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CHILD SEXUAL ABUSE: HISTORICAL CASES IN THE BYZANTINE EMPIRE (324–1453 A.D.)

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ABSTRACT

Objective: The aim of this article is the presentation and brief analysis of some historical cases, unknown in the broader medical bibliography, of child sexual abuse in Byzantine Society (324–1453 A.D.).

Method: The original texts of the Byzantine historians, chroniclers and ecclesiastical authors, written in the Greek language, were studied in order to locate instances of child sexual abuse.

Results: Although the punishment provided by the laws and the church for cases of child sexual abuse were very strict, a number of instances of rapes under cover of premature marriages, even in the imperial families, are revealed in these texts. Furthermore, cases of child prostitution, pederasty, and incest are included in the historical texts and some contemporary authors confirmed the presence of many such cases in all classes of Byzantine society.

Conclusion: The research of original Byzantine literature disclosed many instances of child sexual abuse in all social classes even in the mediaeval Byzantine society which was characterized by strict legal and religious prohibitions. © 2000 Elsevier Science Ltd.

Key Words—Child abuse, Child sexual abuse (history), Byzantine history.

INTRODUCTION

CHILD SEXUAL ABUSE today constitutes an alarming social phenomenon the instances of which, reported daily, appear to be increasingly widespread (Leventhal, 1998; Wyatt, Burns Loeb, Solis, & Vargas Carmona, 1999).

Research of historical sources, however, reveals the existence of the problem from antiquity and that the endeavors of the state to combat it were always intense and systematic. In particular, our research into the original texts of Byzantine historians and chroniclers indicates that child sexual abuse flourished even in a religious mediaeval society such as that of Byzantium, a state which comprised the rational continuation of the Roman empire and which was the most important state in the known world for 11 centuries (324–1453 A.D.). The state with its strict legislation and the church with the spiritual pressures at its disposal both made every effort to restrict this social phenomenon, which in Byzantium took the forms of rape under cover of premature marriages, child prostitution, pederasty, and incest.

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Figure 1. The Princess Simonis (14th century fresco of Gratsanitsa Monastery, Serbia).

MATERIAL

Premature Marriages

The Roman law had established the age of marriage at 12 for girls and 14 for boys. Under-age marriage of both spouses were then customary mainly among aristocratic families, which by such means arranged political alliances and pacts. The Roman law was applied in Byzantium with the addition that the husband who married an under-aged wife should wait for her to reach 12 years old before entering sexual relations (Lingenthal, 1931). Usually, however, the law was not followed and frequently parents declared false ages for their daughters (Bees, 1976). In cases of breach of the law, the church dissolved the marriage and unfrocked the priest concerned. The bishop of Arta, Demetrius Chomatianos (13th century), dissolved an engagement which had been arranged for a girl of 5 because her intended husband regularly sexually abused her between the ages of 7 and 12. When she reached 12 years old, she requested dissolution of the engagement, threatening to jump from a cliff or into the sea if her request was not granted (Pitra, 1891). Another case referred to was the engagement of a girl of 7 after a false declaration by her father that she was 12. The intended bridegroom raped the girl because she refused sexual relations with him, “sealing her mouth to the extent that blood poured out of her ears. For the rest of her life, she feared the sight of any man” (Tourtoglou, 1963).

The most celebrated instance of child sexual abuse is referred to in the case of Princess Simonis (Figure 1), only daughter of Emperor Andronicus II, Palaeologus (1282–1328), who at the age of

5 was given in marriage to the 40-year-old Sovereign of the Serbs, Stephan Milutin, for reasons of state alliance. The husband, however, as the historian Nicephorus Gregoras (14th century) confirms, “did not abide by the legal requirements for the wife to reach legal age and raped her at the age of 8, causing injuries of the womb, which prevented her from bearing children, and mental suffering which obliged her to return in tears to her homeland to be a nun.” Her parents, however, obviously respecting the political implications of the marriage which created conditions of friendship between Byzantium and Serbia, forced her to go to her husband; she did so and became a widow at the age of 21 (Schopen, 1829).

It should be emphasized that there are some indications in the historical texts that the psychological reactions of the victims were very similar to those described in today’s medical literature (Calam, Horne, Glasgow, & Cox, 1998; Verduyn & Calam, 1999) such as the cases of the 7-year-old girl who feared men all the rest of her life and the princess who perhaps presented depression and wished to become a nun.

The imperial family ignored the marriage legislation in numerous cases. Emperor Andronicus I, Comnenus (1183–1185) violated the law when at the age of 63, he married the 11-year-old Agnès Anna, daughter of Louis VII of France, already the widow of Alexius II Comnenus whom he had overthrown and killed. Immediately after the ceremony Andronicus rushed to satisfy his sexual desire to consummate the marriage, as the historian Nicetas Choniates (12th century) narrates (Dieten, 1975).

However, whenever cases of child sexual abuse in marriage were referred to the Patriarchate, avoidance of the marriage by decision of the Patriarch was the outcome. One of these decisions was based on a certification of virginity signed by a midwife (Miklosich & Müller, 1970).

Even more serious was the crime of child sexual abuse outside marriage or engagement. In this case the perpetrator was punished with various penalties during the period of the Byzantine empire, from money fines paid to the victim, dragging of the offender through the streets, to rhinocopy (cutting off the nose), exile, and in extreme cases, capital punishment (Pitsakis, 1971).

Child Prostitution

Child prostitution was the result of parents’ decisions, in their abject poverty, to sell their daughters for 5 gold coins or to hire them out, as the chronicler Malalas narrates (Dindorf, 1831). The defloration of the girls was a matter of public auction. Frequently under-aged prostitutes satisfied clients in the brothels with anomalous sexual acts. As the contemporary historian Procopius writes, the famous Empress Theodora (Figure 2), wife of Justinian I, the Great (527–565), when previously an under-aged prostitute, satisfied her clients in such ways. As is well-known, Theodora and her two sisters were, when child orphans, working in the theater. Theodora assisted in comic performances of clowns and removed her clothes “to show the men from front and rear that which should have remained hidden from their eyes,” as Procopius states (Wirth & Haury, 1963). Her childhood and adolescent experiences led to two births and numerous abortions which probably were responsible for her sterility during her marriage to Justinian the Great (Wirth & Haury, 1963).

Pederasty

Many Byzantine authors referred to the extent of the problem of pederasty during the whole period of the Byzantine empire. Eminent Byzantines were accused of being pedophiles, among them the Emperor Theodosius II (408–450), Constantine V (741–775), and the Eparch of Constantinople, during the reign of Justinian I, John Cappadoces, who “regularly sexually assaulted small pre-adolescent children who had not acquired the signs of manhood, especially hair” (Kukules, 1955; Niebuhr, 1837).

A great number of abductions of children, even outside their homes, is referred to; mothers



Figure 2. A contemporary portrait of the Empress Theodora (521–548) (mosaic of St. Vitalius, Ravenna).

frightened their children not to wander far from home because they “ran the risk of sexual attack by pedophiles offering sweets and nuts” as Saint John Chrysostome writes (Migne, 1858–1860).

Punishments were especially severe for pedophiles. The first emperor of Byzantium, Constantine the Great (324–337 A.D.), imposed lengthy terms of imprisonment, the emperor Constas II (641–668) capital punishment, and Leon VI the Wise (886–912) added exile and drowning with weights in the sea.

Chroniclers record, during the reign of Justinian I, the punishment of a group of pedophiles, among them the Bishop of Rhodes, Isaïas, and the Bishop of Dion in Thrace, Alexander, with mutilation of the penis, dragging nude through the streets, and death (Bekker, 1838; Boor, 1883; Boor & Wirth, 1978; Dindorf, 1831).

Capital punishment remained the usual penalty for pedophiles for many centuries in Byzantium; the victims were also punished with incarceration in a monastery which had the characteristics of the modern reformatory (Migne, 1857). However, Constantine VII the Porphyrogenitus (913–959) provided in his legislation “Ekloge” (which means “Selection”) for the immunity from penalties of children under 12 who had passive sexual relations; on the contrary adult pedophile rapists were punished with decapitation by sword (Pitsakis, 1971).

The church also attempted to confront the phenomenon, including it among the most serious sins and imposed a penalty of 19 years withholding of holy communion (Kukules, 1955).



Figure 3. Statue of the Emperor Heraclius (Barletta).

A well-known case of intended sexual abuse was that of the son of the Grand Duke Lucas Notaras, 11-year-old Isaac, who was the intended victim of Sultan Mohammed II after the fall of Constantinople, as the historian Ducas confirms (Bekker, 1834). The same happened to John, the son of the historian Sfrantzes. The two young boys and their parents refused to submit to the anomalous sexual desires of the Sultan who killed them all except the historian, who managed to escape (Bekker, 1834; Schlumberger, 1914).

Incest

More than any other form of child sexual abuse, incest is covered by a conspiracy of silence to protect his family secret. The penalties provided by each succeeding law during the Byzantine period, which included capital punishment and the ecclesiastical degrees of family relationship which prohibited marriage, all demonstrate the extent of the problem. The historian Agathias (6th century) states that “the phenomenon of incest is widespread and many brothers have shameless relationships with their sisters, fathers with their daughters, and worst of all, sons with their mothers” (Niebuhr, 1828).

The best-known incestuous emperor was Heraclius (610–641) (Figure 3) who, with his second marriage, “legalized” his long incestuous relationship with Martina, his sister’s 14-year-old

daughter, by whom he had about 10 children, many of whom suffered from various physical disabilities (Lascaratos, Poulakou-Rebelakou, Rembelakos, & Marketos, 1995). It appears that the desires of this all-powerful emperor were above the law and moral codes. The Byzantine historian Nicephorus (Bekker, 1837) and the chroniclers Leo Grammaticus (Bekker, 1842) and Ioannes Zonaras (Büttner-Wobst, 1847) attributed congenital anomaly of the emperor's urinary system (epispadias) to divine punishment due to this incestuous marriage.

CONCLUSION

In conclusion, historical accounts by Byzantine writers confirm that child sexual abuse is an ancient social phenomenon, which has many similarities with modern attitudes as regards its widespread social impact and its influences on the psychological balance of the victims.

Historical cases compiled from the works of Byzantine writers, unknown to the broader medical bibliography, prove that, despite the strict state legislation and church prohibitions from the early times of the Eastern Empire, the problem seems to have remained endemic in all social classes.

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