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The Meaning of Prostitution:
In Ancient, Medieval, and Early Modern Period in Europe

AKASAKA, Shumichi

Introduction

In former times history was taken as a precept. According to the Bible where we can find the phrase “there is nothing new under the sun”¹, people were and are the same anywhere at anytime, and if we study about the people who lived in the past, we can gain wisdom of what to do now and in the future. Past historians said it was history that enabled them to forecast the future by studying the past. But recently such an idea has been abandoned at least in academia. Now the learned know that people who live in different places and in different times are different. Present historians insist that even the mentality of people which was taken as changeless in anyplace and at anytime is different in another place or time. For example, Philippe Ariès maintained that mankind’s attitude to death, which has been taken to be universal (all people have feared death!), has changed gradually even in the same place.² But even now many people believe the meaning of prostitution is the same from the past to the present and they say it was the oldest profession as if the concept of prostitution were not changeless.³ They argue that what was meant by prostitution in the ancient times, for example in imperial Rome, was the same as what is meant by prostitution now. If they are right, the new historical perspective is wrong. For according to the new historical perspective cultures change from place to place and from time to time. Or should we think that the sexuality of human beings is an exception and has no relation to culture? I will try to examine prostitution historically by answering these questions in this essay.

Many books have been written about the history of prostitution from the 19th century to the present time. Some are academic and serious, and others are aimed chiefly at amusing. But in almost of all these books only the pictures of prostitution are described. The authors of these books don’t consider the meaning of prostitution important and don’t try to put it into the context of society, as if the meaning of prostitution were changeless and easily understood. It seems that the meaning of prostitution is clear to everyone.

キーワード: 娼婦、売春、娼館、犯罪
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and that it is unnecessary to think about it any more. In this essay I don’t try to draw pictures of prostitution but to explain the meaning of prostitution in some periods in Europe. First of all, I should define prostitution for that purpose. If we can find the following three points in the attitude of a woman, we can judge it prostitution; payment, promiscuity, and emotional indifference to the partner. With these three points, we can distinguish prostitution from concubinage or adultery. Now I make some observations about some phases of prostitution.

1. How to think about prostitution

In older times, prostitution was thought to be a problem of morality. Prostitution was regarded as immoral because it broke the norm of society. And at that time, prostitutes were also considered immoral. Even in modern times many people agree with this view. However, we must reconsider why prostitution and prostitutes are always considered immoral. Consider the standard of morals changes. Do prostitution and prostitutes have nothing to do with the standard of morals? Or are they above morals? Well, if prostitutes are immoral, they should be punished or reformed. Many institutions were constructed for punishment or reformation of prostitutes and many movements against prostitutes were developed. We cannot refer to these institutions and movements because of limited space. You can find out about them in many books. However, if prostitutes themselves are not immoralists but victims of this immorality, how should they be treated? Of course we should rescue them from this immorality. And the institutions and movements which tried to rescue prostitutes were also many. We cannot refer to these either. Instead, I will ask what you think about prostitution. Why is prostitution immoral? We can answer this question only by saying, because it is against our morals. That is only tautology.

If prostitution and prostitutes are the problem of morality, the solution is easy to find. You can abolish or at least diminish prostitution through educating society as to the immorality of prostitution. Moralists believe that if the whole of society knows about this corrupt practice, this practice will be corrected and so decreased gradually. Believing this, they will begin to appeal about the immorality of prostitution to society. Therefore moralists are usually optimists at first. Reforming society, however, is despairingly difficult, so optimists will become fatalists before very long. Even now you can find such moralists everywhere.

If prostitution is not a problem of morality, what is the problem of prostitution? Recently lawyers and scholars have argued that prostitution should be thought of as a crime. At least in Japan prostitution has been a crime since 1958.

If prostitution is a crime, those who are involved in it are either criminals or victims of this crime. Those who are involved in prostitution are prostitutes, or go-betweens, or clients. In many countries, prostitutes and
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go-betweens (bawds, panders, procurers, pimps etc.) are regarded as criminals. (If a woman is coerced into becoming a prostitute, she is regarded as a victim.) However, clients have not been usually regarded as criminals.

If prostitution is a crime and prostitutes are criminals, who is the victim of this crime? Is the client who buys a prostitute a victim? If so, what is his damage? I cannot imagine what his damage is. Or is prostitution a victimless crime? Or does it inflict damages on society? Prostitution is certainly associated with many crimes, but I don’t know what damage prostitution itself inflicts on society.

Lawyers, lawmakers, and scholars have long neglected the clients, but recently some of them have begun to argue about the clients and many activists try to make public the clients. For example, some feminist groups try to publish lists where the names and photos of clients are shown, and to open them to the public on the Internet. This action is indeed effective to make clients hesitate to buy a prostitute, but it could make prostitution become more invisible and connect with under-ground groups.

Now I will enquire into the issue of the clients a little. We have given very little attention to the clients, since many people have believed that a client’s sexual urge is natural and to try to buy sexual favors is instinctive. And many people also believe that man has an inclination to promiscuity. I think this belief has no grounds, but Richard Dorkins’ selfish gene theory gave this belief a firm basis. Some explain, at this theory’s suggestion, that man has an instinct desire to try to spill his gene in many women and this attempt is not only natural and healthy, but also unavoidable. Of course this understanding of the selfish gene theory is superficial or, to be precise, is wrong, but as a result of such an understanding of this theory, some people maintain that the attempt of a client to buy a prostitute is not negative or criminal, but normal and natural. Clients also insist that buying sex is a matter of private choice. And they say always, if a man is moved by sexual desire or submits to it, it is natural because it is men’s sex instinct. However, I think that this view, that prostitution is inevitable because of the man’s sex instinct, puts prostitution outside of history. Prostitution is historical and depends on historical situations. And besides I don’t believe a human being has the sex instinct, since instinct means, “inborn tendency to behave in a way characteristic of a species: natural, unacquired mode of response to stimuli”. Can you think of something that is an inborn pattern in human beings, I don’t think it justifies prostitution.

Clients’ other claim is that there are some men who cannot find any girl friends because of their personality, but want to have sex, and then they assert they should have the right to have sex with a girl. For example, a client says, “Basically I’m a kind of shy guy. I have never in my entire life been very successful about seducing women. The only way I’ve
been able to get sex is to pay for it". Should prostitution be a relief measure for such a shy guy? For such a man, it is not only natural, but also of positive value to buy prostitutes. In response to the voices of such shy clients, the sex-worker theory is advocated. The proponents of this theory insist that we should consider prostitution as a job like nursing, therapy, even the art of medicine. Indeed it may be possible to see prostitution as a healing job, but can you actually accept that claim?

If your sister, wife, or girl friend tells you that she will become a sex-worker, that is, a prostitute, for helping the diseased people, what would you say to her? Would you agree with her and support her? If I were you, I could not agree with her. But it is possible that I am prepossessed of a bias. Should I be free from such a bias and agree with her? I cannot answer this question now, but I feel it is not wrong to claim that prostitution is, even if not an honorable profession, a kind of work. I feel prostitution is a system of exploitation of women.

It is possible to see clients as criminals. The idea that clients are criminals has something to do with the view that they are not normal and with the belief that they exploit women. Many feminists insist the existence of clients itself makes women prostitutes and they claim we have to try to make an effort to prevent men from buying women. Those who hold this view think that a prostitute is not to blame, but the men who buy her are to blame. But even if men are not normal and exploit women, are men to be punished as criminals for that reason?

Whether prostitution is legal or illegal, that depends on the law. In NZ, prostitution was legalized in 2004, but in Japan it is still illegal now. In Japan, prostitution was illegalized after World War II. The Anti-Prostitution Law was promulgated in 1958. According to Article 1: "The aim of this law is to punish behavior which promotes prostitution and to try to prevent prostitution through adopting measures by which the government can guide and protect women who are in danger of falling into prostitution because of their disposition or their circumstances, since prostitution harms the dignity of the individual, is against sexual morality, and offends public decency." This article doesn't refer to the clients at all. To sum up, clients were not and are not deemed as deviants in Japan.

Recently some researchers have treated prostitution psychologically, and also sociologically. Psychological research tries to answer the question, "Why do women become prostitutes?" Life histories of individual prostitutes have been researched for that purpose. And psychologists insist that women become prostitutes as the result of poor child-rearing practices and impoverished home environment. Generally speaking, they commonly interpret a prostitute as a victim of awful domestic life or social circumstance. This insistence is similar to that of feminists. Feminists say that prostitutes are victims of the patriarchal system and capitalism. This is
understandable, but it is also problematic. Indeed, domestic and social circumstance is one of the causes of women being prostitutes, but it is not always the ultimate cause. Even if two women live in the same home and social circumstance, they will not necessarily lead the same life. It is possible that one woman becomes a prostitute because of her bad domestic circumstances, while another doesn't, in spite of the same circumstances. To become a prostitute is a kind of choice. And reasons for making this choice are various. We cannot generalize these reasons.

The insistence that prostitutes are victims of capitalism is even more problematic. Prostitution is older than capitalism. Today's prostitution industry is a capitalistic industry which is managed by underground groups with access to big money. On that point, prostitutes are certainly victims of capitalism, but even if we say so, we should not conclude prostitutes are the same as the present working-poor. Some prostitutes can be rich. Indeed, prostitutes could be a kind of working poor, but they are deviants and working-poor are not. Prostitutes are often engaged in illegal work, but working-poor are always (hopefully) working in a legal job. Therefore, prostitutes look like working-poor, but they are not.

There was a view which saw prostitution as a necessary evil. Augustine insisted so and since then, many theologians and thinkers have also maintained this view continuously. For example, when prostitution began to be institutionalized in many parts of Europe in about the fourteenth century, the excuse of this legalization was that wives and daughters of good citizens should be protected from frustrated men. And we can observe such a view at the present time. In 1983, in the New South Wales Legislative Assembly, Mr. Wran said the following,

“Sydney is a great seaport city. Every night on the streets of Sydney, thousands of men who have been aboard ships for weeks at a time are unleashed. There are others who perhaps because of personality problems have no continuing association with members of the opposite sex. They are persons who because of language or other difficulties have no relationship with a member of the opposite sex. It has always been recognized in great cities such as Sydney that prostitution is a safety valve for the protection of women in the community. So, if what really is being debated here is eliminating prostitution, the question is, what do we substitute for it?”

What did you think of this statement? Should we look for a system which substitutes for prostitution?

At the end of this chapter I will introduce a strange opinion. Some insist that marriage itself generates prostitution, “since monogamous marriage prevents men from behaving naturally”. They believe that all men have an inclination to promiscuity. To our surprise, according to Belinda J. Carpenter, the print media continuously proclaim man’s natural promiscuity.
Now you can understand that prostitution is a very complicated problem. Prostitution has many phases and each phase has its own problem. Therefore it is very difficult to understand prostitution wholly. It is easy to say prostitution is immoral or criminal, but such a view doesn’t solve the problem. Now we must admit that prostitution is a kind of social phenomenon and think of it historically since we can understand a social phenomenon only by considering it historically.

2. Sacred prostitution

Many historians maintained there existed sacred prostitutes or temple prostitution in Mesopotamia. They lived in temples and had sex with gods or copulated with people who came to the temple to pray to the gods. Bullough explains about this prostitute;

Within the temple at Babylon, there was a special room set aside for the god Marduk (or Baal as he was sometimes called) to have sexual intercourse. This room was located in the topmost tower and had a large couch that was occupied at night by a woman specially chosen to serve the sexual needs to the god.9

And Nickie Roberts also wrote;

Wherever she (=Ishtar) was worshipped, sacred prostitution was a focal point of the holy ritual. With Ishtar herself identified as a prostitute, and with prostitute-priestesses staffing the temples that were still at the center of religious, political and economic power in Mesopotamia, the status of whores was high.10

If such prostitution really existed, we have to revise our view of prostitution radically, since sacred prostitutes had very high status in comparison with ordinary prostitutes and got money not for themselves but for the gods. They could be prostitutes by definition, but were not prostitutes in a general sense. Indeed, it was possible to believe that women in the temple had sex with gods, but should we call it prostitution? We should call it rather sacred marriage with gods, shouldn’t we? If it is right, those temple women were not sacred whores, but sacred wives.

However, the economic meaning of this sacred prostitution was more problematic. Advocates of this sacred prostitution say sacred prostitution in the ancient world meant the sale of a person’s body for sexual purposes, not only to gods, but also to humans who came to the temple, and some portion of the money received for this transaction went to a deity. If it were true, it was prostitution and the temple was a go-between. Did the temple itself really manage prostitution?

According to Budin, “It would appear ・・・ that there are no sacred prostitutes to be found in the cuneiform sources.”11 And she also wrote:

This very brief survey of the Near Eastern materials shows little solid evidence exists for the practice of sacred prostitution.12 I ・・・ argue that misrepresentation and confusion
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also had their parts to play in the rise of sacred prostitution myth. Only when Greek, Roman, Near Eastern, and Biblical scholarship are considered together do we really discover that sacred prostitution was not an historical reality, but a myth that came to take on a life of its own.13

She concluded that sacred prostitution was a myth. I think so, too. Indeed, at that time people believed a woman’s sexuality had a mysterious power, but they knew also woman could satisfy man’s sexual desire. I suppose this “temple prostitution” was not prostitution, but could well be a ritual which symbolized these two phases.

When and why was this myth formed? Seeing that Helodotos wrote about temple prostitution (but he didn’t seem to believe in it), that myth had already existed in the fifth century BC. Maybe it came into existence at the beginning of the ancient Greek period. At that time, the status of women was very low and men could not imagine that women could do important jobs. Therefore, the serving of many women in the temple made them imagine that women stayed there to give their service to men, and that the service to men was only sex-service for them. The myth of temple prostitution, like this, showed the mentality of the ancient Greek males. It was the mentality of andro-centric sexuality with which they saw every thing in their world.

We can find the normal prostitutes in Mesopotamia. Mesopotamian society was patriarchal society in which men possessed all women, and prostitution was inevitable in such a society. But why?

Patriarchy was the system in which a patriarch (the male head of a household) had absolute power over his family. All the women were under the control of the patriarch. He utilized the women for the prosperity of his household. He controlled unmarried women rigorously in order to make an arrangement of the most suitable marriage for his household. Therefore, a man had no chance to meet a woman who didn’t belong to his household. And such a frustrated man would have desired to meet a woman with whom he could have sex freely. On the other hand, a woman who had lost the support of her patriarch could not have lived in such a patriarchal society. Therefore, she could have had no other choice but to become a prostitute. In this way, patriarchal society controlled the unmarried woman severely and at the same time created prostitutes and promoted the prostitution system.

I have now a question. Ancient society had slaves. Slaves were only tools. (According to Aristotle, slaves were tools who could speak.) Therefore, men could have used them freely for sex acts. And only the men who were too poor to buy slaves would have visited prostitutes. But if they were so poor, could they afford to buy prostitutes? Could prostitutes live on in a society where few clients existed. Or were there many clients even in such a society? I will look at prostitution in ancient Rome to answer this question.
3. Prostitution in a society with slavery

Slaves existed in ancient Rome, and many men and women were sold and bought as slaves. Ancient Rome was also a society where monetary economy was highly developed. How was prostitution in such a society? First of all, we can confirm that prostitution was fully accepted as a part of life in the Roman Empire. Prostitution was common and completely legal there.

There existed many brothels in ancient Rome. Rich citizens managed these brothels and made slaves work there. The selling price was very low, but owners of the slaves had them work hard and made a gain with a low profit margin. Therefore, prostitutes who worked there could not have lived very long.14

Rome extended rapidly from a tiny city-state to a vast and great empire. For that purpose many wars were waged. As the result of those wars many free peasants lost their land and fled to the big cities like Rome. They had no other choice but to become wage laborers. Men could find their working places but women could not, because work-places for women (domestic working places) were occupied by slaves. Women who could not sell their own labor could not help but sell their own bodies. But as the prices of slave prostitutes was very low, free women could not sell their own bodies for a higher price. Therefore even very poor men could buy prostitutes at that time.

We can observe another form of prostitution. Rome’s rapid expansion meant that Roman soldiers had to travel all over the place, and they were not allowed to marry. In consequence, wherever they were stationed a row of brothels was constructed, alongside the rests of the garrison. And in addition to them many slaves gave services to soldiers. Their role was to copulate day and night for the relief of the soldiers, as well as patching up wounds, cooking and performing all the other domestic duties the men took for granted. This exploitation of soldier’s sex-slaves epitomized the organization of the lower-class sex industry in ancient Rome.15

To sum up, all free labor was cheap in a society with slavery. The labor which was not cheap was the labor which slaves could not carry out. At that time, such labor didn’t exist for women.

We can observe Roman prostitution from the perspective of a commodity economy. Sex as merchandise was very important in such a place as few ready made goods existed. Nowadays in highly capitalized countries goods are over-produced and how to sell them to consumers is an important problem, but in the Roman world the only merchandise which they could supply affluenty were slaves and sex. Therefore, I suppose sex was important for Rome’s economic prosperity. The Roman sex industry was not controlled by underground syndicates, but was managed by magnates and was a central industry which supported the foundation of the society. Rome was an empire whose economy was based on the sex industry.
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4. Prostitution in the Middle Ages

Views of Theologians

If antiquity was the age of slaves, the Middle Ages was the age of Christianity. Christianity always treated sexuality as its enemy. Its doctrine that Jesus was born of the virgin clearly shows its attitude to sexuality. Medieval theologians believed that sexual pleasure was not good even in marriage like some Stoics. 16

How was prostitution thought about in such an age where sexuality was denied? Saint Jerome said, “A whore is one who is available for the lust of many men.” 17 According to him, it was a more serious problem for a woman to copulate with many men than to sell her body for money. If so, how many are “many”? Theologians argued about that number and each insisted on a different number. Some said that “many” meant seven, others hundreds or hundred thousands. They continued to argue about the number, but of course they could not agree on the right number.

Prostitution was an evil for the theologians, but they didn’t try to prohibit it absolutely because they thought that, if it was prohibited, society would be confused. For them prostitution was a necessary evil. If prostitution was an evil, what were the prostitutes? The victims of that evil or carriers of that evil? Theologians knew that women had became prostitutes because of the problem of finance. Even so, theologians did not consider poverty or economic necessity as mitigating circumstances. 18 A prostitute was a sinner all the same. Since she was a serious sinner, she could not appear in a court to denounce a criminal, and the prostitute who had charges laid against herself was not allowed to answer in person, but had to employ a representative to respond instead of herself, just as madmen and monsters. 19 Theologians forgot the words of Jesus to the Pharisees of his time: “I tell you the truth, the tax collectors and the prostitutes are entering the kingdom of God ahead of you”. 20

How did theologians think about the gain from selling one’s own body. When canonists dealt with the gain in prostitution, they drew upon Roman law. The classical Roman law had defined prostitution as the offering of the body for sexual intercourse in return for money. 21 For theologians, money itself was not so important, but it was a problem whether the fee which a prostitute received was legal or illegal and whether a tithe which she paid was permissible or not. It was suggested that the fees which a prostitute received should be interpreted as compensation not only for her sexual services, but also for their impaired social standing. 22 The customer who paid the prostitute her fee might be held to be wrong to give money to her; but her acceptance was perfectly legal. 23

Some theologians held that since the prostitute lawfully possessed the money which she received for her services, she had to pay tithes from her earnings. Hostiensis, however, thought otherwise: the earnings of the prostitute, although lawfully held, were nonetheless the wages of sin, and tithes could
not legally be collected from them. Saint Thomas argued: the prostitute had to be required to pay the tithe from her earnings—but the church might not accept the payment until she would be reformed. I think theologians always made everything so complicated.

To sum up, prostitutes were evil, but allowed to work for society. In spite of the attack of the theologians, the destiny of medieval prostitutes would not have been so severe as Roman prostitutes. The social standing of prostitutes was paradoxically high, even in such a society where sexuality and women were regarded with hostility.

**Institutionalizing of prostitution**

Medieval policy-makers tried to prohibit prostitution generally. And severe punishments were allegedly imposed on the prostitutes who were captured. For example the prostitute who was caught was said to have her nose cut off. Were medieval people always so cruel to prostiutes? I will consider medieval people’s behavior to prostitutes next.

The following ordinance was promulgated by Louis IX.

Public prostitutes are to be expelled from the fields [de campis] as well as from the towns, and once these warnings or prohibitions made, their goods are to be seized by the judges of the localities, or taken, by their authority, by anyone else, unto the tunic and robe. Who knowingly rents a house to a public prostitute, we wish that that house fall to the lord [king], by whom it is to be held in feudal commission.²⁵

Of course prostitution could not be eradicated by such an ordinance and it continued to flourish in many places, especially in cities and towns. Our times are similar to such a situation. However, in Medieval Europe there was a kind of prostitution system which we cannot ignore. It was municipal brothel system. Municipal government built the brothel and the government and the police were responsible for the security of the house.²⁶ Such municipal brothels were seen in many cities and towns in Europe. Before this period no government built the brothels with official money. Why were such municipal brothels built by many municipal governments in such a period when Christianity saw prostitution as an enemy?

Several historians gave their answers about the causes of institutionalization of prostitution. Jacques Rossiaud argues that a large percentage of the population who were celibate and the late age at which men married resulted in a positive policy on prostitution and that institutionalization of brothels tempered the aggressive nature of adolescents.²⁷ Richard C. Trexler believes that the primary motivation in this positive policy was to fight against the declining birthrate of this period. By converting men from homosexuality to heterosexuality, Trexler argues, prostitutes made an indirect contribution to boosting the falling birthrate.²⁸ Leah Lydia Otis argues the nascent sense of
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public order, public utility, public good demanded a policy of confinement of
prostitution, and confinement could not be
satisfactorily effectuated without a certain
institutionalization.\textsuperscript{29} And she maintains also,
the municipalization and protection of
brothels is evidence not of the decadence of
the later Middle Ages but of the attempt of
secular authorities, both municipal and royal,
to impose a uniform standard of sexual
conduct on lay society.\textsuperscript{30} Each argument seems
to have a part of truth, but it doesn’t look to
be a decisive cause. However, for us it is more
important to think about the fact itself that
brothels were municipalized even for a short
term than to search for the cause of the
municipalization. You can understand the
importance of this fact, if you imagine whether
your government could establish brothels with
public funds.

Institutionalization of brothels was related
to the change of status of prostitutes. In early
and high Middle Ages, a prostitute had little
legal right because she was an infamous
person. But we can observe the gradual
evolution of the legal status of prostitutes in the
later Middle Ages, in the direction of full legal
capacity. And by the end of the fourteenth
century, limits on the rights of prostitutes and
restrictions of their legal capacity would seem
to have disappeared. From the end of
fourteenth century to the sixteenth century
(the period of institutionalization of brothels)
prostitutes would seem to have enjoyed the
same legal capacity as honest women.\textsuperscript{31} In
connection with that evolution, a change of
the word which meant prostitute happened.

In the early and high Middle Ages a
prostitute was called meretrix in Latin, which
connoted infamous. But the new term to
designate a prostitute appeared in the texts
from the end of the fourteenth century. It was
mulieres publice (public women). This plain,
neutral phrase was to become the
conventional term for prostitutes in the
fifteenth century.\textsuperscript{32} This meant that medieval
people didn’t always see the prostitutes with
contempt.

Conclusion

How should we explain the institutionalization
of brothel and the diminishing of the infamy of
prostitutes? Can we maintain that prostitutes
were freed through the development of
humanism? Or were they accepted by the
society as a result of the laxness of sexual
morality? I guess these phenomena didn’t
have anything to do with humanism or sexual
morality. If we refer to humanism in this
period, it will not be historical because
medieval humanism didn’t mean what modern
humanism means, and as for sexual morality,
moralists would have raised an objection to
the institutionalization of brothels when
sexual morality was more lax. It will be
impossible to give an answer to this question
in this small essay, but we should confirm that
there did exist a period when prostitutes
seemed to have been accepted by society.
Notes

1 Ecclesiastes 1:9.


3 The meaning of profession is “a vocation or occupation requiring advanced education and training, and involving intellectual skills, as medicine, law, theology, engineering, teaching, etc. (in Webster New World Dictionary of the American Language, 2ed.) According to this definition, prostitution is not a profession.

4 In Webster New World Dictionary of the American Language, 2ed.


14 Nickie Roberts, *op.cit.*, p.35.


