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INTERPRETING THE BODY IN EARLY MODERN ITALY: PREGNANCY, ABORTION AND ADULTHOOD*

On the night of 13 November 1569 the nuns of San Paolo Converso in Milan witnessed an unfamiliar scene: a childbirth. A boarder in their convent, Costanza Colonna, delivered a dead male child after three days of hard labour. All the many people present professed profound surprise. The 13-year-old Costanza, her servants, her physicians and her husband had all insisted until that very night that she was a virgin, that her husband was impotent, and that her growing belly was a symptom of oppilation (an obstruction causing fluid retention) resulting in dropsy (swelling) of the abdomen. The delivery forced a dramatic volte-face in the efforts under way to annul Costanza's marriage to Francesco Sforza, the marchese di Caravaggio. It also raised troubling questions of guilt and intent, and possible criminal charges, which drew the attention of the officials of the diocese of Milan. How could an avowed virgin give birth? How could expert physicians and experienced mothers miss a nearly full-term pregnancy? How could a young man who had sworn to his own impotence have fathered a child? For that matter, was it a child or a foetus, and who, if anyone, was responsible for its death? The next morning, the archbishop's vicar general arrived to investigate. As episcopal investigators, family members and the young spouses themselves scrambled to make sense of an alarming situation, they drew on convenient but very real ambiguities regarding pregnancy and personhood.¹ Costanza's body, once constructed as virginal, would now have to be reimagined.

That reimagination found ready fuel in contemporary medical views of the female body. To early modern Europeans, women's

* We gratefully acknowledge the suggestions and assistance of Elizabeth Cohen, Wietse de Boer, Cynthia Klestinec and Nicholas Terpstra. All translations are our own. Abbreviations have been silently expanded, and punctuation added; otherwise all spelling is original.

¹ The vicar general's investigation, Archivio Storico della Diocesi di Milano (hereafter ASDM), Sez. XIV, vol. 116, no. 21, is transcribed and translated in the supplementary online Appendix.

bodies defied understanding, especially in their generative capacities. One never knew what sort of creature or substance the belly harboured until it was emptied, for, as the medical forensics expert Paolo Zacchia opined, ‘any sign of pregnancy is uncertain, at best conjectural and doubtful’.² Surprises like Costanza’s were thus to be expected. Historians of medicine have drawn on this pervasive uncertainty to explore how women themselves experienced the transitions of pregnancy and childbirth.³ Here we broaden this approach to locate this richly documented case of an Italian noblewoman’s childbirth not only in the context of medical discourse, but also in legal, theological and generational contexts of the Counter-Reformation era, juxtaposing realms of knowledge concerning the body that are usually studied separately. Taken together, those disparate forms of knowledge buttressed Costanza’s claims to alienation from her body, ignorance of her unborn child and innocence in its death. To a lesser extent, they also informed the construction of the male body through Costanza’s husband’s short-lived claim to impotence and the more fleeting corporeal construction of their stillborn child. Finally, the case allows us to revisit the question of the interplay between the material body and the much discussed culturally constructed body.⁴

² Paolo Zacchia, *Quaestionum medico-legalium* (1621; Louvain, 1726), vol. i, bk 1, tit. 3, quaest. 1, pp. 56, 58. On the corporal uncertainties of women’s bodies, especially regarding matters of generation, see Maria Conforti, ‘Affirmare quid intus sit divinare est: mole, mostri e vermi in un caso di falsa gravidanza di fine Seicento’, *Quaderni storici*, xlv, 130 (2009); Silvia de Renzi, ‘The Risks of Childbirth: Physicians, Finance and Women’s Deaths in the Law Courts of Seventeenth-Century Rome’, *Bulletin of the History of Medicine*, lxxxiv (2010); Cathy McClive and Helen King, ‘When Is a Foetus not a Foetus? Diagnosing False Conceptions in Early Modern France’, in Véronique Dasen (ed.), *L’Embryon humain à travers l’histoire: images, savoirs et rites* (Gollion, 2007); Laura Gowing, *Common Bodies: Women, Touch and Power in Seventeenth-Century England* (New Haven, 2003), ch. 4; Ottavia Niccoli, ‘Il corpo femminile nei trattati del Cinquecento’, in Gisela Bock and Giuliana Nobili (eds.), *Il corpo delle donne* (Ancona, 1988); Katharine Park, *Secrets of Women: Gender, Generation, and the Origins of Human Dissection* (New York, 2006).

³ See, for example, Barbara Duden, *The Woman Beneath the Skin: A Doctor’s Patients in Eighteenth-Century Germany* (Cambridge, Mass., 1991); Laura Gowing, ‘Secret Births and Infanticide in Seventeenth-Century England’, *Past and Present*, no. 156 (Aug. 1997); Susan Broomhall, *Women’s Medical Work in Early Modern France* (Manchester, 2004).

⁴ The literature on body history is vast. For an introduction, see Kathleen Canning, ‘The Body as Method? Reflections on the Place of the Body in Gender History’, in Kathleen Canning, *Gender History in Practice: Historical Perspectives on Bodies, Class, and Citizenship* (Ithaca, 2006).

Experiences of the flesh take on meaning only in social context. Costanza's unexpected delivery upended a marriage dispute between highly placed noble families in which the condition and maturity of the girl's adolescent body, and her husband's, were already contested. Her family, disappointed in their new in-laws' precarious position and boorish ways, and possibly looking to make a more advantageous match, laboured feverishly during the summer and autumn of 1569 to annul the year-old marriage; Costanza herself longed for nothing more than to return to her home territory of Naples, or her family's base in Rome, above all to be 'gone from these lands and never have to see them again in this generation'.⁵ This outcome depended on Costanza's claim to virginity. Her claim, in turn, depended on the 18-year-old Francesco's voluntary admission of 'permanent, natural impotence', to which he testified under oath just a month before the birth. This put him at odds with his own family, who equally fervently opposed the annulment and accused the Colonnas of coercing Francesco's admission.⁶ Both the young people's stories failed to survive the incontrovertible evidence of the birth itself, and had to be radically reconfigured just as the marriage had to be patched up.

In her revision of her story, Costanza presented herself as a childlike innocent, unable to recognize sexual intercourse or her own body's contents. To do so, she could rely on the above-mentioned medical and legal presumptions of uncertainty about pregnancy and the beginning of life; but she could also depend on a familial structure, that of the noble family, that commonly pushed women into motherhood at puberty, well ahead of their social, political and emotional adulthood. In complacent defiance

⁵ 'havendo inteso che presto sarò fora da questi paesi per non aver da vedere mai più questa generatione': Costanza Colonna to Giovanna d'Aragona, 20 July 1569: Archivio Colonna, Biblioteca statale monumentale di Santa Scolastica di Subiaco (hereafter AC), Personaggi illustri (hereafter PI), BQ 147.

⁶ For Francesco's age, see the appointment of Violante Bentivoglio Sforza as Francesco's tutor, 25 Jan. 1553, giving his age as 26 months, or born in late 1550: Archivio di Stato di Milano, Feudi camerali p.a., vol. 140, no. 8. A copy of his sworn testimony to impotence is at AC, III BB, b. 2, no. 53. His grandmother made the accusation in a petition to the Milanese Senate of 3 Oct. 1569: AC, PI BR 56, no. 14. See the misdated copy at AC, Carteggio di Marco Antonio Colonna II 'Il Grande' (hereafter MAC), 115, no. 33; cited in Giacomo Berra, *Il giovane Caravaggio in Lombardia: ricerche documentarie sui Merisi, gli Aratori e i marchesi di Caravaggio* (Florence, 2005), 46. Much of the correspondence regarding the annulment is discussed by Berra, *ibid.*, 34–47, for rather different purposes.

of the intent of the Council of Trent regarding consent at marriage, Italian elite families routinely betrothed children in infancy and sent their daughters to the marriage bed immediately upon menarche.⁷ Like many of her peers, Costanza was denied all but the briefest physical adolescence, rushed into motherhood while still functioning as a child, supervised and patronized by her elders. This rough passage to sexual maturity was integral to framing her bodily experience. It also provided her with the key to her reconstruction of her story, once her body had revealed its truths.⁸ Francesco's experience of sexual maturity, though less well documented, also depended on some peculiar facets of gender and adulthood in noble families. Noble families' patrilineality, high dowry and stress on preserving and transmitting property in the male line are well known; but family power was actually very complex, with non-patriarchs of various sorts frequently holding critical positions. Title-holders like Francesco depended on clerical brothers or uncles, and on their widowed mothers or even grandmothers, to wield power both within and without the household.⁹ Francesco's grandmother Violante, his former guardian, exemplified this phenomenon by masterminding her grandson's political career. Observers interpreted his ultimate failure to grow into his role as head of the household to take the helm of the family in light of her overbearing presence.

In another common situation, his sparse family tree compelled Francesco to marry at barely 18. Noblemen had typically reached

⁷ Silvana Seidel Menchi, 'The Girl and the Hourglass: Periodization of Women's Lives in Western Preindustrial Societies', in Anne Jacobson Schutte, Thomas Kuehn and Silvana Seidel Menchi (eds.), *Time, Space, and Women's Lives in Early Modern Europe* (Kirkville, Mo., 2001); Stanley Chojnacki, 'Measuring Adulthood: Adolescence and Gender', in Stanley Chojnacki, *Women and Men in Renaissance Venice: Twelve Essays on Patrician Society* (Baltimore, 2000); Ermanno Orlando, 'Pubertà e matrimonio nella Padova di metà Quattrocento', in Silvana Seidel Menchi and Diego Quaglioni (eds.), *I tribunali del matrimonio, secoli XV–XVIII* (Bologna, 2006); Anthony Molho, 'Deception and Marriage Strategy in Renaissance Florence: The Case of Women's Ages', *Renaissance Quarterly*, xli (1988).

⁸ This contrasts with the slower progression of the 'age of flowers' noted for late seventeenth-century France: Cathy McClive, 'L'Âge des fleurs: le passage de l'enfance à l'adolescence dans l'imaginaire médical du XVII^e siècle', in Anne Defrance, Denis Lopez and François-Joseph Ruggiu (eds.), *Regards sur l'enfance au XVII^e siècle: actes du colloque du Centre de recherches sur le XVII^e siècle européen, 1600–1700: Université Michel de Montaigne, Bordeaux III, 24–25 novembre 2005* (Tubingen, 2007).

⁹ On noble family structure, see, for example, Renata Ago and Benedetta Borello, *Famiglie: circolazione di beni, circuiti di affetti in età moderna* (Rome, 2008).

the age of 25, 30 or beyond at their first marriage, delaying the assumption of full adult responsibilities. Francesco's lot denied him this long adolescence. A stronger man might have weathered this accident of demography without long-term consequence. But Francesco's constitution — his *complexio*, as Zacchia would say — was fragile in ways that undermined his masculine authority from the outset of his married life. Eager to escape his marriage, Francesco sought an annulment with enthusiasm. To achieve this, canon law required him to portray his alleged impotence as pathological, a permanent failure of his masculinity, rather than as a temporary condition of youth. His claim, if successful, would thus have marked him as a failed patriarch for ever, for the rewards of patriarchy depended on proof of potency.¹⁰ After Costanza's delivery confirmed his 'ability to copulate and procreate', as the law required, the couple reconciled and produced six surviving children in thirteen years. Despite this prolific record, Francesco never achieved an effective position of familial authority. Costanza was thus aided in her belief that she was 'as much a virgin as the day I was born',¹¹ by a husband pronounced unmanly, by himself and by others. That unmanliness seeped erratically into many aspects of Francesco's persona: it first appeared in a sexual context, only to disappear there under the pressures of evidence but reappear in his familial and political life. Thus, the general narrative of failure prevailed.

To be sure, these were no ordinary newly-weds, and conclusions drawn from the case must be limited to Italy's upper echelons. The bride's family, the Colonnas, were among the oldest and wealthiest of Rome's feudal barons. Costanza's marriage to Francesco was one of six arranged by her father, Marco Antonio Colonna, for his daughters, sons and sisters to nobility distributed across the Spanish-dominated regions of the peninsula, as he cultivated a more co-operative, courtly relationship with the

¹⁰ Cathy McClive, 'Masculinity on Trial: Penises, Hermaphrodites and the Uncertain Male Body in Early Modern France', *History Workshop Journal*, lxxviii (2009), points out the instability and anxiety surrounding male bodies. See also Renata Ago, 'Farsi uomini: giovani nobili nella Roma barocca', *Memoria: rivista di storia delle donne*, xxvii (1989); Valeria Finucci, *The Manly Masquerade: Masculinity, Paternity, and Castration in the Italian Renaissance* (Durham, NC, 2003); Edward Behrend-Martínez, 'Manhood and the Neutered Body in Early Modern Spain', *Journal of Social History*, xxxviii (2005).

¹¹ So she insisted in a letter to her father: 'siate certo che io sono vergine come quando nascivi': Costanza to Colonna, n.d. [1569]: AC, PI BY 20, letter 2.

newly centralizing states of the papacy and Spanish monarchy.¹² Protected and supervised by her brother-in-law Archbishop Carlo Borromeo of Milan, Costanza was a very high-status and well-guarded adolescent. The groom, of lesser status and newer nobility (his grandfather had been ennobled in 1525), held the fief of Caravaggio in the state of Milan, bordering Venetian territory. The Sforzas' control of incomes and territory suffered chronic attacks from local families, who resented the arrivistes and the centralizing Milanese state they represented.¹³ Orphaned and without siblings, Francesco was a very young head of a new and threatened family in danger of extinction. Little wonder, then, that his grandmother Violante rushed him into marriage, initially trying to secure Costanza's elder sister as a bride, 'for more rapid procreation'.¹⁴ The burdens of patriarchy meant that Francesco would have to do his duty, and quickly.

I

A FAILURE OF MANHOOD?

Despite the dynastic pressures looming over their marriage bed — or, perhaps, because of them — conjugal life did not go well for Francesco Sforza and his bride. Within a few months of Costanza's arrival in Caravaggio, in December 1568, both spouses seemed eager to achieve 'the liberation and separation of this marriage',¹⁵ and Costanza's family concurred, most likely because of their disappointment in the Sforza clan; certainly a

¹² Nicoletta Bazzano, *Marco Antonio Colonna* (Bari, 2003). On the Roman nobility more generally, see Maria Antonietta Visceglia, *La nobiltà romana in età moderna* (Rome, 2001).

¹³ Francesco's grandfather Giovanni Paolo Sforza was the illegitimate son of Ludovico il Moro, last Sforza duke of Milan; he had been invested with the fief of Caravaggio by the emperor in 1525: Cristina Gioia and Ester Ravelli, *I Merisi et gli Aratori: 'gente di rispetto' del contado Lombardo. Famiglie, intrecci matrimoniali e fedeltà nel borgo di Caravaggio* (Caravaggio, 2009), 7. On the Milanese dukes' 'creation of a nobility of the blood' to extend their reach into the countryside, see Letizia Arcangeli, *Gentiluomini di Lombardia: ricerche sull'aristocrazia padana nel Rinascimento* (Milan, 2003), 134–5. On Milanese refeudalization, see the work of Giorgio Chittolini; for example, *Città, comunità e feudi negli stati dell'Italia centro-settentrionale, XIV–XVI secoli* (Milan, 1996).

¹⁴ Cardinal Alessandro Sforza to Colonna, 31 May 1566: AC, MAC 86, no. 744; cited in Berra, *Il giovane Caravaggio in Lombardia*, 29.

¹⁵ Sforza to Cesare Gonzaga, 8 June 1569: AC, PI BY 17, letter 5.

bride's unhappiness would not, by itself, justify an annulment.¹⁶ To accomplish this exquisitely political goal, Sforza and others shaped a narrative of his physical failings, locating his alleged sexual impotence in a social and political context of incompetent masculinity; it was supplemented by Costanza's (and others') insistence on her virginity. Legally, the case for annulment had weaknesses, as the scrupulous Archbishop Borromeo pointed out; politically, it had an opponent in Violante Bentivoglio Sforza, who defied her grandson in an effort to save his dynasty. Hence, perhaps, the need for the proponents of annulment to cast a wide explanatory net. Nor could canon law be easily sidestepped in this first flush of Counter-Reformation enthusiasm for bringing marriage fully under church jurisdiction. In an archdiocese that led the way in Tridentine reforms, the parties had to reckon with Borromeo's doctrinaire views, as well as his involvement as a family member and patron.¹⁷ The account of Francesco's failing and mysterious male body had thus to be constructed against considerable scepticism.

While it is hard to pinpoint the motives and origins of their marital difficulties, intimations of trouble appeared soon after Costanza arrived as a pubescent bride in November 1568, with a promised dowry of thirty thousand scudi, an entourage of maids and a chaplain.¹⁸ In Caravaggio she found a meagre ménage made up of her husband, his grandmother, a secretary and assorted servants. Francesco, she complained, detested travel and refused to leave the village, already showing signs of the diffidence for which he would later be noted.¹⁹ In February 1569 Archbishop Borromeo sent a representative to check that she was well treated, and ordered the installation of a theologian and a gentlewoman of the Colonna family's choice, 'for the supervision

¹⁶ A few years earlier another Colonna bride, Costanza's aunt Agnese, wrote to her family with similar complaints about her Neapolitan husband; she was unheeded: AC, PI BQ 123.

¹⁷ The literature on post-Tridentine marriage reforms is vast. For an introduction, see Silvana Seidel Menchi and Diego Quaglioni (eds.), *Coniugi nemici: la separazione in Italia dal XII al XVIII secolo* (Bologna, 2000).

¹⁸ Their marriage contract, signed in Rome on 13 June 1567, had promised consummation 'as soon as she turns twelve', the legal minimum; very likely her family had delayed her departure in order to await her first period. A later copy of the marriage contract, made on 18 Apr. 1578, is in Archivio di Stato di Milano, Archivio storico trivulziano di Milano, vol. 308.

¹⁹ Costanza to Colonna, 7 Feb. 1569: AC, MAC, b. 50, no. 1159.

and table company' of the couple,²⁰ but he reported to Costanza's parents with less satisfaction two weeks later that Francesco 'continues in his sinister treatment of the lady [Costanza]'.²¹ Costanza's own letters home took cover in a strategic vagueness, for she knew her in-laws read them; a single cry of desperation slipped through, in a secret missive to her father tucked inside a formal, secretarial one, in which she scrawled, 'everything is just the opposite [of the other letter], and don't abandon me my lord father, for the love of the passion of Christ'.²² Her father, increasingly alarmed, appealed to Borromeo 'that the poor girl be rescued' from 'the danger of life and soul she's in'.²³

Talk of a possible annulment first emerged in early April, probably just after Costanza conceived; her father asked for her to be moved to a convent in Milan, 'out of the hands of the marchese',²⁴ and in late May she was removed to the convent with her maids. After considerable pressure and tergiversations, Francesco confessed his embarrassing condition in writing to Borromeo in June: 'Many times I have tried to prove myself, and I have never been able to do what I needed to do, so that on my conscience, I am most certain that the lady [Costanza] is in the same state of virginity as when she left her father's house'. He further pronounced himself ready to give a legal deposition (*giuramento*) to facilitate an annulment.²⁵ To this line Francesco would hew, with occasional wavering, until Costanza's delivery. The Colonnas seized on his confession of impotence as a seemingly easy way out of the marriage. Marco Antonio and his mother, Giovanna d'Aragona, lobbied Pope Pius V and Borromeo; Giovanna sent several emissaries to Milan, to advocate for the case and tend to Costanza.²⁶

²⁰ Camillo Alfer to Borromeo, 14 Feb. 1569: Biblioteca Ambrosiana, Milan (hereafter BAM), Epistolario San Carlo Borromeo (hereafter SCB), F115 inf., fo. 232^r.

²¹ Borromeo to Colonna, 27 Mar. 1569: AC, PI BY 20, letter 1.

²² AC, MAC, b. 50, no. 1161. For discussion of this letter, see P. Renée Baernstein, "'In My Own Hand": Costanza Colonna and the Art of the Letter in Sixteenth-Century Italy', *Renaissance Quarterly*, lxvi (2013).

²³ Colonna to Borromeo, 5 Apr. 1569: BAM, SCB F116 inf., fo. 22^r; cited in Berra, *Il giovane Caravaggio in Lombardia*, 38.

²⁴ Colonna to Borromeo, 6 Apr. 1569: BAM, SCB F116 inf., fo. 26^r; cited in Berra, *Il giovane Caravaggio in Lombardia*, 38.

²⁵ Sforza to Cesare Gonzaga, 8 June 1569: AC, PI BY 17, letter 5.

²⁶ Giorgio Breche and Andrea Briante reported directly to Giovanna d'Aragona, who served as the family head in Rome while Marco Antonio was in Spain. In July Giovanna d'Aragona put pressure on Juan Alfonso de Polanco and other leaders of the Jesuit order to influence Borromeo on the Colonnas' behalf: Breche to Giovanna d'Aragona, 15 Sept. 1569: AC, PI BR 56, no. 4.

The Colonnas urged the reluctant Borromeo to expedite a 'judicial resolution', that is, to resolve the case at his episcopal court.²⁷ Costanza, meanwhile, relished the 'liberty she has already tasted, from leaving the marchese's house and entering the convent'.²⁸ When word reached her that the pope might be willing to intervene on her behalf, she rejoiced: 'May God be praised', she wrote to her grandmother, 'for making the pope understand my case, and these people's cruelty'.²⁹ By September she had focused her aspirations on a religious life, whether in Naples or with the nuns of San Paolo Converso.³⁰ Hope grew that her dreadful trial of married life might soon end.

Impotence could serve as grounds for an annulment or dissolution of the marriage, with full return of the dowry and remarriageability for Costanza, but only if certain conditions were met.³¹ Another possible justification for dissolving the marriage could be *sevitia* (cruelty), to which the ecclesiastical correspondents alluded several times; but, if proven, *sevitia* would merit only a legal separation, in which neither party could remarry and the dowry arrangements would have to be negotiated. An annulment for impotence was thus preferred. When, after considerable vacillation, Francesco finally gave his long-awaited deposition on his 'natural impotence' in September, his account neatly matched the medico-legal requirements for annulment: a natural, permanent inability to have intercourse (*impotentia coeundi*) and inability to ejaculate and impregnate (*impotentia generandi*).³² Whether guided by the notary's questions, or coached in advance, Francesco averred that he had never been able to know his wife carnally, nor any other woman, 'for all the time of his life'.

²⁷ Cardinal Alciato to Borromeo, 25 June 1569: BAM, SCB F42a inf., fo. 138^v.

²⁸ Cesare Gonzaga to Giovanna d'Aragona, 9 June 1569: AC, PI BY 17, letter 3.

²⁹ Costanza to Giovanna d'Aragona, 20 July 1569: AC, PI BQ 147, letter 7.

³⁰ Borromeo to Colonna, 11 Sept. 1569: AC, PI BY 24, letter 1; Breche to Giovanna d'Aragona, 15 Sept. 1569: AC, PI BR 56, no. 4.

³¹ On annulment for impotence, see Joseph Bajada, *Sexual Impotence: The Contribution of Paolo Zacchia, 1584–1659* (Rome, 1988); Domenico Rizzo, 'Pares sed non aequales: il corpo degli sposi tra teologi moralisti e medici legali del Seicento', *Quaderni storici*, cxxxvi (2011); Joanne M. Ferraro, *Marriage Wars in Late Renaissance Venice* (Oxford, 2001), ch. 3; Daniela Hacke, *Women, Sex and Marriage in Early Modern Venice* (Aldershot, 2004), ch. 7; Edward J. Behrend-Martinez, *Unfit for Marriage: Impotent Spouses on Trial in the Basque Region of Spain, 1650–1750* (Reno, 2007).

³² Borromeo sent a copy of the testimony, taken on 26 Sept. 1569 in Caravaggio, to the Colonnas in Rome: AC, III BB, b. 2, no. 53. Berra, *Il giovane Caravaggio in Lombardia*, 42, cites the original: Archivio di Stato di Milano, notarile 11603.

This was so, he stated, despite ‘many attempts . . . with the lady Costanza and other women’. Even alone, he continued, he was incapable of ejaculating: despite many efforts, ‘he could not incite his lust and arrive at the act of corruption itself, owing to his natural impotence in that member’.³³ Therefore, his physical condition was not temporary, or specific to a single woman — instances that Zacchia noted were common — but permanent. The notary further pathologized Sforza’s alleged lack of sexual desire: ‘at the age when other males are generally and naturally fit for coitus and for the carnal knowledge of women, this marchese was incapable of coitus’.³⁴ In this account, Sforza’s development had stalled, leaving him a chronically immature male.

Thus, Sforza’s legal case rested mainly on his incurable medical condition.³⁵ But his testimony buttressed the case by invoking structures of family authority to portray himself as less than a man. Though legally of age and the title-holder, he ceded authority to his former guardian, blaming his grandmother’s ‘insistence and continual pressure’ for the marriage.³⁶ Paolo Zacchia suggested a similar link between male sexual capacity and social position, describing it as a fragile shoot, easily withered by an unattractive woman, or by feelings of fear, shame, deference or depression.³⁷ Other observers of Francesco’s case confirmed this link: Borromeo called him ‘rather fearful’ and of a ‘timid nature’,³⁸ complaining as well of his ‘instability and

³³ ‘pro solo tempore vite sue . . . Licet pluries et pluries tentaverit cognoscere predictam illustrissimam Constantiam carnaliter et alias mulieres et ultra etiam tentaverit pluries et pluries manibus propriis se corrumpere tamen nequivit incitare sibi libidinem et devenire ad actam ipsam corruptionis ob naturalem impotentiam predicti illustrissimi domini marchioni in illa parte’: AC, III BB, b. 2, no. 53, fo. 1^{r-v}.

³⁴ ‘Quia ab eo tempore quo alii masculi comuniter et naturaliter solent habiles esse ad coitum et ad cognoscendum mulieres carnaliter ipse ill. d. Marchio nequivit coitem, et mulierem carnaliter cognoscere’: AC, III BB, b. 2, no. 53, fo. 1^r.

³⁵ As detailed in Zacchia, *Quaestionum medico-legalium*, vol. i, bk 1, tit. 1, quaest. 6, ‘De pubertate’, p. 163; bk 3, tit. 1, quaest. 1–5, pp. 220–35; vol. ii, bk 9, tit. 3, quaest. 1–6, pp. 717–43 (appendix). On Milanese statute and legal practice regarding annulment for impotence, see Giacomo Menocchio, *De arbitrariis iudicium quaestionibus et causis* (1569; Louvain, 1605), bk 2, cent. 6, casus 519, pp. 21–3. See discussion in Bajada, *Sexual Impotence*, 96–7.

³⁶ ‘Dixit quoque devenisse ad dictum matrimonium precibus et instantia et stimulatione continua illustrissimae domine domine Violante Bentivole Sfortie eius avie paterne’: AC, III BB, b. 2, no. 53, fo. 2^r.

³⁷ Zacchia, *Quaestionum medico-legalium*, vol. i, bk 3, tit. 1, quaest. 1, pp. 221–2; Rizzo, ‘*Pares sed non equales*’, 240–1.

³⁸ Borromeo to Ormaneto, 12 June 1569: AC, PI BY 22, letter 2.

many variations'.³⁹ As early as February 1569, Borromeo considered Violante's presence in the Caravaggio household problematic, and he hoped that her plans to move to Milan would 'improve things' for Costanza.⁴⁰ Cesare Gonzaga, the kinsman who acted as a go-between between the parties, met with Sforza repeatedly to encourage his confession; Gonzaga, too, placed the young man's sexual problems in the context of a social situation rather than a medical one. Sforza had earlier denied his impotence, Gonzaga wrote to Costanza's grandmother, and even treated his wife badly 'not out of bad intent, but solely for mere shame'; his frustration at his sexual incapacity, Gonzaga explained, 'caused him to restrict the lady Costanza's freedom the way he did'. His 'extravagant behaviour' should be forgiven, 'for everything that he has done comes solely from the passion of his soul, and from not being very experienced in the world'.⁴¹ This delicate defence aimed to smooth things over and facilitate a rapid annulment. Another Colonna representative, writing more privately, dismissed Sforza as one who considered himself 'not a man, and therefore not subject to the law or to honour'.⁴²

By integrating Sforza's alleged sexual incompetence into a larger picture of failed manhood, the Colonnas hoped to overcome the case's various legal complications. Even with his testimony in hand, a dissolution of the marriage required more than the couple's word for it: 'one must see the truth by other means, as Your Excellency knows very well',⁴³ Archbishop Borromeo's agent noted, possibly referring to a physical inspection of the man's genitals. Barring any visible 'impediment' to intercourse, the law further required a trial period of three years before natural impotence could be considered definitive.⁴⁴ In demanding a

³⁹ Borromeo to Colonna, 8 Oct. 1569: AC, PI BY 25, letter 1; cited in Berra, *Il giovane Caravaggio in Lombardia*, 43.

⁴⁰ Borromeo to Colonna, 16 Feb. 1569: AC, PI BY 18, letter 1.

⁴¹ Cesare Gonzaga to Giovanna d'Aragona, 9 June 1569: AC, PI BY 17, letter 3.

⁴² Andrea Briante to Giovanna d'Aragona, 27 Oct. 1569: AC, PI BR 57, letter 4.

⁴³ Ormaneto to Borromeo, 25 June 1569: BAM, SCB F42a inf., fo. 142^v; cited in Berra, *Il giovane Caravaggio in Lombardia*, 39.

⁴⁴ Menochio, *De arbitrariis iudicium quaestionibus et causis*, bk 2, cent. 6, casus 519, pp. 21–3, required three years of cohabitation before dissolution for impotence, and added that the count must start from the age of 18. See also Zacchia, *Quaestionum medico-legalium*, vol. i, bk 3, tit. 1, quaest. 1–5, pp. 220–35; vol. ii, bk 9, tit. 3, quaest. 1–6, pp. 717–43 (appendix). In some cases, a public demonstration of the male's ability to copulate might be requested, as, for example, was demanded of Vincenzo Gonzaga, duke of Mantua, following the annulment of his fruitless marriage to

(cont. on p. 52)

rapid resolution the Colonnas were attempting to use their influence to bend the law. In more ordinary cases, these requirements would be enforced, and the ever-scrupulous Borromeo gave them some thought, pulling back his support and incurring Colonna ire.⁴⁵ These legal obstacles were compounded by Violante's political opposition. Within a week of Francesco's testimony, she petitioned the Senate of Milan to disallow it and called for impartial experts to verify his condition, claiming that his testimony had been coerced.⁴⁶ The Senate rebuffed her petition, but the case had come to a stalemate. What had seemed 'a card game of a few hands'⁴⁷ in June now seemed that it would 'never be finished' unless more potent strings could be pulled, perhaps with Pope Pius, who agreed to take the case in October.⁴⁸ The carefully built narrative of failed conjugal relations, impotence and virginity teetered in the balance. Her 'melancholy' relieved only by diversions with the nuns and 'furious quilting',⁴⁹ Costanza anxiously waited in San Paolo Converso.

II

A MYSTERY OF THE WOMB

Before the pope could rule on the Sforza-Colonna marriage annulment, Costanza's body betrayed its owner, delivering a dead foetus on the night of 13 November 1569. This startling turn of

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Margherita Farnese and before his marriage to Eleonora de' Medici, recounted in Nicholas Terpstra, *Lost Girls: Sex and Death in Renaissance Florence* (Baltimore, 2010), 169–71, 183–90.

⁴⁵ Overlooking requirements for physical examinations and waiting periods was not the norm: see Ferraro, *Marriage Wars in Late Renaissance Venice*, ch. 3; Hacke, *Women, Sex and Marriage in Early Modern Venice*, ch. 7; Behrend-Martinez, *Unfit for Marriage*, esp. 105–8. For the Colonnas' condemnation of the *tanto scrupoloso* Borromeo, see, for example, Breche to Giovanna d'Aragona, 27 July 1569: AC, PI BR 56, letter 6; Briante to Giovanna d'Aragona, 14 Sept. 1569: AC, PI BR 57, letter 3. Borromeo forbade the circulation of copies of Sforza's deposition, hoping to 'pacify' the two parties: Breche to Giovanna d'Aragona, 6 Oct. 1569: AC, PI BR 56, letter 3.

⁴⁶ Petition, 3 Oct. 1569: AC, PI BR 56, letter 14. For discussion, see Breche to Giovanna d'Aragona, 9 Oct. 1569: AC, PI BR 56, letter 1; Breche to Giovanna d'Aragona, 19 Oct. 1569: AC, PI BR 56, letter 2.

⁴⁷ 'sarà giogo di poce tavole', wrote Breche to Giovanna d'Aragona just after his arrival in Milan, 29 June 1569: AC, PI BR 56, letter 12.

⁴⁸ Breche to Giovanna d'Aragona, 12 Oct. 1569: AC, PI BR 56, letter 8.

⁴⁹ Briante to Giovanna d'Aragona, 20 July 1569: AC, PI BR 57, letter 2; Breche to Giovanna d'Aragona, 9 Oct. 1569: AC, PI BR 56, letter 1.

events forced all those involved to reconfigure their perceptions of Costanza's body (and her husband's potency) and justify their previous actions. Medical knowledge again became the preferred mode for achieving this. Lying 'feverish, and still very perturbed in spirit' in her bed, Costanza told the archbishop's vicar general the next morning, 'I didn't know I was pregnant, and the doctors treated me for a blockage and dropsy'.⁵⁰ But Archbishop Borromeo suspected that some of her servants, or perhaps the doctors, had given her abortifacients; moreover, he noted, the child had been nearly full term, and might have 'died in the act of birth itself due to the violent remedies for pain the nuns unwittingly gave her'. Given the clear motives for abortion in the case, he called for a full investigation.⁵¹ The resulting document, in which Borromeo's vicar general Giovanni Battista Castelli interrogated Costanza, her doctors, her maids and the nuns over two days, must be read through the lens of contemporary canon law regarding abortion, infanticide and annulment. Its unstated purpose was to serve as evidence in a potential trial, and all the speakers shaped their speech accordingly, to minimize their own or others' guilt. All those interviewed agreed that they had absolutely no idea that the young wife with menstrual retention (amenorrhœa) and a swollen belly was pregnant.

While the diocesan officials found this hard to believe, it was a plausible position in the sixteenth century. Pregnancy, like much of the human body's workings, was uncertain and 'to some degree negotiable', as Laura Gowing has written.⁵² This meant that external factors could come to the fore in its diagnosis, when the physical signs were ambiguous or unwelcome. The shared belief in Costanza's virginity came to define her physical state more convincingly than her swelling belly and missed periods; she was encouraged in this fiction by medical opinion that diagnosed her with swelling and dropsy, right down to the moment a nun 'pulled the child out of her body'.⁵³ That virginity, it turned out, rested on a single, crucial piece of negative evidence:

⁵⁰ 'Et quia intellexerat ipsam Illustrissimam dominam a febre laborare e animo etiam valde inquieto perturbato esse . . . [Costanza:] Io non sapea di esser gravida, et li medici me hano medicata come opilata et hidropica': ASDM, Sez. XIV, vol. 116, no. 21, fo. 1^r.

⁵¹ Borromeo to Ormaneto, 15 Nov. 1569: BAM, SCB P4 inf., fo. 470^r.

⁵² Gowing, 'Secret Births and Infanticide in Seventeenth-Century England', 114.

⁵³ 'cavandoli la creatura dal corpo': ASDM, Sez. XIV, vol. 116, no. 21, fo. 7^r.

the lack of blood on the marital sheets. The nun Paola Antonia testified that Costanza had admitted that ‘she told me [after the birth] that it was in fact true that the marchese was with her many times, but because there was never any sign of blood or defloration, she was persuaded she was a virgin, and with this conviction she continued until the time of the birth’.⁵⁴ Her maids concurred: not only had the physicians diagnosed oppilation, ‘and we believed them’, they all reported, but their mistress’s virginity seemed certain. Adriana, the most outspoken of the three, added, ‘I had thought that when the husband is with the wife the first time, one sees a certain sign, which we never saw, and so we believed she couldn’t be pregnant’.⁵⁵ The doctors, too, defended their treatment by saying that ‘we were told by her maids that there was no doubt, for she had not known a man’.⁵⁶ So eager were the physicians to endorse her virginity that they took her and her maids’ word for it, dispensing with the customary manual examination by a midwife.⁵⁷

Costanza herself, flushed and weak, cited her own ignorance, and the doctors’ expertise, in her defence. She answered Borromeo’s incredulous question ‘Why ever did your ladyship never say you were pregnant, and why was the birth seen before the pregnancy was known?’ with a claim of simple ignorance: ‘I didn’t know I was pregnant’.⁵⁸ When the cleric tried to fathom her state of mind, asking, ‘What did you say after you

⁵⁴ ‘mi ha risposto che è bene vero che il marchese è stato con lei molte volte, ma perche non si è mai veduto segno alcuno di sangue o defloratione ella si era persuaso di essere vergine et con questa persuasione è caminata fina al tempo de parturire’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 10^v. On the importance of blood following consummation, see Ferraro, *Marriage Wars in Late Renaissance Venice*, 73, 80, 102; Hacke, *Women, Sex and Marriage in Early Modern Venice*, 155–64; Roni Weinstein, *Marriage Rituals Italian Style: A Historical Anthropological Perspective on Early Modern Italian Jews* (Leiden, 2004), 398–404.

⁵⁵ ‘li medici diceano che era opilatione et noi lo credevamo . . . [Adriana:] Io havea inteso che quando il marito sta con la moglie la prima volta, si vede certo segno, che noi non lo habiamo mai veduto et però credevamo che non potesse esser gravida’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 2^f.

⁵⁶ ‘Gli ne fu risposto dalle sue citelle che non gli era dubio alcuno, poi che non haveva conosciuto huomo’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^f.

⁵⁷ Valeria Finucci, ‘The Virgin’s Body and Early Modern Surgeons’, in Amy E. Leonard and Karen L. Nelson (eds.), *Masculinities, Childhood, Violence: Attending to Early Modern Women — and Men* (Newark, Del., 2010). Zacchia noted that identifying a virgin was nearly as difficult, and as important, as identifying a pregnancy: *Quaestionum medico-legalium*, vol. i, bk 4, tit. 2, quaest. 1–4, pp. 331–40.

⁵⁸ ‘Non stava senza qualche pericolo della vita’: Borromeo to Ormaneto, 15 Nov. 1569: BAM SCB P4 inf., fo. 470^f. ‘Come così Signora Vostra Signoria non ha mai

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saw you had given birth?’, she replied, ‘I didn’t believe it until I saw the *creatura*, shown to me by a nun’.⁵⁹ With these replies, Costanza deployed the prevailing belief in her body’s opacity and its duplicity, as well as the importance of sexual reputation in its evaluation. As the physician Giovanni Marinello taught, the easiest way to tell if a woman was truly pregnant was to check her sexual history: ‘When a truly chaste and virtuous woman who has never known a man shows all the accidents of pregnancy, her pregnancy must be false’.⁶⁰ This line of reasoning, combined with a great deal of wishful thinking on everyone’s part, provided solid backing for the conclusion Costanza most fervently wished for: that her virginity was intact and her illness dropsy.

Costanza’s case was not unusual: invisible or misdiagnosed pregnancies were common, even among women who had no particular incentive to deny them. Learned and popular medical works and midwifery manuals alike signalled the difficulty of identifying pregnancy when they enumerated its various internal and external signs.⁶¹ While feelings of ‘tightening and contraction’ in the womb, or changes in a woman’s appetite, energy, urine, mood and libido, could all be evidence of conception, the medical authorities had to admit that no one sign of pregnancy was determinative or universal.⁶² Even the cessation of menstruation and a growing belly accompanied by a sensation of a

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detto esser gravida, et si è prima veduto il parto che saputa la sua gravidanza . . . [Costanza:] Io non sapea di esser gravida’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 1^r.

⁵⁹ ‘Io nol credei sino a tanto che io non vidi la creatura che havea partorito’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 1^v.

⁶⁰ Giovanni Marinello, *Le medicine appartenenti alle infermità delle donne* (Venice, 1574), bk 2, ch. 26, fo. 199^r.

⁶¹ Such expertise circulated on several levels: Latin works such as Albertino Bottoni, *De morbis muliebribus* (1585; Venice, 1588), Girolamo Mercuriale, *De morbis muliebribus praelectiones* (1587; Venice, 1601), and Alessandro Massaria, *Praelectiones de morbis mulierum, conceptus et partus* (Leipzig, 1600), targeted a learned medical male audience. Though from a later period, Paolo Zacchia’s important compendium *Quaestionum medico-legalium* (first published in 1621 and expanded until 1661) digested previous works into a handbook of forensic medicine used by physicians and jurists. Various vernacular works popularized and interpreted learned medicine for a broader practising and lay public, including midwives; the most widely circulated in Italy were Marinello, *Le medicine appartenenti alle infermità delle donne*, and Scipione [Girolamo] Mercurio, *La commare o raccoglitrice* (1596; Venice, 1601).

⁶² Bottoni, *De morbis muliebribus*, bk 2, ch. 11, fos. 9^v–12^r; Marinello, *Le medicine appartenenti alle infermità delle donne*, bk 3, ch. 2, fos. 241^r–242^v; ch. 6, fos. 253^r–255^v; ch. 7, fos. 256^r–258^r; Zacchia, *Quaestionum medico-legalium*, vol. i, bk 1, tit. 3, quaest. 1–2, pp. 54–62.

'stirring motion' could be open to interpretation, for menstrual retention was considered a disease in itself.⁶³ Some women menstruated throughout pregnancy, Zacchia reported, while others did so rarely or never at all and 'yet they conceive'.⁶⁴ Castelli pressed his witnesses on both foetal movement and menstruation, returning to them on the second day of testimony. 'Didn't your ladyship ever feel the creature in your body in all those months?', he demanded of Costanza, his disbelief palpable.⁶⁵ Her defence, 'I didn't think of it', took refuge in ignorance of her own body. She could not profess ignorance, however, of her periods, for, like most new brides', they had been closely counted by others.⁶⁶ Her maids responded to Castelli's queries by dating Costanza's last cycle with some certainty to the previous March (almost eight months before the delivery).⁶⁷ The physician admitted that when he and a colleague first began to treat Costanza, in late May, they had first suspected a pregnancy, 'since she did not have her proper courses', but, assured of her virginity, they followed standard medical practice in diagnosing her with oppilation.⁶⁸

As a virgin with suppressed periods, Costanza presented a textbook case of *oppilation*. As her grandmother's representative Andrea Briante noted in July, 'she feels very heavy in her spleen', and the doctor 'fears oppilation';⁶⁹ just a few days before the birth, Briante again mentioned this diagnosis.⁷⁰ Lacking its proper purges, in this view, her body was in danger of developing ulcers, tumours and fevers, possibly fatal. As her

⁶³ Helen King, *The Disease of Virgins: Green Sickness, Chlorosis, and the Problems of Puberty* (London, 2004), esp. 70–8.

⁶⁴ Zacchia, *Quaestionum medico-legalium*, vol. i, bk 1, tit. 3, quaest. 1, nos. 28–9, p. 56.

⁶⁵ 'Non ha Vostra Signoria sentita mai la creatura nel corpo in tanti mesi? Respondit, plorans, io non ci pensava': ASDM, Sez. XIV, vol. 116, no. 21, fo. 5^r.

⁶⁶ For examples from the seventeenth century, see Marina d'Amelia, 'Becoming a Mother in the Seventeenth Century: The Experience of a Roman Noblewoman', in Schutte, Kuehn and Menchi (eds.), *Time, Space, and Women's Lives in Early Modern Europe*; Broomhall, *Women's Medical Work in Early Modern France*, ch. 8.

⁶⁷ ASDM, Sez. XIV, vol. 116, no. 21, fo. 10^r.

⁶⁸ 'Si gli era suspecto di gravidanza per non venirli le sue purgationi debite': ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^r. On oppilation, see Gianna Pomata, *Contracting a Cure: Patients, Healers and the Law in Early Modern Bologna* (Baltimore, 1998), 133–4, 250, no. 53.

⁶⁹ 'Si sente pesante la milsa et secondo me dice il medico che teme de oppilation': Briante to Giovanna d'Aragona, 20 July 1569: AC, PI BR 57, letter 2.

⁷⁰ Briante to Giovanna d'Aragona, 27 Oct. 1569: AC, PI BR 57, letter 4.

belly swelled and her menstrual retention continued, her physicians concluded that her oppilation had worsened and developed into dropsy (*hidropisia*).⁷¹ Dropsy encompassed multiple forms of swelling attributed to a blockage of fluids; in dropsy of the womb, the organ retained menstrual flow, humours, other fluids and wind: 'the belly enlarges, and it seems to the woman as if she is pregnant', one expert explained.⁷² Costanza's lead physician, Dr Francesco Ra, noted that Costanza's body 'grew every day larger and harder'. Dropsy mimicked pregnancy in numerous ways: dropsical women were weak and lethargic, had trouble breathing and had pains in the belly, and often suffered from fever. Dr Ra's claim that Costanza's body 'did not always remain in the same condition' was also consistent with the diagnosis of dropsy: pains could come and go, fever waxed and waned, and the belly changed shape, deflating and reinflating every now and then.⁷³

Costanza's course of treatment followed standard advice for dropsy of the womb: exercise, purgatives and bloodletting. The prioress of the monastery, Maria Maddalena, gave the fullest account:

The physicians, who believed she was dropsical, to break the blockage ordered her to run, so occasionally she ran hard through the house. She also flagellated herself, got up to pray at matins, remained kneeling at length, fasted and did other exercises unsuitable for pregnant women as she never showed she had any thought of being pregnant.⁷⁴

Dr Ra knew that such a treatment, aimed at evacuating the trapped fluids, might endanger a foetus. It was almost as if,

⁷¹ On menstrual retention, see Duden, *Woman Beneath the Skin*, ch. 4; King, *Disease of Virgins*; Monica H. Green, 'Flowers, Poisons and Men: Menstruation in Medieval Western Europe', in Andrew Shail and Gillian Howie (eds.), *Menstruation: A Cultural History* (Basingstoke, 2005); Cathy McClive and Nicole Pellegrin (eds.), *Femmes en fleurs, femmes en corps: sang, santé, sexualités, du Moyen Âge aux Lumières* (Saint-Étienne, 2010).

⁷² Marinello, *Le medicine partenenti alle infermità delle donne*, bk 2, ch. 25, fos. 193^v–196^f. See also Massaria, *Praelectiones de morbis mulierum, conceptus et partus*, ch. 10, p. 315; Mercuriale, *De morbis muliebribus praelectiones*, bk 4, ch. 17, pp. 202–4.

⁷³ 'Il corpo si faceva ogni giorno più grosso, et duro, anchora che non restasse sempre con una medema fogia, per quello che referivano le persone che attendevano alla sua servitù': ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^v. See Marinello, *Le medicine partenenti alle infermità delle donne*, bk 2, ch. 25, fo. 193^v.

⁷⁴ 'Gli medici che credevano che fusse hidropica per rompere quella opilatione ordinorno che ella corresse, onde qualche volta ha corso forte per casa, et anchora fatto delle discipline, levava a matutino, statta assai in genocchio, degiunato, et fatto altri essercitii non convenienti a donne gravide, come quella non mostrò mai di havere pur uno pensiero di essere gravida': ASDM, Sez. XIV, vol. 116, no. 21, fo. 7^r.

once they determined that a woman was not pregnant, the treatment was designed to assure that condition by cleansing the womb of any extraneous matter. In this way early abortions could literally pass unnoticed. In this spirit, Costanza's physicians prescribed various drugs, most likely purgatives such as aristolochia or artemisia, which were commonly used to expel trapped fluids and purge an obstructed womb.⁷⁵ Other advisers added similar injunctions: 'I told her she should do exercises and purges',⁷⁶ Briante wrote in July, adding in late October an account of her doctor's special diet designed to 'provoke a purge'.⁷⁷ Costanza's medicines, Giovanna's agent wrote a few days before the birth, were numerous and difficult to take; but she consumed them 'willingly, for she knows she needs them'.⁷⁸ Purgatives could be very strong; they were prohibited without a prescription in some states.⁷⁹ Bearing these dangers in mind, Dr Ra told Castelli, he had consulted with the *protofisico* (chief health officer) in Milan's health department before increasing the dose, an unusual precaution in this high-profile case.⁸⁰

When exercise and oral medications failed to produce the desired expulsion of fluids, the physicians turned to stronger tactics, including bloodletting. This too was a known abortifacient; several Italian states prohibited bleeding women from the foot for this reason.⁸¹ One of the first questions Castelli put to Costanza was whether she had been bled during her pregnancy. 'Several times', she replied, including at least once from her foot, as the

⁷⁵ *Ibid.*, fo. 6^v.

⁷⁶ 'Io l'ho detto che faccia exercitio et pergatione': Briante to Giovanna d'Aragona, 20 July 1569: AC, PI BR 57, letter 2.

⁷⁷ Fried foods, chickpea broth and pine nuts, 'tutto per provocar la purga': Briante to Giovanna d'Aragona, 27 Oct. 1569: AC, PI BR 57, letter 4.

⁷⁸ 'lei li pilla volontera et conosso evidentamento averne de bisogna': Breche to Giovanna d'Aragona, 10 Nov. 1569: AC, PI BR 56, letter 9.

⁷⁹ In Rome apothecaries were warned that women often asked for purgative drugs claiming that they suffered from illnesses of the womb, but really consumed them in order 'to cover up their mistakes when they want to abort': *Antidotario romano, latino, e volgare: tradotto da Ippolito Ceccarelli . . . con le Annotationi del Sig. Pietro Castelli Romano* (Rome, 1639), 74.

⁸⁰ ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^v.

⁸¹ For Bologna and Rome, see *Provisione sopra il grave abuso di quelli che senza licenza presumono medicare. Moderatione rinovata sopra li spetiali, e barbieri* (Bologna, 1581), 4; *Bando concernente il buon reggimento della facolta di medicare, e dell'arti, che a lei seruono, e somministrano* (Rome, 1595), no. 12. Midwives also practised bloodletting and prescribed it for their patients, though they were officially prohibited from doing so: Gianna Pomata, 'Barbieri e comari', in Giuseppe Adani and Gastone Tamagnini (eds.), *Medicina, erbe e magia* (Milan, 1981), 175.

doctor confirmed.⁸² Bloodletting, especially from the saphena, or 'menstrual', vein in the foot, was a common way to unclog a blocked womb and encourage menstruation, for this vein was thought to possess a direct connection to the womb.⁸³ Dr Ra was expecting a great flux of fluid to be expelled. The treatment reinforced Costanza's conviction that she was a virgin, perhaps making her perceive the sensations of foetal movement as the bubbling and sloshing of trapped fluids, or the pressure of wind building up in her womb.

Only when Dr Ra's treatments had their desired effect, driving out the contents of her belly, did Costanza and the others have to confront the unpleasant fact of her motherhood. Her labour had begun three days earlier, the physician recounted, with 'a spasm of fever, with great chills', the last one 'with the greatest pain in the kidneys and belly, which went on all night', for which the nuns gave her 'many treatments', without result. Dr Ra came on the evening of the thirteenth and administered 'some treatments for pain', and then left 'without any doubt or suspicion of pregnancy', he told Castelli.⁸⁴ It was the nuns who first named Costanza's condition. Late that night, the prioress reported, 'I put my hand on her body, and, touching her, I seemed to feel a thing coming out of her body, which seemed to me a little hand, and I said so to Angelica Monica, who also touched her and found it was true'. The nuns then sent again for Dr Ra, but when he arrived and learned that the patient was delivering, he declined to treat her; nor would he allow the nuns to send for a midwife, as

⁸² ASDM, Sez. XIV, vol. 116, no. 21, fo. 1^v. Less than a month before she aborted, she wrote, 'the physician has had three ounces bled from my foot': Costanza to Giovanna d'Aragona, 27 Oct. 1569: AC, PIBQ 147, letter 4. See also Dr Ra's account: ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^v.

⁸³ Marinello prescribed bloodletting from the saphena vein to provoke menstruation: *Le medicine pertinenti alle infermità delle donne*, bk 2, ch. 18, fos. 102^r–103^r. The saphena vein was commonly referred to as 'the domestic vein', 'vein of the mother', 'menstrual vein' or 'virgins' vein' (because virgins often suffered diseases owing to insufficient purgation): Pietro Paolo Magni, *Discorsi . . . intorno al sangvinare i corpi humani, il modo di attaccare le sanguisuche e ventose, e far frittioni e vesicatorii* (Rome, 1584), ch. 17, p. 63.

⁸⁴ 'Gli venne uno parocismo di febre con freddo grandissimo et il giorno seguente gli ne venne uno altro alle hore 18; la notte seguente alle 3 hore li venne un'altro parocismo, et così il giorno seguente sopraggiunse altro parocismo con dolor di reni et di ventre grandissimo, il quale andò seguitando tutta la notte . . . et così venni et ordinai qual tanto che mi pareva necessario a mitigar simili dolori. Et così mi parti sempre senza dubio o sospetto di gravidanza': ASDM, Sez. XIV, vol. 116, no. 21, fo. 8^v.

they asked, but ‘said that, as there were some nuns who had been married, they should help her’,⁸⁵ for Costanza was in ‘mortal danger’ and there was no time to procure a midwife, or the licence she would need to enter the nuns’ enclosure. And so the four nuns, while they would have preferred professional help, bustled into action, ‘lift[ing] her out of the bed’ and (likely) into a chair. Angelica Monica, as a widow who had borne four children (she noted proudly), described the birth with authority to the vicar:

Hearing that she [Costanza] was in great pain, and it seeming to me that the pains were like those of a woman who wanted to deliver, I touched her belly (*ventre*) and felt something hard hanging out of it. And, wanting to know what it was, together with Angelica Clara Maria, I took the lantern. Looking, we saw a child (*creatura*) that was almost completely out of her belly.⁸⁶

Like Monica, Clara Maria referred to her pre-convent experience to describe the events: ‘having felt a big, hard thing coming out of her belly, and also hearing that her pains were like those of some women I have seen give birth . . . we helped to pull [the child] out’.⁸⁷ Once the delivery was over and the dead *creatura* stored in the birth room, Dr Ra returned to his patient, administering an egg yolk with powdered cloves and broth, and some comforting words.⁸⁸ From there, Dr Ra reported, he went directly to Borromeo with the news.

⁸⁵ ‘Io gli posi la mano su il corpo, et tocando mi parso sentito una cosa che li usciva del corpo qual mi pareva una manina, et il disse all’angelica Monica, la quale anchora essa toccò et trovò che era vero, et mandassimo a chiamar il sudetto medico quale venuto et inteso il fatto dalla sudetta Angelica Monicha, non volse che si mandasse a chiamar comar, come noi desideravamo, ma disse che essendoli alcune monache quale fusse statta maritata che l’aiutasse, et io li mandai, le Angeliche Monicha, Clara Maria, et Felice, quale la fecero levar dal letto et l’aiutorono a parturire cavandoli la creatura dal corpo’: ASDM, Sez. XIV, vol. 116, no. 21, fos. 6^v–7^r. This was not a universal position of physicians, however, for it was common for well-born Italian women to be attended by a male physician in pregnancy and childbirth: Park, *Secrets of Women*, 98–9, 132–41; Monica H. Green, *Making Women’s Medicine Masculine: The Rise of Male Authority in Pre-modern Gynaecology* (Oxford, 2008), 250–8. See also de Renzi, ‘Risks of Childbirth’.

⁸⁶ ‘sentendo io che si doleva molto et parendomi che i dolori fussino come di donna che vuole parturire, tocandoli il ventre gli senti non so che di duro che gli pendeva fuori del ventre, et volendomi chiarire che cosa fusse io in compagnia dell’Angelica Clara Maria pigliai il lume et guardando vedessimo che una creatura che gli era fuori del ventre quasi tutta’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 7^r.

⁸⁷ ‘essendosi toccata una cosa grossa et dura che gli usciva del ventre, et sentendo anchora chi gli suoi dolori [erano] come di qualche donna che ho veduto parturire . . . vedessimo che era una creatura mezza uscita del ventre, et noi poi aiutassimo a levargliela da dosso’: ASDM, Sez. XIV, vol. 116, no. 21, fo. 7^r.

⁸⁸ ASDM, Sez. XIV, vol. 116, no. 21, fo. 9^r.

In their 'great confusion of spirit'⁸⁹ following these events, Costanza and her elders were in plentiful company. Medical authorities portrayed 'dropsy of the womb' as a deception a woman's body could play on her and her family's expectations, and gave examples as cautionary tales, such as Mercurio's well-born woman of Tivoli. After the fifteenth month of an apparent pregnancy she passed a great amount of wind from her womb, upon which her belly deflated.⁹⁰ In a later case (1662), the Roman physician Mattia Naldi described a married woman who appeared, in all respects, to be pregnant but when she went into labour delivered only 'a little fluid'.⁹¹ Her menses subsequently returned, but her abdomen remained massively swollen until she died, some twenty years later, of breast cancer. Such accounts highlighted the medical expertise of the healers and authors, while also foregrounding the ambiguity of the body's interior. Costanza's own aunt Agnese Colonna Caetani assumed this uncertainty when she wrote to her mother that she suspected a pregnancy, because for three weeks 'I have not had my courses, yet I've had no other sign of it, nothing having changed with me'.⁹² Agnese, already a mother of three, expected physical changes and unclarity with pregnancy. With these risks in mind, medical authors warned healers to take care when declaring a woman pregnant. 'There is nothing more ridiculous', the French surgeon Jacques Guillemeau (d. 1613) wrote, 'than to assure a woman that she is with child, only to see her menstrual blood flow or a great quantity of water come out of her instead of a child, and then to see her belly flatten'.⁹³ Equally common were pregnancies denied, especially by unmarried women; in just one example, a single woman of the German city of Constance insisted that she was not pregnant, and medical experts confirmed her condition as dropsy based on urine samples; after taking the purge they

⁸⁹ 'Grande confusione d'animo': Borromeo to Ormaneto, 15 Nov. 1569: BAM, SCB P4 inf., fo. 470^r.

⁹⁰ Mercurio, *La commare o raccoglitrice*, bk 2, ch. 41, p. 254. See also Marinello, *Le medicine appartenenti alle infermità delle donne*, bk 2, ch. 24, fos. 191^v–193^r; Massaria, *Praelectiones de morbis mulierum, conceptus et partus*, ch. 10, p. 315.

⁹¹ Conforti, 'Affirmare quid intus sit divinare est'. A later autopsy revealed multiple growths, probably uterine fibroids.

⁹² Agnese Colonna to Giovanna d'Aragona, 24 Sept. 1567: AC, PIBQ 128, letter 9.

⁹³ Jacques Guillemeau, *De la grossesse et accouchement des femmes, du gouvernement dicelles et moyen de survenir aux accidents qui leur arrivent, ensemble de la nourriture des enfans* (Paris, 1620), bk 1, ch. 1, p. 2.

prescribed, she experienced intense pain in her belly and delivered a child, which in desperation she disposed of in the privy.⁹⁴

Like women who sought to hide out-of-wedlock pregnancies, Costanza denied all awareness of her pregnancy in retrospect, no doubt to exonerate herself from any wilful termination of the pregnancy but also as if she could simply will it away retroactively. This willpower could make of her the virgin she wished to be, at least until contrary evidence could no longer be denied.⁹⁵ Her experience of pregnancy shared more with the furtive, anxious births of unwed mothers than with the experience of most married women, for whom the pressure (and thus, perhaps, desire) to produce a male heir quickly was intense. For such women, every potential sign of pregnancy would be closely tracked in hope. Costanza herself, a few months later, when reconciled to her marriage, wrote to her father proudly of quickening: 'I'm feeling quite well in my pregnancy. . . I'm four months along, and already I can feel the creature moving'.⁹⁶ That degree of certainty came partly with experience, of course, but also with desire. As her husband wrote of another, still later pregnancy, 'she doesn't want to move because she hopes she is pregnant, and is perhaps certain'.⁹⁷ Thus, longing informed bodily experience.

Throughout her first experience of pregnancy, and through the ordeal of her post-partum interrogation, Costanza maintained her ignorance of sex and her own body, playing the part of the child her family and her elders had assigned her. Only once, in a third-hand account, do we hear any note of regret or responsibility from her: the physician recounted that just after the birth she had sobbed, 'At least I could have known'.⁹⁸ We cannot know whether Costanza herself quieted that sense of responsibility when speaking on the record, or whether it was elided by the notary as inconsistent with her stance of total ignorance. But its elision well accorded with the girl's self-presentation as an

⁹⁴ Ulinka Rublack, *The Crimes of Women in Early Modern Germany* (Oxford, 1999), 170, 174–5.

⁹⁵ Gowing, 'Secret Births and Infanticide in Seventeenth-Century England'. For a similar case, see Cornelia Hughes Dayton, 'Taking the Trade: Abortion and Gender Relations in an Eighteenth-Century New England Village', *William and Mary Quarterly*, 3rd ser., xlviii (1991). For another eighteenth-century case, see Adriano Prosperi, *Dare l'anima: storia di un infanticidio* (Turin, 2005).

⁹⁶ Costanza to Colonna, 18 Apr. 1570: AC, MAC, b. 50, no. 1152.

⁹⁷ Sforza to Colonna, 25 Feb. 1572: AC, MAC, b. 115, no. 43.

⁹⁸ 'almeno l'havessi io saputo': ASDM, Sez. XIV, vol. 116, n. 21, fo. 9^r.

innocent who let her desires guide her perceptions. Borromeo, despite his initial suspicions about Costanza's guilt, seemed persuaded by her performance; he presented a similar interpretation in a letter to her father: 'perhaps it is no great wonder that a girl of her age would not realize her first pregnancy', he wrote. He blamed 'her excessive desire, and that of some of her servants here, to relieve her from that estate [marriage] in which she has suffered various abuses' for having 'led her to hide the consummation of the marriage with the marchese, and caused in her and others little care or thought to realize her pregnancy'.⁹⁹ Borromeo was clearly trying to patch up the marriage and to smooth over his relations with the Colonna elders; but his logic is telling. It indicates both an awareness of the difficulty of recognizing a pregnancy, particularly for a very young girl, and an appreciation for the multiplicity of motives and desires that could affect perceptions. In defending Costanza's actions to her puzzled family, Borromeo deliberately blurred the line between lying and misunderstanding. He took a more sceptical tone in a letter to his close associate Niccolò Ormaneto, asserting that, while Costanza 'never thought she was pregnant', she might well have known she had had sex: 'as for having denied the consummation of the marriage, one can only say that her great desire to escape the marchese's ill treatment made her less than sincere'.¹⁰⁰

III

THE 'LOSS OF A SOUL'

Thus far we have considered the medical and social forms of knowledge that gave meaning to Costanza's swelling belly and Francesco's sexual performance. But in theological terms there

⁹⁹ 'non possa esser gran meraviglia, che una figlia dell'età sua non si sia aveduta della prima gravidanza, et che la troppa voglia sua, et de alcuna persona di quelle che la servono qui, de levarla dal stato, nel quale ha patito varie molestie, la possa haver indotta a nascondersi dall'haver consumato matrimonio col marchese, et causato in lei, et in altri poca cura, et pensiero di avvedersi della gravidanza': Borromeo to Colonna, 16 Nov. 1569: AC, PI BY 26, letter 1 (there is another copy at PI BY 27, letter 1).

¹⁰⁰ 'quanto al haverla negato la consumatione del matrimonio, non si può dir altro se non che il desiderio grande di levarsi dai mali trattamenti del marchese l'habbia fatta passare i termini della sincerità con chi doveva proceder in questo fatto': Borromeo to Ormaneto, 15 Nov. 1569: BAM, SCB P4 inf., fo. 473^r; cited in Berra, *Il giovane Caravaggio in Lombardia*, 45.

was yet a third body at stake: an unidentified pregnancy could mean the loss of a soul without baptism, and, worst of all, at someone's hand.¹⁰¹ For the churchmen in this case, it was the possibility of abortion or infanticide that drew concern. Castelli's anxious enquiries quickly established that her baby was a fully formed person, animated and ensouled, and sought to learn whether its death had been an accident. The historian of the body, in turn, must question the boundaries of personhood and the historical subject: here we locate the foetus as a body at the intersection of the material and the cultural worlds, imperfectly documented like any other.

For all the sympathy and 'humane consolations' he showed Costanza, Vicar General Castelli clearly suspected her (and her maids and doctors) of deliberately hiding her pregnancy. On the first day of testimony, he pressed Costanza 'why she had denied that she was pregnant right to the end of the birth such that during the birth they could not give her suitable remedies'.¹⁰² Even more incredulously the next day he asked: 'Didn't your ladyship ever feel the creature in your body in all those months?'¹⁰³ The vicar displayed a similar scepticism as he quizzed the doctor and particularly the maids: 'How could you, who knew that she slept so long with the marchese, seeing her body swell and her bosom grow, not have thought she was pregnant?'¹⁰⁴

Although the wilful termination of pregnancy was a mortal sin, and in many places also a civil crime, both medically and theologically the moment of personhood eluded certain identification. Christian writers generally placed ensoulment at forty days after conception for males, eighty days for females; this was thought to coincide with quickening, but in any given instance the moment could not be identified with certainty. Before the unborn was 'animated' or 'vivified' with a rational

¹⁰¹ As Borromeo fretted the same day: Borromeo to Cardinal Pompeo Colonna, 16 Nov. 1569: BAM, SCB P4 inf., fo. 479^r.

¹⁰² 'petiit ab ea de casu usque ad finem partus sui ita ~~ocultaverit~~ negaverit [es]se gravidam ut in actu partus non potuerint ei adhiberi remedia convenientia': ASDM, Sez. XIV, vol. 116, no. 21, fo. 5^r. In deleted introductory phrases, *abscondisset* and *ocultaverit* were replaced with *negasset* and *negaverit*. All these terms indicate an accusation of intentionally lying.

¹⁰³ 'Non ha Vostra Signoria sentita mai la creatura nel corpo in tanti mesi': ASDM, Sez. XIV, vol. 116, no. 21, fo. 5^r.

¹⁰⁴ 'Come voi che sapete che tanto tempo ha dormita con il signor Marchese vedendola gonfiar il corpo et crescer il petto non havere creduto che sia gravida?': ASDM, Sez. XIV, vol. 116, no. 21, fo. 2^r.

soul, it was not considered to be a human being; according to most canon lawyers, abortion before ensoulment was not homicide, but rather a lesser crime.¹⁰⁵ For medical authors the matter was even less clear. The material analogue to ensoulment, or personhood, was the foetus's physical 'formation', or completion. Any products of conception passed from the body very prematurely could be dismissed as incomplete, conceptions gone wrong ('imperfectly formed', in the Aristotelian phrase), moles, monsters or objects simply out of place. In all those cases, there never had been a 'person': the spontaneous cleansing of the womb, while potentially disappointing, was medically desirable.¹⁰⁶ Acquiring personhood, in this view, was a process, not a moment. Galenic-Hippocratic medicine therefore facilitated a more casual approach to an early pregnancy than did Christian theology.

Even after formation, moreover, the foetus was something less than a full person in civil law. Jurists discussed the haziness of this boundary; the eminent Lombard jurist Giacomo Menochio (d. 1607) and the Roman forensics expert Zacchia both debated whether one should speak of a 'child' (Latin, *infans*) and 'person' (*homo*) from conception, from quickening or only from birth; Zacchia held to the last of the three, even as he noted that 'some physicians' call it a child 'once it is complete in the uterus, with all its members formed'.¹⁰⁷ Property rights and baptism came last of all: a child could not affect the course of inheritance or receive the sacrament until after its emergence, alive, from its mother's womb. Some fathers or other heirs resorted to surgical delivery after the death of the mother to accomplish these

¹⁰⁵ On debates surrounding animation, formation and abortion in early modern Italy, see John Christopoulos, 'Abortion and the Confessional in Counter-Reformation Italy', *Renaissance Quarterly*, lxxv (2012); Prosperi, *Dare l'anima*; Vincenzo Lavenia, 'D'animal fante: teologia, medicina legale e identità umana, secoli XVI-XVII', in Adriano Prosperi (ed.), *Salvezza delle anime, disciplina dei corpi: un seminario sulla storia del battesimo* (Pisa, 2006); Terpstra, *Lost Girls*.

¹⁰⁶ Barbara Duden, 'The Fetus on the "Farther Shore": Toward a History of the Unborn', in Lynn M. Morgan and Meredith W. Michaels (eds.), *Fetal Subjects, Feminist Positions* (Philadelphia, 1999); McClive and King, 'When Is a Foetus Not a Foetus?'

¹⁰⁷ Zacchia, *Quaestionum medico-legalium*, vol. i, bk 1, tit. 1, quaest. 3, no. 10, p. 4; cited in Prosperi, *Dare l'anima*, 130; Menochio, *De arbitrariis iudicium quaestionibus et causis*, bk 2, cent. 1, casus 57, no. 8, p. 158.

tasks, even if the child was certain to die.¹⁰⁸ Clearly the severity of abortion intensified over the course of the pregnancy, finally changing into infanticide at birth. But the moments of transition remained stubbornly hazy and subject to varying views depending on the legal lens. Both civil and canon law struggled with the resulting conflict: the crime of ending a life (or potential life) had to be discouraged, but the earlier in the pregnancy, the less severe the crime, and in any case intent was difficult to prove. This was the murky legal context in which the canon lawyer Castelli framed his questions.

Castelli's first task was to establish beyond a doubt the developmental stage of the infant, for the soul could be measured only by reference to the body. With the question of personhood in mind, and probably recalling that Borromeo had recently declared the absolution of abortion to be reserved to the bishop,¹⁰⁹ Castelli closely questioned all his witnesses about the gestational age and physical appearance of Costanza's offspring. They all agreed that it had hair and nails, and, using the canonical formula, was 'complete in all its members'.¹¹⁰ The prioress, the assisting nuns and a midwife consulted later used the same formula, and mostly judged it to be six or seven months' gestation.¹¹¹ This was an animated foetus, the witnesses attested; stained with original sin and unbaptized, the child would be 'deprived for ever of the vision of God', and anyone wilfully causing its death had committed a very grave sin.¹¹² Castelli

¹⁰⁸ Whether a child survived the mother, even if only by a few moments, could have considerable financial consequences for the heirs: Katharine Park, 'The Death of Isabella della Volpe: Four Eyewitness Accounts of a Postmortem Caesarean Section in 1545', *Bulletin of the History of Medicine*, lxxxii (2008).

¹⁰⁹ In the diocesan synod of 1564. On reserved cases, see Wietse de Boer, *The Conquest of the Soul: Confession, Discipline, and Public Control in Counter-Reformation Milan* (Leiden, 2001); Elena Brambilla, 'Confessione, casi riservati e giustizia "spirituale" dal XV secolo al concilio di Trento: i reati di fede e di morale', in Cecilia Nubola and Angelo Turchini (eds.), *Fonti ecclesiastiche per la storia sociale e religiosa d'Europa, XV-XVIII secolo* (Bologna, 1999).

¹¹⁰ In Clara Maria's testimony, 'compito de tutti i suoi membri': ASDM, Sez. XIV, vol. 116, no. 21, fo. 7^r.

¹¹¹ *Ibid.*, fos. 3^r, 7^r, 9^r. Monica dissented, calling it 'complete and full term, because I don't see what it's missing': fo. 7^r.

¹¹² Girolamo Mercurio, *De gli errori popolari d'Italia* (1603; Verona, 1645), bk 1, ch. 26; bk 5, ch. 13, p. 375; ch. 14, pp. 378–9, paraphrasing *Corpus iuris canonici*, ed. A. L. Richter and A. Friedberg (Graz, 1995), Decret. lib. III, tit. xlii, 'De baptismo', c. iii, p. 646. The exact fate of unbaptized babies was a matter of extensive anguished debate among theologians: Prosperi, *Dare l'anima*, ch. 4; Lavenia, 'D'animal fante'.

seems not to have been seriously concerned with the gravest possibility of all: that someone might have killed the infant after its birth. Nonetheless, he double-checked with each witness that the foetus was born dead and that the corpse had not been switched with another, a possibility that the prioress apparently considered preposterous.¹¹³

Had Costanza been found guilty, the consequences could have been severe: recommended civil penalties for abortion reached the death penalty in Milan. But both civil and canon law discussions show that authorities found prosecutions very difficult. Milanese civil jurists who debated the question and made case law were generally more laxist than the statutes, recognizing the difficulty of proving the accused's intent. In civil law as in theology, the type of punishment to be meted out depended on the gestational age of the unborn and on the intentions of the procurer. Aborting an animated foetus was a capital offence; the abortion of an unborn before animation was less grave and required milder penalties.¹¹⁴

A defence of ignorance could sometimes help, at least in reducing criminal penalties, especially if the woman making the claim was held to be honourable and virtuous, and had the diagnosis of a trusted physician. Giacomo Menochio agreed with the physicians that it was extremely difficult or even impossible to ascertain when, precisely, a foetus became animated; moreover, he argued, determining the intentions of the procurer was equally difficult. Menochio included abortion caused by medical treatment, such as Costanza's, in the category of accidental abortion. 'You cannot punish someone with the regular penalties [as they appear in the statutes] who causes an abortion for a woman's health', he argued.¹¹⁵ Treatment for dropsy, in fact, was a standard legal defence in abortion cases.¹¹⁶ Menochio recognized that

¹¹³ ASDM, Sez. XIV, vol. 116, no. 21, fo. 9^{r-v}.

¹¹⁴ *Constitutiones domini Mediolanensis* (Milan, 1552), bk 4, 'De poenis', fo. 74^v. See identical legislation in the *Constitutiones domini Mediolanensis: quibus ordines, declarationes et decreta multa hactenus impressa Excell. Senatus jussu addita fuerunt* (Milan, 1574) and in *Constitutiones provinciae Mediolanensis cum decretis ordinibus et declarationibus Senatus hac novissima editione ampliatis et illustratis* (Milan, 1617), 140.

¹¹⁵ Menochio, *De arbitrariis iudicium quaestionibus et causis*, bk 2, cent. 6, casus 357, no. 20, p. 519. Here Menochio was specifically concerned with purging a woman who was known to be pregnant, but we may assume that this also applied to women whose pregnancies were unknown.

¹¹⁶ Joanne M. Ferraro, *Nefarious Crimes, Contested Justice: Illicit Sex and Infanticide in the Republic of Venice, 1557–1789* (Baltimore, 2008), 116; James R. Farr, *Authority* (cont. on p. 68)

his position was controversial; if someone purged a woman who appeared ill and ended up causing her to abort, the jurist suggested, he (or she) could use the argument for 'murder in self-defence' (*sui defensionem occidit*): abortion to save the life of the carrying woman.¹¹⁷ Menochio thought the penalties stated in Milan's criminal statutes were too severe to apply to such uncertain cases, and they would be better resolved in the forum of conscience (the confessional) than in a criminal tribunal.¹¹⁸ A case like Costanza's, then, should remain in the ecclesiastical forum, as indeed happened in her case.

In the ecclesiastical arena, abortion was a sin that demanded spiritual correction, but here, too, the degree of the sin depended on the stage of the pregnancy and the individual's intent. It had been thus for a long time; but in the post-Trent period its surveillance, like that of so many other sins, saw codification and increased enforcement. After Archbishop Borromeo reserved absolution for abortion to the bishop in 1564, other dioceses followed suit. A few years later, Borromeo warned of possible harsher penalties for this and other sins when he published a series of medieval penitential canons, a sort of shot across the bow to those who resisted his famously harsh regime.¹¹⁹ Yet, even in these distant precedents, carefully graded penalties indicated a sharp sensitivity to mitigating circumstances. A woman who wilfully terminated a pregnancy received one year of penance (living on bread and water) if the crime occurred before forty days' gestation (animation); three years of penance if after that time; if she did so after birth, it was to be treated as a

(n. 116 cont.)

and *Sexuality in Early Modern Burgundy, 1550–1730* (Oxford, 1995), 130; Rublack, *Crimes of Women in Early Modern Germany*, 175. Dropsy as a defence for unrecognized pregnancy would continue to be used into the nineteenth century: M. P. Casarini, 'La madrazza: malattia e occultamento della gravidanza', in Bock and Nobili (eds.), *Il corpo delle donne*; Mark Jackson, *New-Born Child Murder: Women, Illegitimacy and the Courts in Eighteenth-Century England* (Manchester, 1996), 62, 64; Deborah A. Symonds, *Weep Not For Me: Women, Ballads, and Infanticide in Early Modern Scotland* (University Park, 1997), 169, 174.

¹¹⁷ Menochio, *De arbitrariis iudicium quaestionibus et causis*, bk. 2, cent. 6, casus 357, no. 21, p. 519.

¹¹⁸ *Ibid.*, nos. 21–4, p. 519. He added that nearby Pavia and Cremona, which issued statutes a few years before Milan's 1562 code, did not hold abortion to be homicide: *ibid.*, nos. 12–16, p. 519.

¹¹⁹ On the penitential canons of 1573, see de Boer, *Conquest of the Soul*, 54.

homicide. An accidental abortion required no penalty at all.¹²⁰ Even full-fledged infanticide could be mitigated by extenuating circumstances, such as extreme poverty and famine, or being in what we would now call the post-partum period, which would reduce the required penance.¹²¹ While these decrees were probably not enacted literally during Borromeo's time, he did present them as a model, one that measured 'moral arithmetic' very carefully. In this view, the severity of the crime increased gradually over time, just as certainty about a pregnancy could increase over its duration. Both medically and criminally, two watersheds periodized foetal development: one at around quickening, and another at birth. Hence Borromeo was greatly concerned to know whether Costanza's child might have 'died in the act of birth itself'.¹²²

The Tridentine age did witness efforts to prosecute abortion more harshly: in 1588 a bull of Pope Sixtus V declared all abortion to be homicide, for the first time in the Catholic Church's history incurring automatic excommunication, and reserved the sin's absolution to the pope. But Sixtus' bull was quickly deemed too severe, theologically controversial and politically problematic; it was softened less than three years later by his successor Pope Gregory XIV to remove the excommunication and the reservation, and restore the distinction between abortions before and after ensoulment.¹²³ Not until the nineteenth century would the Catholic Church declare 'life' to begin at conception, and abortion at any time to be homicide.¹²⁴ Thus, even the harshness of the penitential canons and legislation like Sixtus' was moderated out of concern for gestational age and circumstances.

¹²⁰ *Acta ecclesiae Mediolanensis*, ed. Carolus Cajetanus De Gaisruck, 2 vols. (Milan, 1844), i, 589.

¹²¹ *Ibid.*

¹²² 'benche può essere, che morisse nell'istesso atto del parto': Borromeo to Ormaneto, 15 Nov. 1569: BAM, SCB P4 inf., fo. 470^r.

¹²³ Sixtus V, *Contra procurantes, consulentes, et consentientes quocunque modo abortum* (Rome, 1588); Gregory XIV, *Constitutio moderatoria bullae fel. rec. Sixti pp. 5, contra abortum quouis modo procurantes* (Rome, 1591). See discussion in Christopoulos, 'Abortion and the Confessional in Counter-Reformation Italy'.

¹²⁴ In 1869: Emmanuel Betta, *Animare la vita: disciplina della nascita tra medicina e morale nell'Ottocento* (Bologna, 2006). For seventeenth-century developments in this direction, see Prosperi, *Dare l'anima*, 248, 266. Nora E. Jaffary, 'Reconceiving Motherhood: Infanticide and Abortion in Colonial Mexico', *Journal of Family History*, xxxvii (2012), similarly concludes that abortion and infanticide were less severely punished in the colonial era than in the nineteenth century.

Moreover, theologians more or less agreed that sins, even mortal ones, committed in ignorance or without evil intent could be absolved with penance commensurate to the gravity of the sin. 'Every sin, inasmuch as it is a reason for guilt, is a voluntary act; the will to sin is its essential prerequisite and its cause', the Inquisitor of Piacenza and authority on matters of sin Bartolomeo Fumi argued. 'Where there is no will, there is no sin'.¹²⁵ Costanza's ignorance of her condition, then, became her religious defence as well as her medical one.

Given such complexities and mitigating circumstances, it is not surprising that the case was quickly dropped. Borromeo emerged from the investigation sufficiently convinced of Costanza's youth and desperation that he was willing to overlook any possible misrepresentations.¹²⁶ We do not know what she told the archbishop when they spoke privately, but if he accepted her account, he would have exonerated her. Castelli's last recorded words to Costanza were paternal and sympathetic: 'seeing her in many tears and great anguish, and, once more consoling her, he said that, given her young age, she might not have known, and blame must not be laid on her for having had a child by her husband beyond his hopes'.¹²⁷ Youth, remorse and ignorance could effectively counter a prosecutorial effort.

Costanza's unbaptized, unnamed *putto* inhabited his body, and his mother's, just long enough to up-end both his parents' lives. Ignored as long as possible, he appears in the historical record only in the interrogations seeking justice for his death, as a lost soul, a person never imagined alive. We do not know where his body was laid to rest, but it should not have been in consecrated ground.¹²⁸ The history of the foetus, not as image or object of debate, but as itself a historical subject, is largely uncharted territory.¹²⁹ We have tried to suggest here that a history of the body

¹²⁵ Bartolomeo Fumi, *Summa aurea armilla nuncupata, casus omnes ad animarum curam attinentes breuiter complectens* (Venice, 1572), 'De intentione', 714–15.

¹²⁶ Borromeo to Ormaneto, 15 Nov. 1569: BAM, SCB P4 inf., fo. 470^r.

¹²⁷ ASDM Sez. XIV, vol. 116, no. 21, fo. 5^r.

¹²⁸ One of Borromeo's district vicars had a year earlier reported a case of infanticide in which the mother had strangled the child, but only after baptizing it so that it could be buried in consecrated ground: de Boer, *Conquest of the Soul*, 276–7.

¹²⁹ Karen Newman, *Fetal Positions: Individualism, Science, Visuality* (Stanford, 1996); Eve Keller, 'Embryonic Individuals: The Rhetoric of Seventeenth-Century Embryology and the Construction of Early-Modern Identity', *Eighteenth-Century Studies*, xxxiii, 3 (2000).

cannot be complete without including the foetus, for it is at the borders of life that we, like our subjects, must define our terms.

IV

CONCLUSION

Scholars have long noted the tremendous weight of expectation and surveillance brought to bear on young women of early modern elites as they came of age. This case has allowed us to disentangle the physical, social and political strands of coming of age for both male and female adolescents. Their child's stillbirth compelled Costanza and Francesco finally to cross the threshold of adulthood. Like it or not, they had consummated the marriage, and attention now turned to repairing the breach with as little scandal as possible. Costanza, resigned to her fate, returned to Caravaggio on 22 December 1569, five weeks after her delivery, where the restored breeding pair toiled to grow into fully fledged adults under the close supervision of Colonna representatives.¹³⁰ The transition was most successful for Costanza. Of her many pregnancies, six children survived into their own adolescence. Backed by her natal family, she grew into a powerful matriarch, particularly after Francesco's death in 1583 freed her to leave Caravaggio. Francesco, in contrast, never outgrew his youthfully hesitant virility; the part of adult patriarch proved a hard one for him to play. He gladly turned over estate governance to his wife after his grandmother's death in 1572, much to his in-laws' relief. When asked to join the military and diplomatic efforts that occupied the laymen of his class, Sforza unfailingly declined, now citing illnesses, now unspecified obstacles. Just as his earlier eagerness to be free of the demands of marriage had led him to claim impotence, Sforza now willingly traded away prospects of glory for the unmanly privilege of staying home: 'I'm happy and want to stay as I am, and I want no greatness in this world', he wrote to his father-in-law.¹³¹ In both their cases, the transition to maturity had been jarred by a confrontation with a disruptive physical body; but Francesco, in the end, had the most difficulty

¹³⁰ Borromeo to Ormaneto, 23 Nov. 1569: BAM, SCB P4 inf., fo. 497^r; cited in Berra, *Il giovane Caravaggio in Lombardia*, 47; Borromeo to Ormaneto, 22 Dec. 1569: BAM, SCB F42b inf., fo. 629^r; cited in Berra, *Il giovane Caravaggio in Lombardia*, 48.

¹³¹ Sforza to Colonna, 6 Apr. 1573: AC, MAC, b. 115, no. 16.

claiming that body and the 'dividends of patriarchy' it could offer.¹³² The case reminds us that, despite a strongly patrilineal and patriarchal legal system, the gender and generational structures of the early modern Italian nobility were far from straightforward. Age and rank could trump gender, and patriarchs were not guaranteed power or even authority.

Bodily performance constituted a critical, but not sufficient, element of adulthood for both men and women. Here we have arranged the multiple discourses at play in this case around their influence on bodily experience in the time of maturation. First-hand accounts of that experience remain rare, especially for young women.¹³³ The carefully recorded archiepiscopal investigation into Costanza Colonna's surprise pregnancy and miscarriage sheds light on an elite adolescent girl's experience of her body, of sexual relations and of married life; it also allows some unpacking of the perceptions of her husband, maids, doctors, nuns, family members and churchmen. Self-interest clearly conditioned the witnesses' responses, but, in order to sound credible, testimony had to resonate with shared cultural assumptions regarding sex, the female body and pregnancy. Their accounts reveal conflicts and tensions within the interconnected domains of medicine, theology, law and family structure that organized the interpretation of bodily experience. Medical uncertainty regarding pregnancy and the female body's interior ran up against a theological need to pin down the elusive inception of life and its recognition, a need exacerbated by a legal desire to identify those responsible for the loss of life. Affirming that uncertainty was an unstable dynastic structure that pressed very young people to become parents even while their social and political adulthood remained distant, giving these individuals a language of innocence (Costanza) and sexual incompetence (Francesco) that could aid their flight from marriage. All these discourses, we have argued, found their way into the tangled disputes over a missed pregnancy.

While the Colonnas' wealth and political importance guaranteed intense scrutiny of their daughter's sexual and reproductive life, the uncertainties surrounding Costanza and Francesco's

¹³² For the origin of the phrase, see R. W. Connell, *Masculinities*, 2nd edn (Berkeley, 2005).

¹³³ For reflections on this scarcity, see Park, *Secrets of Women*, 38.

young bodies were not unusual in early modern Europe. Pregnancies routinely went undiagnosed until late; women and their healers sought to end unwanted swellings with abortifacients that doubled as medicines for menstrual retention and dropsy; and, perhaps less often, husbands suspected of impotence had to prove themselves or risk losing political and social standing. These prevailing humoral understandings of the human body complicated the archbishop's investigation, making it difficult to ascertain what was taking place within Costanza's body, what she felt, and what she and others thought it meant. The need for certainty of the criminal investigator was further confounded by the medical world's indeterminate boundaries between ill and pregnant, between intentional abortion and miscarriage.

Regarding the history of abortion in the Counter-Reformation, the case offers a corrective to frequent conclusions that post-Tridentine ecclesiastics, with Archbishop Borromeo in the lead, invariably pursued a harshly defined moral discipline at the expense of local control. Though the format and documentation of the investigation suggests that Borromeo and Castelli began their process with every intention of holding to the letter of the law, their positions softened over the two days of the inquiry. Ultimately persuaded of Costanza's innocence, and pressured by political circumstances, the archbishop and his vicar backed away from any further discipline, hastily filing Castelli's report where it would be safely forgotten.¹³⁴ In public rhetoric and legislation, Borromeo took a harsh stand on abortion, equating it with homicide and proclaiming severe penalties. His involvement in Costanza's case, however, shows responsiveness to political contexts and personal circumstances. In this case, practical, political and dynastic concerns outweighed the moral or disciplinary imperatives often seen as paramount in the Borromean Counter-Reformation Church.¹³⁵ Instead, the goal of minimizing scandal prevailed, and any corrections were limited to the spiritual realm.

Recent scholarship on the history of the body has been dominated by approaches presenting the body as 'a construct, a

¹³⁴ But, tellingly, not destroying it. For more discussion of the manuscript, see supplementary online Appendix.

¹³⁵ The literature on Counter-Reformation discipline is extensive. For an entry point, see Paolo Prodi (ed.), *Disciplina dell'anima, disciplina del corpo e disciplina della società tra medioevo ed età moderna* (Bologna, 1994).

representation, or a performance'.¹³⁶ We have argued here for greater attention to the reciprocal relationship between the physical body — sometimes disruptive, disappointing or unexpected — and the constructed, socially situated body. The concept of 'embodiment', defined by the sociologist Bryan Turner some years ago as 'becoming a body in social space',¹³⁷ usefully foregrounds this dynamic relationship between the material body and its conceptual renderings. This dynamic relationship was revealed in Costanza Colonna's evolving sense of her own body. Costanza's entirely plausible belief in her virginity influenced the way she interpreted her somatic sensations and presented them to others, who in turn reinforced her views. Her dependence on others was implicit in her response to Castelli's question, 'Didn't your ladyship ever feel the creature in your body in all those months?'¹³⁸ 'I didn't think of it', she said.¹³⁹ Lacking a functional relationship with an experienced matron, Costanza had missed most young wives' education in finding the signs of pregnancy. 'I think I felt the baby because of what they said, but I am not sure because I do not know if I can recognize it', wrote another young Roman noblewoman to her mother.¹⁴⁰ Without this sort of guidance, and with her virginity anxiously reiterated, Costanza's doctors, servants and nuns were predisposed to perceive her bodily transformations and the accompanying sensations she reported — her 'pains' and fevers — as illness. Alien to her 13-year-old body, the sensations of a growing and moving foetus may never have registered as such. Rather, they were interpreted by her familiars, her physicians and herself as something threatening that needed to be purged.

Given the high stakes of the marriage's political context, we might be tempted to assume that misdiagnosing pregnancy as illness was a clever attempt to secure the much desired separation, for oppilation and dropsy and their therapies were well chosen to fulfil Costanza's ambitions; but they were also credible alternative diagnoses, consistent with her age and sexual history.

¹³⁶ Julia L. Hairston and Walter Stephens (eds.), *The Body in Early Modern Italy* (Baltimore, 2010), p. viii (editors' intro.).

¹³⁷ Bryan S. Turner, *The Body and Society: Explorations in Social Theory*, 2nd edn (London, 1996), p. xiii. Compare Canning, 'Body as Method?', 179.

¹³⁸ ASDM, Sez. XIV, vol. 116, no. 21, fo. 5^r.

¹³⁹ *Ibid.*, fo. 1^v.

¹⁴⁰ D'Amelia, 'Becoming a Mother in the Seventeenth Century', 231.

Did Costanza or Francesco know they had sex and that she was no longer a virgin? Did her physicians suspect a pregnancy all along? Perhaps the truth became evident only at the end; if so, what might have been merely a fear or a suspicion early on must have grown into a sense of foreboding, as her body swelled and obstinately failed to purge. Was there a moment at which that effort became a fool's errand, clearly impossible or illegal? A point at which one of them knew, for certain, that a recognizably human form would have to emerge before Costanza's illness would be over?

We cannot know for certain what any of them knew, and when they knew it; here we have resisted the impulse to draw such conclusions. Such interior experience, at the intersection of the material and the cultural, generally eludes the historian's grasp. The case of the Colonna-Sforza marriage, however, offers a rare glimpse into these shadows. The best clue to Costanza's own knowledge of her changing body comes in her plaintive moment of realization, as her doctor relayed it: 'At least I could have known'. With that phrase, Costanza acknowledged her earlier ignorance, openly rethinking her memories. Her girlhood self-conception shattered, she began to reassemble the fragments of personal experience and cultural knowledge into a new pattern. As she did so, she stepped gingerly into an adult world, claiming ownership of a maternal body.

SUPPLEMENTARY MATERIAL

The Appendix is available as supplementary material at *Past and Present* online.

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