boundary blurring could also facilitate *intrapersonal* blurring of boundaries and markers of identity. The surviving record of sometime-tapster John/Eleanor Rykener (as they were alternately known) demonstrates that

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<sup>123</sup> Either by choice or by force

<sup>124</sup> Hanawalt, *'Of Good and Ill Repute'*, 75.

<sup>125</sup> Hanawalt, *'Of Good and Ill Repute'*, 77.

<sup>126</sup> Hanawalt, *'Of Good and Ill Repute'*, 108.

<sup>127</sup> In this case, an identity as a potentially promiscuous or unchaste woman.

medieval individuals could and did defy expectations of externally imposed sociocultural identities in their own lives.

In this discussion, John/Eleanor Rykener is referred to as “John/Eleanor” (instead of solely as “John” or “Eleanor”) because they used both names at different points throughout their life, depending on their circumstances and on their own lived experiences of gender. It is unclear from the information available how often Rykener went by either name, or even if they used both names simultaneously. “They/them” pronouns are used for Rykener because they presented themselves and lived as a man and as a woman at different points in their life. Rykener is only present in the historical record in a single English court case from 1395 that was written in Latin, so the amount of information directly available about their life is limited and filtered through contemporaneous linguistic and cultural biases.<sup>128</sup> According to Rykener themselves, at various points they worked as a tapster at “the Swan” in Burford, Oxfordshire, as an embroideress, and also as a sex worker.<sup>129</sup> Rykener’s presentation as a sex worker depended on the client and their circumstances; according to their testimony they would have sex with men as a woman, and with women as a man.

A potential explanation for Rykener’s presenting as a woman instead of as a man was economic pressure in sex work, as they admitted that priests paid more for sex than their other clients (though it is not clear whether Rykener was paid more than similar sex workers for similar jobs).<sup>130</sup> However, this economic explanation does *not* account for Rykener’s time spent working specifically as an embroideress

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<sup>128</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>129</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>130</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

and as a tapster, as both were women's jobs that paid less than other jobs available for men.<sup>131</sup> According to Valerie Hotchkiss, medieval cross-dressing tended to follow a pattern: women were more likely to cross-dress across *gendered* boundaries, and men were more likely to disguise themselves within their own gender and "cross-dress" across *class* boundaries when dealing with economic pressures.<sup>132</sup> This court identified Rykener as an AMAB individual, which suggests they should have been *less* likely to transgress gendered boundaries and more likely to present themselves as a man of a higher socioeconomic status than as a woman. This, combined with the lower wages available to women, imply that Rykener's gendered presentations were *not* based solely on economic necessities, but were rather an expression of personal identity or preference.<sup>133</sup> The financial incentive to servicing religious men who paid more for sex might have factored into Rykener's decisions,<sup>134</sup> but given that they also held non-sex work jobs and admitted to having sex with nuns and married women as well as men,<sup>135</sup> it is clear that the economic realities of sex work were *not* the sole deciding factor in their gender presentation. It is impossible to time travel and see into Rykener's innermost thoughts and feelings about themselves, so any conjecture about

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<sup>131</sup> Ruth Mazo Karras and Tom Linkinen, "John/Eleanor Rykener Revisited," in *Founding Feminisms in Medieval Studies: Essays in Honor of E. Jane Burns*, ed. Laine E. Doggett and Daniel E. O'Sullivan (Cambridge: D.S. Brewer, 2016), 116.

<sup>132</sup> Hotchkiss, *Clothes Make the Man*, 9.

<sup>133</sup> Karras et al, "John/Eleanor Rykener Revisited," 112-113.

<sup>134</sup> While it is attractive for simplicity's sake to isolate personal identity and expression from economic considerations, this is unrealistic even from a modern perspective. Economic necessities are a part of daily survival, and it is unrealistic to think that Rykener would be unaware of their economic situation and fail to weigh the "cost" of the lower pay of "women's work" in conjunction with any revenue from sex work, which would not be open to them as a man.

<sup>135</sup> It is less clear whether this sex was (primarily) for fun or for profit. Furthermore, such sex could have been transactional in the sense of survival sex, where as a consequence of sexual intercourse with these women Rykener received food, clothing, and/or shelter. Such interactions may or may not have been explicitly stated verbal contracts.

their internal sense of identity must be based on external gender performance and societal expectations and is thus guaranteed to be an incomplete interpretation. However, this difficulty does *not* mean that examining and theorizing about Rykener's identity is impossible, but rather that their ambiguity opens new avenues of exploration into the potentialities of historical queer identities.

The lack of available information about Rykener makes it challenging to examine their life. As their "cross-dressing" and sodomy were crimes of concern to the court, the court record itself also skews towards Rykener's experience presenting and passing as a woman, with very little information about their life outside those contexts. It is unclear whether or not and how often Rykener switched between masculine and feminine presentations, although it is clear that at some point Rykener stopped presenting solely as John Rykener and began to present as Eleanor as well. In their testimony, Rykener admitted to having sex with women "as a man," which did not necessarily reflect a gendered presentation; it could have meant that Rykener was the active/penetrating partner while still presenting as Eleanor.<sup>136</sup> Given the conception of sex in the medieval period, one person involved in paired sexual intercourse had to be the "woman" and the other had to be the "man," and while these descriptions were literal for heterosexual sex<sup>137</sup> they functioned more as predetermined roles in other configurations.

Most of the available records (and thus a great deal of the scholarship) of medieval sodomy involved accusations against men rather than women, although they

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<sup>136</sup> "Medieval Sourcebook: The Questioning of John Rykener."

<sup>137</sup> Sex in this case meaning penetrative sex

are not completely absent from the records and did not enjoy legal impunity even when laws did not *specifically* mention sodomy between women.<sup>138</sup> At first glance, Rykener's case would be classified as "regular" male sodomy, because their sexual partner John Britby was a man and Rykener was presumed a man as well.<sup>139</sup> However, while the recorded court case nominally concerns Britby and Rykener being caught *in flagrante delicto*, Britby disappears almost immediately after being named and the remainder of the record focuses on Rykener exclusively. The content of Rykener's testimony (as recorded by the court) does not provide any information about them prior to their "cross-dressing" and work as a sex worker, including information about their early life and any more "masculine" jobs they may have held. In fact, most evidence of Rykener's masculinity is concealed by the prominence of their femininity in the court record because the femininity was both a crime itself and evidence of a crime. This femininity included the charges of sodomy, as it is clear that Rykener was the receptive "woman" in sexual interactions with men,<sup>140</sup> and their "cross-dressing" and work as a tapster and embroiderer. The narrow focus of the surviving record occludes most of Rykener's life to the point that many details of their life are unknowable, including their masculine experiences and how often (if ever) they varied their gendered presentation.

While the available record of Rykener's life is a court record primarily concerned with their "sodomy" and "cross-dressing," what the record does *not*

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<sup>138</sup> Helmut Puff. "Female Sodomy: The Trial of Katherina Hetzeldorfer (1477)." *Journal of Medieval and Early Modern Studies* 30, no. 1 (2000): 41–61. <https://doi.org/10.1215/10829636-30-1-41>, 41-42, 47-48.

<sup>139</sup> "Medieval Sourcebook: The Questioning of John Rykener."

<sup>140</sup> Sodomy was illegal regardless of position, but being the penetrated partner in male-male sodomy transgressed against established gendered social roles as well as sexual mores.

include is Rykener defending themselves by claiming coercion or trickery, or even indicating that they are unhappy with their life and sexual experiences.<sup>141</sup> In their recorded testimony, Rykener names “a certain Anna” and Elizabeth Bronderer<sup>142</sup> as the people who introduced them to “crossdressing” and sex work, and does not express any ill will towards the two women for introducing them to the business.<sup>143</sup> Rykener’s experiences with sex work and their gendered presentations parallels in some ways the experiences of modern people under the trans “umbrella,” and could be classified as “transgender-like.”<sup>144</sup> Ruth Mazo Karras and Tom Linkinen theorize that Rykener conceived of themselves either as a woman or as “a man acting as a woman,” and while possible this view does not account for the possibility that Rykener may have switched between such internal referents, or even not given it much thought at all.<sup>145</sup> Many people who are genderqueer “occupy new gendered positions,”<sup>146</sup> but are not restricted to that framework—gender-queerness is a broad category that encompasses deviation outside of the gendered norm. A cisgender gender-nonconforming person could still be genderqueer, much the same way as drag performers are included in the queer community regardless of their romantic and sexual orientations. Whether or not Rykener conceived of themselves as a man, woman, or some new category entirely, they were undoubtedly doing *something* queer with

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<sup>141</sup> Presumably not counting their arrest and appearance before the court.

<sup>142</sup> The modern English translation lists her surname as “Bronderer,” while the transliteration of the original Latin text lists it as “Brouderer.” For the sake of consistency, “Bronderer” is used throughout this discussion.

<sup>143</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>144</sup> Karras et al, “John/Eleanor Rykener Revisited,” 112.

<sup>145</sup> Karras et al, “John/Eleanor Rykener Revisited,” 112.

<sup>146</sup> Karras et al, “John/Eleanor Rykener Revisited,” 121.



their gender. As previously established, “queer” as a descriptor encompasses non-normative behavior generally and in relation to gender and sexuality specifically, and Rykener’s appearance before the court for sodomy and the heavy focus on Rykener’s sexual activities and gendered presentation demonstrates those two aspects of Rykener’s testimony were judged the most relevant to the judicial process.

In Rykener's testimony, Anna is named as the person who facilitated Rykener's introduction to sex work, specifically sex work with men “in the manner of a woman.”<sup>147</sup> From the perspective of queer potentialities, Anna could have been more than just a bawd or fellow sex worker; Anna may also have been a mentor to Rykener during their exploration of their own sexual identity. Anna does not seem to have had any moral or ethical hangups about sodomy<sup>148</sup> (or if she did, they were not enough to stop her from mentoring Rykener). Similarly to Anna, Rykener names Elizabeth Bronderer as the one who “first dressed [them] in women's clothing.”<sup>149</sup> Like Anna, Elizabeth does not seem to have expressed any concerns about sodomy, or about “crossdressing.” As the person who introduced Rykener to visibly transgressing gender boundaries, it is possible that Rykener was not Elizabeth’s only “mentee.” Choosing and sizing clothing across gendered lines can be tricky because of common body shape differences affected by hormones and fat distribution, and being able to convincingly “pass” can be challenging without correctly designed and sized clothing. Given this complexity, it is possible that Elizabeth was able to dress Rykener effectively because she already had the necessary clothing and knowledge to

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<sup>147</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>148</sup> Or at least sodomy with and between men.

<sup>149</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

help Rykener convincingly pass as a woman and work as a sex worker.

Because Anna was identified before the court as “the whore of a former servant of Sir Thomas Blount,” it is reasonable to assume she was a sex worker of some sort, or perhaps said former servant’s mistress.<sup>150</sup> As a sex worker (regardless of whether it was her full or part-time occupation) or mistress, Anna would have existed on the fringes of polite medieval society.<sup>151</sup> Good women, after all, were not prostitutes, and the surviving record indicates that Anna already had a known reputation. While there is less information about Elizabeth Bronderer in the same record, her apparent willingness to engage her daughter Alice in sex-work-based gifts suggests that she was involved in the sex business like Anna and subject to similar social pressures.<sup>152</sup> Together, these elements suggest that Anna, Elizabeth, and Alice existed on the margins of polite medieval society for their associations with sexual improprieties, much the same as Rykener. Sex workers in medieval England were stigmatized and marginalized from society, and while established career sex workers may have been less marginalized by value of their social connections, they were also not the norm.<sup>153</sup> Sex workers were also targeted by local legislation and ordinances that made them more vulnerable than the population at large. Such ordinances usually focused on “labeling and shaming” sex workers, and then

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<sup>150</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>151</sup> Albeit in a way that granted her some level of access to that same polite society due to her relationship with a higher-status man.

<sup>152</sup> “Medieval Sourcebook: The Questioning of John Rykener.”

<sup>153</sup> Ruth Mazo Karras, *Common Women: Prostitution and Sexuality in Medieval England*, (New York: Oxford University Press, 1998), 66-67.

Carol Lansing and Edward D. English, “The Idea of a Middle Ages,” in *A Companion to the Medieval World*, ed. Carol Lansing and Edward D. English (Malden, MA: Wiley-Blackwell, 2009), 3.

banishing them from the municipality.<sup>154</sup> Even though not all sex workers were “professional”<sup>155</sup> and plenty participated “on a casual or occasional basis” out of economic necessity, they were still likely to remain “marginal in the sense that they were among the poorest and most vulnerable, the nearest to the margin of subsistence” in medieval England.<sup>156</sup>

While sex workers were at the margins of medieval society, the social, legal, and religious condemnation of sodomy also placed suspected (and actual) sodomites on those same margins. Survival on the margins of society was and is a difficult endeavor, and exponentially worsened by isolation. Solidarity between marginalized communities was possibly the foundation of the relationship between Rykener and Elizabeth Bronderer and Anna. Living on the margins of polite society and potentially without the social and financial support of a stable family structure,<sup>157</sup> Rykener, Anna, and Elizabeth would have been vulnerable and could have provided a degree of social security for each other.<sup>158</sup> Such support could have been life saving, as sex work is not always safe work conducted in ideal conditions—as Rykener's arrest while having outdoor sex with John Britby indicates.<sup>159</sup> Rykener's arrest was

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<sup>154</sup> Karras, *Common Women*, 17.

<sup>155</sup> In the sense that sex work was their primary source of income, as opposed to a seasonal or ad hoc occupation.

<sup>156</sup> Karras, *Common Women*, 53-54, 101.

<sup>157</sup> Or at least no family structure mentioned in the court record. Presumably, any close relatives may have been indicated in the court record as fellow suspects of sexual deviancy (or, in the case of spouses, victims of their spouse's infidelity).

<sup>158</sup> Given the interconnectedness of medieval life, particularly in urban areas, it is not impossible that a loose network of affiliated sex workers and queer people existed and were aware of each other during this period.

<sup>159</sup> It is unclear what “type” of sodomy the court intended by “that detestable unmentionable and ignominious vice” or what John Britby intended by “libidinous act,” but the exposed nature of using a stall as cover suggests a quick and mostly clothed liaison, like manual or oral sex. This would also support Britby's (supposed) ignorance of Rykener's bodily circumstances, while also still qualifying as

initially for public sex, but after Rykener's "real" identity became known the accusations shifted to sodomy and the circumstances of their sex work and "crossdressing." It is somewhat unclear at what point in the proceedings Rykener's "real" identity was revealed to the court, but even the official record is at points unsure how to categorize them.

As already established and more experienced sex workers, Anna and Elizabeth were positioned as potential mentors for Rykener's transition into a career in sex work and into a more varied gendered presentation. Given that Rykener's fluid identity was likely *not* a result of economic pressures,<sup>160</sup> mentoring Rykener likely included both personal and professional aspects. It is possible that one or both of these women taught Rykener both how to be a sex worker as well as a more conventional trade and provided assistance with the gendered aspects of their presentation.<sup>161</sup> Rykener may well have had prior lived experience as a queer person, but the specific mention of Anna as their introduction to sodomy and Elizabeth as their introduction to "cross-dressing" supports the interpretation that these two were Rykener's introduction to queerly-gendered behavior. Their encouragement of Rykener's feminine-presenting sex work could indicate that Anna and Elizabeth knew other people like Rykener, or had some analogous personal experiences with sex work and non-normative gender expression. Based on the information currently available it is impossible to know whether or not Anna and Elizabeth had the same

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sodomy. Of course, after the "discovery" of Rykener's "real" identity, any type of sex act with Britby would count as sodomy. "Medieval Sourcebook: The Questioning of John Rykener."

<sup>160</sup> Or at least not only economic pressures.

<sup>161</sup> Apprentices being inducted into sex work, whether willingly or not, by their trades-master was common enough that such charges appear several times in medieval English court records. Karras, *Common Women*, 59-60.

type of gender experiences as Rykener,<sup>162</sup> but their willingness to assist and facilitate Rykener's transition and public presentation suggests some degree of familiarity with their general circumstances.

Whatever their identity, Rykener was able to work as an embroideress and as a tapster by successfully passing as a woman. During these periods, Rykener was “read” by other people as a woman, and possibly a sex worker. In their sexual encounters with clients as a woman, the court record does not mention any of their clients “discovering” their birth identity, nor does it indicate how Rykener concealed such information beyond wearing women’s clothing and using the name Eleanor.<sup>163</sup> Possibly Rykener limited their sexual services to those that would minimize physical exposure, like manual, oral, or femoral sex, or perhaps they just remained mostly clothed while performing penetrative sex. Karras posits that, because most sex workers in medieval England would need to be concerned about pregnancy, they “may also have practiced nonprocreative sex” and that “customers did not necessarily expect to penetrate a partner vaginally.”<sup>164</sup> If so, such expectations likely contributed to Rykener’s passing without detection with their clients. Given the uncertainty of exactly what sort of sexual services Rykener offered, it is possible that some of their clients *did* “discover” Rykener’s identity and sought them out preferentially, or did not care to denounce them to the authorities. Whatever the case of their clients, in

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<sup>162</sup> In that neither Anna nor Elizabeth are recording as living alternately as men and as women.

<sup>163</sup> Perhaps some did know or suspect, but denouncing Rykener would also implicate the client in sodomy so perhaps it was not worth the trouble. Alternatively, for any clients that “knew” Rykener was a man perhaps that was what made them attractive as a sex worker.

<sup>164</sup> Karras, *Common Women*, 81-82

order to avoid social stigma and the legal penalties for sodomy<sup>165</sup> Rykener constructed their visible identity as Eleanor such that their community read and understood them as a woman so that they could be an embroideress, tapster, and sex worker servicing male clients without suspicion.<sup>166</sup>

As the case of John/Eleanor Rykener demonstrates, experiences of gender and sexuality could be complex and fluid for medieval individuals, although modern individuals have more and specific words to describe personal identities and experiences than were available to Rykener (and to the court) in 1395.<sup>167</sup> Rykener's recorded testimony indicates that they lived and had sex as a woman and as a man. In the language of the court record, having sex "as a woman" indicated being the passive or penetrated partner in sex, and having sex "as a man" indicated being the active or penetrating partner<sup>168</sup> and was not necessarily reflective of Rykener's gendered self, although neither does it preclude it. However, due to prohibitions against sodomy and linguistic limitations, it is difficult to know what exactly was meant by Rykener having sex with women "as a man," other than that they were the penetrating partner. Rykener may have presented as a man during such encounters, or they may have presented as a woman. In such a case, like Queen Eufeme's nameless lover in *Silence*, Rykener may have been able to have sex with women under less scrutiny as a woman

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<sup>165</sup> Particularly sodomy between men, which is the primary reason for Rykener's court record.

<sup>166</sup> As the court record is concerned primarily with Rykener's "crossdressing" and sodomy, there is little information about their activities as John. However, subject to the same social and legal pressures, Rykener would have to construct a visibly masculine identity and have sex with only women when working men's jobs and presenting as a man.

<sup>167</sup> And throughout the medieval period more broadly.

<sup>168</sup> In more modern terms, one might say that having sex "as a woman" indicates that Rykener was bottoming during the referenced sexual encounter, while having sex "as a man" indicates that they were topping.

than as a man. Karras and Linkinen posit that Rykener may have even been “the medieval equivalent of a lesbian trans woman,”<sup>169</sup> but with the dearth of available information it is impossible to know for certain whether and how many of their sexual encounters were a result of personal attraction, and how many were a result of economic realities.<sup>170</sup>

While paying for sex was not something that medieval women did, culturally speaking, it is possible that Rykener was still compensated for some of their sexual encounters with women.<sup>171</sup> From their testimony, it seems that Rykener moved several times to areas in and around London, but no explanation for these moves was included in the record (if one was ever given at all). It is possible that they moved for more advantageous employment opportunities, or for better conditions and different clients for their sex work. However, it is also possible at points that they were engaged in survival sex work—that is, having sex in exchange for shelter or food, even if that exchange is not explicitly verbalized.<sup>172</sup> If Rykener’s feminine presentation made them a less suspicious figure, they may have been able to have sex with women as a means of procuring food or shelter, as spending the night after sex would likely have resulted in access to both necessities. Furthermore, two unrelated

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<sup>169</sup> Karras et al, “John/Eleanor Rykener Revisited,” 116; Carolyn Dinshaw instead describes Rykener as a “transvestite,” and leans more towards the interpretation that Rykener slept women while presenting as a man Carolyn Dinshaw, *Getting Medieval: Sexualities and Communities, Pre- and Postmodern*, (Durham: Duke University Press, 1999), 106-108.

<sup>170</sup> This portrayal of Rykener’s relationships as either purely relational or purely transactional is deliberately simplistic for the sake of discussion, and does not address the complex ways in which interpersonal relations (including but not limited to sex) are often both personal and transactional.

<sup>171</sup> Karras et al, “John/Eleanor Rykener Revisited,” 115.

<sup>172</sup> A more modern example of this type of exchange is someone utilizing dating apps and websites to find and arrange dates, in order to have a place to stay overnight after sex and/or a meal as part of a date.

women spending time together would have been less noteworthy than an unrelated man and woman doing the same. It is impossible to know such details about Rykener's life unless more relevant records are discovered and made available, but exploring their queer potentialities allows for and acknowledges the reality of queer existence in the medieval period.

While the specifics of Rykener's personal life remain murky, they themselves stated that they had sex with men and women without expressing a gendered preference (beyond preferring clergymen, because those men paid the best out of all of their clients).<sup>173</sup> Taken together, this information suggests that Rykener could accurately be described as genderqueer (and possibly also bisexual, at least to describe their actions) using modern terms. The ambiguity around Rykener's identity resists definitive classification, and as a whole can best be summed up as "queer"—"queer" as in not standard, as in "other" from the expected norm. Rykener existed both as a man and as a woman during their life, and in some cases their identity and occupation as a sex worker was known to people in their communities. Unfortunately, as there are currently no other extant records that mention Rykener by name their fate after they disappear from the historical record is unknown, but it is possible that they did not go to trial and were instead released and continued to live their life as they had before their arrest.<sup>174</sup>

Not all gender nonconforming and norm-defying individuals were as lucky as Rykener. In Spain and the surrounding areas particularly, "the physical appearance of

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<sup>173</sup> "Medieval Sourcebook: The Questioning of John Rykener."

<sup>174</sup> Karras et al, "John/Eleanor Rykener Revisited," 118.



genitals and the capacity to properly perform the reproductive function...played a crucial part in the definition of gender identity” in the medieval period.<sup>175</sup> In combination with sumptuary laws and other legal codes regulating how people could dress and present themselves, “cross-dressing” and other activities that eroded gender boundaries could be “deemed to pose a particular threat to the proper ordering of society” and be prosecuted accordingly.<sup>176</sup> The intersections of clothing, sexuality, gender, and personal presentation meant that individuals who were accused of *one* breach of legal and sociocultural boundaries might be accused of *multiple* breaches in a “guilty by association” approach. For example, a decree by Isabel I of Castile and León (b. 1451, d. 1504, r. 1474-1504) and Fernando II of Aragon (b. 1452, d. 1516, r. 1479-1516) expanded the capital punishment for sodomy and bestiality to include those who were not convicted of said crimes but who “had been found guilty of sexual behavior that implied that such intercourse had occurred,” thus connecting “sodomy to both heresy and treason” in an explicit legal decree as well as becoming “inextricably linked in the minds of the lay and ecclesiastical population” for longer.<sup>177</sup> The connection between heresy and sodomy was not exclusive to Spain, and the papal characterization of the Cathars of southern France by their sodomitical orgies was a strongly influencing factor as well.<sup>178</sup> Expanding the definition of sodomy to functionally include even the *implication* of sodomy via the “evidence” of other aspects of an individual’s sexual behavior underscores how deeply dangerous

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<sup>175</sup> Soyer, “Gender Stereotypes,” 18.

<sup>176</sup> Soyer, “Gender Stereotypes,” 20.

<sup>177</sup> Soyer, “Gender Stereotypes,” 30-33.

<sup>178</sup> Sautman et al, “The Erased Lesbian,” 110-111.

any degree of deviation from the norm could be, particularly as sodomy was a capital crime and was punished accordingly.

According to extant court records, in 1557 an enslaved black person named Vitoria<sup>179</sup> in Lisbon, Portugal, was accused of working “as a cross-dressing prostitute” and acting “in every way as a woman,” even to the point of being noticeably upset at “being called a man.”<sup>180</sup> While prostitution alone would not necessarily justify legal intervention, she was accused of being a man and thus brought before the court. Vitoria did not deny her<sup>181</sup> actions in court but rather justified them to inquisitors by claiming she had physical characteristics, including “a ‘hole’ (buraco) since [her] birth,” that meant she was a woman—but the inquisitors disagreed and decided that a physical examination proved her legally a man.<sup>182</sup> Unfortunately, this judicial ruling on her physical body meant that Vitoria was found guilty of sodomy and sentenced to flogging, followed by a life in the galleys—a more protracted sentence than outright execution, but just as deadly.<sup>183</sup> That the inquisitors were willing to conduct a physical examination to determine whether or not Vitoria was a woman or a “hermaphrodite” demonstrates that the judges and the courts were indeed aware of the variations of human bodies and of the existence of intersex people and conditions. This effort to determine Vitoria’s physiology implies that the

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<sup>179</sup> Available sources give Vitoria’s legal name as António, but the available information strongly suggests that her identity was other than what was portrayed in official court records.

<sup>180</sup> Soyer, “Gender Stereotypes,” 21.

<sup>181</sup> Similar to the case of John/Eleanor Rykener, contemporaries of Vitoria understood her to be a man. However, unlike Rykener, Vitoria specifically denies being a man, and thus the use of she/her/hers pronouns aligns most closely with what we know of her gender identity based on the surviving records from the time.

<sup>182</sup> Soyer, “Gender Stereotypes,” 21.

<sup>183</sup> Soyer, “Gender Stereotypes,” 22.

determination of her crime rested strongly upon whether or not she was a woman, or whether she physically expressed sufficiently “feminine” intersex traits to warrant legal classification as a woman or an intersex person instead of as a man.<sup>184</sup> Being (legally) determined as “not a man” in either form would have changed the nature of Vitoria’s crime, as her specific sodomy conviction was for being a “man” who had sex with men and who dressed and solicited men while dressed as a woman.<sup>185</sup>

In Vitoria’s case, it is unclear from the records available whether she was (in modern terms) trans,<sup>186</sup> intersex, or perhaps both (using modern terminology). While “intersex” and “trans” are distinct categories, some intersex people are also trans.<sup>187</sup> In the terminology of the period, people who were understood as “hermaphrodites” can be interpreted using aspects of both intersex and trans identities, and Vitoria did indeed claim hermaphroditism as part of her (unfortunately failed) legal defense.<sup>188</sup> Vitoria’s experience of being assigned male both because of and in spite of her physical body and her choice to live visibly as a woman could fall under a similar categorization. However, for Vitoria specifically interpreting her gender situation is complicated by her enslavement. Marisa J. Fuentes notes that much of the historical writing about enslaved women overly relies upon the assumption that enslaved women had a larger degree of agency than their circumstances truly granted.<sup>189</sup> In

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<sup>184</sup> Soyer, “Gender Stereotypes,” 21.

<sup>185</sup> It was (and still is) possible for heterosexual intercourse to be sodomitical, so being legally a woman may not have saved Vitoria entirely from such accusations either.

<sup>186</sup> In this case, “trans” is used as an umbrella term to cover both people identifying as “transgender” and those identifying as “transsexual.”

<sup>187</sup> DeVun, *The Shape of Sex*, 22.

<sup>188</sup> DeVun, *The Shape of Sex*, 22.

<sup>189</sup> Marisa J. Fuentes, “Power and Historical Figuring: Rachael Pringle Polgreen’s Troubled Archive,” *Gender & History* 22 (3): 564-84, <https://doi.org/10.1111/j.1468-0424.2010.01616x>, 565-566.

Vitoria's case, because she was enslaved it is possible that her owners were using her "sexual labour" for money, but from the information available it is unclear whether or not her owners were aware of her identity or using it for their own profit.<sup>190</sup> Because Vitoria was ruled legally a man by the court, it seems overly convoluted from a profit standpoint to have an enslaved "man" dress as a woman for paid sex work, when they could instead hire "him" out as a day laborer for pay instead.

It also seems odd that, if Vitoria were truly a man being forced to crossdress for "his" owner's enrichment, it would not come up as part of the defense recorded in the court record. Instead, Vitoria is noted as being vocal about being a woman before her arrest and even insisting in court that she was a woman, which strongly suggests that—whether or not her sexual labor was coerced—her gendered sense of identity was sincerely her choice.<sup>191</sup> During Vitoria's life, there were approximately ten thousand "black slaves in Portugal itself," and "nearly 10 per cent of the population of Lisbon" in the 1530s and 1540s was enslaved.<sup>192</sup> From this data, it is clear that Vitoria's position as an enslaved person was not unusual, although not the majority either. As an enslaved black woman specifically, she may also have been seen as more "sexually available, consenting, consumable and disposable" than enslaved men and people of other ethnicities.<sup>193</sup> Given that Vitoria lived approximately a century after the beginning of Portuguese importation of enslaved people from Africa, her

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<sup>190</sup> Fuentes, "Power and Historical Figuring," 576.

<sup>191</sup> Soyer, "Gender Stereotypes," 21.

<sup>192</sup> Michal Tymowski, "The Cultural-Psychological Aspects of the Presence of African Slaves in Portugal in the Fifteenth and Early Sixteenth Centuries," *Acta Poloniae Historica* 107 (January): 45-82, 51.

<sup>193</sup> Fuentes, "Power and Historical Figuring," 571.

experience in Lisbon was with a population that had developed “a certain ease by which other people’s sufferings and one’s own deeds could be justified by calling upon a higher good,” namely that of baptism and Christianization.<sup>194</sup>

It is unclear whether Vitoria was a first-generation enslaved person in Portugal who had been baptized and given a Christian name, or whether she was born enslaved and grew up as part of Portuguese society. Regardless of her background, it is ironic that “beyond baptism and the name change” from traditional African cultural names to Christian names clothing was a key aspect of assimilation into Portuguese society for enslaved people.<sup>195</sup> In Vitoria’s case, her taking a woman’s name and clothing instead of remaining António and wearing men’s clothing demonstrates a subversion of those assimilationist forces in Portuguese society. Based on the information available, Vitoria considered *herself* to be a woman, demanded similar recognition from the people around her, and would get angry if she was called a man, which combined with her womanly attire and body language seems to have contributed to her discovery and prosecution by the local authorities.<sup>196</sup> Although her story ended tragically, Vitoria’s clearly expressed sense of self when living and

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<sup>194</sup> Tymowski, “The Cultural-Psychological Aspects,” 55.

<sup>195</sup> Tymowski, “The Cultural-Psychological Aspects,” 64.

<sup>196</sup> From the text of inquisitorial record describing Vitoria and her sex work (António and male pronouns are used throughout the original record):

“[António is] a black man dressed and adorned as a black woman. He solicits boys, young men and migrant workers who happen to pass by. He leads them behind the house of Alonso de Torres, to a dark place behind some ruined houses, addressing them with gestures in the manner of a woman who intends to fornicate with them. (...) Seven or eight men were seen to disappear with him whilst others peeped and laughed out [on the street].”

Also, the following exchange:

“The witnesses alleged that António/Vitoria acted in every way as a woman and took exception to being called a man, once furiously answering the questions of one witness with a curt reply: “I am a black woman not a black man” (*sou negra e não negro*).”

From Soyer, “Gender Stereotypes,” 21-22.

expressing her complete identity places her, like Rykener, into the category of genderqueer medieval individuals. Unlike Rykener, Vitoria seems to have had a definitively stable and binary identity and might have identified as a trans woman in modern terms. Vitoria and Rykener's experiences demonstrate a "queered" medieval approach to gender in how their lives were different from the culture at large.

As a Vitoria's potential hermaphroditism defense demonstrated, medieval people were indeed aware of intersex people and the physical ways that some intersex conditions could present, even though they did not know the genetic and chromosomal causes of intersex conditions. In some circumstances, an intersex person that presented with obvious physical markers of their condition was required "to choose either an active male role...or passive female role" that was legally binding and therefore determined their social role, marriage prospects, and sexual behavior in conjunction with gender (i.e. a penetrating male or penetrated female), with no opportunity for a change or reversal.<sup>197</sup> A person's sociocultural identity in the community as a man or a woman was integral in determining who they could (legally) have sex with and marry. While the emphasis on determining an intersex person's role in the sociocultural fabric of the community was driven at least in part by fears of sexual disorder and sodomy, the legal situation<sup>198</sup> also allowed the person in question a larger degree of autonomy in deciding their own identity than their endosex peers.<sup>199</sup> While an intersex person could not choose an identity other than "man" or "woman," the ability to choose at all was more autonomy than any other

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<sup>197</sup> DeVun, *The Shape of Sex*, 28-29.

<sup>198</sup> As outlined by tenth century theologian Peter the Chanter

<sup>199</sup> DeVun, *The Shape of Sex*, 29.

group possessed in the medieval period. The possibility of choice for these individuals resembles the more modern trans and queer experience in the emphasis on self-determination of identity. However, in the medieval period these identity determinations were static and binding, so while people like Vitoria (with a more binary gendered experience) might benefit from a choice-based system for “ambiguous” intersex people, those like Rykener with more fluid identities would still be constrained by a deterministic and binary system.

While a degree of agency was possible for intersex people at points during the medieval period, there were also severe downsides to being physically marked as different.<sup>200</sup> Leah DeVun points to the medieval characterizations of “the monstrous races” as a way of understanding how people determined the essential characteristics “they considered most basic to human identity” by defining themselves and their understanding of humanity in opposition to the “unfamiliar and distant ‘other.’”<sup>201</sup> These monstrous races—or “monstrous peoples”—were often portrayed in a way that emphasized their “clear...physical distinction from humanity” and thus exclusion from “Christendom,”<sup>202</sup> but the boundaries between humans and monsters were also “crossed or hybridized” in ways that characterized monsters as beings that “crossed or confounded binaries and resisted simple classifications.”<sup>203</sup> This mix of human and monstrous characteristics provided audiences with familiar touchpoints to make

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<sup>200</sup> While the queer and intersex experience can be joyful, and gender euphoria is a meaningful and life-changing experience, being visually queer (whether in gender, sexuality, or both) also can make a person a potential target for discrimination, hate crimes, and societal punishment.

<sup>201</sup> DeVun, *The Shape of Sex*, 43-46.

<sup>202</sup> As a human identity was understood as a key component of eligibility for conversion to Christianity.

<sup>203</sup> DeVun, *The Shape of Sex*, 45.

monsters more familiar in their human characteristics, and thus simultaneously more alienating in their differences.

The emphasis on bodies and morphological sex was not the only factor shaping medieval identity, but distinguishing between a “physical” body and a “cultural” body is important when examining medieval sources. The “differences” between cultural and physical bodies exist in a sort of observational limbo: on an interpersonal level, if an observer cannot tell whether someone’s physical body matches their cultural body, how would they know to care about any difference between the two? If an observer cannot differentiate between a cisgender and a transgender person, then how does that observer change materially in their interactions with other people? From one perspective, this disconnect is immaterial because the observer does not “know” that they should act differently, and therefore would not act differently towards a transgender person than a cisgender person (regardless of their *intentions* towards trans people). However, from another perspective, this disconnect does matter because a hostile observer may remain convinced that they can “tell” through some intrinsic measures the “real” identity of an individual, and act accordingly.<sup>204</sup> The nature of discrimination and retaliatory behavior are determined by the offender, not their victim, so by some measure whether or not the individual in question is “actually” queer/trans does not matter, only the beliefs and intentions of the aggressor.<sup>205</sup>

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<sup>204</sup> In this scholar’s experience, the insistence upon being able to “clock” a queer and/or trans individual seems to correlate directly with the desire to limit the agency and autonomy of these individuals.

<sup>205</sup> Of course, on another level such a distinction matters very much, as identity-based attacks are always personal.



In the medieval period, one method of discussing an individual's identity was through their "sexus," or sex, which combined characteristics that are now differentiated between discussions of gender and physical sex.<sup>206</sup> *Sexus* as a "single form of difference" simultaneously encompassed an individual's "reproductive anatomy," their secondary sexual characteristics, "active or passive roles" when having sex, and their "social roles in labor."<sup>207</sup> Although the categorization of *sexus* described both physical and abstract qualities, differentiating between cultural and physical bodies facilitates the exploration of sociocultural influences on personal identity<sup>208</sup> as potentially separate from any physical state—such as how clothing in the medieval period was gendered while the concept of physical beauty was ungendered.<sup>209</sup> This framework of differentiation also allows for how markers of identity tied to bodies change over time, both culturally and personally.<sup>210</sup>

This complex intertwining of physical bodies, social roles, and sexual behaviors explains the confusion of the English court when faced with the reality of John/Eleanor Rykener—their social role varied between that expected of men and of women, as did their manner of dress, and while their physical anatomy was masculine their sexual "positioning" was both masculine and feminine. Rykener's blurring of these sociocultural lines and expectations emphasizes the queered nature of their social and personal identities, as well as demonstrating the ways that "sexus" as a

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<sup>206</sup> DeVun, *The Shape of Sex*, 61.

<sup>207</sup> DeVun, *The Shape of Sex*, 61.

<sup>208</sup> Including gender and sexual orientation, but certainly not limited to those categories.

<sup>209</sup> Hotchkiss, *Clothes Make the Man*, 122.

<sup>210</sup> As a cultural example, the medieval framework of gendered clothing and ungendered beauty differs from the modern framework, wherein a substantial amount of clothing is nominally neutrally gendered (such as jeans, sneakers, and t-shirts), but physical beauty is heavily gendered as a specifically feminine concept.

medieval concept was not always adequate to fully encapsulate the complexities of physical and cultural existence. This is not to say that cultural bodies were (or are) totally unmoored from their physical counterparts, but rather that they provided a new angle from which to view and interrogate historical views of gender and identity, both individually and communally. In the case of Katherina Hetzeldorfer,<sup>211</sup> for example, numerous accusations were made by their fellow defendants—Else, wife of Wendel Muter and Else, wife of Henck—and others in the community that they were “manlier” than was appropriate for a woman.<sup>212</sup> While the brief surviving record identifies Katherina as a woman (as they were on trial for female sodomy), much like Rykener such a binary identification is likely not accurate to their lived experiences and internal sense of self. Instead, like Rykener, their identity is perhaps better summarized as “genderqueer,” particularly in their relationship to their assigned *sexus*.

Katherina Hetzeldorfer was accused, tried, and convicted of sodomy in the municipality of Speyer, and executed in 1477. The surviving record of Katherina is unfortunately short, sparse, and in some places fragmentary from physical damage. In the listed accusations the word “sodomy” is never used outright, but they are clearly accused of having sex with multiple women (including the aforementioned two Elses,

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<sup>211</sup> While Katherina is referred to with “she/her” pronouns in the original record and in later scholarship, for this work the pronouns “they/them” will be used instead. Due to an overall lack of information outside of the trial record, it is impossible to truly know how Katherina herself identified, but the emphasis on gender and bodily nonconformity in that record mean that “he/him” could also be a valid set of pronouns, in the tradition of he/him lesbians, trans men, and transmasculine individuals. Using they/them is a deliberate choice to communicate to the reader the uncertainty of Katherina’s identity in the eyes of the community, and by extension the paucity of records the uncertainty of a modern audience.

<sup>212</sup> Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 60.

as well as an anonymous third woman) and they themselves are also consistently referred to as a woman with she/her pronouns by the court chronicler. Despite the insistent efforts by the court to categorize Katherina as a woman and their crime as sodomy, Katherina's actions defy such neat categorization—particularly in regards to their masculine presentation and sexual “roguery” with women.<sup>213</sup> As punishment for these “crimes,” Katherina was convicted and drowned in the river and the two Elses were exiled from the city. The final party in these accusations, the unnamed woman who Katherina presented to Speyer as their sister, left the area without being caught and brought before the court.

Very little is known of Katherina's mysterious “sister.” In the surviving record, she is referred to as “she who is supposed to be her [Katherina's] sister,” or some other similar circumlocution, rather than by name.<sup>214</sup> Apparently the people of Speyer were just as uncertain as the court scribe about the identity of this “sister”: Else (wife of Wendel) claimed that this sister told her Katherina “had deflowered and made love to her,” Hannß Welcker claimed that Ennel Helmstetner said the sister was “abducted from a noble and [was] not her sister,” and there is even a suggestive fragment of Ennel's testimony reading “she was her husband” (presumably in reference to the relationship between the “sister” and Katherina).<sup>215</sup> Clearly, at least by the time of the trial, the very identity of this sister-who-was-not-*actually*-a-sister was entirely destabilized in the community at large. Katherina's own testimony

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<sup>213</sup> Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 60

<sup>214</sup> Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 60.

<sup>215</sup> Sadly, much of Ennel's direct testimony is fragmentary or missing entirely. Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 60.

provided no clarity; they are recorded first as claiming the lady in question was their sister (and definitely not a sexual partner), then that she was *not* their sister (and still not a sexual partner), then as someone Katherina “had [their] ways with,” and finally as a woman Katherina “had [their] roguery with” using a homemade red leather strap on dildo specifically.<sup>216</sup> While this encounter was probably not widely known in Speyer before the trial, the recorded testimonies indicate that the townspeople knew (or at least suspected) that *something* of the relationship between Katherina and their “sister” was suspicious.

Further complicating this scenario, Katherina’s unnamed not-a-sister remained just that: unnamed. Although the court scribe had no trouble identifying Katherina, both Elses, Ennel, and Hannß by name, they left Katherina’s “sister” completely unidentified aside from her connection to Katherina. While it is possible that some people in the community did not know her, it is extremely unlikely that this “sister”’s name was *totally* unknown in Speyer, particularly because Else (wife of Wendel) claimed to have conversed with her at least once. Perhaps the name of the “sister” was mentioned in court during the testimonies and trial, and the written record anonymized her for some unknown reason.<sup>217</sup> This obscurity, combined with the “sister”’s successful escape from Speyer, cemented her anonymity in the historical record.<sup>218</sup> All surviving descriptions of this “sister” are, instead, mediated through her

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<sup>216</sup> Puff, “Female Sodomy,” 60-61.

<sup>217</sup> Interestingly, Katherina likely did not present herself as Katherina either. Successfully presenting and passing as a man would have been much harder with the name Katherina, but any other name they used in Speyer was not recorded and did not survive in the historical record.

<sup>218</sup> This anonymity makes this woman almost a blank slate, historically. Was she like Katherina, with a presumed sexual preference for women, and perhaps even a similarly complex relationship with her gender? Was she like Rykener, with a gendered presentation that contradicted her birth and a more than passing familiarity with sex work? Perhaps Vitoria, who asserted her own identity despite the

relationship with Katherina.<sup>219</sup> Considering that Katherina and this woman were apparently both known in Speyer but only Katherina appeared before the court, the “sister” fled Speyer likely at some point between Katherina’s denouncement and trial. With Katherina’s shaky reputation in Speyer and their social and physical proximity to each other<sup>220</sup>, the woman known as Katherina’s “sister” would also have found herself on the wrong side of the courts and, likely, in the river with Katherina.<sup>221</sup> Considering Else Wendel’s allegation that Katherina and the “sister” had had sex, it would be very hard for the “sister” to claim ignorance of Katherina’s “true” identity.<sup>222</sup>

Because Katherina herself was considered a woman by the court, accusations of manliness against them were intended to use Katherina’s reputation against them. Katherina’s “appropriation of a masculine identity” and the timeline presented in the testimonies strongly suggests that Katherina’s “real” identity as a woman was unknown to the community at large, similar to Rykener’s own

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dangers and lack of “proof”? Likely, she had her own discrete experience as a queer individual and (possibly) as a woman in the medieval period.

<sup>219</sup> Ironically, this historical anonymity is the most promising indication that she survived, where Katherina’s presence in the historical record was assured by their death.

<sup>220</sup> Katherina and this woman lived together and presented themselves publicly as siblings, giving them a ready and benign excuse for cohabitation—and most cases of witnessed affection outside of their shared home. A brother who lived with and supported his unmarried or widowed sister, who in turn acted as the “woman of the house,” was less noticeable than an unmarried man and woman or two unmarried women (who showed no inclination to marry men) cohabiting—particularly when one of those presumed women (Katherina) presented “herself” as a man and demonstrated a willingness to be *involved* with women on a personal and sexual level.

<sup>221</sup> While the unnamed woman likely fled Speyer and survived, she too is emblematic of tragedy. Her survival necessitated abandoning Katherina, who was her paramour according to the recorded testimony, in Speyer to die. It is not impossible that Katherina and this woman previously agreed to run if they were discovered, but even if they had made such a plan it would not have alleviated the life-altering stress of losing a partner and fleeing alone.

<sup>222</sup> “True” in this case, of course, being the identity that aligned with the perspective of the court.

experience.<sup>223</sup> Else, wife of Henck, accused Katherina of standing, whoring, and groping “like a man” during carnival—and doing so somewhere semi-public, considering the mention of both whoring and carnival—implying that these actions were already somewhat-known amongst the community.<sup>224</sup> Because Else observed Katherina’s actions personally, they may have been somewhere like an inn or tavern where such behavior was not worthy of special notice at the time. While their presence in such spaces was unremarkable as a man, as a woman Katherina’s presence was less innocent. Association with places such as inns and taverns “implied tainted womanhood” in the eyes of the community, which could prove detrimental to a woman’s reputation and be disadvantageous if she<sup>225</sup> ever ended up in a courtroom as Katherina did.<sup>226</sup>

Accusing Katherina of manliness also aimed to partially absolve both Elses of the accusation of sodomy by vilifying Katherina as the primary instigator of the sexual encounters based on their “manly” reputation and actions, which were entirely inappropriate for a woman. Men were the more active participants in “correct” sexual activity; social construction of intimacy positioned men as the pursuers and instigators, as well as the penetrating partner during the actual sex. Katherina was portrayed as the metaphorical “man” in a relationship between two (assumed) women, compounding Katherina's transgressions in the eyes of the law and the

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<sup>223</sup> Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 42-43.

<sup>224</sup> Puff, “Female Sodomy: The Trial of Katherina Hetzeldorfer (1477),” 60.

<sup>225</sup> While it is unclear whether “woman” sufficiently describes Katherina’s personal sense of self, they were considered a woman by the court and treated accordingly.

<sup>226</sup> Barbara A. Hanawalt, *Of Good and Ill Repute: Gender and Social Control in Medieval England*, (New York, NY: Oxford University Press, 1998), 108.

community. While Katherina was not the only person accused of sodomy in this case, they *were* described as the primary instigator of the affairs and as the more physically active partner during sexual activity. This active sexual positioning was reinforced by testimony that described Katherina using a sort of strap-on dildo to have penetrative sex with women like they were a man.<sup>227</sup> That strap-on may also have functioned as a packer and a stand-to-pee device for Katherina.<sup>228</sup> If the description provided is accurate, this increases the likelihood that this strap-on functioned as a gender-affirming device outside of its sexual utility. According to Katherina herself, the phallus in question was not a naturally occurring part of their body, but Else (wife of Wendel) accused Katherina of ejaculating a semen-like substance like a man during sex.<sup>229</sup> From the limited testimony available it is difficult to know exactly what was meant by the accusation of ejaculation and the strap-on, and whether or not the alleged ejaculation was through the strap-on or separate from it.

Furthermore, it is also unclear to what extent these accusations were invented by the two Elses to reinforce their own status as passive participants in the sexual activity and to claim that they were successfully fooled by Katherina into believing they were a man. By these accusations, the Elses reinforced their own passivity and hoped to establish that while they *had* violated a sexual boundary by having sex with

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<sup>227</sup> Puff, "Female Sodomy," 60-61.

<sup>228</sup> Interestingly, many of the functions of this phallic device mirror functions still present in modern sex toys and gender affirming devices. Strap-on dildos are used by a wide variety of people of varying sexual orientations and gender identities, while stand-to-pee devices and packers tend to be marketed towards transgender and gender nonconforming individuals. Packers in this context are objects that simulate the appearance of a penis under clothing. Some packers are commercially produced and lifelike, while others are more fantastically inspired or are homemade. Some packers may also have dual functionality and serve aesthetically a gender affirming device and functionally as a dildo.

<sup>229</sup> Puff, "Female Sodomy," 60-61.

Katherina, the *way* they had sex was more appropriate for women—the Elses were passive participants, both as the penetrated partners and as the objects of masculine sexual interest. By the time of the trial it was clear that Katherina was a woman as far as the law (and community) was concerned, so both Elses had to emphasize their own compliance with gendered norms of sexual behavior as well as their ignorance of Katherina’s “true” identity. From this argument, while the Elses *had* violated the boundaries of appropriate sexual behavior, they had *not* violated the boundaries of cultural gender and appropriately gendered behavior. This framing portrayed Katherina by contrast as the sole individual who violated both a *sexual* boundary and a *gendered* boundary by behaving as a man during the course of their affairs broadly and during sexual intercourse with women specifically.

Cases of specifically female sodomy<sup>230</sup> and relationships between women are extremely rare in the medieval historical record, whereas cases of “regular” sodomy and relationships between men are more common. This apparent mismatch between the proliferation of anti-sodomy statutes and the lack of prosecutions is an example of differences between legal constructions and lived social reality of individuals, and the ability of targeted people to socially “pass” to avoid suspicion and reprisals. There may also be fewer records of female sodomy because accusations of sodomy were sometimes used as a personal attack to weaken an individual’s social and legal standing.<sup>231</sup> However, because of the relative lack of records concerning female

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<sup>230</sup> Any form of sodomy between individuals perceived to be women.

<sup>231</sup> Because reputation (or *fama*) was crucial in crafting and maintaining a social and legal identity in good standing in a medieval community, men arguably had more to lose than women as heads of households, property owners, and political actors. This is not to say that accusations against women were never motivated by such factors, but rather that men generally were more likely to be impacted as a category.



sodomy, this also means that it was mostly defined legally through court cases, instead of through other sources.<sup>232</sup> In the case of Katherina, the only records that exist of them are for their trial, sentencing, and execution via drowning. From the recorded testimony, Katherina was known to the broader community as someone romantically and sexually interested in women for some amount of time without suspicion, possibly because their presumed *sexus* was ambiguous or masculine enough to pass muster.<sup>233</sup> However, it is unclear when and how Katherina was revealed to the authorities in Speyer, or even what impact the trial and execution had on the community—people who presumably lived, worked, and socialized with them before their death. Katherina’s evasiveness about their personal life, ambiguous gender identity, and potentially ambiguous anatomy all contributed to their fundamentally queer identity, for which they were prosecuted and killed.

Katherina’s fatal trial is a clear example of the tensions present around cultural bodies and gender roles and the potential consequences of transgressing against those roles. It is impossible to know with certainty Katherina’s individual circumstances because the only available record is a damaged court record—itsself a biased source of information—but it is clear from their conviction that they were indeed transgressing against those cultural roles and expectations. Unlike in literary sources like *Le roman de Silence*, there is no way to know Katherina’s thoughts so their true, self-determined identity remains mysterious. However, there are some

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<sup>232</sup> Puff, “Female Sodomy,” 52.

<sup>233</sup> Confusion over Katherina’s sex would also muddy the issue of sodomy. If Katherina was perceived as a man, then even if they had a well-known interest in women it would be interpreted as lust and fornication at worst, not female sodomy.

reasonable conjectures possible based on their recorded testimony and actions. There are clear arguments for a sapphic identity based on Katherina's being "read" as a woman in a sexual relationship with someone also understood as a woman. However, specific accusations in the trial, including those of physical ejaculation, crossdressing, and manly behavior, also support Katherina's identity as more similar to modern experiences of transmasculine individuals, or of butches and gender nonconforming people.<sup>234</sup> These ambiguities strengthen the case for Katherina's inclusion as a gender queer person.

While there is an overall lack of Katherina's "voice" present in the court records, it is certainly that there was *something* queer present in their identity and in their social (and romantic) interactions with other people in Speyer. The ambiguity of their identity is similar to John/Eleanor Rykener, as they both experienced prosecution for their gendered identities and survive only in singular court records. Furthermore, it is clear from the court record that Rykener's lived experiences of gender also did not match up to what the court expected from either a man or a woman, although the court decided that John/Eleanor was a man based on their anatomy.<sup>235</sup> For both Rykener and Katherina, while it is impossible to know whether or not they would consider themselves trans, it does follow that they could both easily be considered genderqueer. Both of their lived experiences of gender were different

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<sup>234</sup> The possibility of an intersex condition can also not be ruled out, however it is impossible to prove or refute to any degree of satisfaction based on the dearth of available information. Given the information available, there could also be an argument made for a personal identification along the lines of a stone butch identity. The clear ambiguity in Katherina's case, in her individual, cultural, and potentially physical identities, serves as a support for the use of "queer" as an identity descriptor for individuals of uncertain sexual and gender identity who nonetheless clearly fall outside the "norm" for their particular historical context.

<sup>235</sup> "Medieval Sourcebook: The Questioning of John Rykener."

from the standards of their communities, and their culturally gendered bodies were portrayed as sodomitical as a consequence of that difference. This deliberate nonconformity, as neither Katherina nor Rykener *accidentally* fell into sodomy and “crossdressing” (in fact, both would have had to put in a deal of personal effort in order to live as they were accused of living<sup>236</sup>), undeniably and legally set them apart as queer in contrast to the legal and religiously sanctioned norm—particularly in regards to their genders. Katherina and John/Eleanor are examples of how personal and public-facing identities intersected and could cause conflict in the medieval period, as well as how an individual’s experience of gender could (and did) differ from the ideal espoused by religious and secular authorities, exemplifying the “gap between ideals and practice” of medieval sexuality.<sup>237</sup>

Rykener, Vitoria, and Katherina all were exposed and denounced to the courts for their non-normative personal identities and expressions, but despite their circumstances there is also evidence that some degree of sexual divergence from the formal legal codes was acceptable amongst medieval populations. At least in Rykener’s case, the participation of Elizabeth and Anna in their first venture into sex work<sup>238</sup> and the two women’s involvement in their gendered presentation implies that some people were willing to at least overlook legal and religious prohibitions, if only

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<sup>236</sup> Regardless of what the marginalia of *Roman de la Rose* might imply, phalluses (and dresses) do not grow on trees.

<sup>237</sup> John Arnold, “Gender and Sexuality,” in *A Companion to the Medieval World*, ed. Carol Lansing and Edward D. English (Malden, MA: Wiley-Blackwell, 2009), 178.

<sup>238</sup> There is also the possibility that those functioning on the lower rungs and fringes of medieval society, including sex workers like Anna and Elizabeth, were more willing to accept divergence given their own vilified social positioning. A degree of solidarity between marginalized people is not an isolated historical phenomenon, and a similar but undocumented situation could have existed at various times and places during the medieval period.

for economic reasons.<sup>239</sup> However, Vitoria and Katherina were not so lucky as Rykener, and it is unclear whether or not they experienced any degree of social support from others before they appeared before the courts. Katherina's "sister" could have provided such support as a family member or a lover, but it is unclear if she was the only person who knew about Katherina. To most of their medieval contemporaries, Rykener and Vitoria were sodomitical men dressing as women, while Katherina was a sodomitical woman dressing as a man. Appearances of people like Vitoria, Katherina, and Rykener in the historical record provide evidence of queer people in the medieval period, but as sodomy was a religious and secular crime these appearances are usually in regards to legal cases against them.

Overall, much of the discussion around historical queer identities and relationships has drawn primarily from sources focusing on masculinities both queer and standard, as well as masculine social expectations. This is due in large part to a relative lack of sapphic court cases in comparison to the prevalence of cases of sodomy between men. Even in sapphic cases like Katherina's, much of the contemporaneous social concern is about the masculinity of the people involved. Because court records and other formal documentations serve as a basis for reconstructing historical perspectives on "normative" and "non-normative" behavior (as well as the potential consequences for transgressions), the information included and excluded in such records provides valuable information about medieval societies. While statutes regulating and delineating acceptable and unacceptable expressions of sexuality in the medieval period were common, prosecutions for such crimes were

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<sup>239</sup> "Medieval Sourcebook: The Questioning of John Rykener."

rarer, particularly prosecutions involving women.<sup>240</sup> In the cases of Vitoria, Katherina, and Rykener, because queer identities and relationships were outside of the law and of the sociocultural norm, their only appearance in the court records is when they were caught and identified, as Vitoria, Katherina, and Rykener were.<sup>241</sup> As these cases demonstrate, whenever queer people are identified in medieval records, there were often tragic personal consequences.

Accusations of sodomy were damaging and dangerous even to those individuals whose behavior *did* broadly conform to medieval gendered expectations. Because even suspicion could cause damage, accusations of sodomy were weaponized in the medieval period to inflict moral, social, and legal judgments on the accused.<sup>242</sup> Zeikowitz describes sodomy as a medieval invention and judgment, specifically referencing John Boswell and the development of the cultural taint of association between traitors, heretics, and *sodomites*.<sup>243</sup> Medieval records often group these three “types” of offenders against the social order together as a singular associated “category” of offender, demonstrating potential political motivations for an accusation of sodomy. If it was too difficult to prove a political enemy was a heretic or a traitor, an accusation or implication of sodomy could serve much the same purpose. These disingenuous accusations took advantage of the blurred boundaries between “positive” homosocial intimacy and “negative” sodomitical intimacy and

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<sup>240</sup> Benkov, “The Erased Lesbian,” 110 - 111.

<sup>241</sup> In such cases, much like the “gay/trans panic” defense used in modern courtrooms, the actual facts of an individual’s sexuality do not matter so much as the *appearance* or *interpretation* of that sexuality by outside observers and the community at large. Whether or not an individual’s sense of their own sexuality truly was something other than heterosexual, their externally constructed identity as interpreted by the community was of more consequence.

<sup>242</sup> Zeikowitz, *Homoeroticism and Chivalry*, 102-106.

<sup>243</sup> Zeikowitz, *Homoeroticism and Chivalry*, 102-103.

exaggerated them for political gain. These targeted accusations complicate the process of studying medieval queer identities and history because they obfuscate “real” cases of sodomy and examples of queer people, but they also reveal power structures and cultural conceptions through the wording of the accusations and the people involved—both the accusers and the accused.

John/Eleanor Rykener was brought before the courts initially for publicly having sex with John Britby, but the focus rapidly changed to their boundary-blurring lifestyle and gender presentation and the charge became an issue of sodomy instead. While their ultimate fate is unknown, the legal position against Rykener is apparent in the surviving record. Unfortunately, the rulings in Vitoria and Katherina’s cases are tragically clear. Both Vitoria and Katherina had distinctly non-normative gender presentations as judged by their contemporaries *and* were unable to successfully defend themselves in court by proving *sexus* or identities that agreed with their gendered presentations. As a result, both were harshly punished—Vitoria with a slow death at the galleys, and Katherina with a comparatively quick drowning. While medieval society did allow for personal identities with some degree of deviation from the norm, the limits of such tolerance were highly contextual and largely dependent on the social and legal status of the individuals in question and their degree of “deviation.” Kings could be the subjects of whisper campaigns and political maneuvering, but sex workers, enslaved people, and the socially estranged were magnitudes more vulnerable and subject to much more brutal identity-based reprisals.

Taken together, the examination of the queer potentialities represented by Silence's character in *Le Roman de Silence* and the historical evidence of queer

realities provided by records of notably genderqueer individuals like Vitoria, John/Eleanor Rykener, and Katherina Hetzeldorfer demonstrate ways in which individuals formulated their own internal individual and communal identities, as well as how these identities were expressed and interpreted by their contemporaries. Each of the individuals in question displayed complex and overlapping identities, particularly regarding gender and sexuality, that provide insight about the broader culture and community and that broader cultures attitude toward their identities. The complexities and tragedies as well as the joys of these people in all their humanity demonstrate the multidimensionality of the past, and how largely historically hidden records can serve as guideposts to understanding of how medieval people expressed their own identities and how they interpreted each other's identities. As the historical records attest, personal and communal identities were constructed and expressed through interactions of individuals with their communities and through their interior dialogue and sense of self.

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