

## 1 Introduction

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In the late seventh century an anonymous compiler of a penitential handbook included the following phrase: ‘If someone [is] a magician and is able to provoke storms, he should do penance for seven years, three on bread and water.’<sup>1</sup> This short sentence can be an entrance into a world in which farmers fear for their crops because of heavy hail and thunderstorms and try to protect them by supernatural means. Some people, in the sources of the period referred to as *tempestarii*, a term that one could translate as ‘stormmakers’, apparently played on these fears and offered protection against such meteorological disasters in return for material rewards. A treatise composed by the ninth-century bishop of Lyon, Agobard, arguing against such beliefs, provides a useful background to this penitential canon.<sup>2</sup> Agobard describes a belief in magical ships travelling through the sky coming from a land called Magonia and communicating with *tempestarii* as to where to land their ship, provoking a heavy storm and robbing the land of its crops by taking these aboard the ship. Farmers gave the *tempestarii* a material reward, which they called the *canonicum*, so Agobard informs us, and used this fact as an excuse not to pay the tithe that they owed the church. Thanks to Agobard’s treatise the terse formulation of the penitential text cited above reveals a broader context, yet there still remain unsolved riddles. One of these concerns the question who these *tempestarii* were. Were they pagan priests competing with Christian clerics, as has recently been maintained?<sup>3</sup> Or are we dealing with independent village sorcerers, who were

<sup>1</sup> *Paenitentiale Bobbiense*, c. 18, ed. R. Kottje, in *Paenitentia minora Franciae et Italiae saeculi VIII–IX*, CC SL 156 (Turnhout 1994), p. 69.

<sup>2</sup> Agobard, *Liber contra insulsam vulgi opinionem de grandine et tonitruis*, ed. L. van Acker, Corpus Christianorum CM 52 (Turnhout 1981), pp. 3–15; the text is partly translated in P. Dutton (ed.), *Carolingian Civilization. A Reader* (Peterborough, Ontario 1993), pp. 189–91.

<sup>3</sup> P. Dutton, ‘Thunder and hail over the Carolingian countryside’, in Dutton, *Charlemagne’s Mustache and Other Cultural Clusters of a Dark Age* (New York 2004), pp. 169–88, at pp. 174–5.

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nominally Christian, yet dabbled in sorcery and witchcraft?<sup>4</sup> One could even argue that Agobard was combatting Christian priests or monks offering liturgical protection against thunderstorms.<sup>5</sup> The small number of source materials from this period makes it hard to provide definite answers to basic questions. Penitential texts do provide essential information regarding these ways to ward off bad weather, but it is hard to reach any definitive solutions. As we shall see, such uncertainty also characterizes the debate about medieval penance, particularly in the earlier period before *c.* 1200.

The debate about the role of penance and confession in the Middle Ages is closely linked to the debate about the nature of medieval religion. Historians have read the evidence for this period as indicating that many people were in fact only nominally Christian, and that their basic world view remained basically pagan for many centuries. The traditional forms of religion and the basic categories with which to interpret the world remained stable for many centuries and coloured the ways in which Christianity was interpreted and practised during the Middle Ages.<sup>6</sup> A related view holds that Christianity as a Mediterranean religion changed profoundly in the period after 400 because of the influence of converted Germanic peoples. As a result Christianity became a religion of formalistic ritual supervised by kings of a sacral nature and dominated by an aristocratic ethical code.<sup>7</sup> Both of these views regard medieval religion in the period up to the twelfth century as deeply influenced by pre-Christian, pagan attitudes towards the supernatural.

Lately, historians tend to see things differently, arguing that paganism for the early Middle Ages is merely a literary construct employed by ecclesiastical authors for their own purposes.<sup>8</sup> That medieval forms

<sup>4</sup> M. Blöcker, 'Wetterzauber: Zu einem Glaubenskomplex des frühen Mittelalters', *Francia* 9 (1981), pp. 117–31, at p. 125.

<sup>5</sup> R. Meens, 'Thunder over Lyon. Agobard, the tempestarii and Christianity', in C. Steel, J. Marenbon and W. Verbeke (eds.), *Paganism in the Middle Ages*, *Mediaevalia Lovaniensia Studia* 42 (Leuven 2013), pp. 157–66.

<sup>6</sup> As ingenuously argued by A. Gurevich, *Medieval Popular Culture. Problems of Belief and Perception* (Cambridge 1988); the same basic stance is found in J. Delumeau, *Le catholicisme entre Luther et Voltaire* (Paris 1979), who held that the later Middle Ages were only nominally Christian.

<sup>7</sup> J. C. Russell, *The Germanization of Early Medieval Christianity. A Sociohistorical Approach to Religious Transformation* (Oxford / New York 1994); C. Cusack, *Conversion among the Germanic Peoples* (London / New York 1998).

<sup>8</sup> The basic study arguing literary dependence is D. Harmening, *Superstitio. Ueberlieferungs- und theoriegeschichtliche Untersuchungen zur kirchlich-theologischen Aberglaubensliteratur des Mittelalters* (Berlin 1979); see also Y. Hen, *Culture and Religion in Merovingian Gaul A.D. 481–751* (Leiden / New York / Cologne 1995); J. Palmer, 'Defining paganism

of Christianity differed from what went on before and after is obvious, and it is surely problematic to interpret all change as the result of non-Christian influences. Nor does it seem helpful to speak about the archaization or rearchaization of Christianity, from an intrinsically ethical religion towards a purely formalistic one.<sup>9</sup> While ritual and ethical aspects may receive more or less emphasis in particular circumstances, human life is always characterized by a combination of moral and ritual commitments. As it is extremely difficult, if not impossible, to evaluate with any precision the importance of the moral versus that of the ritual, it seems not very helpful to characterize a religion from this perspective. The distinction between an ethical and a ritual religion is related to the influential distinction that Margaret Mead made between shame and guilt cultures. In the first wrongdoing leads to fear of disclosure and loss of honour, while in the latter the wrongdoer is not so much motivated by the reaction of others as by his own feelings of guilt. The former attitude would be more ritual and the latter more ethical. However, like the moral-ritual dichotomy, the distinction between shame and guilt seems too absolute and too difficult to measure in any detail to be a fruitful tool for historical analysis.<sup>10</sup>

The role of penance and confession has been central in the debate over the nature of medieval religion. The traditional narrative of the history of penance distinguished three major phases. In Late Antiquity a formal ritual of public penance was the norm, which, its ritual and public nature notwithstanding, is often seen as reflecting an ethical stance.<sup>11</sup> In the early Middle Ages private penance was introduced and this new form of penance was associated with a new literary genre: the handbooks for confessors known as penitentials. These books contained long lists of possible kinds of sin together with the appropriate penance to make up for them. As many historians assumed that these lists were to be applied in a mechanical way – i.e. sin x was to be

in the Carolingian world', *Early Medieval Europe* 15 (2007), pp. 402–25; J. Couser, 'Inventing paganism in eighth-century Bavaria', *Early Medieval Europe* 18 (2010), pp. 26–42.

<sup>9</sup> See the monumental study of A. Angenendt, *Geschichte der Religiosität im Mittelalter* (Darmstadt 1997), particularly pp. 1–23, and the work of his pupil H. Lutterbach, 'Intentions- oder Tathaftung? Zum Bußverständnis in den frühmittelalterlichen Bußbüchern', *Frühmittelalterliche Studien* 29 (1995), pp. 120–43, or Lutterbach, 'Die mittelalterlichen Bußbücher – Trägermedien von Einfachreligiosität?', *Zeitschrift für Kirchengeschichte* 114 (2003), pp. 227–44.

<sup>10</sup> See the useful discussion of this topic in R. Künzel, *Beelden en zelfbeelden van middeleeuwse mensen. Historisch-antropologische studies over groeps culturen in de Nederlanden, 7e–13e eeuw* (Nijmegen 1997), pp. 97–110. The concept 'guilt culture' is employed e.g. in the work of Gurevich, *Medieval Popular Culture*, p. 102.

<sup>11</sup> See e.g. Angenendt, *Geschichte der Religiosität im Mittelalter*, p. 628.

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remedied by penance y – private penance, or tariffed penance as it is also known, was regarded as ritualistic, unethical and archaic. In the twelfth century, through the innovations of Peter Abelard, things changed for the better. Penance became less formalistic, the stress no longer fell on the proper kind of penance to atone for one's sin, but on the feelings of guilt and remorse of the sinner. From an archaic ritualistic form of penance, a new interiorized ethical form of penance emerged, a development that was seen as intricately linked to the so-called 'discovery of the individual' in the twelfth century.<sup>12</sup> In many studies regarding medieval religion, penance played a crucial role as an indicator of the formal, ritualistic and unethical, or on the other hand the individual, moral and ethical nature of Christianity in a specific period. The following study will argue that many of these assumptions are based on too-easy generalizations of the complex nature and history of penance and confession during the Middle Ages and that it is important first to describe in more detail what we know about medieval penance and confession, before presenting such challenging theses.

Another discussion among historians concerns the importance of penance in medieval culture at large. It has been argued that penance as such was only of minor importance and that penitential tariffs were not used in the everyday contact between a priest and members of his flock, but instead were part of formal proceedings supervised by bishops in their ecclesiastical courts.<sup>13</sup> This has led to the conclusion that penance played a very insignificant role in medieval religion, at least up until the eleventh century.<sup>14</sup> Such a view concurs well with the theory of a thoroughly pagan medieval society touched up with only a veneer of Christianity.

<sup>12</sup> C. Morris, *The Discovery of the Individual 1050–1200* (New York 1972); for the importance of intention and penance, see p. 74. For a thoughtful recent assessment of the question of the 'birth of the individual', see W. Pohl, 'Introduction: ego trouble?', in R. Corradini, M. Gillis, R. McKitterick and I. van Renswoude (eds.), *Ego Trouble. Authors and their Identities in the Early Middle Ages*, *Forschungen zur Geschichte des Mittelalters* 15 (Vienna 2010), pp. 9–21; the threefold scheme forms the outline for H. Lutterbach, *Sexualität im Mittelalter. Eine Kulturstudie anhand von Bußbüchern des 6. bis 12. Jahrhunderts*, Beihefte zum Archiv für Kulturgeschichte 43 (Cologne / Weimar / Vienna 1999).

<sup>13</sup> A thesis advanced by Franz Kerff: see his 'Mittelalterliche Quellen und mittelalterliche Wirklichkeit. Zu den Konsequenzen einer jüngst erschienenen Edition für unser Bild kirchlicher Reformbemühungen', *Rheinische Vierteljahrsblätter* 51 (1987), pp. 275–86, and his 'Libri paenitentiales und kirchliche Strafgerichtsbarkeit bis zum Decretum Gratiani. Ein Diskussionsvorschlag', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kan. Abt.* 75 (1989), pp. 23–57.

<sup>14</sup> A. Murray, 'Confession before 1215', *Transactions of the Royal Historical Society*, 6th series, 3 (1993), pp. 51–81.

In a way such views can be seen as a healthy reaction to earlier views propagating an all too smooth evolution of early medieval penance towards the form of private penance as it developed during the later Middle Ages and the early modern period.<sup>15</sup> Yet the ‘minimal view’ on penance has been criticized in its turn. The juridical nature of penance has been called into question, while research into military uses of confession as well as into the codicological contexts of penitential texts, i.e. the texts with which they were combined in manuscripts of the period, have demonstrated that penance was more pervasive than the minimalists have been willing to admit.<sup>16</sup> Although there are no easy answers to the question of the ways in which religious confessional ritual played a role in medieval society, simply because we lack any statistical information regarding such questions, this book will try to bring more precision to the question as to who exactly was attracted to penitential procedures or, sometimes, driven to accept them.

In the past the history of penance firmly belonged to the domain of church history. Many books devoted to the topic were therefore written from a confessional background or, as in the case of Henry Charles Lea, from a liberal anticlerical point of view.<sup>17</sup> Particularly Catholic historians have studied the subject, among whom Bernhard Poschmann certainly was the most influential. In his work, published in two important studies of the history of penance in Late Antiquity and the early Middle Ages in the years 1928 and 1930, Poschmann stressed the continuities of penitential practices and concepts as a form of legitimization of the Catholic tradition of auricular confession.<sup>18</sup> For this reason his work concentrated on private penance as the cradle from which modern forms of auricular confession originated. By doing so, Poschmann neglected not only many other ways of doing penance, but

<sup>15</sup> As, for example, in the work of Bernhard Poschmann, who stresses continuities with later forms of penance, thereby establishing a legitimizing discourse of continuity; for his influence see R. Meens, ‘The historiography of early medieval penance’, in A. Firey (ed.), *The New History of Penance* (Leiden 2008), pp. 73–95.

<sup>16</sup> D. S. Bachrach, ‘Confession in the Regnum Francorum (742–900)’, *Journal of Ecclesiastical History* 54 (2003), pp. 3–22; R. Meens, ‘The frequency and nature of early medieval penance’, in P. Biller and A. J. Minnis (eds.), *Handling Sin. Confession in the Middle Ages*, York Studies in Medieval Theology 2 (Woodbridge 1998), pp. 35–61.

<sup>17</sup> H. C. Lea, *A History of Auricular Confession and Indulgences in the Latin Church*, 2 vols. (Philadelphia 1896).

<sup>18</sup> B. Poschmann, *Die abendländische Kirchenbusse im Ausgang des christlichen Altertums* (Munich 1928) and Poschmann, *Die abendländische Kirchenbusse im frühen Mittelalter*, Breslauer Studien zur historischen Theologie 16 (Breslau 1930); influential also is the English translation of his *Buße und letzte Ölung*, *Handbuch der Dogmengeschichte* 4.3 (Freiburg im Breisgau 1951), published as *Penance and the Anointing of the Sick* (New York 1964).

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most of all he devised the construct ‘private penance’, which is in many ways inadequate, as this book will contend.<sup>19</sup>

Lately, for a variety of reasons, other historians have developed an interest in the history of penance. They discovered the importance of handbooks for confessors as sources for social and cultural history and with the growing interest in social and cultural issues from the 1970s onwards, penance became of interest, if only because penitential literature provided a lot of information on topics which other kinds of source material hardly ever mentioned. Penitential sources were, for example, mined for the information they contained regarding religious practices that members of the church hierarchy denounced as forms of superstition. They also contain a lot of information on sexual behaviour or dietary habits.<sup>20</sup> Historians, being less interested in a quest for the origins of specific institutions, came to the subject with a greater eye for the diversity that existed on the ground. This tied in with a greater distrust in the possibilities of reconstructing the past on the basis of normative sources, such as law codes or conciliar legislation. Historians became more interested in practice, i.e. the concrete ways in which specific conflicts were handled, and less in the way they should be solved through the application of specific laws. This distrust of normative sources was most obvious in the field of conflict settlement studies, a booming field that drew much of its inspiration from the branch of legal studies known as legal anthropology. In the field of penance this meant that it was no longer of great importance how penance should work according to the normative sources, but rather to try to figure out how it worked in

<sup>19</sup> For the neglect of other forms of penance, see R. Price, ‘Informal penance in early medieval Christendom,’ in K. Cooper and J. Gregory (eds.), *Retribution, Repentance, and Reconciliation*, Studies in Church History 40 (2004), pp. 29–39; for a criticism of the construct of ‘private penance’, see M. de Jong, ‘What was public about public penance? *Paenitentia publica* and justice in the Carolingian world’, in *La Giustizia nell’alto medioevo II (secoli IX–XI)*, Settimane di Studio 44 (Spoleto 1997), pp. 863–904, at pp. 864–6 and 893–6; see also S. Hamilton, *The Practice of Penance, 900–1050* (Woodbridge 2001), a work that tries to supersede the private-public distinction.

<sup>20</sup> See, for example, Gurevich, *Medieval Popular Culture*, pp. 78–103; V. Flint, *The Rise of Magic in Early Medieval Europe* (Oxford 1991); M. G. Muzzarelli (ed.), *Una componente della mentalità occidentale: penitenziali nell’alto medio evo*, Il mondo medievale. Studi di storia e storiografia 9 (Bologna 1980); J.-L. Flandrin, *Un temps pour embrasser. Aux origines de la morale sexuelle occidentale (VI–XI siècle)* (Paris 1983); P. Payer, *Sex and the Penitentials. The Development of a Sexual Code, 550–1150* (Toronto 1984); P. Bonnassie, ‘Consommation d’aliments immondes et cannibalisme de survie dans l’occident du Haut Moyen Age’, *Annales ESC* 44 (1989), pp. 1035–56; R. Meens, ‘Pollution in the early Middle Ages: the case of the food regulations in penitentials’, *Early Medieval Europe* 4 (1995), pp. 3–19; H. Lutterbach, ‘Die Speisegesetzgebung in den mittelalterlichen Bußbüchern (600–1200). Religionsgeschichtliche Perspektiven’, *Archiv für Kulturgeschichte* 80 (1998), pp. 1–37.

practice.<sup>21</sup> This interest in practice fostered the historical engagement with diversity on the ground. What mattered were no longer the norms and theories with which bishops and ecclesiastical authors approached penance and confession, but rather the ways in which penance and confession functioned in very specific social circumstances.<sup>22</sup>

The greater interest in diversity also led to a new approach to texts. Whereas in the past editors of medieval texts were at pains to reconstruct the original text as it was composed by the author, lately they have become more interested in the ways a text was read, used, interpreted and altered.<sup>23</sup> Instead of focussing on the original text and eliminating all variant readings that did not reflect the original, they have seen the importance of textual variants, interpolations and omissions as forays into the world of the reader. Important in this context is also the codicological context. Many medieval texts were not read as independent publications, but were part of a manuscript also containing other kinds of texts. For the correct interpretation of a work it is often necessary to look into the other texts that are included in a specific manuscript, because we must assume that texts were not read in isolation, but as part of the codex in which they were being consulted.<sup>24</sup> It matters, for example, if a handbook for penance is included in a liturgical manuscript, or in one containing ecclesiastical and secular legislation. When Archbishop Theodore of Canterbury in the second half of the seventh century proclaimed that menstruating women were not allowed to enter a church building, he clearly moved away from the counsel that Gregory the Great had given to his predecessor Augustine. Gregory had explicitly allowed menstruating women to enter a church and to receive communion, declaring that the Old

<sup>21</sup> The title of the book by Sarah Hamilton, *The Practice of Penance*, is paradigmatic in this respect.

<sup>22</sup> See, e.g., M. de Jong, 'Power and humility in Carolingian society: the public penance of Louis the Pious', *Early Medieval Europe* 1 (1992), pp. 29–52 or de Jong, 'Pollution, penance and sanctity: Ekkehard's *Life of Iso of St Gall*', in J. Hill and M. Swann (eds.), *The Community, the Family, and the Saint. Patterns of Power in Early Medieval Europe* (Turnhout 1998), pp. 145–58.

<sup>23</sup> An approach sometimes labelled as 'new philology', see the special issue of *Speculum* 65 (1990) devoted to this approach; fundamental also is B. Cerquiglini, *Éloge de la variante. Histoire critique de la philologie* (Paris 1989). For a recent collection of studies endorsing such an approach, see R. Corradini, M. Diesenberger and M. Niederkorn-Bruck (eds.), *Zwischen Niederschrift und Wiederschrift. Hagiographie und Historiographie im Spannungsfeld von Kompendienüberlieferung und Editionstechnik*, *Forschungen zur Geschichte des Mittelalters* 18 (Vienna 2010).

<sup>24</sup> For a deliberate attempt to study a specific manuscript as a whole, see Y. Hen and R. Meens (eds.), *The Bobbio Missal. Liturgy and Religious Culture in Merovingian Gaul*, *Cambridge Studies in Palaeography and Codicology* 11 (Cambridge 2004).



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Testament purity regulations concerning menstruation were to be interpreted in a spiritual way. Apparently Theodore felt he could neglect Gregory's spiritual interpretation and proclaim a more literal or cultic one, but to conclude from this that Gregory's more ethical approach remained uninfluential during the early Middle Ages and was superseded by the cultic interpretation of Theodore is too simple.<sup>25</sup> If we look at the manuscripts containing Theodore's statement, we can observe that they often included Gregory's text as well. In some manuscripts Theodore's regulations on this matter were glossed by a reference to Gregory's views to be found elsewhere in the same manuscript, and sometimes they were even replaced by Gregory's text.<sup>26</sup> Only looking at the way these two texts were combined into specific manuscripts allows us to add nuance to the too simplistic view that Gregory still wrote from a late antique, ethical, point of view and that his views were quickly superseded by a cultic interpretation that was typical for the early Middle Ages.

Paying attention to the manuscripts containing penitential works will also help us to avoid too-easy generalizations. Thanks to a better understanding of early medieval palaeography – much of it indebted to the work of the late Bernhard Bischoff – we are in a position to date and locate specific manuscripts more accurately. This, in turn, may provide precious indications for the popularity of a specific text in certain regions or periods and thus contribute to a better understanding of the past. Earlier historians, sometimes, too readily assumed that a rule found in a specific text could be used to illustrate the medieval approach to a particular problem. Now we have the means to assess whether such a rule was disseminated over a wide region and known throughout the Middle Ages, or whether it was confined to a specific region and/or a specific period. To regard the sharing of a cup with a pregnant woman as a sin, for example, is a feature only found in Irish texts and can hardly be regarded as a general feature of medieval religion.<sup>27</sup> In the ninth century within the Carolingian empire a wide spectrum of different opinions existed as to the question of what exactly constituted an incestuous marriage. This was of great social relevance, since it decided whether

<sup>25</sup> Flandrin, *Un temps pour embrasser*, p. 81 and A. Angenendt, *Das Frühmittelalter. Die abendländische Christenheit von 400 bis 900* (Stuttgart / Berlin / Cologne, 1990), p. 346.

<sup>26</sup> See R. Meens, 'Ritual purity and the influence of Gregory the Great in the early Middle Ages', in R. Swanson (ed.), *Unity and Diversity in the Church*, Studies in Church History 32 (Oxford 1996), pp. 31–43, at pp. 37–41.

<sup>27</sup> Pace Lutterbach, *Sexualität im Mittelalter*, p. 98, who presents this as a general medieval phenomenon although he refers to only two Irish texts that have a very limited manuscript dissemination.



one was allowed to marry a person within a certain degree of consanguinity and when exactly a marriage had to be dissolved for reasons of consanguinity. Only a careful investigation of the different texts and their manuscript transmission will allow for an accurate picture of the diversity within the Carolingian empire.<sup>28</sup>

Although we are lacking the fullness of source material that would enable us to answer questions concerning the frequency with which people confessed their sins, the exact nature of their sins and the ways in which they atoned for them, when reading the available sources with an eye for the codicological context and the dissemination of the manuscripts there still remains a lot of documentation containing information on the practice of penance and confession. In this book many different kinds of sources will be used, such as treatises on penance, letters, saints' lives, visions, liturgical texts, monastic rules or conciliar legislation, and many other kinds of sources could possibly be fruitfully employed as well. The basis of this study, however, is formed by handbooks for confessors, those texts meant to inform confessors on how to hear confession, how to assign a particular form of penance and how to reconcile the sinner with God and the Christian community. Although recent historians of penance have been reluctant to use these texts because of their repetitive and normative character, I think there are good reasons to use them as the backbone for a study of penance in the period between 600 and 1200.<sup>29</sup> Although other sources contain a lot of valuable information, it would be foolish to shy away from those texts with which confessors were instructed and which they might even have held in their hands when hearing confession. Many of the manuscripts containing such texts were of a practical character, so it seems that we come close to the practice of penance by studying them.<sup>30</sup> In recent years these texts have been subjected to meticulous textual scrutiny, particularly in German scholarship.<sup>31</sup> Because of the rather technical nature of this kind of research, it has not always reached a general audience, and historians interested in penance or in penitential texts as

<sup>28</sup> As presented in K. Ubl, *Inzestverbot und Gesetzgebung. Die Konstruktion eines Verbrechens (300–1100)* (Berlin / New York 2008), pp. 291–383.

<sup>29</sup> For a reluctance to use these texts, see Hamilton, *The Practice of Penance* and A. Firey, *A Contrite Heart. Prosecution and Redemption in the Carolingian Empire* (Leiden / Boston 2009).

<sup>30</sup> For the practical character of many of these manuscripts, see Meens, 'Frequency and nature' and Meens, 'Penitentials and the practice of penance in the tenth and eleventh centuries', *Early Medieval Europe* (2006), pp. 7–21.

<sup>31</sup> In particular, R. Kottje and his pupils have done a lot of work in this field. In the anglophone world I think of the work of Allen Frantzen. For a short evaluation of this research, see Meens, 'The historiography of early medieval penance', pp. 82–5.

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sources for doing cultural history all too often use information that is out of date because a reliable guide to penitential literature is lacking.<sup>32</sup> This book hopes to provide guidance through the thick forest of penitential literature of the period between 600 and 1200.

This book therefore tries to follow the story of penance by charting first of all the history of penitential books in the Middle Ages. The manuscripts diffusion of particular texts is consequently presented as fully as possible. In doing so, this study relies mainly on existing scholarship and although by doing so many a lacuna became manifest, it withstands the temptation to do new research to fill these gaps. This book therefore offers a synthesis of recent research and does not aim to provide new information. Where it does something new, however, is in the interpretation of the material. As indicated above, historians of penance have long tried to fit their material into the mould of a pervasive taxonomy in which the distinction between public and private penance was central. This book argues that this distinction is anachronistic for the period before the late eighth century when it was introduced in Carolingian circles, and even then ‘private penance’ was not the term Carolingian bishops used. By parting from the concept of ‘private penance’ for this period, it becomes possible to interpret the existing sources in a new light. This new interpretation emphasizes the social function of penance, particularly in relation to lay people doing penance.

It has already been mentioned that conflict studies is a booming field of research. Historians have observed that rituals of deference and humiliation played an important role in the – often only temporary – settlement of disputes. It has been remarked upon that particularly those rituals in which a party in a conflict would abase himself before the other in order to reach a specific settlement, and which are generally known as a *deditio*, bear a strong resemblance to ecclesiastical rituals of penance.<sup>33</sup> Nevertheless, such rituals of reconciliation are generally regarded as purely secular. This book will attempt to demonstrate that this need not always be the case and that ecclesiastical ritual and the procedures of confession and penance can be part of the reconciliation between

<sup>32</sup> To name but one recent example, the discussion of dietary rules in Firey’s *A Contrite Heart* is seriously flawed because of the author’s ignorance of the so-called *Paenitentiale Oxoniense II*, a text only recently discovered and edited by Kottje (discussed below in Chapter 5). Because she relied solely on the nineteenth-century edition made by Wasserschleben of penitential texts, Firey missed this important work containing a wealth of information on this particular topic.

<sup>33</sup> G. Althoff, *Spielregeln der Politik im Mittelalter. Kommunikation in Frieden und Fehde* (Darmstadt 1997); Althoff, *Die Macht der Rituale. Symbolik und Herrschaft im Mittelalter* (Darmstadt 2003); G. Koziol, *Begging Pardon and Favor. Ritual and Political Order in Early Medieval France* (Ithaca / London 1992).