

**“...And He Shall Rule Over Thee”
The *Malleus Maleficarum*
and the Politics of Misogyny, Medicine, and Midwifery
(1484-Present):
A Feminist Historical Inquiry**

by
Randeep Singh Chauhan

THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS

In the School
of
Criminology

© Randeep Singh Chauhan, 2005
SIMON FRASER UNIVERSITY
Spring 2005

All rights reserved. This work may not be
reproduced in whole or in part, by photocopy
or other means without permission of the author.

Approval

Name: Randeep Singh Chauhan

Degree: Master of Arts

Title of Thesis: “...And He Shall Rule Over Thee”
The Malleus Maleficarum and the Politics of Misogyny,
 Medicine, and Midwifery (1484-Present): A Feminist
 Historical Inquiry

Examining Committee:

Chair: Prof. Neil Boyd
 Professor, School of Criminology

Dr. Brian Burtch
 Senior Supervisor
 Professor, School of Criminology

Dr. Elizabeth Elliott
 Supervisor
 Assistant Professor, School of Criminology

Dr. F. Douglas Cousineau
 Supervisor
 Associate Professor [Retired], School of Criminology

Dr. Jude Kornelsen
External Examiner
 Assistant Clinical Professor, Family Practice
 University of British Columbia

Date Approved: April 01, 2025

SIMON FRASER UNIVERSITY



PARTIAL COPYRIGHT LICENCE

The author, whose copyright is declared on the title page of this work, has granted to Simon Fraser University the right to lend this thesis, project or extended essay to users of the Simon Fraser University Library, and to make partial or single copies only for such users or in response to a request from the library of any other university, or other educational institution, on its own behalf or for one of its users.

The author has further granted permission to Simon Fraser University to keep or make a digital copy for use in its circulating collection.

The author has further agreed that permission for multiple copying of this work for scholarly purposes may be granted by either the author or the Dean of Graduate Studies.

It is understood that copying or publication of this work for financial gain shall not be allowed without the author's written permission.

Permission for public performance, or limited permission for private scholarly use, of any multimedia materials forming part of this work, may have been granted by the author. This information may be found on the separately catalogued multimedia material and in the signed Partial Copyright Licence.

The original Partial Copyright Licence attesting to these terms, and signed by this author, may be found in the original bound copy of this work, retained in the Simon Fraser University Archive.

W. A. C. Bennett Library
Simon Fraser University
Burnaby, BC, Canada

Abstract

Despite shifts towards “secularism” in the Western world, women have consistently been the target of negative sentiment due to their historically and theologically-rooted subordination to men. This thesis articulates feminist historical research methodologies which are applied to the *Malleus Maleficarum* (“The Hammer of the Witches”), a legal code of the Roman Catholic Inquisition. An examination of the dialectical relationship between ideology and culture in Medieval Europe progresses into a discussion of the evolution of medical, sociological, and criminological thought to contextualize struggles in the contemporary regulation of midwifery in Canada. When viewed through a historical feminist lens, the barriers to midwifery practice become a microcosm of the gender struggle in Western society, in which men have defined and classified women as “abnormal” and deviant, and systematically excluded their voices from religious, academic, and medical enterprise. Essentially, this thesis systematically places a contemporary social issue into historical and social context.

Table of Contents

Approval	ii
Abstract.....	iii
Table of Contents	iv
Dedication	vii
Acknowledgements	viii
Preface: “In the Beginning...”	1
The Midwife Microcosm.....	5
Looking at the “Big Picture”	5
Central Questions	7
Original Contributions of the Thesis.....	7
Chapter 1: Operationalization.....	9
Towards a Sociological Perspective on Religion	9
A Comparative Cultural Historical Inquiry	15
Hermeneutics	16
Document Analysis	16
The Master Umbrella: Architectonics	17
Crossan: A Case Study of Comparative Cultural Historical Inquiry	18
Conceptualizing Gender in Male Dominated Discourse.....	19
Moving Towards Feminist History	21
The Dominance of Male Perspectives in Academic Discourse.....	21
Multidisciplinarity and Feminism	24
Feminism and the Study of Religion	25
One Last Thought: the Nature of History.....	26
Caveats on Textual Analysis.....	29
A Note on the Framework of This Thesis.....	29
Chapter 2: The Hunts.....	31
The Women’s Holocaust.....	31
How Many Witches Were Killed?	32
Who Were the Witches?.....	33
Gender	33
Age	33
Marital Status.....	34
Social/Economic Status	34
Personality	34
What’s Behind the Demographics.....	35
What is a Moral Panic?.....	35
Criminal Law and Moral Panics.....	38

The Development of Church's Position	39
The Birth of the <i>Malleus Maleficarum</i>	41
What Constitutes Witchcraft?	42
The Theological Debate Surrounding Women.....	43
The Bible: "...and he shall rule over thee"	43
The Scholars: "The sentence of God"	45
The Commissioning of Kramer and Sprenger.....	46
The Structure of the Malleus	47
The Malleus: "...an evil of nature, painted with fair colours!"	48
Sexuality	49
Revenge, Ambition, and Deceit.....	50
Domestic Roles.....	52
Satan's Pawns	53
The Cultural Setting of the <i>Malleus</i>	53
The Strength of the Church	53
The Evolution of Satan.....	55
Changes in the Family and the Role of Women.....	56
The End of the Witch Hunts?	57
Chapter 3: The Doors of Conception	61
Conceptualizing Midwifery.....	61
Benoit's Perspectives on Midwifery	64
Before the Storm	65
Midwives: The Mothers of All Witches	66
The Politics of Medicine	66
After the Storm.....	68
England.....	68
Into the United States	71
The Shift From Religion to "Science".....	75
Klein: The Legacy of Sexism	77
Canada	81
Legal Actions Against Midwives in Canada	83
<i>R. v. Marsh</i> (1979)	84
<i>R. v. Carpenter et al.</i> (1983)	84
<i>R. v. Sullivan</i> (1986-91)	85
Noreen Walker: A Contemporary Moral Panic	85
The Case of Gloria Lemay	87
The End is the Beginning is the End.....	89
Conclusion: Living a Palindrome.....	91
"The Times They Are A-Changin'" -- Or are they?	91
Women as Targets	92
Male Control Over Female Identity and Processes	92
Science and Social Hierarchies	93
Never Again a Female Monopoly	94
Midwifery as a Microcosm of General Gender Struggle	94
Midwifery in a Global Context	96

Appendix A: Contents of the Malleus Maleficarum.....99
Appendix B: History of Midwifery in Canada.....106
References.....111

For Douglas Cousineau

Acknowledgements

It was originally my intention to set the world record for the most heinously long acknowledgements section in the history of Canada (thanks for the phraseology, LB). Upon reflection, I found that to be slightly self-indulgent, and have instead opted to simply list names. You should know why you're here.

Alana Abramson (for everything), Gordon Alcorn, Ryan Aldridge, Carson Au, Tim Bartsch, Lindsay Broderick, Karen Brown, Erin Bulycz, Brian Burtch, the Chauhan family, Deltonia Cook, Andrew Coupe, Douglas Cousineau, Cherin Davis, Cathie Douglas, Meredith Egan, Liz Elliott, Karlene Faith, Jacqueline Faubert, James Fearn, Raegan Fleming, Caelie Frampton, Meva Gill, Rosemary Gallaccio, Michaela Gallo-way, Pedram Golshani, Warren Glowatski, Dave Gustafson, Caitlin Holmes, Larry Howett, Henry Hsu, Margaret Jackson, Roxanne Jantzi, Autumn Julien, Bindy Kang, Ronald Kenens, Jennifer Kilty (you are the greatest!), Scott Kindt, Jude Kornelsen, Christine Lamont, Marie-G Lane, Helen Leung, Kim Lookman, John Lowman (a.k.a. J-Lo, Dr. Aaron A. Aardvark), Scott MacMillan, Bob Menzies, Shuggy Milligan, Larry Moore, the Nanda family, Joe Nedelec, Kristy Neurauter, Tamara O'Doherty, Karen O'Hearn, Michelle Paisley, the Parhar family, Nahanni Pollard, Brian Richte, Rodrigo Raffi, Annie Robichaud, Jane Roth, Alison Rowley, Sharon Rynders, Camilla Sears, Penny Simpson, Sister Jennifer Solinas, Nicky Spires, Caleb Stull, Miriam Stuzka, Jordan Tesluk, Mako Watanabe, Jeff Whyte, Markus Wilson, Christine Yanciw, Centre for Restorative Justice, SFU Women's Studies Department, SFU Women's Centre, my brothers, sisters, and friends in the Alternatives to Violence and LINC communities, and all of the Criminology students and colleagues who helped to make this journey worthwhile.

Apologies if anyone was missed.

If you don't see your name, fill it in here _____.

Thanks,
Fretless

Preface: “In the Beginning...”

And the rib, which the LORD God had taken from man, made he a woman, and brought her unto the man. And Adam said, This is now bone of my bones, and flesh of my flesh: she shall be called Woman, because she was taken out of Man.

- Genesis 2:22-23

And the woman said unto the serpent, We may eat of the fruit of the trees of the garden:

But of the fruit of the tree which is in the midst of the garden, God hath said, ye shall not eat of it, neither shall ye touch it, lest ye die.

And the serpent said unto the woman, Ye shall not surely die:

For God doth know that in the day ye eat thereof, then your eyes shall be opened, and ye shall be as gods, knowing good and evil.

And when the woman saw that the tree was good for food, and that it was desired to make one wise, she took of the fruit thereof, and did eat, and gave also unto her husband with her; and he did eat.

And the eyes of both of them were opened, and they knew that they were naked.

Hast thou eaten of the tree, whereof I commanded thee that thou shouldst not eat?

And the man said, The woman whom thou gavest to be with me, she gave me of the tree, and I did eat.

And the LORD God said unto the woman, What is this that thou hast done? And the woman said, the serpent beguiled me, and I did eat.

Unto the woman he said, I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee.

And unto Adam he said, Because thou hast harkened unto the voice of thy wife, and hast eaten of the tree, of which I commanded thee, saying, Thou shalt not eat it: cursed is the ground for thy sake; in sorrow shalt thou eat of it all the days of thy life;

In the sweat of thy face shalt thou eat bread, till thou return unto the ground; for out of it wast thou taken: for dust thou art, and unto dust shalt thou return.

And Adam called his wife's name Eve; because she was the mother of all living.

Therefore the LORD God sent him forth from the garden of Eden, to till the ground from whence he was taken.

So he drove out the man; and he placed at the east end of the garden of Eden Cherubims, and a flaming sword which turned every way, to keep the way of the tree of life.

- Genesis 3:2-6, 11-12, 16-17, 19-20, 23-24

There is no head above the head of a serpent: and there is no wrath above the wrath of a woman. I had rather dwell with a lion and a dragon than to keep house with a wicked woman...all wickedness is but little to the wickedness of a woman...What else is a woman but a foe to friendship, an unescapable punishment, a necessary evil, a natural temptation, a desirable calamity, a domestic danger, a delectable detriment, an evil of nature, painted with fair colours!

...no one does more harm to the Catholic faith than midwives.

- Heinrich Kramer and James Sprenger,
The Malleus Maleficarum ("The Hammer of the Witches"), 1486¹

There were gresillons...which crushed the tips of the fingers and toes in a vice; the *échelle* or ladder, a kind of rack which violently stretched the body; and the *tortillon* which squeezed its tender parts at the same time. There was the *strappado estrapde*, a pulley which jerked the body violently in mid-air. There was the leg-screw or Spanish boot...which squeezed the calf and broke the shin-bone in pieces -- "the most severe and cruel pain in the world"...and the "lift" which hoisted the arms fiercely behind the back; and there was the "ram" or the "witch-chair," a seat of spikes heated from below. There was also the "Bed of Nails"...one might also be grilled on the *caschielawis*, and have one's finger-nails pulled off with the turkas or pincers; or needles might be driven up to their heads in the quick. But in the long run perhaps nothing was so effective as the *tormentum insomniac*, the torture of artificial sleeplessness, which has been revived in our day.

- Tortures used during the Medieval Inquisition,
14th to 17th centuries²

-
1. (trans. Montague Summers, New York: Dover, 1971, orig. ed., 1486), pp. 43, 66. Also, see Ecclesiasticus 25 and Matt. 19.
 2. H.R. Trevor-Roper, *The European Witch Craze of the Sixteenth and Seventeenth Centuries* (Harmondsworth, U.K.: Penguin, 1969), p. 46. Also noted by Linda B. Deutschmann, *Deviance and Social Control* (2nd ed., Scarborough: ITP Nelson, 1998), p. 95.

The patient's arms and legs were strapped down...there was a large amount of interference with forceps and episiotomies...It was quite obvious that women had very negative experiences from their first deliveries. They knew about alternatives...and decided to go for home deliveries.

- Reflections on obstetrical procedures in 1950s³

* * * *

In many respects, women under the Judeo-Christian tradition have been at a disadvantage from the beginning. The creation myth depicts woman, formed out of man's bent rib, and hence not quite a full being,⁴ succumbing to temptation and seeking to acquire knowledge which would make her equal to Yahweh, the Christian god.⁵ Because she eats from the tree of good and evil and tricks her gullible male companion into doing the same, human beings are banished from heaven to live in sorrow on earth as mere mortals. Woman is punished with the pain of childbirth and ordered to become man's subordinate for the rest of time. Belief in this kind of human superiority requires a belief in transcendence; the other-worldliness of male domination is confirmed through chauvinistic interpretations of the Bible. For many feminists, female subordination and

3. Brian Burch, *Trials of Labour: The Re-Emergence of Midwifery* (Montreal and Kingston: McGill-Queen's University Press, 1995), p. 169 (interview transcript from *Midwifery and the Law*, Simon Fraser University/Knowledge Network video recording, 1995).

4. Of course, the creation sequence is different in Gen. 1; man and woman are created at the same time. See Richard Elliott Friedman, *Who Wrote the Bible?* (2nd ed., San Francisco: HarperCollins, 1997, orig. ed., 1987), pp. 50-51; Phyllis Bird, "Images of Women in the Old Testament." *Religion and Sexism: Images of Woman in the Jewish and Christian Traditions* (Rosemary Radford Reuther, ed., New York: Simon and Schuster, 1974), p. 73.

5. Bernard P. Prusak, "Woman: Seductive Siren and Source of Sin? Pseudepigraphal Myth and Christian Origins," (in Reuther, pp. 94-95) highlights this Foucauldian power-knowledge struggle; if Yahweh were to allow humans to acquire this knowledge, he would lose his power over them. Secondly, a note on the use of the term *Yahweh*: because "God" is itself a concept that has application beyond just the Judeo-Christian religions, I am using "Yahweh" to denote the Christian deity specifically, as there are other gods recognized by different religions which I would not be referring to were I to use the term "God," and it has been acknowledged that Yahweh was one of many gods which people worshipped at the time that the Christian myth was taking shape.

Christianity are inextricably linked and a discussion of one is incomplete without the other.⁶

The *Malleus Maleficarum* (“The Hammer of the Witches”), the paradigmatic historical example of Christianity’s oppression and hatred of women, incorporates the misogynist, the anti-empirical, and the anti-sexual. Produced in 1486 by Dominican monks Heinrich Kramer and James Sprenger under the 1484 Bull of Pope Innocent VIII, the *Malleus* became the legal and procedural code of the Roman Catholic Inquisition. Its authors meticulously referenced the Holy Bible and other Christian literature in painting a dangerous and patriarchal portrait of women that helped advance the interests of male priests, aristocrats, and medical professionals. Beginning in Exodus 22:18, Divine Law argues that “Thou shalt not suffer a witch to live”⁷ -- even though a short few chapters earlier (Ex. 20:13), Moses is commanded, “Thou shalt not kill.” The killing of between 100,000 and 9,000,000⁸ “witches” was sanctioned on many levels by church

-
6. Marilyn French, *From Eve to Dawn: A History of Women* (vol. I, Toronto: McArthur and Company, 2002), p. 177; Constance F. Parvey, “The Theology and Leadership of Women in the New Testament,” in Ruether, p. 146. Obviously, critical feminist spiritualities and religiosities exist in the Judeo-Christian ethos. It would, however, be neglectful to discuss Christianity *without* looking at its varying interpretive stances on gender relations.
7. Parallel passages in Deut. 18, Lev. 19, 20 relate to witches being in contract with the devil; also see Kramer and Sprenger, p. 193.
8. Nachman Ben-Yehuda, *Deviance and Moral Boundaries: Witchcraft, the Occult, Science Fiction and Deviant Sciences and Scientists* (Chicago: University of Chicago Press, 1985), p. 23, in Deutschmann, p. 92; Deutschmann, p. 98; Karlene Faith, *Unruly Women: The Politics of Confinement and Resistance* (Vancouver: Press Gang, 1993), p. 17; Marvin Harris, *Cows, Pigs, Wars and Witches: The Riddles of Culture* (New York: Random House, 1978), p. 237, in Deutschmann, p. 92; Brian P. Levack, *The Witch-Hunt in Early Modern Europe* (2nd ed., New York: Longman, 1995, orig. ed., 1987); Fred Pelka, “The Women’s Holocaust,” *The Humanist* (52, 5), p. 7, in Deutschmann, p. 92. Also, Barbara Ehrenreich and Deirdre English, *Witches, Midwives and Nurses: A History of Women Healers* (New York: The Feminist Press, 1973a); Marianne Hester, *Lewd Women and Wicked Witches: A Study of the Dynamics of Male Domination* (New York: Routledge, 1992), pp. 108, 128-130; Joseph C. Klaitz, *Servants of Satan: The Age of the Witch Hunts* (Bloomington: Indiana University Press, 1985); A.D.J. MacFarlane, “Witchcraft in Tudor and Stuart Essex,” *Crime in England, 1500-1800* (Princeton, N.J.: Princeton University Press, 1977), pp. 187-209. Levack (p. 21) says 9,000,000 is an exaggerated figure.

authorities under the umbrella of patriarchal power relations, following the mandates of the *Malleus*, and according to gender hierarchies embedded in the Christian faith.

When the witch hunts gradually ended by the 17th Century, the patriarchs of history claimed that women would no longer face such gross structural persecution. But did they speak too soon? On an ideological level, the likes of Cesare Lombroso, W.I. Thomas, Sigmund Freud, Kingsley Davis, and Otto Pollak continued the legacy of sexism in cultural and academic thought. On a practical level, this misogynist continuum reached into the regulation and control of midwifery, one of the most intriguing microcosms of the gender struggle which continues to plague Western society.

The Midwife Microcosm

From the Medieval gallows to the modern Supreme Court of Canada, female healers have been obstructed in their quest to practice legitimately under a patriarchal framework. The *Malleus* laid the foundation for centuries of femicide; midwives were allegedly tantamount to “sinners.” Together, church and medical authorities sought to eliminate female healers and midwives who threatened the profitability and sustainability of their misogynist institutions. They did this through intimidation, legislation, torture, and execution.

Looking at the “Big Picture”

The historical and cultural processes which allowed centuries of slaughter of women and midwives will be examined through a long-range, historically-based theoretical and methodological inquiry. I will take into account the sociology of religion and also cultural processes that instill worldviews that lead to practices of oppression. By focusing

specifically on issues of gender relations, I will do a critical cultural historical analysis of the social and intellectual contexts, meanings, and motivations that were present in Medieval Europe which allowed the patriarchal contents of the *Malleus* to be produced and accepted. This will segue into a discussion of the contemporary regulation of the practice of midwifery. Attention will also be paid to the theoretical and methodological uses of feminism⁹ in strengthening cultural historical inquiry, which often tends to fall into an overly “scientific” male-normative ethos. This is a multi-causal analysis that examines a particular phenomenon by looking at its intersection and interaction with others.¹⁰

Through this methodological framework called *feminist multidisciplinary cultural historical inquiry*, the *Malleus* and its gender prescriptions can be contextually-situated to springboard discussions of the politics of medicine in Medieval Europe. From there, we can proceed to examine the push and pull between medical professionals and midwives in England through the 17th and 20th centuries. The exportation of Europe’s patriarchal dynamics into the American medical industry was accompanied by an epistemological shift from religious justifications for female subordination to biological justifications. Lastly, regulation and legal actions against Canadian midwives will be surveyed, keeping in mind the historical processes and consistencies in midwifery regulation. The first steps in such a broad historical analysis are to explain *how*

9. There is a multiplicity of feminisms, including radical, socialist, Marxist, materialist, cultural, and liberal. For the purposes of this thesis, I will not be following one strict form of feminism. I am approaching the literature from a feminist lens, meaning that I accept as truth that patriarchy and misogyny work to oppress women in a hierarchical society. These political and social apparatuses are not simply historical, and I will attempt to demonstrate, through painting a social and political picture of the witch hunts and midwifery practices, that these apparatuses are still operating today.

10. Levack, p. 3.

such a query can be made theoretically and methodologically, and to examine the significance of this work in advancing scholarship.

Central Questions

This thesis will address several central questions. I will be inquiring into how, and to what extent the ideological and practical frameworks of the *Malleus Maleficarum* and the Catholic Church in general have influenced the contemporary regulation and medical opposition to midwifery. What historical lineages connect the Medieval worldview towards midwives, as a microcosm of the Church's sentiments towards women, to the current structural medical biases that interfere with practices of midwifery? What consistencies and divergences exist in the ideological tone of religious and medical literature opposing midwifery, particularly regarding characterizations of women? Lastly, how can we theoretically and methodologically examine a subject as large in historical scope as this? This thesis is, in the Foucauldian sense, a "history of the present"¹¹ which examines the emergence of a contemporary social issue in light of its historical and cultural context.

Original Contributions of the Thesis

There are a number of original contributions in this thesis. First, multidisciplinary historical research methodologies under the title of *comparative cultural historical inquiries* (discussed in Chapter 1) will be discussed, evaluated, and applied throughout this thesis. Second, fusing this methodology with feminism is a central component to creating a theoretical and methodological framework through which this thesis can be con-

11. Phrase taken from Michel Foucault, Discipline and Punish: The Birth of the Prison (New York: Vintage: 1979), p. 31.

ducted. This can also serve as a stepping stone for future historical research in which gender is a key variable. Third, I will apply comparative cultural historical textual inquiry to the *Malleus Maleficarum*, to evaluate the dialectical nature of contextual and historical influences on culture. The *Malleus* appears to not have been examined under rigorous textual analysis; certainly, it has been placed into the cultural backdrop of Medieval society, but its actual contents have not been put under such scrutiny. Fourth, medical and sociological literature subsequent to the *Malleus* will also be placed in context to examine historical and contemporary connections.

Chapter 1: Operationalization

Towards a Sociological Perspective on Religion

“Sacred texts” are often exempt from the social sciences as objects of study.¹² The relevance of ancient texts is rarely considered in contemporary debates surrounding law, punishment, and policy. Members of Western society are primarily products of a Judeo-Christian heritage.¹³ Specifically, despite the current principle of the separation of church and state, our legal system draws from the mentality and worldview set out in the Holy Bible, which frequently uses binaries, justifies violent and harsh punishments, and generates hierarchies of human value.

The master Christian thesis centers on the belief that all of the texts within the Bibles are a direct outcome of a Divine and/or supernatural source, through direct intervention and/or individual inspiration. For this reason, Christianity is held to be a religion of “the book” in which these book-texts are regarded as sacred, that is supernatural in origin.¹⁴

Too often, campaigns of large-scale violence and oppression are placed into the archives of human history as shameful events to be erased from our collective memories while specialist theorists opt for more contemporary-based, even ahistorical ideologies. The witch hunts, for example, are summarized as a targeted elimination of large numbers of women justified on theological grounds. This is a tremendous oversimplification. We need an exercise in historical consciousness, examining the dialectical relationship between belief systems and social structure, and an acknowledgement of the

12. Daniel Dorogi, Comparative Cultural Historical Inquiry: A Multidisciplinary Methodology (Master of Arts Thesis, Department of Sociology and Anthropology, Simon Fraser University, Burnaby, 2001), p. 8.

13. See Ruether, p. 16.

14. Dorogi, p. 5.

fact that modern social problems and relations do not exist in a vacuum. The witch hunts allow insight into how powerful segments of a society can become persecutory, practice intolerance, manifest prejudice against women and other minorities, and justify the use of torture by authoritarian rulers. The hunts illustrate attempts by religious and political ideologues to impose their values on the rest of society. These processes are *not* merely historical artifacts, but problems that face us today. The dynamics of the witch hunts do not look obsolete when we look at the *mechanisms and processes* that underlay their workings. The Inquisition laid down a framework for persecution that had much wider application for victims other than the heretics for whom it was designed.¹⁵

On an ideological level, it can be demonstrated that the particular fundamentalist worldview endorsed by the Medieval Christian church in general and the *Malleus* in particular constructed women in an extremely negative and limiting light. These constructions influence how women are perceived and treated both in the criminal justice system and in society at large. We find ourselves now standing on the shoulders of centuries of “theory” based on the premise that women are biologically and psychologically inferior to men, naturally wicked, and deceptive. These cultural constructions are products of oversimplified biological and sexual differences between men and women and dichotomies of “good” and “bad” women, tied to a masculinist ethos and rule, turning gender into a seemingly timeless artifact.¹⁶ They largely ignore the construction of gen-

15. Klaitz, p. 6; R.I. Moore, *The Formation of a Persecuting Society: Power and Deviance in Western Europe 950-1250* (Oxford: Blackwell, 1987), pp. 5, 10; Deborah Willis, *Malevolent Nurture: Witch-Hunting and Maternal Power in Early Modern England* (Ithaca: Cornell University Press, 1995), p. 13.

16. Karen Armstrong, *A History of God: The 4,000 Year Quest of Judaism, Christianity, and Islam* (New York: Ballantine, 1993), p. 124; Sabina Sawhney, “Strangers in the Classroom.” *Women’s Studies on its Own: A Next Wave Reader in Institutional Change* (Robyn Wiegman, ed., Durham: Duke Univer-

der roles and the dominance of the male perspective throughout written history, focusing more on the *differences* between the sexes and not the *relationships* between them.¹⁷

The *Malleus*, as a paradigm of Christian misogyny, becomes one of the roots of these patriarchal constructions. This project is thus an explication of the interactions between worldview and culture, and their ensuing practices.

Every culture has been known to generate myths about persons, sometimes possessing peculiar powers or physical characteristics, who invert the moral and religious norms of society and who therefore present a threat to the very fabric of that society. It can be argued that a belief in the existence of such individuals is necessary in order to establish what those norms are, or at least to reinforce those that are generally accepted.¹⁸

Myths are often used to explain social arrangements and their origins. The agricultural revolution of 11,000 BCE,¹⁹ the resulting hierarchical social arrangements, the spread of these social systems, and the permeation of sedentary, food-producing lifestyles over hunter-gatherer societies²⁰ had tremendous socio-psychological effects on human mythmaking. If a society is hierarchically-arranged with consumers and producers, rich and poor, powerful and weak, and a supreme patriarchal male, the myths it purports will also explain the supernatural world in similar terms. Furthermore, laws

city Press, 2002), p. 345; Joan Wallach Scott, *Gender and the Politics of History* (New York: Columbia University Press, 1999), p. 43.

17. Micheline Dumont, "The Influence of Feminist Perspectives on Historical Research Methodology," *The Effects of Feminist Approaches on Research Methodologies* (Winnie Tom, ed., Waterloo: Wilfrid Laurier University Press, 1989), pp. 115-117; Joan Kelly, *Women, History and Theory* (Chicago: University of Chicago Press, 1984); Michelle Perrot (ed.), *Une histoire des femmes est-elle possible?* (Paris: Rivages, 1984), p. 15.

18. Levack, p. 39. Also, see Faith, p. 13.

19. Rather than using the traditional Western Christian dating titles, BC (Before Christ) and AD (Anno Domini, the year of the Lord -- that is, after the birth of Christ), I will use the secular BCE (Before the Common Era) and CE (Common Era). I have made this choice to challenge the dominance of the Judeo-Christian perspective in western cultural thought.

20. See Jared Diamond, *Guns, Germs, and Steel* (New York: W.W. Norton, 1997).

and criminal codes emerged in the sedentary, stratified societies which had writing systems and distinct classes of people. Emile Durkheim notes that,

...religions have been found only at the heart of *established* societies and have evolved and changed with the societies that gave birth to them. Therefore religion is wholly, or at least for the most part, a sociological phenomenon. In order to study it, we must first take up a sociological position and it is only *after* having viewed it sociologically that we shall be able to seek its psychological roots in the conscious individual.²¹

If God is only “a figurative expression of society” and “the sacred is nothing more nor less than society transfigured and personified,”²² then looking at the process through which worldviews are justified and transmitted is a key component in understanding human history. Durkheim relied heavily upon sociology in his study of religion, perhaps to the point of sociological positivism. Weber, on the other hand, employed a more multidisciplinary approach *across* sociology, economics, political science, anthropology, history, and philosophy.²³ Weber proposed and concluded an analysis of the *elective affinity* between worldviews and their consequences, or political effects.²⁴ This will take us to a comparative cultural historical perspective, so as not to fall too deeply into either an overly sociological or materialistic interpretation of history.²⁵ Focusing

21. in W.S.F. Pickering, *Durkheim on Religion* (London: Routledge and Kegan, 1975), p. 33, emphasis added. Also, see R.D. Cuzzort and Edith W. King, *Twentieth-Century Social Thought* (5th ed., New York: Harcourt Brace, 1995, orig. ed., 1969), pp. 20-21.

22. Emile Durkheim, *The Elementary Forms of Religious Life* (trans. Joseph Ward Swain, London: George Allen and Unwin Ltd., 1915), pp. 258, 388; Michael Thompson, Richard Ellis, and Aaron Wildavsky, *Cultural Theory* (San Francisco: Westview Press, 1990), p. 133.

23. Cuzzort and King, p. 48; Pickering, p. 237.

24. Max Weber, *Economy and Society* (Berkeley: University of California Press, 1978), p. 1208. *Elective affinity* refers to human and cultural sympathies and aversions; the compatibility between theoretical constructs and practical outcomes. Originally used to describe chemical processes by Torbern Bergman, *Dissertation on Elective Attractions* (trans. J.A. Schulte, New York: Johnson Reprint, 1968, orig. ed., 1775); later used and henceforth applied sociologically beginning with Johann Wolfgang von Goethe, *The Elective Affinities* (trans. Elizabeth Mayer and Louise Bogen, Chicago: H. Regnery Co., 1963, orig. ed., 1809).

25. Cuzzort and King, p. 49.

too closely on the *ideologies* of religion without paying attention to the realities which they produce is a mistake.²⁶

Worldviews and belief systems have bound people together in every society in human history through a common faith or belief, governing social relationships, legitimizing leadership, and sanctioning war and conquest.²⁷ In any culture, persistent patterns of social relations reinforce the content of its dominant worldview. Whilst a society tends to develop one common worldview, important counter-ideologies often grow out of the same social organization and complicate morality. Moral systems thus reflect social structures.²⁸ Law, religion, and morality are the three great regulating functions of societies,²⁹ with law being the institutionalization of the other two. If people acquire a morality or religion, they will harbour attitudes towards various persons and groups based upon the mentality which they acquire.³⁰

Howard Bloom makes the distinction between *genes* (the physical organism) and *memes* (ideas).³¹ Memes work together through ideas and theories, worldviews, or cultures of memes to create the *superorganism* (collective organization of genes under memes). Mental life transcends the organism and becomes something greater than the sum of its parts.³² Societies tend to uphold and reaffirm collective ideas, which form

26. Thompson, Ellis and Wildavsky, p. 169.

27. Durkheim (1915), p. 43; Hester, p. 113; George Simmel, The Sociology of Religion (trans. Curt Rosenthal, New York: Philosophical Library, 1959), p. viii.

28. Emile Durkheim, Moral Education (trans. Everett K. Wilson and Herman Schnurer, USA: Free Press, 1961, orig. ed., 1925), p. 89.

29. Pickering, p. 23.

30. Howard Bloom, The Lucifer Principle (New York; Atlantic Monthly Press, 1995), p. 59; Cuzzort and King, pp. 32-36. Also, see Durkheim (1925), p. 41; Patricia Martin Doyle, "Women and Religion: Psychological and Cultural Implications," in Ruether, pp. 19-20.

31. Bloom, p. 98. This mode of logic actually started with Richard Dawkins. See The Selfish Gene (New York: Oxford University Press, 1989).

32. Durkheim (1925), p. 41.

their unity and personality.³³ Structural-functionalists argue that individuals are largely at the behest of their societies, for they live in time and have temporal orientation.³⁴ “Fascism,” “Confucianism,” and “Christianity” are examples of worldviews which became the foundation upon which social organizations were built. The “Aryan hypothesis” laid the groundwork for Nazi Germany, and post-Bolshevik Russia was based upon the principles of Marxism and then socialism during the Cold War. A dominant worldview standardizes the “right” and “wrong” way of thinking in any given society,³⁵ and the fanaticism of worldviews tends to become accelerated during times of aroused patriotism.³⁶ Robert Merton argues, however, that making the assumption that religion serves a purely integrative function ignores the “entire history of religious wars, of the Inquisition, of internecine conflicts among religious groups.”³⁷ Thus, I am not taking a purely functional stance on religion, even though the question of who benefits from the particular use of religion is in some respect still a functional analysis.

Monotheistic belief systems emerged out of societies with particular social organizations.³⁸ Studying the associations between a given social structure and the conception of God and religious beliefs in that society is one objective of this inquiry. Believing anything that was not formally approved of by the Catholic Church in Medieval Europe was grounds for a charge of heresy. The Inquisition was an organized slaughter justified by a divine theory of justice, all to further a worldview. I now come to a discussion of methodology, under the approach of comparative cultural historical inquiry and feminist history. We will see that both cultural historical inquiry and feminism are

33. Cuzzort and King, p. 21; Durkheim (1925), p. 427.

34. Durkheim (1915), p. 440.

35. E.O. James, *The Social Function of Religion* (London: University of London Press, 1948), p. 237.

36. Simmel, p. 14.

37. in Thompson, Ellis and Wildavsky, p. 196.

38. Cuzzort and King, p. 23 (discussing Durkheim).

multidisciplinary and complementary in providing us with the tools for undertaking historical analyses of patriarchal religious and social systems.

A Comparative Cultural Historical Inquiry

One of the justifications for a comparative cultural historical form of inquiry is that it tends to address the “big picture.”

It is the social and historical reality that men want to know, and often they do not find contemporary literature an adequate means of knowing it. They yearn for facts, they search for their meanings, they want a “big picture” in which they can believe and within which they can understand themselves.³⁹

Supposedly, an accurate big picture is potentially more meaningful and promotes better understanding than do small bits of historical reality. Such an approach requires an explicit methodology. Daniel Dorogi argues for:

...a general methodology for incorporative and integrative knowledge production based on textual analysis called “comparative historical cultural inquiry”. The term “incorporative” means multidisciplinary and “integrative” means using a set of explicit criteria drawn from the sciences. Generally, the design and justification for this general methodology concerns the criteria and procedures necessary for the analysis and synthesis of multidisciplinary knowledge claims.⁴⁰

Under this framework, historical documents are to be analyzed through a systematic methodology which places them into their broader social, cultural and historical contexts, in order to help us understand the dialectical relationship between the content of the texts and culture that produces and receives them. One key component of this sort of methodology is hermeneutics.

39. C. Wright Mills, The Sociological Imagination (Oxford: Oxford University Press, 1959), p. 17.

40. p. iii.

Hermeneutics

The hermeneutic tradition and its associated sub-disciplines address the processes and procedures necessary to read and interpret texts.⁴¹ It is also argued that the techniques of reading texts can be applied to inquire about social life.

Originally referring to the interpretation of religious texts, (academics) have adapted the process of hermeneutics to the understanding of *social life*... understanding the process of understanding.⁴²

Comparative cultural historical approaches are qualitatively-oriented and allow their adherents to discuss the contents of religious texts and their contexts, to explore the social life from which such texts emerge and are received.⁴³ This style of inquiry has been labeled in many ways, including the sociology of belief and/or knowledge, the hermeneutic tradition, the ecology of thought, and historicism.⁴⁴

Document Analysis

A second component of this methodology involves a more specific approach to textual inquiry. A central concern of cultural historians is *document analysis*, which implies the use of several research methods, including *content analysis* (a highly systematized and quantitative procedure), *histiography* (addressing broader issues through reading, writing, presenting, analyzing, and synthesizing the contents of documents), and the *sociology of knowledge perspective* (the study of the social and historical contexts in which texts themselves are produced and received).⁴⁵ These tools and guides provide readers

41. Dorogi, pp. 1-2. Also, see pp. 63-64.

42. Earl Babbie, *The Practice of Social Research* (8th ed., Toronto: Wadsworth, 1998), p. 281, cited in Dorogi, p. 2, emphasis added.

43. Dorogi, p. 3.

44. *Ibid.*, pp. 63-64.

45. *Ibid.*, pp. 5-6.

with the opportunity to challenge the contents of texts and their authenticity, as well as placing them in their social and historical contexts.

The Master Umbrella: Architectonics

The components of a comparative cultural historical methodology can be incorporated into a framework called “architectonics.” This term can be used to denote “an integrative and incorporative perspective designed to function as a master system of research methodology for the purposes of reading history...the science...of the systematic arrangements of knowledges.”⁴⁶ Architectonics involves the study of worldviews and belief systems and their role in shaping cultural histories and practices. It can be further elaborated into the following components:

- *Multidisciplinarity*: with a focus on the *assimilation* of knowledge claims across disciplines.⁴⁷
- *Integrative*: evaluations of knowledge claims are made against sets of explicit, public and justified criteria. This is a form of analysis.
- *Incorporative*: multidisciplinary; knowledge claims are then analyzed and synthesized across uniform units and levels of analysis.⁴⁸

The incorporation of macro (society), meso (tribe or city; smaller society), and micro (individual interactions) levels of analysis into the architectonic perspective, will pro-

46. Ibid., p. 11; partly cited from William Little, H.W. Fowler, and Jessie Coulson, The Shorter Oxford English Dictionary on Historical Principles (Oxford: Clarendon Press, 1973), p. 100, as cited by Dorogi, p. 13.

47. Dorogi (p. 4) differentiates this from “interdisciplinarity,” which connotes a *sharing* that is more related to physical resources and the *integration* of disciplines.

48. Ibid., pp. 22, 27, 29.

vide a “big picture,” allowing us to address and contextualize the worldviews that help shape and organize human activity.⁴⁹

Crossan: A Case Study of Comparative Cultural Historical Inquiry

John Crossan’s *The Birth of Christianity*⁵⁰ is a compelling case of a comparative cultural historical inquiry. His work includes the micro, meso, and macro levels of analysis, painting a complex portrait of Lower Galilee in the years in which Christianity emerged.⁵¹

Increasing inclusivity runs from what Crossan calls the “sharpest image” that can be obtained from one discipline to the “tightest image” that emerges as each subsequent disciplinary knowledge is sequentially applied -- from most to least abstract. The earliest or sharpest image develops into the tightest point of view that can arise when a macrosociological/cross-cultural anthropological perspective is applied. For example, beginning with the archaeological examination of Lower Galilee, moving thereafter to a literary examination of Judeo-Roman historical texts, to finally a macrosociological/cross-cultural anthropological examination of the commercialization, peasant resistance movements and female/male relationships in Lower Galilean cultures during the 20s CE.⁵²

Crossan thus moves across the various levels of observation which Dorogi refers to as *context* (sharpest image; Lower Galilean archaeology), *text* (earliest layer; Judeo-Roman history) and *conjunction* (tightest linkage; cross-cultural anthropology).⁵³ Thus,

49. Ibid., pp. 30, 32.

50. San Francisco: HarperCollins, 1998.

51. Dorogi, p. 37.

52. Ibid., p. 48. The “tightest image” in this sense refers to the greater detail that emerges as more disciplinary integration is utilized, moving beyond the confines of one discipline alone (the “sharpest image”).

53. Ibid., pp. 53, 55, 59-62. Furthermore, Dorogi explicates these ideas under the anthropologies of resistance movements, the anthropologies of sex roles and gender and the anthropologies of social and/or economic classes (p. 66).

a cultural historical inquiry can be systematically made without conjecture or anachronism.⁵⁴

Multidisciplinary arguments are often made without specification of the actual methodologies, which should be a staple to the making of knowledge claims.⁵⁵ Making a strong adherence to “systematic” procedures without allowing for the incorporation of more “subjective” qualitative methods such as oral or documentary history (i.e. “feminist methods”) rules out particular facets of history that can be very important to historical studies of cultures and religious texts, such as gender relations.

Conceptualizing Gender in Male Dominated Discourse

Joan Wallach Scott notes that even the most seemingly objective form of multidisciplinary research methodology is predicated upon a scientific paradigm founded in male normativity. Critical cultural historical analyses, or social histories, run the risk of falling into the sympathetic trap of “add woman and stir,” which normalizes “man” and assumes “woman” to be a monolithic, as opposed to complex, entity, easily accommodated in what is seen as “malestream” scholarship. Thus, *gender* needs to be conceptualized and operationalized to provide a more acute research methodology.⁵⁶

Using “gender” as opposed to “sex” suggests that information about women is also necessarily information about men; one implies the other.⁵⁷ “Masculine” and “feminine,” in this regard, are not to be confused with “male” and “female,” as the former indicate symbolic references to roles and expectations, while the latter represent

54. Though from an epistemological standpoint, the endpoint of history and the beginning of conjecture can never be entirely clear.

55. Dorogi, p. 23.

56. pp. 54-55.

57. *Ibid.*, p. 32.

physical persons.⁵⁸ To understand the category of “woman” we need to understand the many connotations of *gender* and the cultural determination of identity in relation to hierarchies and social structures (i.e. kinship, labour market, education, and polity).⁵⁹ Thus, gender is a constitutive element of social relationships based on perceived differences between sexes, and a primary way of signifying social relationships.⁶⁰ Additionally, “gender,” unlike “sex,” is not a dichotomous concept.⁶¹

Gender, then, provides a way to decode meaning and to understand the complex connections among various forms of human interaction. When historians look for the ways in which the concept of gender legitimizes and constructs social relationships, they develop insight into the particular and contextually-specific ways in which politics constructs gender and gender constructs politics...[gender becomes a key referent upon which] political power has been conceived, legitimated and criticized.⁶²

This argument is raised to point out that cultural historical inquiry need not be the all-encompassing methodology for studying history and social life; for this, we have multidisciplinary and specialization. Thus, the symbiosis of cultural history with feminist history will allow data collection-based research to regain its human-centred approach,⁶³ particularly in providing voice to displaced or marginalized populations.

Breaking with the centuries-old tradition of male historian arguments that universalize “man” and ignore the voices of women, are key epistemological principles that researchers of gender issues must operationalize in a methodologically-sound

58. *Ibid.*, p. 63.

59. *Ibid.*, p. 32.

60. *Ibid.*, pp. 42-44.

61. A very important work on gender identity in this regard is Kate Bornstein, *My Gender Workbook: How to Become a Real Man, a Real Woman, the Real You, or Something Else Entirely* (New York: Routledge, 1998).

62. Scott, pp. 45-46, 48.

63. Sawhney (pp. 353-354. p. 365 n.9) discusses the similar idea of unsubstantiated multidisciplinary proposals.

way.⁶⁴ The symbiosis of several academic disciplines is already a goal of Women's Studies, and the study at hand demands this approach: a merger of cultural history with feminist principles will guide my analyses of the *Malleus* and the "Genesis" of male normativity in their Medieval cultural backdrop.

Moving Towards Feminist History

The Dominance of Male Perspectives in Academic Discourse

Clearly, most academic work has been conducted under a male perspective. A proposed correction rests in Women's Studies:

Women's Studies would fill a void that had existed ever since the other disciplines had been formalized within the university system in the mid-nineteenth century. The existence of this lack for nearly a hundred years indicated the masculinist character of the university and its prevalent sexism, and Women's Studies would now presumably address this balance.⁶⁵

Generally, male historians have rejected the lives and contributions of women through interpretive and analytic frameworks that maintain the status quo.⁶⁶ "Man" has become the universal, abstract totality of Western culture.⁶⁷ Virginia Woolf's call for a history of women confirmed that women are *not* reducible to a single interpretative or theoretical stance and questioned whether binary sexual identity is enough to give "women" a

64. Scott, pp. 17-20.

65. Sawhney, p. 346. This was argued to be a very utopian Second Wave idea that eventually became a microcosm for the ongoing subjugation of minority groups; here, to middle-class white women. Of course, it is possible to be idealistic and pragmatic at the same time. Also, see Kathleen Canning, "Feminist History After the Linguistic Turn: Historicizing Discourse and Experience," Feminist Approaches to Theory and Methodology: An Interdisciplinary Reader (Sharlene Hesse-Biber, Christina Gilmartin, and Robin Lydenberg, eds., New York: Oxford University Press, 1999), p. 47.

66. Sawhney, p. 342.

67. Susan Bordo, "Feminist Skepticism and the 'Maleness' of Philosophy," in Hesse-Biber, Gilmartin, and Lydenberg, pp. 29, 32, 38, 41; Dumont, p. 111; Sawhney, p. 347.

shared historical existence.⁶⁸ Much normative history has been without longstanding or definable historiographic traditions within which interpretations could be debated and revised; grafting women's history into normative male frameworks is *not* desirable for creating a history of women.⁶⁹

The question is, then, can a focus on women supplement history without rewriting history? Feminist history is not a proposal to eliminate history as a discipline; rather, it is a proposal that we change how we examine the past through scrutinizing our methods of analysis, clarifying our operative assumptions, and explaining how we think change occurs by focusing on the processes through which ideas interact with cultural practice. The nature of these processes can be determined in the context of time and place; for example, what is the relationship between laws primarily about women and the power of the church and state?⁷⁰ Of course, these ideas, which have received serious attention in the last half of the 20th century, have not been put forth without resistance from the academy and other quarters.⁷¹ The practice of historical research has been changed with the poststructuralist encounter of feminism in the academy, which has also served to fracture disciplinary boundaries.⁷² The feminization of history thus requires the "rewriting," "reinscribing," or "redeploying" of key concepts in religious, political, and historical vocabularies.⁷³

Three facets of feminist history must be kept in mind. First, it provides us with tools to look at women to create likenesses to men (i.e. by looking at women's partici-

68. Dumont, p. 113; Sawhney, p. 344.

69. Scott, pp. 15-16. Also, see Renate Bridenthal and Claudia Koontz, Becoming Visible: Women in European History (Boston: Houghton Mifflin, 1977); Kelly; Perrot; Sheila Rowbotham, Hidden From History (New York: Pantheon, 1974).

70. Sawhney, pp. 346, 353; Scott, pp. 42, 49.

71. Sawhney, p. 342; Scott, pp. 17, 18.

72. Canning, p. 45.

73. *Ibid.*, p. 48; Dumont, p. 111; Scott, p. 17.

pation in politics and the history of labour). Second, feminist history takes evidence about women and uses it to challenge received interpretations of progress and regress (i.e. that the Renaissance was not a “Renaissance” for women).⁷⁴ Third, it purports the creation of new narratives (looking at the structures of ordinary women’s lives). By compiling evidence of women in the past, feminist historians have proven that women *have* a history unlike men,⁷⁵ and that personal and subjective experiences of individual women matter as much as public and practical activities; the former are affected by the latter. This gives value to women’s experiences and isolates them as a distinct and coherent topic of history rather than a simple add-on to male-normative thought.⁷⁶

Feminist history developed alongside social history (of which comparative cultural historical inquiry can be derived), sharing four of its methods and conceptions. First, feminist history provides methodologies of quantification without adhering to rigid positivist thought, including the use of complex details of everyday life and the interdisciplinary mesh of sociology, demography, and ethnography. Second, it reconceptualizes the family, fertility, and sexuality as historical phenomena. Third, it challenges the narrative line of Western political history, which has been largely written and controlled by white, middle to upper-class heterosexual men. Fourth, it gives legitimation to minority or marginalized groups formerly excluded from political history and

74. Scott (pp. 19, 50) lists some further examples, including: technology did not lead to women’s liberation, the “Age of Democratic Revolutions” excluded women from political participation, the “affective” nuclear family constrained women’s personal and emotional well-being and development, and the increase of medical science deprived women of autonomy and feminine community.

75. The argument for the existence of a distinct women’s history independent of men resonates with W.E.B. DuBois’ *The Negro* (New York: Humanity Books, 1963, orig. ed., 1915), which was the first American-produced comprehensive history of Africa and African American people and civilizations. DuBois’ work shed tremendous light onto African Americans’ richness and diversity as a people.

76. Scott, pp. 17, 20. This is not to deny the differences *within* the category of “woman,” including race, language, religion, marital status, and agency. See Lesley Biggs, “Rethinking the History of Midwifery in Canada,” *Reconceiving Midwifery* (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds., Montreal & Kingston: McGill-Queen’s University Press, 2004), pp. 17-45.

knowledge production. Social and feminist histories are ultimately about the *processes* or *systems* but are told through the lives of particular people, who are not always necessarily the subjects of the narrative.⁷⁷ This is not meant to make a claim on women's subjectivity and voice or to specifically provide the voices of women and witches. This cannot be exactly done because there are no texts that supply these voices. Rather, I am attempting to create a safe place for their position to be presented, and critiquing the key social documents that have rendered these women silent. I am attempting to acknowledge that what was written was written by men in power, drawing on elements of a materialist feminism, with attention to class and power. Also, there is the incorporation of postmodern and standpoint epistemologies, with attention to binaries and dichotomous thought, and the acknowledgement of women's general exclusion from knowledge production.

Multidisciplinarity and Feminism

Sawhney notes that Women's Studies faculty and students often conduct research in such a way that

...draw[s] upon material from a wide range of disciplines: literature, the arts, sociology, language, linguistics, philosophy, psychology and history... prepar[ing] the student for more discipline-specific courses on women and gender issues in these and other fields.⁷⁸

Using a multidisciplinary feminist approach to comparative cultural historical inquiry allows us to examine literary texts (i.e. the *Malleus*) in relation to women's social and historical realities of their era. Sawhney also looks at the principle of the concentration of *alternative textual analysis* beyond the rigid confines of social-scientific discourse in

77. Ibid., pp. 21-22.

78. p. 349.

the multidisciplinary use of feminism.⁷⁹ The text thus becomes a resource to explore historical and/or contemporary social problems.⁸⁰ Therefore, without appropriating Women's Studies into normative discourse,⁸¹ we can use its methods with other disciplinary philosophies to implement a truly multidisciplinary methodological framework through which to examine social and historical phenomena. This methodology will maintain feminist principles at the centre of its analysis, providing a macro-structural view of the unfavourable conditions of women, and possibilities for furthering women's interests today.⁸²

Brian Burtch also makes a significant theoretical-epistemological note: a “common problem in sociological research is a tendency towards an empiricism that divorces data from theory.”⁸³ Furthermore, the fallacious qualitative-quantitative divide has had ramifications for the “scientific” legitimacy of feminist multidisciplinary cultural historical studies. Like Burtch, I will combine facets of empirical research with theoretical discussions, paying attention to voices “hidden from history” through social history and oral history methods.⁸⁴

Feminism and the Study of Religion

Along with other perspectives, many Third Wave feminisms have placed less emphasis on religion and history.⁸⁵ However, the monotheistic religions in particular have been

79. pp. 355-356.

80. Ibid., p. 358.

81. Ibid., p. 361.

82. Ibid., p. 353.

83. p. 20.

84. Ibid., pp. 21, 72.

85. The term “Third Wave” denotes feminism that emerged as a response to the Civil Rights Movement, where “Second Wave” feminism universalized women rather than taking into account differences such as sexuality, race, and class. The “First Wave” of feminism occurred during the suffrage movement in the 19th Century.

major tools in propagating and maintaining patriarchy.⁸⁶ Monotheist religion has had a direct influence on misogyny and has been one of the strongest influences on the image and role of women in our society. The witch hunts, for example, were a gendered phenomenon whereby male sexuality and power were exerted through social control over women, which had an impact on the future of gender relations in Western society.⁸⁷ Literature coming from feminism without heed to religion, while recognizing the role of the church in the history of patriarchy, does not apply a thorough enough understanding of it -- and may fail to consider the effect of a patriarchal male god on the broader cultural consciousness.⁸⁸ Granted, many schools of feminist thought and related topics do not require in-depth analysis of religion. From a broader cultural standpoint, the argument here is that religion is “a set of symbolic forms and acts that relate man to the ultimate conditions of his existence.”⁸⁹ Essentially, the study of religion needs to be, for lack of a less religiously-loaded term, *resurrected* in the social sciences in general and Women’s Studies in particular.

One Last Thought: the Nature of History

Making a historical inquiry such as this can be problematic because

Put simply, most histories were and still are, written by the “winners.” Thus two considerations arise: (a) the truth of history is more often than not rewritten/reworded in favour of the “winners”; and, (b) the production and continued reproduction of these histories eventually becomes socially, culturally and religiously accepted as truths if there are no rival plausible explanations countermining these histories.⁹⁰

86. Ruether, p. 16.

87. French, p. 244; Hester, pp. 3-4, 77.

88. Ruether, pp. 9-10.

89. Robert N. Bellah, Beyond Belief: Essays on Religion in a Post-Traditional World (New York: Harper and Row, 1970), p. 21.

90. Dorogi, p. 84.

The communications revolution of the past century has nevertheless allowed the writing of history to become diversified and more inclusive. Our understanding of “truth” is enriched by multiple perspectives. The use of methodologies such as the one proposed here can partly redress these imbalances.

Conflicting accounts in religious texts (i.e. two versions of creation and the flood, several accounts of Jesus’ life and death) give us insight into the various versions of history that have existed and the plethora of people, communities, and traditions that have been lost, displaced, or eradicated. Using the methodological techniques of deconstruction and reconstruction of these histories will help us hear voices from marginalized communities, particularly those of women throughout history. In turn our understanding of history will be enriched, enlightened, and even *changed*. For example, the “witch” herself -- politically weak, poor, and illiterate -- did not leave us her story. The history left of the witch hunts has largely been written by a male educated elite; also, we know the witch primarily through the eyes of the witch-hunter.⁹¹ As we have seen through centuries of history, when powerful men write the history of marginalized women, there is a need to question whose story is actually being told. Of course, whilst the “correct” methodology can never totally transcend ethnocentrism, it *can* at least help to advance the cause of the people it seeks to give voice to, dead or alive.⁹² What I will seek to do, as mentioned earlier, will be to situate the *Malleus* into its cultural and historical context in order to examine the dialectical processes of knowledge and cultural production. This will provide insight into what was happening at the time of the

91. Ehrenreich and English (1973a), p. 8.

92. Minnie Bruce Pratt, “Identity: Skin, Blood, Heart,” *Yours in Struggle: Three Feminist Perspectives on Anti-Semitism and Racism* (Elly Blakin, Minnie Bruce Pratt, and Barbara Smith, eds., New York: Long Haul Press, 1984), p. 18.

Malleus' creation, which allowed the practices of witch hunting and the control of midwives to become a normalized part of the collective conscience of Medieval and, subsequently, contemporary society.

I also need to broach the subject that I am male author attempting to write from a feminist perspective. While this is altogether possible, I am trying to steer clear of writing about women without acknowledging their voices and standpoints. One of my key critiques is that women have been excluded from knowledge production and that their voices have been silenced. I do not wish to be another man trying to explain women and their feelings. This analysis differs from our historical fathers of social scientific and religious knowledge because of my acceptance of the pervasiveness of that hierarchical gendered lens. I have noticed through discussing and looking at the *Malleus* as a historical commentary on gender relations that our reactions to this text can be somewhat gendered; some women have had a visceral reaction on reading the *Malleus*, whereas men may approach the text out of intellectual curiosity. It should not be surprising that women may feel the misogyny of the *Malleus* more at their core -- as, for instance, a person of colour may respond more negatively to racist literature than a Caucasian. I hope that this thesis can present an analysis of the *Malleus* that is intellectually sound without losing some of the vital emotional character of how profound an effect its ideas had on women in medieval and contemporary societies. Given this strong reaction, I believe that understanding the depth of woman-hating in its original form can in fact empower women and even strengthen efforts to combat patriarchy in all its modern incarnations.

Caveats on Textual Analysis

As with any inquiry into a historical document that relies on a translated text, one must be critically aware of the processes and perspectives embodied in their sources and the contexts in which those accounts were produced. There are questions of *selective deposit and survival*⁹³ (the *Malleus* may be one of the only Inquisitorial texts that was preserved long enough to eventually be translated into English) and there is the possibility that the English version of the *Malleus* may be an incorrect translation. The same could be said of Biblical sources which the *Malleus* makes reference to. There are over 50,000 versions of the Bible available, the most widely-distributed being the King James Bible (1611), which I am using myself. It may not be entirely clear which particular translation Kramer and Sprenger used, let alone if that particular version was accurately translated out of the language from which it was based, be it Greek, Latin, Hebrew, German, or early English.⁹⁴

A Note on the Framework of This Thesis

To break with tradition, I do not intend to integrate this study with the template of introduction, literature review, methods, findings, and so forth. Rather, I will be presenting it as more of a narrative history with an adapted template addressing literature review, methodology, and the central questions of the thesis. Within this framework, I

93. T.S. Palys, Research Decisions: Quantitative and Qualitative Perspectives (3rd ed., Scarborough: Thomson Nelson, 2003).

94. It is most likely that Kramer and Sprenger used a version of the Latin/Mazarin Bible (1456), which came from Wycliffe's (1380-84) translation of Jerome's Latin Vulgate (383-405). The Biblical quotations which Kramer and Sprenger use are nearly exact replicas of the King James Bible (1611), which makes sense given that Wycliffe's Bible was drawn upon heavily by Tyndale (1525-26) and nine-tenths of Tyndale's Bible became the King James version. See F.F. Bruce, The English Bible: A History of Translations (New York: Oxford University Press, 1961); Robert A. Spivey and D. Moody Smith, Jr., Anatomy of the New Testament: A Guide to its Structure and Meaning (New York: MacMillan, 1974).

will examine the structures, processes, and evolutions in ideas that allowed women in general and midwives in particular to be the focus of a widespread negative sentiment and persecution. I will move through the Middle Ages into the contemporary period, paying attention to overarching mechanisms and processes involved in the long historical trajectory of gender and class struggle that have regulated women and midwives.⁹⁵

Some issues I will be looking at will be:

- The theological debate surrounding women.
- Attributes and constructions of wicked women.
- The specific ecclesiastical justifications and overall links to the dominant belief systems of the church and Inquisitors for persecuting women over men.
- The roots of these justifications in their social and historical contexts.
- The medicalization of female “disorders” through the emergence of the biological and medical sciences.
- The post-witch hunt and contemporary controls midwifery in light of the historical backcloth laid through cultural historical analysis of the *Malleus*.

Now that I have set out some key concepts and established a focus on the mechanisms and processes involved in propagating and maintaining patriarchy in the medical and social worlds, we come to a discussion of the historical chain of events that has brought us to where we are. Starting with the writing of the *Malleus Maleficarum*, we continue to write a “history of the present.”⁹⁶

95. Barbara Ehrenreich and Deirdre English, Complaints and Disorders; The Sexual Politics of Sickness (New York: The Feminist Press, 1973b), p. 22.

96. Foucault, p. 31.

Chapter 2: The Hunts

The Women's Holocaust⁹⁷

Through the 14th and 18th centuries, hundreds of thousands of women were executed in the name of Yahweh and the protection of humanity. Women became scapegoats for wider social problems in the Medieval church and Dominican social order, and they were punished heinously as a result. As outlined in the prologue, some of these punishments included fines, exile, imprisonment, torture, and execution. Included as a theologically justified set of procedures were techniques of torture.

...gresillons...which crushed the tips of the fingers and toes in a vice; the *échelle* or ladder, a kind of rack which violently stretched the body; and the *tortillon* which squeezed its tender parts at the same time. There was the *strappado estrapde*, a pulley which jerked the body violently in mid-air. There was the leg-screw or Spanish boot...which squeezed the calf and broke the shin-bone in pieces -- "the most severe and cruel pain in the world"...and the "lift" which hoisted the arms fiercely behind the back; and there was the "ram" or the "witch-chair," a seat of spikes heated from below. There was also the "Bed of Nails"...one might also be grilled on the *caschielawis*, and have one's finger-nails pulled off with the *turkas* or pincers; or needles might be driven up to their heads in the quick. But in the long run perhaps nothing was so effective as the *tormentum insomniac*, the torture of artificial sleeplessness, which has been revived in our day.⁹⁸

The witch hunts became the church's defence in the struggle against the transition into modernity. Witchcraft, it was argued, was a form of deliverance for afflicted women, who became the focus of the craze. Women were believed to be in consort with the devil, naturally wicked and deceptive, and at fault for centuries of human tragedy and the fall of Christian empires. The Roman Catholic Inquisition was to women what the

97. Pelka.

98. Trevor-Roper, p. 46.

Nazi regime was to Jews in the Second World War: a systemic, calculated, targeted, and ruthless genocide. And it was all done in the name of God.

Beginning with the creation story in the first chapter of Genesis, the Christian myth puts forth a dangerous and patriarchal spin on gender relations that influenced centuries of Biblical scholarship which allowed for and promoted the systematic and politically-sanctioned subordination of women. This relegation culminated in the writing of the *Malleus Maleficarum* by Dominican monks Heinrich Kramer and James Sprenger in 1486, which became a legal code and handbook for the Inquisition. This chapter will present a detailed analysis of the witch hunts, including general demographics of so-called witches, an explication of social process, and an application of moral panics theory as one possible explanation. This chapter will outline a historical narrative of the birth, life, and gradual transformation of the witch-hunting mentality. All of these would eventually place themselves at the heart of contemporary gender relations and the struggles of midwives in the 21st century.

How Many Witches Were Killed?

The *Malleus'* doctrines led Inquisitors to execute between 100,000 and 200,000 “witches”⁹⁹ between the 14th and 18th centuries, though estimates as low as 60,000¹⁰⁰ and as high as 500,000¹⁰¹ to 9 million¹⁰² have also been defended. Eighty-percent of

99. Ben-Yehuda, p. 23; in Deutschmann, p. 92.

100. Levack.

101. Harris, p. 237; in Deutschmann, p. 92.

102. Pelka, p. 7; in Deutschmann, p. 92.

those killed were women,¹⁰³ justified at length by Kramer and Sprenger with ample citations and quotes from the Old and New Testaments.

Who Were the Witches?

Providing a single socioeconomic explanation of the witch hunts is not possible, as the conditions and relative importance of factors varied by locale.¹⁰⁴ Levack provides extensive demographic charts and statistical analyses of the makeup of the “witch” population, so I will largely leave those issues alone here, as it is not the focus of this project. However, to set the context for the subsequent analysis, I will provide a general overview of who was commonly tried for witchcraft, discussing gender, age, marital status, social/economic status, and personality.¹⁰⁵

Gender

The proportion of women tried for witchcraft relative to men exceeded 75 percent in most regions and was as high as 90 percent in Essex Country, the Bishopric of Basel, and Namur (Belgium). Witchcraft was thus sex-related but not entirely sex-specific.¹⁰⁶

Age

A majority of witches (between 51 and 87 percent) were over 50 years old at a time when life expectancy was low. Often, they were referred to as wise women or healers. There existed a deep male fear of the sexuality of virulent old women who were experi-

103. Nachman Ben-Yehuda, “The European Witch Craze of the 14th to 17th Centuries; A Sociologist’s Perspective,” *American Journal of Sociology* (86, 1, 1980), p. 1; Deutschmann, p. 98; Faith, p. 17. Also, Ehrenreich and English (1973a); Hester, pp. 108, 128-130; Klaits; MacFarlane, pp. 187-209.

104. Levack, p. 126.

105. This is somewhat of an *alltagsgeschichte* (the history of everyday life) which illustrates the influence of abstract structures on the everyday upon which we can situate into its broader social and historical context (Canning, p. 49).

106. Klaits, p. 52; Levack, p. 133.

enced and sexually independent. It was argued that older women were lustful (like all women) but could not find partners due to being unattractive. Therefore, they were easier prey for Satan.¹⁰⁷

Marital Status

There is a large degree of variation in this area; as few as 25 percent (Kent County, England) and as high as 70 percent (Scotland) of witches were married. Married witches were also still vulnerable to charges of witchcraft by virtue of their marital status, especially when involved in conflicts between spouses and children, and over their husbands' properties.¹⁰⁸

Social/Economic Status

Witches were initially predominantly from the lower classes, where they were the most vulnerable, and the easiest targets. It was argued that they made pacts with the devil to improve their social status. Furthermore, the poor aroused guilt and resentment among their neighbours and were henceforth often named as witches.¹⁰⁹ "Witches" did not however spontaneously arise in the peasantry; the hunting of witches was a calculated strategy by the ruling class. Witch-hunting was a campaign of terror.¹¹⁰

Personality

Witches were frequently referred to as sharp-tongued, bad-tempered, quarrelsome, bad neighbours, senile, and moral or religious deviants. They were portrayed as rebels who

107. Levack, pp. 141-144.

108. Guylaine Lanctôt, The Medical Mafia: How to Get Out of it Alive and Take Back our Health and Wealth (Miami: Here's the Key, Inc., 1995), p. 35; Levack, pp. 146-149.

109. Hester, pp. 117, 121, 131; Levack, p. 150; Moore, p. 17.

110. Ehrenreich and English (1973a), p. 10.

were conspirators against god and the social, political, and moral order of man.¹¹¹ They truly were the “unruly women” of their time; who by virtue of their sexuality and non-conformity had the power to terrorize and endanger mortal beings.¹¹² They were often diagnosed as psychologically insane after the rise of the male-dominated medical profession.¹¹³ Witch-hunting can be equated with the persecuting of women who did not fulfill the male view of how they should be.¹¹⁴

What’s Behind the Demographics...

“Interpretive” social process, social reaction, and social constructionist theories allow us to look at humans as active agents and co-producers in constructing their social worlds. Criminal and deviant behaviours are essentially the products of “demonizing” through processes such as *moral panics*. Criminality is thus not just part of the individual person but also depends on labels and moralities which have been established by agents of social control.¹¹⁵

What is a Moral Panic?

The influential concept of moral panic can be applied to the witch hunts to illustrate the social and structural dynamics that allowed ideas of witchcraft to be accepted by medieval society, and women to be targeted as witches. Stanley Cohen argues that a moral panic occurs when a:

111. Leveck, pp. 152-153.

112. Faith, p. 12.

113. Ehrenreich and English (1973a), p. 8.

114. Hester, p. 112.

115. Werner Einstadter and Stuart Henry, Criminological Theory: An Analysis of its Underlying Assumptions (Forth Worth: Harcourt Brace & Company, 1995), pp. 201-202, 209, 216. Most of these theories were articulated in the 1960s and 1970s.

...condition, episode, person or group of persons emerges to become defined as a threat to societal values and interests; its nature is presented in a stylized and stereotypical fashion by the mass media;¹¹⁶ the moral barricades are manned by editors, bishops, politicians and other right-thinking people; socially accredited experts pronounce their diagnoses and solutions; ways of coping are evolved or...resorted to; the condition then disappears, submerges or deteriorates and becomes more visible. Sometimes the subject of the panic is quite novel and at other times it is something which has been in existence long enough, but suddenly appears in the limelight. Sometimes the panic passes over and is forgotten, except in folklore and collective memory; at other times it has more serious and long-lasting repercussions and might produce such changes as those in legal and social policy or even in the way society conceives itself.¹¹⁷

A moral panic can arise when fears emerge over nonexistent or inchoate conditions with some social foundation propagated by "moral entrepreneurs"¹¹⁸ (elites, officials, authorities, crusaders, or segments of the public) who dominate social institutions that have the ability to dictate human consciousness and behaviour.¹¹⁹ The object of fear becomes a sweeping and exaggerated symbolic cause for major social problems and quite often coercive legal and social reforms and punishments are employed to deal with deviant populations.¹²⁰ Conditions of heightened emotion, fear, anxiety, hostility, and righteousness to revive traditional values emerge in populations affected by moral panics.¹²¹ Eliminating a particular deviant behaviour or population becomes the simple solution to what is perceived as a massive social ill. Moral panics serve to simultane-

116. In the case of the witch hunts, the "mass media" involved was the printing press, which was a vehicle to disseminate the *Malleus* to such a large audience. Jeffrey Burton Russell, *The Prince of Darkness: Radical Evil and the Power of Good in History* (Ithaca, N.Y.: Cornell University Press, 1988), p. 166; Dieter Groh, "The Temptation of Conspiracy Theory, Part II," *Changing Conceptions of Conspiracy* (C.F. Grauman and S. Moscovici, eds., Berlin: Springer-Verlag, 1987), p. 17; both in Deutschmann, p. 94.

117. Stanley Cohen, *Folk Devils and Moral Panics: The Creation of Mods and Rockers* (London: MacGibbon, 1972), p. 9.

118. A term initially coined by Howard Becker, *Outsiders: Studies in the Sociology of Deviance* (New York: Free Press, 1973), pp. 147-163.

119. Erich Goode and Nachman Ben-Yehuda, *Moral Panics: The Social Construction of Deviance* (Oxford: Basil Blackwell, 1994), pp. 3, 11, 19-20; Levack, p. 125.

120. Goode and Ben-Yehuda, pp. 15, 16, 31-32; Levack, pp. 161-168; Trevor-Roper, p. 31.

121. Goode and Ben-Yehuda, p. 31; Trevor-Roper, pp. 38-39.

ously strengthen and redraw society's moral boundaries.¹²² In the case of the witch hunts, the principle of the rule of law became supplanted by mob violence and mass hysteria in the persecution of heresy.¹²³

Some indicators of a moral panic are concern,¹²⁴ hostility (collective designation of an enemy, division of "us and them," stereotyping), consensus or widespread sentiment, disproportionality, and volatility.¹²⁵ *Disproportionality* is characterized by an exaggeration or fabrication of the scope of the problem and attribution of other harmful conditions to the phenomena in question.¹²⁶ Whether the evil actually exists is irrelevant: what matters is how, why, and by whom the claim is being made.¹²⁷ Quite often disproportionality is expressed through a *disaster analogy*, or amplification of the threat posed on society. *Volatility* describes a panic that erupts suddenly but which could have been dominant or latent for a long time. The major players in a moral panic are the press, the public (the raw material out of which campaigns can be built), law enforcement, politicians/legislators, action groups, and folk devils (personifications of evil or unfavourable symbolic representations to which larger social problems are attributed to; they are the target of moral crusades).¹²⁸

122. Goode and Ben-Yehuda, p. 52. *Morality* in this case is broken down into two forms: *Subjectively problematic* (relative) and *objectively given* (absolute and grassroots). Goode and Ben-Yehuda, p. 66.

123. Bernard Hamilton, *The Medieval Inquisition* (New York: Holmes and Meier, 1981), p. 57.

124. "Concern" in this regard does not necessarily denote fear, but a general heightened awareness of the need to deal with the particular threat.

125. Goode and Ben-Yehuda, pp. 33-38; Levack, p. 2.

126. Goode and Ben-Yehuda, pp. 43-44.

127. *Ibid.*, p. 36; Moore, p. 67.

128. Goode and Ben-Yehuda, pp. 24-29. Also, see Ralph H. Turner and Samuel J. Surace, "Zoot-suiters and Mexicans: Symbols in Crowd Behaviour," *American Journal of Sociology* (62; July 1956), pp. 16-20.

Criminal Law and Moral Panics

Goode and Ben-Yehuda argue that criminal law is a representation of the culture of a society. In this vein, they pose several key questions:

...the crucial question is how behaviour becomes *criminalized*. By what process do crimes get defined, the criminal law created, and violators punished? Are definitions of crimes a natural outgrowth of society's system of morality? In this process, does deviant behaviour automatically become defined as criminal? Is society's criminal code a reflection of its moral code? How do laws get passed? Why are they enforced?¹²⁹

The issues of who criminalizes whom and who has the power to define and construct reality are linked to the structure of power in a society and its social institutions. The more power a group has, the greater the likelihood it will influence legislation consistent with its views.¹³⁰ The following questions put forth by Goode and Ben-Yehuda can be addressed using the witch hunts as a case study:

Why a moral panic over *this* supposed threat, but not *that*, potentially even more damaging, one? Why does *this* cast of characters become incensed by the threat the behaviour supposedly poses, but not *that* cast of characters? Why a moral panic at this time, but not before or after? How and why do moral panics arise? How and why do they die out? What role do interests play in the moral panic? Are the dynamics of the moral panic different during historical time periods, or different from one society to another? What does the moral panic tell us about how society is constituted, how it works, how it changes over time?¹³¹

The witch hunts are a paradigm moral panic; a population that already had a pre-existing belief in witchcraft was manipulated and wreaked with fear in order to allow such atrocities to continue.¹³² Through the witch hunts, the church possessed the power to enact the *Malleus* as a legal code and sanctify the Inquisition to conduct its legal

129. p. 77, emphasis in original.

130. Ibid., pp. 77-79, 82.

131. p. 30, emphases in original.

132. Trevor-Roper, pp. 41, 120,

practices. Furthermore, due to the abstract and unempirical nature of the phenomenon of witchcraft, Goode and Ben-Yehuda argue that there is no objective reality other than what individuals perceive reality to be and that is why such practices as witch hunting can take place; witchcraft as a form of heresy was not so much discovered as it was *invented*.¹³³ The application of moral panics theory in this thesis will give more attention to issues of gender and patriarchy, which are not discussed as thoroughly by Goode and Ben-Yehuda as they could be. The gendered aspects of the witch hunts had future implications for theory-building and cultural consciousness.

The Development of Church's Position

The conversion of Roman Emperor Constantine to Catholicism in 313 CE was a landmark revival of the age-old temple-state model which began what historians refer to as "Christendom." By positioning the church at the nexus of monetary, military, and institutional power, Constantine and his successors were able to perform the divinely-prescribed duty of bringing the world's nations and minds under the service of one true God.¹³⁴ The preferred methods of achieving this objective were forced conversion, persecution, and prosecution -- which were solidified under the Code of Justinian and other theocratic criminal codes and laws. The state thus had what Weber would refer to as a monopoly on legitimate violence.¹³⁵

During this time, church authorities remained relatively tolerant of sorcery and canonized local idols so that natives could continue to worship them, but as Christian saints. Prior to the 13th century, official church policy outlined in the *Canon Episcopi*

133. pp. 88-89; Trevor-Roper, pp. 38-40, 114.

134. Bloom, p. 175; Burton L. Mack, Who Wrote the New Testament? The Making of the Christian Myth (San Francisco: HarperCollins, 1995), p. 293; Moore, p. 12.

135. in Moore, p. 109.

held that believing in witchcraft was a false opinion held by fools who had lost their faith. Witchcraft or beliefs thereof were not punishable by law. A large-scale witch hunt could not take place so long as the *Canon Episcopi* remained the constitution of the church. Thus, it was necessary to revise the *Canon Episcopi* to allow witchcraft to be prosecutable as heresy, carefully worded in such a way as to not infringe upon the *Canon Episcopi*'s prescriptions.¹³⁶

Beginning in about 1095 CE, Pope Urban II sanctified the first Crusade in an attempt to bring humans into Yahweh's favour.¹³⁷ In 1216, Pope Innocent III sanctioned the Dominican order to convert groups of heretics to the church, namely the Albigensians, Waldenses, and Cathari, who drew upon Hindu, Buddhist, and pagan influences.¹³⁸ The church slowly came to see the eradication of "heresy" as its primary objective by 1233.¹³⁹ Under Pope Gregory IX's edict, Dominican Inquisitors were given the legal authority to convict suspected heretics without rights of appeal, as well as to pronounce death sentences, often through burning.¹⁴⁰ By the 1250s, the Inquisition had no heretics left to pursue and needed to survive as a legitimate economic and legal apparatus. By 1273, Inquisitors were working in conjunction with bishops and "secular" courts, sharing authority and jurisdiction.¹⁴¹ They spent the next 200 years persecuting the Jews of Spain and Portugal.

136. Goode and Ben-Yehuda, pp. 153-154; Trevor-Roper, pp. 14, 26.

137. Michael Biagent and Richard Leigh, *The Inquisition* (London: Viking, 1999), p. 1.

138. Ben-Yehuda (1980), p. 8; W.A. Hinnebusch, *The History of the Dominican Order* (New York: Alba, 1966); Klaitz, pp. 21, 71; Levack, p. 50; J. Madaule, *The Albigensian Crusade: An Historical Essay* (New York: Fordham University Press, 1967); P. Madonnet, *St. Dominic and his Work* (St. Louis: Herder, 1944); Moore, pp. 9, 22; Walter Legget Wakefield and Arthur P. Evans (eds.), *Heresies of the High Middle Ages* (New York: Columbia University Press, 1969). Trevor-Roper uses "Valdesia" instead of "Waldenses" (p. 26).

139. Biagent and Leigh, p. 20.

140. *Ibid.*, p. 21.

141. *Ibid.*, p. 22.

The Birth of the *Malleus Maleficarum*

Around this time, a perception gradually developed amongst church authorities that witchcraft was no longer merely a pagan superstition but the work of agents of Satan seeking to subvert all of mankind and take control of the spiritual world.¹⁴² Witchcraft thus became the most heinous form of heresy under which several acts including treason, deviation from church dogma or nonconformity, naturopathy, being named a witch by another person under torture, and having mental illness (all forms of scapegoating) became derivatives.¹⁴³ Demonological literature thus had to be modernized to allow for the persecution of this new epidemic.¹⁴⁴ Documents quickly began to appear, revising the *Canon Episcopi*'s stance on witchcraft.

Pope John XXII's constitution *Super Illius Specula* of 1326 authorized inquisitorial procedures against witches and established the contemporary concept of witchcraft into the broader cultural consciousness.¹⁴⁵ Nicholas Eymeric then wrote the *Directorium Inquisitorium* in 1376, which is seen as the closest document to the *Malleus*.¹⁴⁶ In 1435-7, John Nider wrote the first popular essay on witches, *Formicarius*, often called the "little *Malleus*."¹⁴⁷ In 1458, the *Flagellum Haereticarum Fascinatioum* was written by Jacquier, defining witchcraft as a new, evil form of heresy conducted by witches who were qualitatively different from the rest of humanity. It was the invoca-

142. Deutschmann, pp. 91-92; Trevor-Roper, pp. 15, 18.

143. Deutschmann, pp. 98-102; Faith, p. 13; Goode and Ben-Yehuda, p. 146; Klaitz, p. 14; Moore, p. 68; Trevor-Roper, pp. 36-37, 115, 118.

144. Moore, pp. 7-8; Trevor-Roper, p. 24.

145. Ben-Yehuda (1980), pp. 4, 10; Trevor-Roper, p. 26.

146. Levack, p. 54.

147. Trevor-Roper, p. 27.

tion that witchcraft was *heresy* that allowed its persecution to escape the constrictions of the *Canon Episcopi*.¹⁴⁸

What Constitutes Witchcraft?

The witchcraft of the Inquisition is a highly pervasive, ambiguous term. We can generally say that it was the practice of magic (real or not) and acts of the occult by means of supernatural powers, which are harmful and not helpful -- at least in the eyes of those defining witchcraft.¹⁴⁹ Witchcraft was a form of heresy involving a pact with the devil and ritual gatherings or *Sabbaths*, which were symbolic and ritualistic rejections of the Christian faith, threatening the unification of church and state during this period.¹⁵⁰ Political and religious heresy were one and the same in the eyes of the church.¹⁵¹ Three primary accusations were brought against witches:

1. Every conceivable sexual crime against men.¹⁵²
2. Being organized.¹⁵³
3. Having magical powers affecting health (both harming *and* healing).

148. Ben-Yehuda (1980), p. 10; Trevor-Roper, pp. 33-34. Also, the connection of witchcraft to heresy was made through the *Directorium Inquisitorum*. Alan C. Kors and Edward Peters, Witchcraft in Europe 1100-1700: A Documentary History (Philadelphia: University of Pennsylvania Press, 1972), p. 11. Klaits, pp. 42-43; Levack, p. 54; R.H. Robbins, The Encyclopedia of Witchcraft and Demonology (New York: Crown, 1959).

149. Levack, p. 4.

150. Karen Armstrong The Battle for God (New York: Ballantine, 2000), p. 75; Klaits, pp. 50, 52; Kors and Peters, pp. 93-97; Levack, pp. 8, 27, 29, 35, 37, 38; Trevor-Roper, pp. 15, 16

151. Ehrenreich and English (1973a), p. 10.

152. Emily Martin, "The Egg and the Sperm: How Science has Constructed a Romance Based on Stereotypical Male-Female Roles" (in Hesse-Biber, Gilmartin, and Lydenberg, p. 23), discusses the "threat" of female sexuality constructed by scientific discourse.

153. Ehrenreich and English (1973a, p. 12) note that groups of women normally organized for "pagan worship" but it was never clear what their true intent was -- most likely it was simple congregation. Peasant rebellion has also been suggested.

Women witches were thus “accused” of female sexuality, congregating with one another in ways not approved of by the church, and performing actions sanctified only for use by priests and doctors. This was not an isolated attack, for through centuries of interpretations of Biblical literature by church scholars, the progression into the violent hatred of women in the *Malleus* is not surprising.

The Theological Debate Surrounding Women

The Bible: “...and he shall rule over thee”¹⁵⁴

The lips of a loose woman drip honey, and her speech is smoother than oil; but in the end she is bitter as wormwood, sharp as a two-edged sword.¹⁵⁵

Misogyny in Christian thought begins when the Christian myth begins: in the Garden of Eden, where woman is formed out of man’s rib, thus rendering her less complete than man. She succumbs to temptation, seeking to acquire knowledge which would make her equal to Yahweh, and she is punished with the pain of childbirth. Furthermore, because of woman’s sin, humanity is banished from heaven and forced to live on the infertile earth as mere mortals forever.

The book of Genesis and other Biblical texts were written by males in a society dominated by males. The texts chronicle historical events led by males under the jealousy of a patriarchal male deity.¹⁵⁶ Women are adjuncts to male tales and the books are rife with chauvinistic indictments of women that limit women to one of three roles: mother,¹⁵⁷ wife,¹⁵⁸ or “other/foreign” woman.¹⁵⁹ The “good” wife is loyal, subordinate,

154. Gen. 3:16.

155. Prov. 5:3-4.

156. Bird, pp. 41-42.

157. Prov. 1:8, 6:20.

158. 1 Judges 11:37-40; Prov. 12:4, 19:14, 11:16, 18:22, 19:14.

sexual for her husband's pleasure alone, obeys his wishes, and raises children to *his* name.¹⁶⁰

While there is a diversity of female characters in the Old Testament, it is Eve, who only has a role in Gen. 1-4 (with mention in 2 Cor. 11:3 and 1 Tim. 2:13), who remains the focus of chauvinistic sentiment.¹⁶¹ Eve, "the first temptress," had little faith in Yahweh and set the stage for all women to be quicker to waver in their faith than men, resulting in the fall from Eden and the curse of humanity to live on the wretched earth. Because the devil (supernatural) tempted Eve to sin, yet Eve (human) seduced Adam, she is "more bitter than death," and a greater evil than the devil himself.¹⁶² Sin arose from woman and she is to be seen as a secret enemy whose voice is the hissing of serpents.¹⁶³ Adam's role in Original Sin is belittled by St. Paul, and justified by Kramer and Sprenger in the *Malleus* as being accidental and forbidden but not necessarily wrong. Conversely, the acts of Eve and her witch successors are viewed to be forbidden *and* quintessentially wrong, for their sins offend both the Creator and the Redeemer.¹⁶⁴

Continuing on, Lev. 11-12 claims that men's bodies are at risk when they come into contact with women or with food prepared by women. Lev. 14 further states that menstrual discharge is a contagious pollution.¹⁶⁵ St. Paul orders women to learn in silent submissiveness and not to teach or have authority over men.¹⁶⁶ St. Peter praises the

159. Prov. 19:13, 27:15, 2:16, 5:3-6, 5:20, 6:24, 7:5, 22:14, 23:7-8, 31:3. See Bird (p. 57) for a more detailed analysis.

160. For example, the character of Tamar in Gen. 38.

161. Bird, p. 47.

162. Ben-Yehuda (1980), p. 5; Kramer and Sprenger, p. 43; Rev. 6:8.

163. Kramer and Sprenger, p. 47.

164. *Ibid.*, pp. 72, 74, 78, 83-84. Also, see John Milton, *Paradise Lost and Other Poems* (Edward Le Comte, ed., New York: Penguin, 1981, orig. ed., 1961).

165. Discussed by French, p. 190.

166. 1 Cor. 11:7-9; women are subordinate because of Eve's sin, therefore they must cover their heads while praying. 1 Cor. 14; women must keep silent, "for it is shameful for a woman to speak in church" (14:35). Also 2 Cor. 11:3, 2:9-15, "For Adam was formed first, then Eve; and Adam was not

“good” woman who is acquiescent, modest, and unadorned. Timothy and Titus hold that only men can be bishops. Based on these texts and translations, Biblical scholars went to work.

The Scholars: “The sentence of God”

Tertullian (200 CE) summarizes the tainted status of women in the shadow of Eve:

Do you not know that you are each an Eve? The sentence of God on this sex of yours lives in this age: the guilt must of necessity live too. *You* are the Devil’s gateway; *you* are the unsealer of that forbidden tree; *you* are the first deserter of divine law; *you* are she who persuaded him whom the Devil was not valiant enough to attack. *You* so carelessly destroyed man, God’s image. On account of *your* desert, even the Son of God had to die.¹⁶⁷

Jerome, one of the early translators of the Bible, characterizes woman as, “the gate of the devil, the path of wickedness, the sting of the serpent, in a word a perilous object”¹⁶⁸ and states that “Nothing is so unclean as a woman in her periods...What she touches she causes to become unclean.”¹⁶⁹ St. Augustine, no stranger in the references of the *Malleus*, says, “If it was good company and conversation that Adam needed, it would have been much better arranged to have two men together as friends, not a man and a woman.”¹⁷⁰

deceived, but the woman was deceived and became a transgressor.” See Parvey, pp. 125, 128; Prusak, p. 99.

167. *On Female Dress* I, i; Bonnie S. Anderson and Judith P. Zinsser, *A History of Their Own* (New York: Harper and Row, 1988), p. 79; Armstrong (1993), p. 124; French, p. 237; Prusak, p. 105; emphases in originals.

168. in Klaitz, p. 67.

169. in French, p. 238.

170. *Literal Meaning of Genesis*, IX, v, p. 9; Armstrong (1993), p. 124.

The Commissioning of Kramer and Sprenger

It was in this momentum that Pope Innocent VIII (1484-1492) expanded upon his *Summis Desiderantes Affectibus* and published the Papal Bull of 1484 in Germany. He then called upon his “beloved sons,” Dominican monks Heinrich Kramer (*Institioris* in Latin) and James Sprenger, to write the *Malleus Maleficarum*, which they completed in 1486.¹⁷¹ Kramer, the *Malleus*’ elderly and allegedly emotionally-disturbed principal writer, was appointed inquisitor of Southern Germany in 1474. Sprenger, professor of theology at the University of Cologne, was inquisitor of Rhineland from 1470.¹⁷²

The *Malleus* codified the concept of sanctioning of witchcraft, arguing for the existence of witches, explaining how to identify them, and setting out the legalities of investigating and sentencing a witch. The *Malleus* also brought in features which had not been used in the previous demonological literature: a misogynistic overemphasis on the susceptibility of women to witchcraft, and the accusation of carnal copulation with devils.¹⁷³ This invocation of the “dark side” of woman correlated with structural changes in the role of women and the emergence of the male-dominated medical profession, factors which were *not* present in prior texts which the *Malleus* was based upon.

Through the invention of the printing press in 1454, the *Malleus* became one of the earliest “bestsellers” in the history of books, outselling all but the Bible.¹⁷⁴ It was

171. Ben-Yehuda (1980), pp. 4, 10; Biagent and Leigh, pp. 106-107; Ehrenreich and English (1973a), p. 9; Klaitz, p. 44; Kors and Peters, pp. 107, 113; Levack, p. 54.

172. Armstrong (1993), p. 275; Faith, p. 17; Levack, p. 54.

173. Levack, p. 55.

174. Russell, p. 166; Groh, p. 17; both in Deutschmann, p. 94. Also, see Levack, p. 54.

reprinted in thirteen editions by 1520.¹⁷⁵ With this book disseminated throughout the land, inquisitors went to work.¹⁷⁶

The Structure of the Malleus

The *Malleus* has three main parts. First, "Treating of the three necessary concomitants of witchcraft which are the devil, a witch, and the permission of almighty god." This section is broken down into 28 separate questions, dealing with matters of religious faith, gender, midwifery, sexual intercourse with Devils, and bodily transformation. Here, in contrast to the earlier position, it became heresy to disbelieve in the existence of witches -- which did result in persecutions.¹⁷⁷ The second part, "Treating of the methods by which the works of witchcraft are wrought and directed, and how they may be successfully annulled and dissolved," has two broader questions, "Of those against whom the Power of Witches availeth not" and "The Methods of Destroying and Curing Witchcraft," discussed in sixteen and eight chapters respectively. Those questions revolve around how witches impede procreation and deprive men of their penile functions, how Devils make contacts with witches, and acts of nature that witches are able to manipulate -- essentially, how witches operate in the world and how these methods can be treated.

The third section, "Relating to the judicial proceedings in both the ecclesiastical and civil courts against witches and indeed all heretics," has 35 questions divided up amongst three thematic heads, 1) on initiating legal processes and gathering witnesses, 2) on matters of trial proceedings, legal defence, and guidelines for judges and 3) on

175. Biagent and Leigh, p. 107; Klaitis, p. 46; Levack, p. 54.

176. Faith, p. 18; Goode and Ben-Yehuda, pp. 155-156; Levack, p. 55.

177. "Haeresis est maxima opera naleficarum non crede" (to disbelieve in witchcraft is the greatest of heresies). Levack, p. 55; Trevor-Roper, p. 42.

pronouncing just sentences based on matters of legal and factual guilt. This section addresses the technicalities of judicial proceedings in both the ecclesiastical and civil courts against witches and all heretics.¹⁷⁸ See Appendix A for a detailed outline of the contents of the *Malleus*.

The Malleus: "...an evil of nature, painted with fair colours!"

Commissioned by Pope Innocent VIII to write the *Malleus* in 1484, Kramer and Sprenger essentially consolidated centuries of chauvinistic literature which had accumulated in the church into one single document.¹⁷⁹ For example,

There is no head above the head of a serpent: and there is no wrath above the wrath of a woman. I had rather dwell with a lion and a dragon than to keep house with a wicked woman...all wickedness is but little to the wickedness of a woman...What else is a woman but a foe to friendship, an unescapable punishment, a necessary evil, a natural temptation, a desirable calamity, a domestic danger, a delectable detriment, an evil of nature, painted with fair colours!¹⁸⁰

Kramer and Sprenger argue that Yahweh takes greater glory in men, who have been put on earth to spread his might abroad. Christ, who was born without sex and is hence more pure, granted *men* privileges which they must defend against women.¹⁸¹ As mentioned earlier, the second chapter of Genesis depicts woman being created out of man's bent rib, rendering her an inferior and defective creature both in mind (intellectually like a child) and body from creation.¹⁸² Devils thus operate through women, who are naturally more impressionable and susceptible to their temptations, and so they seek

178. Klaits, pp. 44-46; Kors and Peters, pp. 106-107.

179. Klaits, p. 67.

180. Kramer and Sprenger, p. 43; Ecclesiasticus 25 and Matt. 19.

181. Biagent and Leigh, p. 113; Goode and Ben-Yehuda, p. 151; Kramer and Sprenger, pp. 47, 93.

182. French, p. 237; Kramer and Sprenger, p. 44; Kors and Peters, p. 114; David F. Noble, *A World Without Women: The Christian Clerical Culture of Western Science* (New York: Random House, 1992).

to vindicate their weakness through witchcraft.¹⁸³ Such ideas, set out in Chapter 3, were transposed into depictions of women's ill health and madness.

Women, according to Kramer and Sprenger, are the vainest of beings, enemies of the human race, wicked and eager to hurt, deceptive, and bringers of disease and temptation who lie in wait for the destruction of men.¹⁸⁴ She is beautiful to look at, contaminating to touch, and deadly to keep. She is a liar by nature but her voice is delightful.¹⁸⁵ Her tears are deceptive and when a woman thinks alone, she is plotting to do evil.¹⁸⁶ Women were constructed as being intellectually inferior to men, yet they were also constructed as being more clever in their deceit, to the point that man was in danger of her wickedness. Some specifics follow.

Sexuality

“All witchcraft comes from carnal lust, which is in women insatiable.”¹⁸⁷

“The word woman is used to mean the lust of the flesh.”¹⁸⁸

The *Malleus* has an obsession with the negative interpretation of female sexuality, which is something to be feared and avoided at all costs -- not to forget the fact that copulation in general is viewed as unclean, making women doubly sinful.¹⁸⁹ The sexually-powerful and menacing female is a threat to the patriarchal order and she needs to be punished accordingly -- unless she uses her sexuality for male-sanctioned ends.¹⁹⁰

183. Klaits, p. 67; Kramer and Sprenger,, pp. 5, 16, 37 41-42, 44.

184. Kramer and Sprenger, pp. 23, 166.

185. Ibid., pp. 46, 227-228.

186. Ibid., p. 43.

187. Ibid., p. 47.

188. Ibid., pp. 5, 43, 97.

189. Armstrong (2000), p. 75; Armstrong (1993), p. 275; Biagent and Leigh, p. 107; Ehrenreich and English (1973a), p. 11; Faith, pp. 15-16; French, p. 190; Hester, pp. 120, 149; Klaits, pp. 49, 51, 66-68; Levack, p. 40.

190. Such as Ruth as Esther in the Old Testament. Bird, p. 41; French, p. 191; Klaits, p. 51; Prusak, p. 96.

Christian theologians argue that lust is temptation, which is sin, which leads to death.¹⁹¹ Because “The mouth of the womb is never satisfied,”¹⁹² women will consort with devils in order to meet their insatiable lust. Sexual relations with Incubi and Succubi devils, those which assist in demonic possession, are not acted out of pleasure, but to harm men.¹⁹³ Yahweh permits the devil to have more power in the realm of sex; therefore it is not surprising, according to Kramer and Sprenger’s logic, that women are more likely to become witches.¹⁹⁴ Because a woman’s lust is insatiable, her capacity for multiple orgasms promotes the belief that she exhausts her mate while satisfying her carnal appetites. Of course, it is women themselves who are blamed for their own sexual attractiveness; similarly, they are also held responsible for *male* sexual inadequacy and transgression.¹⁹⁵ Thus, like Eve, the witch and women in general become scapegoats for male shortcomings and general social unrest. A discrepancy lies in the notion that women are constructed as using their sexuality and attractiveness to lure and tempt men, but witches are also constructed as being unattractive.

Revenge, Ambition, and Deceit

Women are believed to have three primary vices, all of which can be subsumed under *revenge*: infidelity, ambition, and lust.¹⁹⁶ The vengeful nature of women is one of the primary reasons why witches are almost exclusively female. In the *Malleus*, Kramer and

191. Gen. 34; 2 Sam. 13.

192. Prov. 30. “Womb” comes from the Greek word *hysterus*; scientifically characterizing woman as a hysterical being due to her biology (see Klaitz, p. 68).

193. Ehrenreich and English (1973a), p. 11; Kramer and Sprenger, pp. 20, 25. 1 Cor. 11 argues that women should cover their heads in order to escape “angels,” which Kramer and Sprenger interpreted to refer to Incubi.

194. Armstrong (1993), p. 275; Kramer and Sprenger, p. 48.

195. Ehrenreich and English (1973a), p. 11; Klaitz, pp. 67, 69, 77.

196. Some examples: Gen. 30:1-2, 22-23; 1 Sam 1:3-7, 11; Gen. 16:2, 20:18, 30:26, 1 Sam. 1:5; 2 Sam. 6:20-23; 1 Sam. 1:6; Gen. 30:1-8, 15-20. See Bird, p. 62.

Sprenger argue at length about female lust in conjunction with vengeful hatred, citing Gen. 30, in which a woman imprisons Joseph for not committing adultery with her.¹⁹⁷ Furthermore, patriarchal gender roles and expectations create several rivalries between married and unmarried women, which are used to define women as innately evil: Sarah, without children, envies Hagar, who has children;¹⁹⁸ Rachel, without children, envies Leah, who has children;¹⁹⁹ Hannah, who is barren, envies Dinah, who is fruitful;²⁰⁰ Miriam opposes her husband Moses and gets stricken with leprosy;²⁰¹ Martha, who is perpetually busy, envies Mary Magdalene, who finds herself sitting down.²⁰² Because of these examples, Kramer and Sprenger urge Catholics to not consult with women, for they are eternally jealous, envious and desire to employ wickedness on each other and men.²⁰³ Of course, they do not account for the envy and jealousy of men, whose organized violence and macho power politics far exceed that of all of the women of the Bible combined.

Kramer and Sprenger blame ambitious and envious women for the fall of *all* of the world's kingdoms: Troy crumbled for the rape of Helen; Judah, kingdom of the Jews, fell in the wake of Jezebel and her daughter Athaliah, who caused their sons to be killed so that they could rule themselves; Rome was ruled tyrannically by Cleopatra, Queen of Egypt, "that worst of women." It is concluded to be "no wonder" that the world suffers through the malice of women.²⁰⁴ Marriage also acts primarily to bring

197. Kramer and Sprenger, pp. 45, 98

198. Gen. 31.

199. Gen. 30: 1-2, 22-23; see Bird, p. 44.

200. 1 Kings 1.

201. Num. 12.

202. Luke 10.

203. p. 45.

204. *Ibid.*, p. 46.

women under control, protecting them from becoming witches, for a woman who is allowed to be free will be vengeful.²⁰⁵

Domestic Roles

Kramer and Sprenger argue that heterosexual intercourse and procreation are divine prescriptions.²⁰⁶ Therefore, interference with normal conception and copulation, including causing impotency, are considered acts of witchcraft.²⁰⁷ Furthermore, because Yahweh created wedlock, sexual relations and children born outside of marriage are of Satan.²⁰⁸ Causing miscarriage, preventing begetting, and using contraceptives are all deemed to be homicide as a result of witchcraft.²⁰⁹ Many of these notions have been incorporated into 21st Century neo-conservative familial ideology, with double standards placed on male and female sexuality, and the placement of women into domestic and subordinate roles in the home and workplace.²¹⁰

Another example of the domain which men are prescribed to hold over women is Kramer and Sprenger's labeling of a man whose wife governs him as "the vilest of slaves."²¹¹ A subordinate woman is seen as a good woman, and a wife who mocks her husband is believed to be possessed.²¹² Divorcing a woman is seen as sin for she must be kept, but one who does not divorce her will have to suffer through the daily life of

205. Faith, p. 44; Kramer and Sprenger, pp. 45, 56.

206. Justified by Yahweh's commands that humans, "be fruitful and multiply" in Gen. 1:28 and 2:24 to Adam and Eve in Eden, and Gen. 9:1 to Noah after the flood.

207. Kramer and Sprenger, pp. 54, 56, 117.

208. *Ibid.*, pp. 22, 54: "Matrimony is god's work, witchcraft is the devil's work." It is also argued that bewitchment cannot happen to those who are married, for the devil cannot ruin the works of God.

209. *Ibid.*, p. 56.

210. For example, the diagnosis of Fetal Alcohol Syndrome (FAS) carries a gender bias, ignored by Dana Fishbein's analysis in *Biobehavioural Perspectives in Criminology* (Toronto: Nelson Thomson Learning, 2001, pp. 66-67), which places the onus on women to exhibit behaviour conforming to male-generated standards of propriety to protect the fetus.

211. p. 45.

212. Kramer and Sprenger, p. 114.

keeping house with a woman.²¹³ This left little for women to do, for married women could not own property, sign contracts, act at law, testify, or inherit.²¹⁴ How could they be blamed for so much wickedness when they were expected to peacefully live futile and uneventful existences?

Satan's Pawns

The mass killing of women was allowed to happen because it was the *devil* who was seen as being punished through execution, not the individual women; they were merely his tools and dispensable beings of a lower order.²¹⁵ Oppression and pre-emptive punishment of witches were permissible in order to satisfy the jealous Yahweh and his representative male husbands on earth.²¹⁶ And given the socio-cultural conditions at the time of the *Malleus*, with the strength of the church waning, beliefs in the supernatural Satan spearheading, and the economic and domestic power of women increasing despite the church's prescriptions on gender, the reason for the acceptance of the *Malleus* into the broader cultural consciousness becomes clearer.

The Cultural Setting of the *Malleus*

The Strength of the Church

At the time of the *Malleus*, the authoritative framework of the Catholic Church and Dominican feudal social order were declining, and in need of revitalization. Rapid changes in early industrialization and the hierarchical structure of feudal society saw the Christian tradition losing its hold over the political and economic realms. Similarly,

213. Biagent and Leigh, p. 111; Kramer and Sprenger, p. 43.

214. French, p. 191.

215. Kramer and Sprenger, p. 12.

216. *Ibid.*, p. 192.

there had been a rise of secular, urban society, and increased contact with non-Christian people who held economic and political autonomy without theological guidance.²¹⁷

Witch hunts were conducted most fervently in Germany, Switzerland, and France, areas where the Catholic church was weakest and most threatened by other religions such as Judaism and Islam, as well as in greatest conflict with outgroups who would not assimilate into the established order.²¹⁸ By contrast, Spain, Poland, and eastern Europe, which had the strongest church presence, had significantly lower numbers of witch crazes.²¹⁹ The witch hunts were enacted to prevent extermination of the faith and deal with social anxieties.²²⁰ An apocalyptic battle of epic proportions which pitted Satan against Yahweh was fearfully planted into the heads of medieval European citizens, ultimately creating a disaster analogy. Furthermore, the economy was changing along with the structure of the family, particularly with regards to the role of women, who had become more socially and economically autonomous during the middle ages.²²¹

217. Ben-Yehuda (1980), p. 13.

218. *Ibid.*, p. 6; Goode and Ben-Yehuda, pp. 158, 166; Henry Charles Lea, Materials Towards a History of Witchcraft (Arthur C. Howland, ed., New York: Lincoln Burr, 1957); E. Rose, A Razor for a Goat (Toronto: University of Toronto Press, 1962); Trevor-Roper, p. 112.

219. Ben-Yehuda (1980), pp. 6-7.

220. *Ibid.* Ehrenreich and English (1973a), p. 8; Klaitz, p. 50; Kramer and Sprenger, p. 48. Several authors have argued for the functionalist/social change argument: Mary Douglas, Purity and Danger (London: Routledge, Kegan & Paul, 1966); Edward Evan Evans-Pritchard, Witchcraft, Oracles and Magic Among the Azande (London: Oxford University Press, 1937); Max Gluckman, Custom and Conflict in Africa (Oxford: Basil Blackwell, 1963); Clyde Kluckhohn, Navaho Witchcraft (Boston: Beacon, 1944); Bronislaw Malinowski, Magic, Science and Religion, and Other Essays (Garden City, N.Y.: Doubleday, Anchor, 1955); M.G. Marwick, "The Social Context of Cewa Witch Beliefs," Africa 22 (2, pp. 120-135 and 3, pp. 215-232); Siegfried Nadel, "Witchcraft in Four African Societies: An Essay in Comparison," American Anthropologist (54, 1952, pp. 18-29); Neil J. Smelser, Theory of Collective Behaviour (New York: Free Press, 1962); M. Wilson, "Witch Beliefs and Social Structure," American Journal of Sociology (56, 4, 1951, pp. 307-313). Others have argued for the scapegoating of minority groups in explaining the witch hunts: I.M. Lewis, Ecstatic Religion: An Anthropological Study of Spirit Possession and Shamanism (Harmondsworth, Middlesex: Penguin, 1971); M. Nelson, The Persecution of Witchcraft in Renaissance Europe: An Historical and Sociological Discussion (Chicago: University of Chicago Press, 1971); Trevor-Roper.

221. Goode and Ben-Yehuda, pp. 144-145.

Post-Renaissance, the church needed a new enemy that it could divinely hate in order to rekindle its power. Witches became folk devils and the moral crusade began, spearheaded by the writers of the *Malleus* and the inquisitors who were guided by the teachings of the *Malleus* (“moral entrepreneurs”).²²² A widespread feeling of the loss of norms and boundaries was twisted into a need to reestablish traditional religious authority and redefine moral boundaries. Women were the easiest, most vulnerable scapegoats for the social upheaval that was occurring.

The Evolution of Satan

The Christian devil is unique to Western civilization and its derivative cultures.²²³ It is a product of the dichotomous mentalities that permeate Judeo-Christian thought. However, as the church expanded from east to west, it needed to assign enemies, often pagans and Jews. Lucifer was thus not necessarily the devil but the church’s way to conceptualize, describe, and locate evil in the world.²²⁴

Belief in Satan evolved in tandem with the witch hunts. Previously seen as a theistic and supernatural conceptualization, Satan was becoming an active agent in the world who physically possessed the bodies of impressionable women by the 15th century.²²⁵ Satan’s presence in the Old Testament is minimal; he only really seems to appear in Chronicles 1.²²⁶ He does appear more in the New Testament but as a mere “adversary” of the Almighty.²²⁷ He became elevated to the “prince of darkness” and the personification of evil as the social conditions surrounding Christendom began to focus

222. Faith, pp. 13, 17; Goode and Ben-Yehuda, pp. 170-171.

223. Levack, p. 9.

224. Faith, pp. 15-16; Levack, p. 31.

225. Goode and Ben-Yehuda, p. 146; Levack, pp. 29-35, 49-50.

226. Levack, p. 29.

227. *Ibid.*, p. 30.

on reasserting domination and scapegoating social problems.²²⁸ By linking heresy to Satan, witchcraft was carefully constructed into an anti-religion to the Catholic faith and became a haven for “atrocious tales” (events that evoke moral outrage, authorize punitive sanctions, and mobilize control efforts over perpetrators -- similar to disaster analogies).²²⁹

Changes in the Family and the Role of Women

Structural and functional changes in the family in the middle ages increasingly placed women into central roles of housekeeper, mother, and breadwinner as hordes of men found themselves going off to war; women had almost complete control of the home. This was problematic for the church, as women were previously believed to be possessions. University scholars taught that women were biologically inferior to men and were extremely dangerous.²³⁰ It was argued that pressures to enter the workforce were preventing women from pursuing their natural calling as mothers and mothers-to-be, in which males would deposit *homunculus* (“little person”), complete with soul, where it would be housed in the womb for nine months without acquiring any attributes of the mother. The baby was not safe until it reached male hands and was baptized by a male priest -- and upon resurrection, *all* humans would be reborn as men!²³¹

Furthermore, the Black Death of the 14th century killed more men than women, giving women a quantitative advantage, increased opportunities, and economic power. Women also began to use contraceptives and coitus interruptus, which aggravated the

228. Klaitz, p. 23; Kors and Peters, pp. 6-9.

229. Armstrong (1993), p. 275; Goode and Ben-Yehuda, p. 149.

230. Goode and Ben-Yehuda, pp. 172-173; Hester, p. 107.

231. Ehrenreich and English (1973a), pp. 10-11.

church.²³² Ecclesiastical authorities argued that women needed to be put into their rightful place so men, Yahweh's servants, could continue to run the world in the way which they saw fit.

The witch hunts were a byproduct of the European transition into modernity as well as the culmination of centuries of theological and social subjugation and hatred of women. The new emerging social order was in need of revision and containment, therefore theoretical constructs were created to explain the turmoil of the period in the form of witchcraft. Women became convenient targets because they were already assumed to be inferior to men, and were already barred from the center of power in the clergy, military, education, political, and, as we will see in Chapter 3, *medical* realms.

The End of the Witch Hunts?

The Inquisition in Europe gradually faded by the 17th century, or more precisely near the end of the Thirty Years' War. According to Goode and Ben-Yehuda, the major hunts ended when the conditions which gave rise to them were no longer in existence.²³³ Foreign armies invaded and stopped the persecutions, whole villages had been wiped out and rendered socially and economically inept, and the use of torture was questioned as the Enlightenment fell upon the European world. The Peace of Westphalia (1648) officially recognized religious pluralism, and the struggle for hegemonic domination by the church began to fade.²³⁴ In the centuries to come, however, the witch-hunting of midwives took on several new medicalized and regulatory faces that harked back to the chauvinistic ideologies put forth by the *Malleus*. The irony is that

232. Goode and Ben-Yehuda, pp. 175-176.

233. pp. 180-181. Also, see Ben-Yehuda (1980), pp. 1, 6; Faith, p. 21.

234. Goode and Ben-Yehuda, pp. 180-181.

nearly all of the historical literature on women's reproductive roles has been written by men, who render normal aspects of women's reproduction, such as pregnancy and childbirth, *abnormal* and in need of continuous maintenance and obstetrical intervention, rendering individual women powerless to their male doctors. Furthermore, it was argued -- as scientific fact -- that education and intellectual activity physically undermined women's reproductive capacities,²³⁵ demonstrated by the words of a Harvard professor, who stated that "higher education would cause women's uteruses to atrophy."²³⁶

Accompanying these patriarchal ideologies were supposedly scientifically-rationalized overstatements of women's responsibility for the well-being of the next generation, an underestimation of paternal factors, and the use of rhetoric and "scientific maxims to reinforce social behavioural norms, particularly the definition of appropriate maternal behaviour."²³⁷ Stereotypes about women's "natural" roles as caretakers and mothers undermine women's full potential, and the irony is that these characterizations are the products of male-normative social theory construction -- of which women have now also become a part. All of this, of course, is done under the chivalric guise of the "absolute need to protect the fetus" as well as women in general.²³⁸ Interestingly enough, witchcraft still finds itself in the pages of the *Canadian Criminal Code*:

235. Joan E. Bertin, "Regulating Reproduction," *Reproduction, Ethics and the Law: Feminist Perspectives* (Joan C. Callahan, ed., Bloomington and Indianapolis: Indiana University Press, 1995), pp. 383, 394 n. 14.

236. As cited by Bertin, pp. 383, 394 n. 17. Also, see Barbara Ehrenreich and Deirdre English, *For Her Own Good: 150 Years of the Experts' Advice to Women* (Garden City, N.Y.: Doubleday, 1979), p. 128.

237. Bertin, p. 384.

238. *Ibid.*, pp. 387, 395 n. 34.

365. Pretending to practice witchcraft, etc. – Every one who fraudulently

- a) pretends to exercise or to use any kind of witchcraft, sorcery, enchantment or conjuration,
- b) undertakes, for a consideration, to tell fortunes, or
- c) pretends from his skill or in knowledge of an occult or crafty science to discover where or in what manner anything that is supposed to have been stolen or may be found,

is guilty of an offence punishable on summary conviction.

Despite the fact that a belief in witchcraft is no longer as widespread as it was in the Middle Ages, and is put forth in the *Criminal Code* as something which people merely *pretend* to do, its ideology is still alive in the “secular” consciousness of the modern state.²³⁹ If it were not somewhat entrenched into our cultural history, there would be no need to include a *pretend* infraction in the *Criminal Code*.

Witch-hunting is not a vestige of the past. The *Malleus* does not deal necessarily with witchcraft per se, and looking at the Inquisition’s *processes* through a comparative cultural historical inquiry gives us insight into its contemporary applicability. “Witchcraft” really becomes a scapegoat for contemporary social problems, such as the modern use of the terms “criminal” or “terrorist,” under which a variety of deviant behaviours are grouped. The Holocaust, the Red Scare, silencing opposition in Mao’s China, McCarthyism, conservative attacks on heavy metal music, and resistance to homosexual marriage are all reincarnations of the persecutory mentality and the fight against conflicting memes to uphold the status quo of a particular superorganism’s worldview.²⁴⁰

Of course, this general framework should not be seen as a justification for transhistorical connections without pointing to the historical specifics of each manifes-

239. Faith, p. 14.

240. Biagent and Leigh, p. 118; Deutschmann, p. 103; Trevor-Roper, p. 53.

tation. That being said, we will see in Chapter 3 that the mentality of the Inquisition has not only influenced future perceptions and social positions of women in Western society, but has also placed midwives into a struggle in the medical world that presents a fascinating microcosm of the oppression of women in general. In the words of Marsden Wagner, the control of midwifery became “a global witch hunt.”²⁴¹

241. available online at <http://www.gentlebirth.org/archives/globwtch.html> (January 14, 2005, reprinted from *The Lancet*, vol. 346).

Chapter 3: The Doors of Conception

Conceptualizing Midwifery

Before discussing contemporary midwifery in light of the witch hunts, it is necessary to first conceptualize our terms. Academically, a “midwife” can be best defined as follows:

...any individual who, by choice, assists a woman in the process of delivering her baby, and who consciously assumes some degree of responsibility for the health and well-being of the mother and child. This is the broadest possible definition, and includes trained nurse-midwives, traditional midwives or birth attendants in all cultures, as well as trained obstetricians. *It also includes men and women who together decide to deliver their child at home.* It excludes firemen, policemen, emergency service personnel and random individuals who fortuitously deliver and occasional baby as the result of idiosyncratic circumstances.²⁴²

The internationally-recognized definition of the midwife, as set out by the International Confederation of Midwives (ICM) and International Federation of Obstetricians and Gynecologists (FIGO) is:

The midwife’s sphere of practice demands of her the ability to give the necessary supervision, care and advice to women during pregnancy, labor and the postpartum period, to conduct deliveries on her own responsibility, and to care for the newborn and infant. This care includes preventative measures, the detection of abnormal conditions in the mother and child, the procurement of medical assistance, and the execution of emergency measures in the absence of medical help. She has an important task in counseling and education, not only for women and their families but also within the community. This work involves antenatal

242. Burtch, pp. 5-6, taken from Ann Kuckelman Cobb, “Incorporation and Change: The Case of the Midwife in the United States,” Medical Anthropology (5, 1981), p. 75 (emphasis in Burtch).

education, and preparation for parenthood, and extends to certain areas of gynecology, family planning and child care.²⁴³

This definition, nearly word-for-word, is used by the United Nations and the World Health Organization (WHO), who define a midwife as someone who

...must be able to give the necessary supervision, care and advice to women during pregnancy, labour and the postpartum period, to conduct deliveries on her own responsibility and to care for the newborn and the infant. This care includes preventative measures, the detection of abnormal conditions in mother and child, the procurement of medical assistance and the execution of emergency measures in the absence of medical help.

She has an important task in health counseling and education, not only for the woman, but also within the family and the community. The work should involve antenatal education and preparation for parenthood and extends to certain areas of gynecology, family planning and child care. She may practice in hospitals, clinics, health units, domiciliary conditions of in any other service.²⁴⁴

Unlike medical professionals, midwives are generally expected to honour women's preferences in birth and establish close relationships with expectant mothers and families.²⁴⁵ In fact, in 1990, the WHO made a declaration that birth was actually safer for mothers as well as infants when performed under the care of a midwife who respects the intimacy, privacy, and integrity of the mother and child.²⁴⁶

Burtch²⁴⁷ further discusses two distinct forms of midwifery practice in Canada: *community or independent midwifery*, associated primarily with home birth; and *nurse-midwifery*, as practiced in obstetrical nursing. The community or "lay" midwife is often

243. International Confederation of Midwives, "International Definition of the Midwife" (available online at http://www.washingtonmidwives.org/about_maws.shtml, Jan. 3, 2005).

244. Midwives' Association of Washington State, "Types of Midwives" (available online at http://www.washingtonmidwives.org/midwife_define.shtml, Jan. 3, 2005).

245. Burtch, p. 7.

246. World Health Organization, "International Definition of the Midwife" (available online at http://www.washingtonmidwives.org/midwife_define.shtml, Jan. 3, 2005).

247. pp. 7-10. Furthermore, Burtch presents detailed statistical analyses of midwives and their practices (pp. 103-135).

considered dangerous and inferior, even though she may have nursing training, hospital experience, and accreditation. Nurse-midwives, on the other hand, have completed nursing training, are registered with the local nursing association, and have completed additional midwifery training in accredited programs. Now, midwifery is independent and professionalized in many provinces in Canada.

Currently in the United States, there are three recognized types of midwives, the first two of which are considered professional:

- *Certified Professional Midwives* (CPMs) may gain their midwifery education through a variety of routes. They must have their midwifery skills and experience evaluated through the North American Registry of Midwives (NARM) certification process and pass the NARM Written Examination and Skills Assessment. Legal status varies from state to state. In some states, midwives' services are reimbursable through Medicaid and private insurance carriers.
- *Certified Nurse-Midwives* (CNMs) are educated in both nursing and midwifery. After attending an educational program accredited by the American College of Nurse-Midwives Certification Council (ACC), they must pass the ACC examination and can be licensed in the individual states in which they practice. CNMs practice most often in hospitals and birth centers.
- "*Direct-entry*" midwives, who are licensed in some states, are not required to become nurses before training to be midwives. The Midwifery Education and Accreditation Council (MEAC) is currently accrediting direct-entry midwifery educational programs and apprenticeships in the U.S. Direct-entry midwives' legal status varies according to state and they practice most often in birth centers and in homes.²⁴⁸

248. Midwives' Association of Washington State, emphasis added. For information on midwifery education and vocational training in Canada, see Cecilia Benoit and Robbie Davis-Floyd, "Becoming a Midwife in Canada: Models of Midwifery Education," in Bourgeault, Benoit, and Davis-Floyd, pp. 169-186; Karyn Kaufman and Bobbi Soderstrom, "Midwifery Education in Ontario: Its Origins, Operation, and Impact on the Profession," in Bourgeault, Benoit, and Davis-Floyd, pp. 187-203.

Midwifery, according to many of the practitioners interviewed by Cecilia Benoit in *Midwives in Passage*,²⁴⁹ is a natural calling and work that invariably brings satisfaction to all parties involved. Whilst a nurse often looks after people who are sick or dying, a midwife is involved in bringing new life into the world.²⁵⁰ Midwifery has also been historically associated with generational transference through oral traditions and cultures.²⁵¹ However, the historical and ongoing struggles, barriers, and conflicts midwives have faced through medical regulation and social stigmatization has shed a difficult and negative light onto their experiences.

Benoit's Perspectives on Midwifery

Benoit presents three very useful sociological perspectives on midwifery: 1) the *medicalization thesis*, which examines the medical takeover of midwifery and alternative medical care, through social endeavours such as the “natural childbirth movement of the 1940s, 2) the *deprofessionalization thesis*, which argues that the extension of professional doctors and medical bureaucratization has deprofessionalized midwives, and 3) the *professionalization thesis*, in which relative occupational autonomy is given to a “professional elite” which has knowledge and, in turn, power.²⁵²

These overarching theories are put into action through analyses of four overlapping types of midwife: the traditional lay midwife, the rural clinic midwife, the cottage hospital midwife, and ward practitioners in hospitals. Benoit makes these distinctions based upon “the size of descriptive, social class, immigrant status, age, work experi-

249. St. John's, Newfoundland: Institute of Social and Economic Research, 1991.

250. *Ibid.*, p. 2.

251. See Margaret MacDonald, “Tradition as a Political Symbol in the New Midwifery in Canada,” in Bourgeault, Benoit, and Davis-Floyd, pp. 46-66.

252. Benoit, pp. 5-12.

ence, degree of specialization, educational credentials and career orientation.”²⁵³ In the Western world, no traditional lay midwives practice today; this characterization is a composite. Traditional lay midwives were often multi-faceted service workers who were generally present in larger numbers before major medical takeovers of midwifery. The Cottage Hospital System remedied many of the shortcomings of maternity care in the home and rural clinic environments, which took childbirth out of the home and into cottage hospitals in adjacent towns. Eventually, these systems transformed into large-scale bureaucratic organizations and medical monopolization of maternity care. These shifts in organization also resulted in changes to career orientation.²⁵⁴

With this in mind, I now move to survey the events that unfolded after the Inquisition, and how women in general and midwives in particular have struggled to gain equality and the freedom to practice with integrity. The progression from the time of the *Malleus* to today demonstrates that the European ideology as prescribed by the *Malleus* was exported to North America, during which time scientific logic came to replace religious dogma as the locus of rationalizing female subordination. From there, I will examine some of the political and legal confrontations female midwives have faced in Canada and the United States.²⁵⁵

Before the Storm

Prior to the 1486 printing of the *Malleus*, midwifery was a generally tolerated practice. In the Old Testament, Gen. 35:17, 38:28, and Exod. 1:15-22 portray two Hebrew mid-

253. p. 18.

254. Ibid., pp. 20, 21.

255. Biggs (p. 17) contends that the history of midwifery and childbirth has become a concern of feminist historians and social scientists since the 1970s, challenging the assumptions of “official” obstetric histories. This ties back to the methodological and theoretical discussions of Chapter 1.

wives, Shiphrah and Puah, being praised by Yahweh for disobeying the Egyptian Pharaoh's command to kill all infant males. Subsequently, Greek and Roman physicians such as Hippocrates, Galen, and Celsus discussed the normality of midwifery, writing in times when male physicians were summoned only when emergencies or difficulties arose.²⁵⁶ However, upper-class male interests in the Middle Ages made it necessary to regulate, control, suppress, and persecute midwives for a variety of structural and patriarchal reasons, including the need to rejuvenate a weakening church and maintain a male-centered status quo. All of this was done through the perpetuation of a Biblically-rooted misogynist ideology of female subordination into the medical realm.

Midwives: The Mothers of All Witches

“...no one does more harm to the Catholic faith than midwives.”²⁵⁷

During the witch hunts, healers and midwives allegedly surpassed all other witches in wickedness.²⁵⁸ Midwives were believed to kill children in the womb, procure abortion, and offer newborn children to the devil. These acts were allegedly contributing to the depopulation of Christianity, and were putting the survival of the Catholic faith in jeopardy, which was regarded as the gravest of all sins.²⁵⁹

The Politics of Medicine

The women's health movement of today has ancient roots in the Medieval covens, and its opponents have as their ancestors those who ruthlessly forced the elimination of witches.²⁶⁰

256. Judy Barrett Litoff, *American Midwives: 1860 to the Present* (Westport, Connecticut: Riverside Press, 1978), p. 3.

257. Kramer and Sprenger, p. 66. Also, discussions of midwifery are in Gen. 35:17, 38:28; Exod. 1:15-21.

258. Kors and Peters, pp. 4, 114; Kramer and Sprenger, pp. 13, 41.

259. Biagent and Leigh, p. 111; Klaitz, p. 98; Kramer and Sprenger, pp. 68, 140.

260. Ehrenreich and English (1973a), p. 6.

...because the Medieval Church, with the support of kings, princes and secular authorities, controlled medical education and practice, the Inquisition constitutes, among other things, an early instance of the “professional” repudiating the skills and interfering with the rights of the “non-professional” to minister the poor.²⁶¹

At the time of the *Malleus*, there was a political and economic struggle over the monopolization of the medicine industry, its power, prestige, practice, and profits against midwives and women healers, which is an interesting microcosm of the sex struggle in general.²⁶² The creation of the male medical profession under the interests of the ruling class through the 14th and 17th centuries worked to turn female healers into “witches” that were threats to the Protestant and Catholic churches as well as the state. The church imposed strict controls on the practice of midwifery, requiring university training to practice medicine -- which was convenient since universities were closed to women, even those of the upper-class. Female healers successfully came to be classified as “witches” as males gained a complete monopoly on medicine.²⁶³ It was argued that the Lord worked through priests and doctors, not peasant women.²⁶⁴ That these women relied on their senses (the devil’s playground), trial and error, and cause and effect rather than faith or doctrine challenged the deeply anti-empirical values of the church, which ultimately warranted their persecution.²⁶⁵ Furthermore, women healers worked almost exclusively for afflicted peasant classes who could not afford to go to hospitals, and healers were themselves members of the peasant population.²⁶⁶ Thus, church, state, and the professional medical apparatus worked together to keep women under control.

261. Thomas Szasz, *The Manufacture of Madness* (USA: Delta Books, 1971), as cited by Ehrenreich and English (1973a), p. 6.

262. Ehrenreich and English (1973a), p. 4; Lanctôt, p. 34.

263. Ehrenreich and English (1973a), p. 14; Klaitz, pp. 95-96; Lanctôt, p. 35.

264. Ehrenreich and English (1973a), p. 14.

265. *Ibid.*, p. 14.

266. *Ibid.*, pp. 4, 6, 13.

By the mid 15th century, both the church and physicians were seeking to regulate and control midwifery, beginning with the 1452 municipal system of midwifery regulation in Germany and the Netherlands.²⁶⁷ By 1512, English midwives were required to apply to the Bishop's Court for a license and take an oath swearing to obey the rules of conduct which the church had laid out for their practices. Failure to follow the church's prescriptions would result in prohibition from practice, penance, excommunication, or even death if their cases were forwarded to the Inquisition. The licensing agreements focused on a woman's religious and social functions; rendering women docile was the primary objective of midwifery controls, not regulating the practice of midwifery.²⁶⁸

The witch hunts laid the practical and theoretical groundwork for the regulation of midwifery in England, the United States, and Canada, which were, of course, not without their own unique cultural and mechanical dynamics. However, given the exportation of several guiding ideologies into North America by post-witch hunt Europeans, we do see a historical consistency that persists today.

After the Storm...

England

During the middle ages, midwives who were fortunate enough to avoid persecution were required to profess the Catholic faith to practice legally. The 300 years following the witch hunts witnessed a consistent power struggle between midwives and medical men. This began with the 1634 midwives' petition to the King for secular regulation of midwifery in London, which physicians opposed. Subsequently, the 1671 publication of

267. Jean Donnison, Midwives and Medical Men: A History of Inter-Professional Rivalries and Women's Rights (New York: Schocken Books, 1977), pp. 4-5.

268. *Ibid.*, p. 7.

Jane Sharp's *Midwives' Book, or the Whole Art of Midwifery*²⁶⁹ and the birth of the School or Nursery of Young Midwives (1790) swung the pendulum back into the court of the midwives.²⁷⁰ This advance was short-lived, however, as a male takeover of midwifery from "dirty and ignorant"²⁷¹ midwives of the peasant classes occurred through the 18th and 19th Centuries. Adding to this struggle was the publication of male-centred literature on midwifery, including Dr. William Sermon's *Ladies Companion, or the English Midwife*,²⁷² which describes preferred qualities of midwives what we would now perceive in a very patronizing, male-centric way:

As concerning their Persons, they must be neither too young nor too old, but of an indifferent age between both; well composed, not being subject to diseases, nor deformed in any part of their body; comely and neat in their Apparell, their hands small, and fingers long, not thick, but clean, their nails pared very close; they ought to be very cheerfull, pleasant, and of good discourse, strong, not idle, but accustomed to exercise, that they may be the more able (if need requires) to watch, &c.

Touching their deportment: they must be mild, gentle, courteous, sober, chaste, and patient, not quarrelsome, nor chollerick; neither must they be covetous, nor report any thing whatsoever they hear or see in secret, in the person or house of whom they deliver; for, as one saith, it is not fit to commit her into the hands of rash and drunken women, that is in travel of her first Child.

As concerning their minds; they must be wise, and discreet; able to flatter, and speak many fair words, to no other end, but only to deceive the apprehensive women, which is a commendable deceit, and allowed, when it is done for the good of the person in distress.²⁷³

The industrialization and urbanization of the 18th century increased population, prosperity, and large-scale farming, while decreasing domestic industry. As a result, occupations such as medicine were professionalized, and excluded women and the

269. London: Printed for Simon Miller, at the Star at the West End of St. Pauls, 1671.

270. Donnison, pp. 13-16, 40.

271. Litoff, pp. 32, 50, 76, 82.

272. London: Edward Thomas, 1671.

273. *Ibid.*, p. 5. Also cited by Donnison, p. 16.

lower classes.²⁷⁴ Additionally, a scholarly emphasis on childbirth fatalities and the alleged incompetence of female midwives further displaced women in the field,²⁷⁵ keeping in mind that academic institutions were still entirely populated by men. Furthermore, with women barred from universities, whatever textual materials they were able to secure were written in Latin, and hence inaccessible to most.²⁷⁶

A general lack of sustainable employment for women became confounded by the takeover of what was traditionally women's work (i.e. midwifery) by men.²⁷⁷ By 1801, there were a quarter million more women than men in England aged 20 to 40, which meant that many women had to remain single and provide for themselves. Given their limited opportunities, significant increases occurred in female participation in domestic service and in prostitution -- with the latter becoming a "social evil."²⁷⁸ Married women were also hindered and subordinated, for they were legally unable to own property, as they held the legal-contractual status of minors, and all their possessions and earnings belonged to their husbands, even if they deserted and no longer maintained their wives.²⁷⁹ Furthermore, legislation was put into place in 1866 to regulate hours and conditions of women's work while removing their work liberties.²⁸⁰ Of course, all of

274. Donnison, p. 21; Ivy Pinchbeck, Women Workers and the Industrial Revolution, 1750-1850 (London: G. Routledge & Sons, Ltd., 1930), pp. 282-283, 304-306.

275. Donnison, p. 56.

276. Donnison, pp. 17-18; Sharp, "Preface"; P. Willughby, "Observations in Midwifery," As Also the Country Midwives Opusculum or Vade Mecum (H. Blenkinsop, ed., London, 1951), p. 2.

277. Donnison, pp. 51, 62; Society for Bettering the Condition and Increasing the Comforts of the Poor, Extract of an Account of the Ladies' Committee for Promoting the Education and Employment of the Female Poor (London, 1804), pp. 182-192.

278. Donnison, pp. 62-63; Westminster Review (July 1850), pp. 448-506. The *Contagious Diseases Acts* of 1864, 1866, and 1869 required prostitutes to endure medical examination, applying a double standard of sexuality to men and women, and blaming women for the presence of disease in males, not considering that male clients may also carry the risk of transferring disease.

279. Donnison, p. 64.

280. *Ibid.*, p. 89.

this was done in the name of protecting women.²⁸¹ Responding to these displacements and exclusions was a part of the Women's Movement of the late 19th century, which placed the control of midwifery practices into the grand scheme of women's suppression.²⁸²

Into the United States

In the migration of Europeans into colonial America, accusations of witchcraft against midwives sparked instructive midwifery literature in the 17th century, including the aforementioned *Midwives' Book* by Sharp and Elizabeth Nihell's *Treatise on the Art of Midwifery*.²⁸³ However, the authors of the *Malleus* and the ensuing centuries of persecution branded the female healer fundamentally as superstitious and malevolent, damaging her chances of being a legitimate healer for centuries to come. Midwifery, "the last preserve of female healing" had not yet been fully penetrated by the 17th and 18th centuries in America.²⁸⁴

Male-normative scientific midwifery grew through the 17th century invention of the obstetric forceps by Peter Chamberlen.²⁸⁵ However,

For almost 100 years, the Chamberlens kept the forceps a family secret. In order to insure secrecy, the parturient woman was blindfolded, and the forceps were carried into the lying-in chamber in a large wooden box covered with gilded carvings. Gradually, physicians either brought "the secret" from the Chamberlens or developed their own version of the for-

281. *Ibid.*, p. 89; Ehrenreich and English (1979). Also, see *Englishwoman's Review* (October 1873), pp. 277-278; Jessie Boucherett, *The Condition of Working Women and the Factory Acts* (Helen Blackburn, ed., London, 1896).

282. Donnison, p. 89.

283. London: Morley, 1760. Also, see Litoff, pp. 4-6.

284. *Ibid.*, pp. 19-20, 33.

285. Howard D. King, "The Evolution of the Male Midwife, with Some Remarks on the Obstetrical Literature of Other Ages," *American Journal of Obstetrics and the Diseases of Women and Children* (77, February 1918), p. 185; William F. Mengert, "The Origin of the Male Midwife," *Annals of Medical History* (4, September 1932), p. 453.

ceps. Midwives could not afford to buy the forceps nor could they find physicians who would instruct them in their proper use.²⁸⁶

This systematic exclusion led to the further displacement of midwives and the emergence of the pseudo-scientific medical ideology that women were incapable of applying and understanding scientific procedures.²⁸⁷

By the end of the 18th century, medical schools in the United States were closed to women, rendering them unable to learn new midwifery techniques. The “unscientific” practice of natural birth by “frail” and delicate women who were governed by their uteruses was argued to be the cause of maternal deaths.²⁸⁸ It was claimed by male ideologues that the female midwife was a “remnant of barbaric times...a blot on our civilization, which ought to be wiped out as soon as possible.”²⁸⁹ She was constantly referred to in medical journals and the general male medical sentiment as “dirty,” “ignorant,” and “evil.”²⁹⁰ These processes were also unfolding in America’s motherland, Medieval Europe, when women were being scapegoated for social problems and excluded from medical education in the best interests of church and medical authorities. Clearly, colonists brought European ideals into the New World.

The American popular health movement (1830s-1840s) was the medical front of the general social upheaval led by feminists and the working class. The push and pull of this movement intensified with the 1848 formation of the American Medical Associa-

286. Janet B. Donegan, “Midwifery in America, 1760-1860: A Study in Medicine and Morality,” (unpublished Ph.D. dissertation, Syracuse University, 1972), pp. 26-28; Litoff, p. 7; Harvey Graham, Eternal Eve: The Mysteries of Birth and the Customs That Surround It (London: Hutchinson & Company, 1960), pp. 151-153. The forceps are now considered a tool of last resort, as they are dangerous and have caused irreparable damage to newborns, including brain damage.

287. Litoff, pp. 7-8.

288. *Ibid.*, pp. 9, 13.

289. H.J. Garrigues, “Midwives,” Medical News (72, 1898), p. 235; Litoff, p. 29; Elizabeth Shaver, “Infant Mortality and the Midwife Program,” Louisville (Kentucky) Monthly Journal of Medicine and Surgery (June 1912), p. 25.

290. Litoff, pp. 32, 50, 76, 82.

tion (AMA) by “regulars,” or university-trained doctors, who argued that “She (woman) has a head almost too small for her intellect but just big enough for love.”²⁹¹ Women’s value was belittled in general, and in the medical industry in particular. They were largely relegated to nursing, which was essentially low-paid, heavy-duty housework. However, this kind of work was believed, in the Victorian spirit, to be woman’s “natural vocation.”²⁹² And, whilst most midwives were just as, if not more competent than American doctors at the time and were present at 50 percent of births in 1910, because they served Blacks and the working class, bans were imposed on them to weed out the competition for “regulars.”²⁹³ These struggles are not necessarily the products of individual chauvinism but a whole class system that has enabled male healers to maintain control by denigrating women’s abilities.

Moving further into the politics of medicine, Litoff notes that despite progressive steps such as the birth of the 1898 Boston Female Medical College which offered certificates in midwifery,²⁹⁴ Abraham Flexner was appointed by the Carnegie Foundation for the Advancement of Teaching to write a report on the status of medical education. The Carnegie Foundation was a subsidiary of the AMA’s Council on Medical Education (formed 1904), which established its own standards of acceptability for medical schools. Ratings ranged from A (acceptable) to B (doubtful) to C (unacceptable). Only half of the 160 schools surveyed in 1906-1907 were considered acceptable

291. Ehrenreich and English (1973a), p. 29.

292. *Ibid.*, p. 37.

293. *Ibid.*, p. 34.

294. Litoff, p. 12.

and 29 were closed or merged from 1906 to 1910.²⁹⁵ Medical schools that were accessible to women and Blacks were often the first to be shut down.²⁹⁶

The *Flexner Report* of 1910²⁹⁷ argued that the medical profession was becoming overcrowded with “uneducated and ill-trained medical practitioners.”²⁹⁸ This elitism resulted in a reduction of medical schools from 155 to 31, largely concentrating them in urban centres.²⁹⁹ Black and rural Americans were systematically denied medical training and practice, and only female graduates from recognized schools could qualify for licenses to practice midwifery by 1915.³⁰⁰ Furthermore, midwives faced several barriers including language problems, geographical distance, poverty, the absence of professional midwives’ associations, and a lack of organization, all of which collectively rendered midwives unable to help draft laws and regulations governing their own practices.³⁰¹ This was convenient, for many Southern health officials sought the ultimate eradication of midwifery.³⁰²

By 1973, it seemed as though midwives had indeed been nearly eliminated in the United States, as 99.3 percent of births took place under the eye of physicians in

295. Robert P. Hudson, “Abraham Flexner in Perspective: American Medical Education, 1865-1910,” *Bulleting of the History of Medicine* (46, December 1972), p. 556; Litoff, p. 49; Rosemary Stevens, *American Medicine and the Public Interest* (New Haven: Yale University Press, 1971), pp. 64-66.

296. Gerald E. Markowitz and David Karl Rosner, “Doctors in Crisis: A Study of the Use of Medical Education Reform to Establish Modern Professional Elitism in Medicine,” *American Quarterly* (25, March 1973), pp. 96-97.

297. Abraham Flexner, *Medical Education in the United States and Canada: A Report to the Carnegie Foundation for the Advancement of Teaching* (Bulletin No. 4, Boston: P.B. Updike, 1910).

298. Litoff, p. 50.

299. *Ibid.*, pp. 49-50.

300. *Ibid.*, pp. 50, 53, 69, 94.

301. *Ibid.*, p. 107.

302. *Ibid.*, p. 80; Jessie L. Marriner, *Midwifery in Alabama* (Alabama State Board of Health, 1925), pp. 1-2, 10; W. A. Plecker, “The Midwife in Virginia,” *Virginia Medical Semi-Monthly* (18, January 1914), p. 475; “The Midwife Problem in Virginia,” *Virginia Medical Semi-Monthly* (19, December 1914), pp. 456-458; “The First Move Toward Midwife Control in Virginia,” *Virginia Medical Monthly* (45, April 1918), pp. 12-13; “Virginia Makes Efforts to Solve Midwife Problem,” *Nation’s Health* (7, December 1925), pp. 809-811. Other southerners who opposed midwifery were Paul Crumpler, “The Midwife,” *Charlotte (North Carolina) Medical Journal* (73, 1916), pp. 159-160; E. R. Hardin, “The Midwife Problem,” *Southern Medical Journal* (18, 1925), pp. 347-350.

hospitals.³⁰³ This compared to just five years earlier, when 15 percent of American births were attended by midwives.³⁰⁴ Overall percentages of women working in the American medical industry were also extremely low: four percent in 1905, 2.6 percent in 1910, four percent in 1920 and 4.5 percent in 1930.³⁰⁵

Ehrenreich and English's 1973 comparison that 24 percent of doctors in Britain were female, 75 percent in Russia, and only seven percent in the United States exemplifies the systematic exclusion of women from the medical profession.³⁰⁶ The regulation of midwifery thus fell into the broader context of medical and, even more broadly speaking, *social patriarchy*. And of course, this suppression could not be successful without the planting of misogynist seeds into the evolving social consciousness of the times.

The Shift From Religion to "Science"

Cultural attitudes about women may thus find expression in scientific conclusions, which in turn serve to reinforce the original premise, along with social policy and legal relationships that are an integral part of the cultural arrangements.³⁰⁷

A significant ideological shift in 18th and 19th century European and, consequently, American cultural thought that had particular ramifications for women and midwives was the transition from religion to secular scientific and biological theory in explaining and justifying gender inequalities and medical practices.³⁰⁸ Ehrenreich and English trace the church's regulation of women's reproductivity, extending to practices such as abor-

303. Litoff, p. 114; United States Bureau of the Census, Statistical Abstract of the United States: 1975 (Washington, D.C., 1975), p. 57.

304. Litoff, p. 114.

305. *Ibid.*

306. Ehrenreich and English (1973a), p. 21.

307. Bertin, p. 382.

308. Ehrenreich and English (1973b), p. 8.

tion and contraception, to the birth of American Protestantism. Unlike Catholicism, Protestantism joined forces with biological science in the 19th century to supplement religious sexism with bio-medical explanations for the sex hierarchy. Whereas previously a woman's choices regarding abortion and contraception were in the hands of the church, they found themselves transferred into a doctor's control.³⁰⁹

In the literature, this "evolution" is as follows: Clement Alexandria (c. 150-215) proclaimed that "Every woman ought to be filled with shame at the thought that she is a woman." St. John Chrysostem (c. 347-403) said "Among all the savage beasts none is found so harmful as woman."³¹⁰ These early church sentiments can be juxtaposed with the so-called secular version of medicalized patriarchy, put forth by a Massachusetts legislator in the 19th century: "Grant suffrage to women and you will have to build insane asylums in every county, and establish a divorce court in every town. Women are too nervous and hysterical to enter into politics." Let us not leave out the commentary of S. Weir Mitchell, a Philadelphia doctor (1888): "The man who does not know sick women does not know women."³¹¹

Proponents of biomedical thought from 1865 to 1920 created a distinct ideology whereby all female functions were inherently pathological, including pregnancy. Midwifery was thus a challenge to the notions that pregnancy was a disease demanding the care of a male doctor. According to scientific logic, preventing a woman from doing anything active or interesting was for her own good.³¹² Midwifery was one such venue through which women could exercise their strength, but midwives were systematically

309. *Ibid.*, p. 7.

310. *Ibid.*

311. *Ibid.*, pp. 22, 25.

312. *Ibid.*, pp. 21-23.

excluded from medical training, one of the rationalizations being that higher education was physically dangerous to women because it took attention away from their wombs, thus challenging their “natural” calling.³¹³

These arguments were illogical, based explicitly on the fact that medical education at the time was without rigorous scientific method. This granted doctors license to use their imaginations and devise any theory they felt was socially-appropriate.³¹⁴ Given the already subordinate position women held historically in Europe and its colonies, social scientists such as Cesare Lombroso, W.I. Thomas, Sigmund Freud, Kingsley Davis, and Otto Pollak could play into the existing sex hierarchies and confound them with pseudo-scientific rhetoric.³¹⁵

Klein: The Legacy of Sexism

Dorie Klein³¹⁶ tracks the progression of criminological theorists, who commonly blame individual women, rather than the larger patriarchal society for their actions. Traditional criminological theorists rely upon “scientifically”-dressed moral positions that uphold definitions of femininity put forth by a male status quo.³¹⁷ She says that, “the line from Lombroso to now is surprisingly straight.”³¹⁸

313. Ibid., pp. 27-29. In Petticoats and Prejudice: Women and Law in Nineteenth Century Canada (Toronto: Women’s Press, 1991), Constance Backhouse places these same overarching ideologies and processes into the struggles of Canadian women attempting to succeed and be involved in the legal system.

314. Ehrenreich and English (1973b), pp. 25, 32-33.

315. Also highlighted with the use of intelligence testing and scientific dogma in Stephen Jay Gould, The Mismeasure of Man (New York: Norton, 1981).

316. “The Etiology of Female Crime,” Criminological Perspectives: Essential Readings (2nd ed.; Eugene McLaughlin, John Munice, and Gordon Hughes, eds., London: Sage, 2003, orig. ed., 1996), pp. 182-210.

317. Ibid., pp. 182-184.

318. Ibid., p. 185.

Following the demonologies and the *Malleus*, Enlightenment scholars such as Cesare Lombroso sought explanations in the natural rather than existential world. However, Lombroso's theory claims that the "primitive type of species is more clearly represented in the female."³¹⁹ Atavistically, she is nearer to her origin than the male and ought to have more anomalies, which she conspicuously does not.³²⁰ Overall, criminal women are less repulsive than criminal men but with a more virile beauty; criminal types can be found in 31 percent of men and just two percent of women.³²¹ Lombroso and his co-author Willem Ferrero also warn us that youth disguises wrinkles and cheekbones which may be indicators of criminality.³²²

Some of the overlapping physical characteristics of criminal women include:

...asymmetry of the face and cranium; hollowed nose; projecting ears; fully-developed brows; enormous lower jaw; lemurian appendix; wrinkles;³²³ thin upper lip; deep-set eyes wide apart; wild in expression; dwarf incisors anomalous or canine teeth; cleft palate; club-shaped nose; squint eyes; oxen-like neck muscles; oblique eyes; overlapping teeth; feline eyes; black eyes; receding forehead as in savages; fleshy lips; sensual lips; thick hair; rudimentary breasts and hips; constant sexual arousal; hard expression; excessive obesity; extensive bathing;³²⁴ lack of desire to "beauty herself";³²⁵ short and narrow feet; long arm span abnormal brain weight; white hairs; baldness; body and facial hair; moles; masculine larynx; muscular strength; greater sense of touch; less sensitivity to pain;³²⁶ greater field of vision; weak in maternal feeling; dresses like a man.³²⁷

319. Ibid., pp. 108-112.

320. Faith, p. 12; Cesare Lombroso and Willem Ferrero, *The Female Offender* (New York: Appleton and Co., 1899), p. 107.

321. Lombroso and Ferrero, pp. 93, 103-104.

322. Ibid., p. 97.

323. Observed in a 60-year-old woman.

324. A sign of abundance in nourishment.

325. As compared to the *Malleus*, which argues that the devil is attracted to the hair which the witch so vainly perfects (p. 166); thus there is some unattainable medium of vanity which is permissible.

326. Except for the prostitute, who is more sensitive, particularly in her clitoris.

327. Lombroso and Ferrero, pp. 31, 37, 53, 57, 73, 76-77, 79, 80, 82, 84, 89-96, 99, 100, 113, 123, 129-130, 134, 137, 142, 187.

Physical characteristics also vary by the type of offence; thieves possess vertical wrinkles and thin lips, whereas assassins have glassy eyes, large jaws, and a particularly masculine disposition.³²⁸ The woman's degree of attractiveness determines her crime; swindlers and forgers require beauty as an aid to their crimes, whereas assassins do not and are therefore less attractive.³²⁹ Prostitutes are generally beautiful; only ten percent of them are criminal types. However, it is noted that they have a greater amount of *internal* abnormalities though it is not stated as to precisely what these are.³³⁰ Little attention is paid to the fact that the concept of beauty is subjective and culturally relative. Lombroso and Ferrero's text exemplifies the push for youthfulness in women, and it was their assertion that the term *witch* is synonymous for "old woman" in the language of people.³³¹

Lombroso and Ferrero generalize their findings to the entire zoological scale, where the male is allegedly more dominant, active, and creative. Women are argued to be more "organically conservative" due to the immobility of the ovule compared to the zoosperm.³³² Women are less inclined to crime because they are by nature less ferocious and guided by simpler pleasure/pain behavioural motivations. Lombroso and Ferrero argue, contradictorily, that criminal women are less brutal than their male counterparts but also that female criminality is more depraved and terrible than male criminality.³³³ Some time-honoured axioms are presented to validate this claim, such as, "Rarely is a woman wicked, but when she is she surpasses the man," (Italian Proverb) and "Terrible

328. *Ibid.*, p. 95.

329. *Ibid.*, pp. 48, 101, 110.

330. *Ibid.*, p. 101.

331. *Ibid.*, p. 125.

332. Martin (1999, pp. 179-189), argues that sperm is actually a *regressive* entity.

333. Lombroso and Ferrero, p. 147.

is poverty, but woman is more terrible than all else” (Euripides).³³⁴ Clearly, the *Malleus*’ assertion that there is no wickedness above the wickedness of a woman is entrenched into this social scientific worldview.

Post-Lombroso, W.I. Thomas looked at women with the implicit assumption that biological differences between women and men dictate social behaviour and that women are naturally maternal. If they are not, there is cause for concern.³³⁵ Sigmund Freud’s psychoanalytic perspective is extremely misogynistic in arguing that women are inferior on the basis of sex organs and suffer from penis envy. A woman’s lack of a penis is seen as a punishment and her biological and psychological desire to procreate is an attempt to fill the void left by this shortcoming.³³⁶ Kingsley Davis further used good/bad woman dichotomies to argue for proper individual gender roles to keep women domestically oriented.³³⁷ Otto Pollak looked at women as deceitful beings because they can fake orgasm, thus reducing women to a *sex act* and arguing that their vengeful nature is the product of PMS.³³⁸ Every male-produced theory on women and women’s criminality assumes female universality. And as we have seen, when powerful men theorize about marginalized women, there is a need to question whose interests are being served. Subsequently, the English and American regulation of midwifery, grounded in this misogynist ethos, migrated north to Canada, though more in practice than in theory.

334. *Ibid.*, p. 148.

335. W.I. Thomas, *Sex and Society* (Boston: Little Brown, 1907); *The Unadjusted Girl* (New York: Harper and Row, 1923); Klein, pp. 189-191.

336. Sigmund Freud, *New Introductory Lectures on Psychoanalysis* (New York: W.W. Norton, 1933); Klein, pp. 192-194.

337. Kingsley Davis, “Prostitution,” *Contemporary Social Problems* (R.K. Merton and R.A. Nisbet, eds., New York: Harcourt Brace Jovanovich, 1961; originally published as “The Sociology of Prostitution,” *American Sociological Review*, 2, 5, 1937); Klein, pp. 195-196.

338. Otto Pollak, *The Criminality of Women* (Philadelphia: University of Pennsylvania Press, 1950); Klein, pp. 196-197; Faith, p. 12.

Canada

A similar, albeit less dramatic sequence of events to those of England and the United States was unfolding in Canada. The 1795 Medical Act made it illegal to practice midwifery, making exceptions for those fortunate enough to have university degrees. This act was repealed in 1806, when midwives were exempt from licensing laws.³³⁹ The “scientific” invocation of high infant and maternal mortality rates in the 1920s led to the opening of maternity clinics and infant milk depots. This “cottage hospital system” successfully banned midwifery and replaced it with nursing professionals.³⁴⁰

Through the 1970s and 1980s, midwifery in Canada was pushed and pulled between a peculiar status of being *alegal* (without status or official recognition in law) and illegal.³⁴¹ By 1991, Canada was the only Western nation that denied midwives, both lay and trained, any legal status.³⁴² Of 210 countries surveyed, only Canada, Venezuela, Panama, New Hebrides, Honduras, El Salvador, Dominican Republic, Colombia, and Burunali had this distinction.³⁴³ However, Bourgeault notes that by 1994, the province of Ontario fully integrated midwifery into its government-funded health care system. British Columbia, Alberta, and Manitoba followed suit by enacting legislation for integrating midwives, and advisory committees in Saskatchewan, Quebec, Newfoundland, and Nova Scotia have since given the same recommendations.³⁴⁴ For a detailed break-

339. Benoit, p. 42.

340. S. Buckley, “Ladies or Midwives: Efforts to Reduce Infant and Maternal Mortality,” *A Not Reasonable Claim* (L. Kealey, ed., Toronto: The Women’s Press, 1979), pp. 133-135.

341. Ivy Lynn Bourgeault, “Delivering Midwifery: The Integration of Midwifery into the Canadian Health Care System,” *The Canadian Women’s Health Network* (2, 3, Summer 1999, available online at <http://www.cwhm.ca/network-reseau/2-3/midwifery.html>, accessed Nov. 17, 2003).

342. Benoit, p. 41.

343. See J.M.L. Phaff (ed.), *Perinatal Health Services in Europe: Searching for Better Childbirth* (London: Croom Helm, 1986).

344. Bourgeault.

down of legislation pertaining to midwives in Canada during the 1990s, see Appendix B.

Vicki Van Wagner notes five advantages to seeking midwifery legislation:

1. Facing the inevitable and setting the agenda.
2. Increasing access to midwifery care.
3. Ensuring the survival of the profession.
4. Improving how midwives could provide care.
5. Increasing access to practice.³⁴⁵

As legislation passed, from 1994 to 1998, the number of midwives in Canada increased from 60 to over 120, and the subsequent number of births attended by midwives also increased from 1800 to 3368. More than half of these births took place in hospitals.³⁴⁶

Despite these gains, the struggles continue. Through a detailed analysis and evaluation of the various forms of midwife training, as well as the varying successes of formal training with regards to hospital placement,³⁴⁷ Benoit concludes that the inability of formally-trained midwives to succeed in the dominant patriarchal model of care is because their education is largely grounded in detached academic theory. As a result, this does not allow them to develop the practical skill and socio-cultural knowledge of their clients, which has historically been a central feature of the midwife-client relationship.³⁴⁸ This is not the fault of individual midwives, but rather a reflection of flaws in the educational and institutional frameworks of the medical industry which displace and

345. "Using Regulation to Strengthen Midwifery," in Bourgeault, Benoit, and Davis-Floyd, pp. 74-75.

Facing the inevitable refers to a response to the increased legislation and legal controversy over midwifery in the 1970s and 80s, which made it increasingly difficult to practice midwifery without the support of legislation (pp. 75-76).

346. *Ibid.*

347. Benoit, pp. 72-89.

348. *Ibid.*, p. 89; Bourgeault.

manage the needs of both clients and midwives.³⁴⁹ Previously, midwives were essentially regulated by clients. They must now adhere to professional self-regulation, which makes individual midwives accountable to both their clients as well as the professional ethics and standards outlined by their College.³⁵⁰ The increased regulation of midwifery may not necessarily be a negative step for mothers and midwives, but it does indeed change the nature of the ethic of care traditionally embedded into the art and practice of midwifery. Consequently, the midwife-client relationship becomes a legal-contractual obligation which has the adverse potential of turning into criminal prosecution.

Legal Actions Against Midwives in Canada

Regardless of the legality of their practice, midwives in Canada have been charged with practicing medicine without licenses, and prosecuted criminally for criminal negligence causing death.³⁵¹ Section 220 (formerly 203) of the *Canadian Criminal Code* states,

...every person who by criminal negligence (when a person, through commission or omission, shows wanton or reckless disregard for the lives or safety of other persons) causes death to another person is guilty of an indictable offence and is liable to imprisonment for life.³⁵²

A life sentence, however, has not been given to any birth attendant in Canada and criminal prosecution against midwives in general has not been particularly successful. Below are discussions of two cases involving infant death for which midwives were charged, one case of an ex-physician charged with criminal negligence, a modern ex-

349. Benoit, p. 94.

350. Bourgeault.

351. P. Borque, "Proof of the Cause of Death in a Prosecution for Criminal Negligence Causing Death," *Criminal Law Quarterly* (22, 1980), in Burtch, p. 167; Burtch, p. 4.

352. As noted by Burtch, p. 167.

ample of a midwifery moral panic, and Canada's most high-profile case against a midwife.³⁵³

R. v. Marsh (1979)

Margaret Marsh, a former doctor-turned-spiritual healer, was acquitted of criminal negligence causing the death of an infant at birth. The death was ultimately attributed to cerebral hemorrhage linked to malpresentation of the fetus.³⁵⁴ Marsh was asked to step in very late in the pregnancy when the couple's regular midwife could not attend the birth.

Following her acquittal, Marsh was successfully prosecuted in a quasi-criminal charge of practicing midwifery (generically, medicine) without a license in breach of the British Columbia Medical Practitioners Act.³⁵⁵ Subsequently, public attention supporting and challenging midwifery was raised, and a precedent was set for the prosecution of home birth attendants.³⁵⁶

R. v. Carpenter et al. (1983)

Donna Carpenter, Linda Wheeldon, and Charlene Madella were charged with criminal negligence causing bodily harm in January 1983. Carpenter and Wheeldon were lay midwives, while MacLellan was a nurse who had trained in obstetrics at the postgraduate level. The bodily harm charge was increased to criminal negligence causing death later that year. Whilst it was decided that a lack of evidence would prevent the charges from proceeding to trial, *Carpenter et al.* illustrates the vulnerability of midwives to

353. Ibid. Also, see Raymond G. DeVries, *Making Midwives Legal: Childbirth, Medicine, and the Law* (Columbus: Ohio State University Press, 1996). For discussions of legal struggles in Texas, Arizona, and California.

354. Ibid.

355. Ibid., p. 168.

356. Ibid., p. 169.

charges in the Canadian criminal justice system,³⁵⁷ due in part to their history, social position, and lack of political strength and organization.

R. v. Sullivan (1986-91)

In May 1985, the death of an infant resulted in charges of assault and criminal negligence causing death against Mary Sullivan and Gloria Lemay, two midwives from Vancouver. The trial judge endorsed increased regulation of midwifery in British Columbia, holding that midwives “were under the legal duty imposed by s. 198 [of the *Canadian Criminal Code*] to use reasonable knowledge, skill and care.”³⁵⁸ The B.C. Court of Appeal ruled a conviction for criminal negligence causing death. Eventually the Supreme Court of Canada overturned the charges.³⁵⁹ This case demonstrates the variations among midwifery advocates from supporting licensing to widening the definition of “midwife.”³⁶⁰

Noreen Walker: A Contemporary Moral Panic

Prosecution of midwives generally occurs only if harm has been done to the mother or infant although there are exceptions that could reflect a modern form of moral panic. In 1990, for example, Noreen Walker, an Albertan and community midwife who had practiced for over ten years and attended over 1000 births, was charged with practicing - or professing to practice - medicine as an unregistered practitioner under s. 76 (1) (a) of the provincial Medical Profession Act.³⁶¹ Although the mother and infant whom Walker

357. *Ibid.*, p. 170.

358. *Ibid.*, p. 171.

359. *Ibid.*, pp. 171-172.

360. Alexandra Paul, “Stillbirth Prompts New Pressure to Legalize Midwifery,” Winnipeg Free Press (May 10, 1990); E. N. Larsen, personal communication with Brian Burtch (1991); as cited by Burtch (p. 173).

361. Burtch, p. 164.

tended to were not injured and no complaint was registered by the family, medical practitioners pushed for the case to be heard in the provincial court of Alberta.³⁶² Walker's case presents an interesting attempt at the creation of an ultimately unsuccessful moral panic by elites or moral entrepreneurs (in this case, medical professionals) who had a vested interest in advancing an anti-midwife agenda.

Walker's legal defence fund had over \$20,000³⁶³ and media, other midwives, and experts all banded together in support. Section 77 is clearly ambiguous in what constitutes the practice of medicine, and the Crown claimed that Walker was indeed involved in a medical procedure. Conversely, Walker's defence argued that (a) in issues of birth, "women's choice is paramount,"³⁶⁴ (b) doctors are limited in their skills and willingness to allow home births, (c) the Crown failed to prove that women were statistically at greater risk in home-birth than other women, and (d) that the defendant had practiced midwifery but not medicine.³⁶⁵

On 5 June 1991, Judge Paul Adilman granted the defence's request for a [rare] "directed acquittal," meaning that Walker did not have to take the stand in her own defence, nor did her lawyer, Simon Renouf, need to call his expert witnesses. Judge Adilman noted that while Walker had clearly practiced midwifery, "nowhere can I find evidence in this case that Ms. Walker was practicing medicine. This was a normal, natural and uncomplicated birth."³⁶⁶

Walker's case shows how a moral panic can be quelled with a measure of popular support and in such a way that the condemners' rationale backfires and their supposedly disinterested stance is critiqued as professional self-interest and injurious to

362 . Ibid., pp. 159, 164.

363. Ibid., pp. 136-137.

364. As stated by Professor Peggy Anne Field, former president of the Alberta Association of midwives. See Lynne Sears Williams, "Relations Between Alberta Midwives, MDs Appear to be Thawing Despite High-Profile Trial," Canadian Medical Association Journal (145, 5, 1991, p. 498); as cited by Burtch, p. 165.

365. Burtch, p. 165.

366. Ibid.; with citation from Marilyn Moysa and Sherri Aikenhead, "Judge Finds Midwife Not Guilty of Illegally Practicing Medicine," Edmonton Journal (June 6, 1991).

women and the public interest. Given the current climate and access to knowledge and information about practices on midwifery, medical professionals in Alberta, unlike Inquisitors of the middle ages, were thus unable to persecute midwives using Walker as their folk devil. There was, however, a lasting effect of the momentary panic directed at Walker, in that many midwives have stopped attending home births in fear of legal persecution.³⁶⁷ One such midwife who made a point to continue her practice in spite of institutionalized attempts to control and regulate midwifery is Gloria Lemay.

The Case of Gloria Lemay

Already having endured the legal struggle in *R. v. Sullivan*, Gloria Lemay once again came under legal scrutiny in 2002. Lemay refused an invitation to join the British Columbia College of Midwives, claiming it to be a regulatory and disciplinary body that places organizational needs ahead of the needs of women and mothers.³⁶⁸

I do not agree with the policies of the College of Midwives, which include inducing healthy women after a certain length of pregnancy, administering unnecessary medications to healthy babies, and recommending that women who had a history of cesarean birth give birth in hospital. I was fearful that regulation would change the public service and alternative nature of true midwifery and make it more like the allopathic model.³⁶⁹

Due to her hands-off position in midwifery except in situations of emergency, Lemay was charged with performing midwifery acts restricted to the College, of which she was not a member:

367. Burtch, p. 159.

368. Gloria Lemay, "From Gloria Lemay About the Case" (available online at <http://www.birthlove.com/gloria/new.html#from>, January 14, 2005)

369. Gloria Lemay, "Legal" (available online at <http://www.glorialemay.com/legal.htm>, January 14, 2005).

- (a) the conducting of internal vaginal examinations of women during pregnancy, labour, delivery and the postpartum period,
- (b) the management of spontaneous normal vaginal deliveries; and
- (c) the performance of episiotomies and amniotomies during labour and repair of episiotomies and simple lacerations.³⁷⁰

It was argued that Lemay did indeed perform the acts under emergency, which was sworn in an affidavit by obstetrical nurse and birth attendant Cindy Milner. The judge found Lemay guilty of criminal and civil contempt of Court, and she was sentenced to prison.³⁷¹ Lemay's case made the implication that mothers must have licensed government agents in attendance at their child's birth, otherwise they run the risk of being charged under the *Canadian Criminal Code*:

242. Neglect to obtain assistance in child-birth – A female person who, being pregnant and about to be delivered, with the intent that the child shall not live or with intent to conceal the birth of the child, fails to make provision for reasonable assistance in respect of her delivery is, if the child is permanently injured as a result thereof or dies immediately before, during or in a short time after birth, as a result thereof, guilty of an indictable offence and is liable to imprisonment for a term not exceeding five years.³⁷²

Having someone like Lemay present at the birth, who is without formal recognition by the B.C. College of Midwives, would constitute failure to “make provision for reasonable assistance,” even though Lemay has over 25 years of experience as a midwife.

The Home Birth Association of British Columbia and the British Columbia

Traditional Birth Attendants Association raised funds to take Lemay's case to the B.C.

370. Section 4 of the Midwives Regulation, B.C. 103/95, O.C. 269/95. “Amniotomy” is the releasing of a mother's bag of waters, typically done with the use of an amnihook; a crochet hook implement. Also, see Home Birth Association of British Columbia, “Why Are B.C. Grandmothers Going to Jail?” (Press Release, April 2002, available online at <http://www.glorialemay.com/legal.htm>, January 14, 2005); Donna Young, “Birth Witnesses Attendant Goes to Prison,” *Lotus Birth* (2005, February 2003, available online at <http://www.lotusbirth.com/doc/FEB2003Lotusbirth-205.htm>, January 14, 2005).

371. Leilah McCracken, “Why Gloria was Charged with Contempt of Court in 2002” (available online at <http://www.birthlove.com/gloria/new.html#why>, January 14, 2005)

372. Also, see Young.

Court of Appeal in the Fall of 2003. It was their hope to have Lemay acquitted of criminal contempt of court, on the grounds that she was convicted on hearsay evidence and was not actually charged of having committed a criminal offence.³⁷³ The appeal was overturned, and Lemay has now served all of her sentence. She is currently appealing her case to the Supreme Court of Canada.³⁷⁴

Rallies were held outside the B.C. Court of Appeal in support of Lemay's legal battle, and a campaign of social awareness about the barriers facing midwives and natural birth attendants in Canada was launched. It was made apparent that in spite of advances, and even victories in midwifery with the creation of Colleges of midwives, women in Canada and abroad are still struggling for equality and autonomy in the medical and social worlds.

The End is the Beginning is the End³⁷⁵

We have passed through roughly 2000 years of history, with particular focus on the last 550 years, to arrive at a multidisciplinary feminist historical explanation of the contemporary situation under which midwives operate in Canada. Through defining midwifery based on the received wisdom of practical and medical authorities, and tracking the political and economic struggles for control of midwifery in the earliest instances of the professionalization of medicine in the middle ages, we see that the subordination of women as prescribed by the *Malleus* was exported to the New World. This aided in setting the social and intellectual context in which midwives would face a constant battle in the face of medical, legal, and ideological persecution. We will see in the conclusion

373. http://www.glorialemay.com/legal_support.htm, January 14, 2005.

374. Home Birth Association of British Columbia, "Birth in B.C." (available online at <http://www.homebirthbc.com/birth-in-bc.html>, January 14, 2005).

375. Billy Corgan, "The End is the Beginning is the End" (Chrysalis Songs/Cinderful Music, BMI, 1997).

that while centuries have passed and advances in knowledge have been made, our social and gender relationships find themselves revolving in a strange state of déjà vu.

Conclusion: Living a Palindrome³⁷⁶

“The Times They Are A-Changin’”³⁷⁷ -- Or are they?

From the *Malleus* to the modern age, midwives have endured a consistent, uphill battle to be recognized by the medical community, and this is largely the product of the subordination of women in general. Some overarching themes of these struggles are:

- Despite shifts towards “secularism” in the Western world, women have consistently been the target of negative sentiment due to their historically and religiously-rooted subordination to men.
- Men have consistently defined and classified women as “abnormal” and deviant, systematically excluding and silencing the voices of women within theory-building enterprises.
- Childbirth is a uniquely female experience that has often been governed and defined by men as a surgical event.
- Science has been used to justify social hierarchies through the male prescription of “proper” gender roles and female psychology.
- The regulation of midwifery is a microcosm of the general gender struggle in society.

Examining the above conclusions with regard to the history outlined in Chapters 1-3, we can modify Dorie Klein’s words, and say that “The line from the *Malleus* to now is surprisingly straight.”

376. Caleb Stull, “Living a Palindrome,” *Palour Steps: Hours of Tremor* (Figment Music, SOCAN, 2002).

377. Bob Dylan, “The Times They Are A-Changin’,” *The Times They Are A-Changin’* (Sony Music Publishing, 1964).

Women as Targets

Despite a shift from religious to scientific discourse in dealing with perceived social problems, women have consistently found themselves at the butt end of theoretical and practical male dominance. Witches, who were constructed as pragmatic, empirical, and immoral, are not the same as post-witch hunt female healers, who are seen as unscientific, delicate, and sentimental. Whilst the content of the perspective towards female healers has nearly reversed, stereotypes of women still remain.³⁷⁸ The links between past and present lie in the fact that women have been, and continue to be, oppressed in the health realm, whether it be based on religious or pseudo-scientific grounds. Adding to this problem is the argument that the oppression of women health care workers is inextricably linked to the overall oppression of women. In the end, one can argue that the male medical elite have a stake in the maintenance of sexism in society at large.³⁷⁹

Male Control Over Female Identity and Processes

In a classic power-knowledge framework, male control over knowledge about female biological, psychological, and physiological processes allows gender hierarchies to remain in place. Essentially, “scientific” information about women has generally been constructed by men, who have neither lived nor fully been able to comprehend the female experience. The exclusion of the female voice in defining herself -- of course not to universalize “female” -- has been historically consistent within the moralities of the *Malleus*, Enlightenment scholars such as Lombroso, and other fathers of criminological and sociological thought.

378. Ehrenreich and English (1973b), pp. 41-42.

379. *Ibid.*, p. 43.

Science and Social Hierarchies

The politics of science and the myth of objectivity which it purports to hold have often resulted in practices such as intelligence testing and quantification, which have invariably been used to justify the inferior status of already oppressed and disadvantaged groups.³⁸⁰ The United States Surgeon General at the end of the 19th Century asserted that “the brain of a woman [is] inferior in at least nineteen different ways to the brain of a man.”³⁸¹ Furthermore, arguments about education and intellectual activity as physically undermining women’s reproductive capacities were put forth.³⁸² Women’s responsibilities (over men’s) for the well-being of the next generation were overestimated on “scientific” grounds, expressed in very paternalistic vernacular.³⁸³

Benoit notes that most of the literature on women’s reproductive roles, aside from being written almost exclusively by men, has a tendency to focus on psychological aspects.³⁸⁴ That the word *hysteria* comes from the Greek word for “uterus” illustrates how our knowledge about women has been socially-constructed negatively through the centuries. Furthermore, as is consistent with most of the literature, natural aspects of women’s reproduction, such as pregnancy and childbirth, are considered *abnormal* and in need of continuous maintenance and obstetrical intervention; thus rendering individual women powerless to their male doctors.³⁸⁵ This can be linked to the historical role of the church and Christianity in governing Western consciousness and an overseeing of the status of women. Midwives had to work in situations where there was a lack of safe

380. Bertin, p. 382.

381. *Ibid.*, p. 383.

382. *Ibid.*; Ehrenreich and English (1979).

383. *Ibid.*, p. 387; Anthony R. Scialli, “Sexism in Toxicology,” *Reproductive Toxicology* (3, 1989), pp. 219-220.

384. p. 24.

385. *Ibid.*, p. 44.

and effective birth control amongst a clientele whose Christian belief system had specific standards of a woman's proper role. This overarching patriarchy proved to be extremely difficult for the success of midwifery, given the apparent merger between the religious and the pseudo-scientific.³⁸⁶

Never Again a Female Monopoly

Donnison notes that management of childbirth will never again be a female monopoly and credits that the contribution of men to obstetrics over the past 400 years has indeed made childbirth safer.³⁸⁷ However, she questions whether or not these advances were an inevitability, or if they were the product of the systematic exclusion of women from medical practice and research. Furthermore, she encourages us to not lose sight of the reality that women, and only women, carry and give birth; childbirth is still fundamentally "women's business."³⁸⁸ Despite this, for centuries, men have spoken on behalf of women, telling them who they are, why they are the way they are, what they should be, how their bodies and minds should work, and what is supposed to be done to correct their "problems." Something is fundamentally wrong with this proposition, and one of the tenets to more equitable midwifery practice lies in addressing this power imbalance by giving women the ability to speak on their own behalf.

Midwifery as a Microcosm of General Gender Struggle

The theoretical implications of the study are connected with the long-standing debate over state regulation in general and the regulation of women specifically. Midwifery practice is a crucible in which the freedom of women to give birth as they wish, and of women to work freely

386. *Ibid.*, pp. 55-56.

387. p. 200.

388. *Ibid.*, pp. 200-201.

as birth attendants, has been historically contained in North America, and continues to be challenged.³⁸⁹

Whilst women do not form a face-to-face or word-to-word community, the shared experiences which have defined them as “women” and hence subordinate to “men” in jobs, the family, cultural imagery, and language, have affected the medical and scientific views we have of women and female bodily processes.³⁹⁰ Medical culture, despite its theoretically objective stance, possesses “a powerful system of socialization which exacts conformity as the price of participation.”³⁹¹ Therefore, doctors as individuals are not necessarily responsible for demeaning women within the system, and women are now more prominent in medical training and practice. Patriarchy has instead been embedded into the culture and ideology of medicine through centuries of political and social evolution, which has constructed gender and regulated females. Emily Martin notes that, similar to religion of old, biology now serves to justify social stratification based on gender, as the truly “feminine” woman is one who succumbs to being dominated by her bodily and reproductive functions as opposed to being encouraged to develop her other human capacities.³⁹² She is, essentially, subject to appraisal of the male gaze, based upon male-generated criteria of “proper femininity.”

As previously noted, the biological sciences came to the rescue of patriarchy in the 1800s when religion was apparently on the decline in Western consciousness. Conveniently, however, both perspectives uniformly relegated women and subjected them to diagnosis, examination and submission to male “experts,” be they priests, Inquisitors,

389. Burtch, p. 29.

390. Emily Martin, *The Woman in the Body: A Cultural Analysis of Reproduction* (Boston: Beacon Press, 1987), pp. 4-5.

391. *Ibid.*, p. 13.

392. *Ibid.*, pp. 13, 17, 21.

or doctors.³⁹³ At present, the delivery of most babies in all industrialized countries except North America involve midwives.³⁹⁴ Blais cautions that in Canada, there continues to be misgivings about and professional opposition to midwife-assisted home births.³⁹⁵ In spite of all of these struggles, it appears that midwives in western societies have been more successful at practicing equitably compared to their foremothers of the Inquisitions.

Midwifery in a Global Context

In “Midwives and Safe Motherhood: International Perspectives,”³⁹⁶ Carol Hird and Brian Burtch document the impact of women’s health and midwifery in the overall scheme of family health, noting that maternal mortality statistics reflect a medical worldview which underemphasizes the significance of socio-political factors which divert our attention from historical influences of colonialism and economic, political, and social statuses of women in underdeveloped countries.³⁹⁷ Again, a consistent theme emerges: the lack of adequate health services for women and of representation of women in the medical industry, extending into midwifery, are not isolated problems but rather products of the broader structural inequalities that women face around the world. As a consequence of this status, the implementation of Safe Motherhood initiatives has been hindered.³⁹⁸

393. Ibid., pp. 32, 45-72.

394. Régis Blais, “Are Home Births Safe?” *Canadian Medical Association Journal* (166, 3, 2002, pp. 335-336, available online at <http://www.asac.ab.ca/Pubs/cmaj-commentary-0202025.html>, April 12, 2005).

395. Ibid.

396. *The New Midwifery: Reflections on Renaissance and Regulation* (Shroff Farah, ed., Toronto: The Women’s Press, 1997, pp. 115-145).

397. Ibid., pp. 115-117.

398. Ibid., pp. 128, 131, 134.

Issues of class and accessibility are also raised by Hird and Burtch, who note that access to midwifery care in North America is not universal. Whilst midwives have historically worked with poorer classes, their services now tend to cater to a middle-class clientele, thus rendering midwifery unreachable by many women, particularly poor, high-risk women who could acquire the greatest benefit from such services. This was also apparent in the professional midwife movement in Ontario in the mid-90s, which was an almost exclusively white faction.³⁹⁹ Furthermore, the medical industry tunnels its attention on maternal deaths as a *medical* issue, which can be reduced by an increase in *medical* personnel, again sidestepping the issues of unequal access to family-planning assistance, contraception, and abortion facilities. The authors call for a re-definition of maternal deaths as a *political* issue, which would help place the problem into the larger context of sociopolitical suppression of women rather than simply confining it to the narrow realm of physiology and medical intervention.⁴⁰⁰

In conclusion, the regulation of midwifery is not a strictly medical or legal concern. Rather, it finds itself immersed in a history of female subordination, colonialism, and class conflict that has characterized a rich Western world in the wake of the burning of witches in the name of Yahweh. If the Lord works in mysterious ways, few could be more mysterious than this. After the witch hunts, the controls of women and midwives

399. Biggs, p. 19; Sheryl Nestel, "The Boundaries of Professional Belonging: How Race has Shaped the Re-emergence of Midwifery in Ontario," in Bourgeault, Benoit, and David-Floyd, pp. 287-305; "A New Profession to the White Population in Canada: Ontario Midwifery and the Politics of Race," *Health and Canadian Society* (4, 2, 1996-1997, pp. 315-342); "'Other Mothers': Race and Representation in Natural Childbirth Discourse," *Resources for Feminist Research* (23, 4, 1994-1995, pp. 5-19). Also, see Anne Rochon Ford and Vicki Van Wagner, "Access to Midwifery: Reflections on the Ontario Equity Committee Experience," (in Bourgeault, Benoit, and David-Floyd, pp. 244-262), which examines access to midwifery services for marginalized groups such as Aboriginals, immigrant and refugee women, women with disabilities, teens, lesbians, northern and remote communities, Mennonite communities, incarcerated women, and Francophones.

400. Hird and Burtch, pp. 119, 120, 123, 134.

did not cease; they simply changed form. And given their subtle and nearly subliminal nature, these oppressions will only continue unless we all open our eyes to the realities facing us. And so the stench of the blood of hundreds of thousands of persecuted “witches” lingers in the wake of a history that, quite literally, rests under our noses.

“I just happen to like apples, and I am not afraid of snakes.”

- Ani DiFranco⁴⁰¹

401. “Adam and Eve,” Dilate (Righteous Babe Music, BMI, 1996).

Appendix A: Contents of the Malleus Maleficarum

THE FIRST PART

TREATING OF THE THREE NECESSARY CONCOMITANTS OF WITCHCRAFT,
WHICH ARE THE DEVIL, A WITCH, AND THE PERMISSION OF ALMIGHTY
GOD

PART ONE

- *Question I.* Whether the Belief that there are such Beings as Witches is so Essential a Part of the Catholic Faith that Obstinacy to maintain the Opposite Opinion manifestly savours of Heresy.
- *Question II.* If it be in Accordance with the Catholic Faith to maintain that in Order to bring about some Effect of Magic, the Devil must intimately co-operate with the Witch, or whether one without the other, that is to say, the Devil without the Witch, or conversely, could produce such an Effect.
- *Question III.* Whether Children can be Generated by Incubi and Succubi.
- *Question IV.* By which Devils are the Operations of Incubus and Succubus Practised?
- *Question V.* What is the Source of the Increase of Works of Witchcraft? Whence comes it that the Practice of Witchcraft hath so notably increased?
- *Question VI.* Concerning Witches who copulate with Devils. Why is it that Women are chiefly addicted to Evil superstitions?
- *Question VII.* Whether Witches can Sway the Minds of Men to Love or Hatred.
- *Question VIII.* Whether Witches can Hebetate the Powers of Generation or Obstruct the Venereal Act.
- *Question IX.* Whether Witches may work some Prestidigatory Illusion so that the Male Organ appears to be entirely removed and separate from the Body.
- *Question X.* Whether Witches can by some Glamour Change Men into Beasts.
- *Question XI.* That Witches who are Midwives in Various Ways Kill the Child Conceived in the Womb, and Procure an Abortion; or if they do not this Offer New-born Children to Devils.
- *Question XII.* Whether the Permission of Almighty God is an Accompaniment of Witchcraft.
- *Question XIII.* Herein is set forth the Question, concerning the Two Divine Permissions which God justly allows, namely, that the Devil, the Author or all Evil,

should Sin, and that our First Parents should Fall, from which Origins the Works of Witches are justly suffered to take place.

- *Solutions of the Arguments.*
- *Question XIV.* The Enormity of Witches is Considered, and it is shown that the Whole Matter should be rightly Set Forth and Declared.
- *Question XV.* It is Shown that, on Account of the Sins of Witches, the Innocent are often Bewitched, yea, Sometimes even for their Own Sins.
- *Question XVI.* The Foregoing Truths are Set out in Particular, this by a Comparison of the Works of Witches with Other Baleful Superstitions.
- *Question XVII.* A Comparison of their Crimes under Fourteen Heads, with the Sins of the Devils of all and every Kind.
- *Question XVIII.* Here follows the Method of Preaching against and Controverting Five Arguments of Laymen and Lewd Folk, which seem to be Variously Approved, that God does not Allow so Great Power to the Devil and Witches as is involved in the Performance of such Mighty Works of Witchcraft.

THE SECOND PART

TREATING ON THE METHODS BY WHICH THE WORKS OF WITCHCRAFT
ARE WROUGHT AND DIRECTED, AND HOW THEY MAY BE SUCCESSFULLY
ANNULLED AND DISSOLVED

Resolved in but two Questions, yet these are divided into many Chapters.

QUESTION I. Of those against whom the Power of Witches availeth not at all.

- *Chapter I.* Of the several Methods by which Devils through Witches Entice and Allure the Innocent to the Increase of that Horrid Craft and Company.
- *Chapter II.* Of the Way whereby a Formal Pact with Evil is made.
- *Chapter III.* How they are Transported from Place to Place.
- *Chapter IV.* Here follows the Way whereby Witches copulate with those Devils known as Incubi.
- *Chapter V.* Witches commonly perform their Spells through the Sacraments of the Church. And how they Impair the Powers of Generation, and how they may Cause other Ills to happen to God's Creatures of all kinds. But herein we except the Question of the Influence of the Stars.
- *Chapter VI.* How Witches Impede and Prevent the Power of Procreation.
- *Chapter VII.* How, as it were, they Deprive Man of his Virile Member.
- *Chapter VIII.* Of the Manner whereby they Change Men into the Shapes of Beasts.
- *Chapter IX.* How Devils may enter the Human Body and the Head without doing any Hurt, when they cause such Metamorphosis by Means of Prestidigitation.
- *Chapter X.* Of the Method by which Devils through the Operations of Witches sometimes actually possess men.
- *Chapter XI.* Of the Method by which they can Inflict Every Sort of Infirmity, generally Ills of the Graver Kind.
- *Chapter XII.* Of the Way how in Particular they Afflict Men with Other Like Infirmities.
- *Chapter XIII.* How Witch Midwives commit most Horrid Crimes when they either Kill Children or Offer them to Devils in most Accursed Wise.
- *Chapter XIV.* Here followeth how Witches Injure Cattle in Various Ways.
- *Chapter XV.* How they Raise and Stir up Hailstorms and Tempests, and Cause Lightning to Blast both Men and Beasts.
- *Chapter XVI.* Of Three Ways in which Men and Women may be Discovered to be Addicted to Witchcraft: Divided into Three Heads: and First of the Witchcraft of Archers.

QUESTION II. The Methods of Destroying and Curing Witchcraft

Introduction, wherein is Set Forth the Difficulty of this Question.

- *Chapter I.* The Remedies prescribed by the Holy Church against Incubus and Succubus Devils.
- *Chapter II.* Remedies prescribed for Those who are Bewitched by the Limitation of the Generative Power.
- *Chapter III.* Remedies prescribed for those who are Bewitched by being Inflamed with Inordinate Love or Extraordinary Hatred.
- *Chapter IV.* Remedies prescribed for those who by Prestidigitative Art have lost their Virile Members or have seemingly been Transformed into the Shapes of Beasts.
- *Chapter V.* Prescribed Remedies for those who are Obsessed owing to some Spell.
- *Chapter VI.* Prescribed Remedies; to wit, the Lawful Exorcisms of the Church, for all Sorts of Infirmities and Ills due to Witchcraft; and the Method of Exorcising those who are Bewitched.
- *Chapter VII.* Remedies prescribed against Hailstorms, and for animals that are Bewitched.
- *Chapter VIII.* Certain Remedies prescribed against those Dark and Horrid Harms with which Devils may Afflict Men.

THE THIRD PART

RELATING TO THE JUDICIAL PROCEEDINGS IN BOTH THE ECCLESIASTICAL AND CIVIL COURTS AGAINST WITCHES AND INDEED ALL HERETICS

Containing XXXV Questions in which are most Clearly set out the Formal Rules for Initiating a Process of Justice, how it should be Conducted, and the Method of Pronouncing Sentence.

QUESTION I

General and Introductory

Who are the Fit and Proper Judges in the Trial of Witches?

THE FIRST HEAD

- *Question I.* The Method of Initiating a Process.
- *Question II.* Of the Number of Witnesses.
- *Question III.* Of the Solemn Adjuration and Re-examination of Witnesses.
- *Question IV.* Of the Quality and Condition of Witnesses.
- *Question V.* Whether Mortal Enemies may be Admitted as Witnesses.

THE SECOND HEAD

- *Question VI.* How the Trial is to be Proceeded with and Continued. And how the Witnesses are to be Examined in the Presence of Four Other Persons, and how the Accused is to be Questioned in Two Ways.
- *Question VII.* In Which Various Doubts are Set Forth with Regard to the Foregoing Questions and Negative Answers. Whether the Accused is to be Imprisoned, and when she is to be considered Manifestly Taken in the Foul Heresy of Witchcraft. This is the Second Action.
- *Question VIII.* Which Follows from the Preceding Question, Whether the Witch is to be Imprisoned, and of the Method of Taking her. This is the Third Action of the Judge.
- *Question IX.* What is to be done after the Arrest, and whether the Names of the Witnesses should be made Known to the Accused. This is the Fourth Action.
- *Question X.* What Kind of Defence may be Allowed, and of the Appointment of an Advocate. This is the Fifth Action.
- *Question XI.* What Course the Advocate should Adopt when the Names of the Witnesses are not Revealed to him. This is the Sixth Action.
- *Question XII.* Of the Same Matter, Declaring more Particularly how the Question of Personal Enmity is to be Investigated. The Seventh Action.
- *Question XIII.* Of the Points to be Observed by the Judge before the Formal Examination in the Place of Detention and Torture. This is the Eighth Action.
- *Question XIV.* Of the Method of Sentencing the Accused to be Questioned: and How she must be Questioned on the First Day; and Whether she may be Promised her Life. The Ninth Action.

- *Question XV.* Of the Continuing of the Torture, and of the Devices and Signs by which the Judge can Recognize a Witch; and how he ought to Protect himself from their Spells. Also how they are to be Shaved in Parts where they use to Conceal the Devil's Masks and Tokens; together with the due Setting Forth of Various Means of Overcoming the Obstinacy in Keeping Silence and Refusal to Confess. And it is the Tenth Action.
- *Question XVI.* Of the fit Time and of the Method of the Second Examination. And it is the Eleventh Action, concerning the Final Precautions to be Observed by the Judge.

THE THIRD HEAD

Which is the last Part of this Work. How the Process is to be Concluded by the Pronouncement of a Definite and Just Sentence

- *Question XVII.* Of Common Purgation, and especially of the Trial of Red-hot Iron, to which Witches Appeal.
- *Question XVIII.* Of the Manner of Pronouncing a Sentence which is Final and Definitive.
- *Question XIX.* Of the Various Degrees of Overt Suspicion which render the Accused liable to be Sentenced.
- *Question XX.* Of the Firth Method of Pronouncing Sentence.
- *Question XXI.* Of the Second Method of Pronouncing Sentence, when the Accused is no more than Defamed.
- *Question XXII.* Of the Third Kind of Sentence, to be Pronounced on one who is Defamed, and who is to be put to the Question.
- *Question XXIII.* The Fourth Method of Sentencing, in the Case of one Accused upon a Light Suspicion.
- *Question XXIV.* The Fifth Manner of Sentence, in the Case of one under Strong Suspicion.
- *Question XXV.* The Sixth Kind of Sentence, in the Case of one who is Gravely Suspect.
- *Question XXVI.* The Method of passing Sentence upon one who is both Suspect and Defamed.
- *Question XXVII.* The Method of passing Sentence upon one who hath Confessed to Heresy, but is still not Penitent.
- *Question XXVIII.* The Method of passing Sentence upon one who hath Confessed to Heresy but is Relapsed, Albeir now Penitent.
- *Question XXIX.* The Method of passing Sentence upon one who hath Confessed to Heresy but is Impenitent, although not Relapsed.
- *Question XXX.* Of One who has Confessed to Heresy, is Relapsed, and is also Impenitent.
- *Question XXXI.* Of One Taken and Convicted, but Denying Everything.
- *Question XXXII.* Of One who is Convicted but who hath Fled or who Contumaciously Absents himself.

- *Question XXXIII.* Of the Method of passing Sentence upon one who has been Accused by another Witch, who has been or is to be Burned at the Stake.
- *Question XXXIV.* Of the Method of passing Sentence upon a Witch who Annuls Spells wrought by Witchcraft; and of Witch Midwives and Archer-Wizards.
- *Question XXXV.* Finally, of the Method of passing Sentence upon Witches who Enter or Cause to be Entered an Appeal, whether such be Frivolous or Legitimate and Just.

Appendix B: History of Midwifery in Canada

1990

Quebec – Bill 4 is passed to allow midwives assessed as being qualified, but not licensed, to practice at recognized sites for a limited time.

1991

Ontario – Bill is 4 passed.

1992

Alberta – Bill is 4 passed. Midwifery is designated a Health Discipline under the Health Disciplines Act in 1992, three years after the Alberta Association of Midwives applied to the Health Disciplines Board within the government of Alberta for designation of the discipline of midwifery.

1993

British Columbia – Bill is 4 passed.

Alberta – The Midwifery Regulations Advisory Committee is established to draft the “Regulations and Standards” and “Competencies of Practice.” They recommended publicly funded midwifery services, an educational program, and a process for assessment of midwifery qualifications. Currently, the official government position is that funding midwifery services is the responsibility of each health region.

1994

British Columbia – The self-regulating College of Midwives of B.C. (CMBC) is established.

Alberta – Spring, the Minister of Health designates \$800,000 to be used for the implementation of midwifery. In November, the Midwifery Regulation is accepted by a Standing Policy Committee.

Manitoba – Bill is 4 passed.

Ontario – Bill 4 implemented, and Ontario becomes the first province to regulate and legislate midwifery through the Regulated Health Professions Act (RHPA).

1995

Alberta – August, Midwifery Regulation comes into effect.

1996

Alberta – August, midwives are assessed for eligibility for registration.

Nova Scotia – The Provincial government commissions the Reproductive Care Programme (RCP) to study various aspects of midwifery.

Northwest Territories – The Territorial Government agrees to policies regarding the practice of midwifery in that territory. The pilot project at Rankin Inlet has been evaluated as being satisfactory.

1997

Manitoba – June, Bill 7, the Midwifery and Consequential Amendments Act is passed.

Quebec – The limited project of Bill 4 ends, and is evaluated. In December the final report of the “Conseil d’Evaluation des Projets-Pilots Sages-Femmes” is released and the majority of the recommendations are accepted by the Quebec Ministry of Health. The law for the pilot projects is extended until midwifery legislation is passed and implemented. The new law, Bill 28, for midwifery legislation, is adopted by the National Assembly on June 17.

Nova Scotia – The RCP releases their report.

1998

British Columbia – Bill 4 is implemented January 1, making midwifery an autonomous and self-regulatory profession. The Health Professions Act prescribes the regulation of Midwifery through the College of Midwives of British Columbia (CMBC).

Alberta – The Midwifery Register for licensure is opened in July.

Manitoba – December, the Midwifery Implementation Committee (MIC) receives permission to register midwives for practice.

Nova Scotia – the Health Minister appointed an Interdisciplinary Working Group (IWG) on Midwifery Regulation.

1999

Saskatchewan – May 5, third reading of Bill 44, Midwives Act, and it is given the Royal Assent. It has not yet been announced when the Act will come into effect. The Midwives Association of Saskatchewan and the Friends of the Midwives have continued to meet with government and lobby for publicly funded and accessible midwifery services.

Manitoba – March, the MIC becomes the Transitional Council of the College of Midwives.

Quebec – Bill 28 comes into effect on September 24. At this time “midwife” becomes a protected title. For the present, midwives are not permitted to attend births until legislation is in place to ensure safety standards. For the evaluation of the Projects-Pilots see government publication cets 99-1-Rf. Midwives Act, June 1999.

Nova Scotia – The IWG submits their report on June 2, and on June 25 the Health Minister announces that a start is being made in drafting legislation over the summer months for regulating midwifery.

Newfoundland and Labrador – The Provincial Government appoints a multi-disciplinary MIC. The main task of the MIC is to provide advice on the development of legislation related to midwifery and the implementation of midwifery. The Committee is also responsible for providing recommendations relating to the scope and standards of midwifery practice, midwifery education and registration requirements, and eventually the establishment of a Board (College). For this purpose subcommittees are formed to study these items and also to communicate to professionals and the public about midwifery in the 21st century.

Yukon Territory – Permission is sought to enable midwifery legislation to be developed.

2000

Manitoba – Midwifery legislation comes into effect June 12. The College of Midwives of Manitoba (CMM) is the regulatory body that registers midwives, approves of education programs, sets the standards of care and purposes to ensure safe care for the public. Funded midwifery care is provided by Regional Health Authorities in Winnipeg, Brandon, Central Region, Southeastman Region, Burntwood Region (Thompson) and The Pas.

2001

Newfoundland and Labrador – The MIC fulfills its mandate. Copies of the report of the committee’s work are not made public or available. Nothing has been heard from the government since then.

2002

Quebec – A joint committee appointed by the provincial association of community health centres (CLSCs), the Quebec Hospitals Association, and the Ministry of Health Services produces guidelines to help hospitals and CLSCs set up agreements regarding midwifery practice.

Yukon Territory – The Yukon Party is elected into office with a promise to both regulate and fund midwifery under an umbrella Health Professions Act. Little has been heard on the subject since that time.

2003

Quebec – The first eight midwives graduate from the College of Midwives.

New Brunswick – The Midwives' Association of New Brunswick produces an educational flyer to promote midwifery services in New Brunswick. Since that time, the New Brunswick Advisory Council for the Status of Women have provided a French translation of the publication and funded a month of legal research into the legislative process elsewhere in Canada.

Northwest Territories – May, the Territorial Government contracts a consultant team to evaluate the documents prepared for midwifery legislation. The Midwifery Profession Act is passed in October but has not yet been implemented.

2004

Alberta – July, there is no government funding and no education program for midwifery. Midwives in Alberta are regulated under the Health Disciplines Act through the Midwifery Health Disciplines Committee. The committee is funded and governed by Alberta Health and Wellness.

Saskatchewan – A successful rally by midwives and supporters is held at the legislature on May 5. Recent meetings with Saskatchewan Health have brought about a joint commitment to explore a midwifery model and structure that could be adaptable to Saskatchewan. There is no commitment to public funding of midwifery services by Saskatchewan Health.

Ontario – After ten years of regulated and funded midwifery, midwives will also maintain privacy requirements established through the Health Information Protection Act (in effect in November).

New Brunswick – There is currently no regulated midwifery in New Brunswick. Advocacy and education continue through the work of the association and consumer groups. The completed legal report by the New Brunswick Advisory Council for the Status of Women is shared in January with the other not yet regulated provinces. The report pro-

vides insights into other provincial and territorial legislative processes and recommended a number of key activities to enable the “political will and popular demand” required for successful legislation in New Brunswick.

2005

Prince Edward Island – There is no midwifery legislation or funding for midwives’ services. Midwives are restricted from providing care in hospitals. A small midwives association exists and is working toward introduction of midwifery into the health care system.

NB: Where legislation has been passed it is for autonomous midwifery -- the midwives are not required to have additional qualifications, such as nursing. Once legislation comes into effect midwifery care for women and newborn babies in most provinces/territories is covered by the provincial/territorial health care plan.

Sources:

Association of Midwives of Newfoundland and Labrador, “Current Midwifery Situation in Canada.” 2004. Available online at <http://www.ucs.mun.ca/~pherbert/number8.html>. Accessed January 13, 2005.

Canadian Association of Midwives, “Across Canada.” 2005. Available online at <http://members.rogers.com/canadianmidwives/home.html>. Accessed January 13, 2005.

Canadian Doula Association, “History of Midwifery in Canada.” 2000. Available online at http://www.canadiandoulas.com/history_m.htm. Accessed October 13, 2002.

Jude Kornelsen and Elaine Carty, “Challenges to Midwifery Integration: Interprofessional Relationships in British Columbia,” *Reconceiving Midwifery* (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen’s University Press, 2004, pp. 111-130.

Susan James and Ivy Lynn Bourgeault, “To Fund or Not To Fund: The Alberta Decision,” in Bourgeault, Benoit, and Davis-Floyd, pp. 131-149.

Hélène Vadeboncouer, “Delaying Legislation: The Quebec Experiment,” in Bourgeault, Benoit, and Davis-Floyd, pp. 91-110.

References

- Anderson, Bonnie S. and Judith P. Zinsser. A History of Their Own. New York: Harper and Row, 1988.
- Armstrong, Karen. The Battle for God. New York: Ballantine, 2000.
- _____. A History of God: The 4,000-Year Quest of Judaism, Christianity and Islam. New York: Ballantine, 1993.
- Association of Midwives of Newfoundland and Labrador, *Current Midwifery Situation in Canada*. Available online at <http://www.ucs.mun.ca/~pherbert/number8.html>. 2004. Accessed January 13, 2005.
- Augustine. Literal Meaning of Genesis.
- Babbie, Earl. The Practice of Social Research (8th ed.). Toronto: Wadsworth, 1998.
- Backhouse, Constance. Petticoats and Prejudice: Women and Law in Nineteenth Century Canada. Toronto: Women's Press, 1991.
- Becker, Howard. Outsiders: Studies in the Sociology of Deviance. New York: Free Press, 1973.
- Bellah, Robert N. Beyond Belief: Essays on Religion in a Post-Traditional World. New York: Harper and Row, 1970.
- Benoit, Cecilia M. and Robbie Davis-Floyd. "Becoming a Midwife in Canada: Models of Midwifery Education." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 169-186.
- Benoit, Cecilia M. Midwives in Passage: The Modernization of Maternity Care. St. John's Newfoundland: Institute of Economic Research, 1991.
- Ben-Yehuda, Nachman. Deviance and Moral Boundaries: Witchcraft, the Occult, Science Fiction and Deviant Sciences and Scientists. Chicago: University of Chicago Press, 1985.
- _____. "The European Witch Craze of the 14th to 17th Centuries: A Sociologist's Perspective." American Journal of Sociology (86, 1). 1980, pp. 1-31.
- Bergman, Torbern. Dissertation on Elective Attractions (trans. J.A. Schulfte). New York: Johnson Reprint, 1968 (orig. ed., 1775).
- Bertin, Joan E. "Regulating Reproduction." Reproduction, Ethics and the Law: Feminist Perspectives (Joan C. Callahan, ed.). Bloomington and Indianapolis: Indiana University Press, 1995, pp. 380-397.

- Biagent, Michael and Richard Leigh. The Inquisition. London: Viking, 1999.
- Biggs, Lesley. "Rethinking the History of Midwifery in Canada." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 17-45.
- Bird, Phyllis. "Images of Women in the Old Testament." Religion and Sexism: Images of Woman in the Jewish and Christian Traditions (Rosemary Radford Reuther, ed.). New York: Simon and Schuster, 1974, pp. 41-88.
- Blais, Régis. "Are Home Births Safe?" Canadian Medical Association Journal (166, 3). 2002, pp. 335-336. Available online at <http://www.asac.ab.ca/Pubs/cmaj-commentary-0202025.html>, accessed April 12, 2005.
- Bloom, Howard. The Lucifer Principle. New York: Atlantic Monthly Press, 1995.
- Bordo, Susan. "Feminist Skepticism and the 'Maleness' of Philosophy." Feminist Approaches to Theory and Methodology: An Interdisciplinary Reader (Sharlene Hesse-Biber, Christina Gilmartin, and Robin Lyndenberg, eds.). New York: Oxford University Press, 1999, pp. 29-44.
- Bornstein, Kate. My Gender Workbook: How to Become a Real Man, a Real Woman, the Real You, or Something Else Entirely. New York: Routledge, 1998.
- Borque, P. "Proof of the Cause of Death in a Prosecution for Criminal Negligence Causing Death." Criminal Law Quarterly (22). 1980, pp. 334-343.
- Boucherett, Jessie. The Condition of Working Women and the Factory Acts (Helen Blackburn, ed.). London, 1896.
- Bourgeault, Ivy Lynn. "Delivering Midwifery: The Integration of Midwifery into the Canadian Health Care System." The Canadian Women's Health Network (2, 3). Summer 1999. Available online at <http://www.cwhm.ca/network-reseau/2-3/midwifery.html>. Accessed Nov. 17, 2003.
- Bridenthal, Renate and Claudia Koontz. Becoming Visible: Women in European History. Boston: Houghton Mifflin, 1977.
- Bruce, F.F. The English Bible: A History of Translations. New York: Oxford University Press, 1961.
- Buckley, S. "Ladies or Midwives: Efforts to Reduce Infant and Maternal Mortality." A Not Reasonable Claim (L. Kealey, ed.). Toronto: The Women's Press, 1979, pp. 131-149.
- Burtch, Brian. Trials of Labour: The Re-emergence of Midwifery. Montreal & Kingston: McGill-Queen's University Press, 1994.
- _____. (producer). Midwifery and the Law. Simon Fraser University/Knowledge Network video recording, 1991.

- Canadian Association of Midwives, *Across Canada*. Available online at <http://members.rogers.com/canadianmidwives/home.html>. 2005. Accessed January 13, 2005.
- Canadian Doula Association. *History of Midwifery in Canada*. Available online at http://www.canadiandoulas.com/history_m.htm. 2000. Accessed Oct. 21, 2003.
- Canning, Kathleen. "Feminist History After the Linguistic Turn: Historicizing Discourse and Experience." Feminist Approaches to Theory and Methodology: An Interdisciplinary Reader (Sharlene Hesse-Biber, Christina Gilmartin and Robin Lyndenber, eds.). New York: Oxford University Press, 1999, pp. 45-75.
- Cobb, Ann Kuckelman. "Incorporation and Change: The Case of the Midwife in the United States." Medical Anthropology (5). 1981, pp. 73-88.
- Cohen, Stanley. Folk Devils and Moral Panics: The Creation of Mods and Rockers. London: MacGibbon, 1972.
- Corgan, Billy. "The End is the Beginning is the End." Chrysalis Songs/Cinderful Music (BMI), 1997.
- Crossan, John Dominic. The Birth of Christianity: Discovering What Happened in the Years Immediately Following the Execution of Jesus. San Francisco: HarperCollins, 1998.
- Crumpler, Paul. "The Midwife." Charlotte (North Carolina) Medical Journal (73). 1916, pp. 159-160.
- Cuzzort, R.D. and Edith W. King. Twentieth-Century Social Thought (5th ed.). New York: Harcourt Brace, 1995 (orig. ed., 1969).
- Davis, Kingsley. "Prostitution." Contemporary Social Problems (R.K. Merton and R.A. Nisbet, eds.). New York: Harcourt Brace Jovanovich, 1961. Originally published as "The Sociology of Prostitution." American Sociological review (2, 5), 1937.
- Dawkins, Richard. The Selfish Gene. New York: Oxford University Press, 1989.
- Deutschmann, Linda B. Deviance and Social Control (2nd ed.). Scarborough: ITP Nelson, 1998.
- DeVries, Raymond G. Making Midwives Legal: Childbirth, Medicine, and the Law. Columbus: Ohio State University Press, 1996.
- Diamond, Jared. Guns, Germs, and Steel. New York: W.W. Norton, 1997.
- Difranco, Ani. "Adam and Eve." Dilate. Righteous Babe Music (BMI), 1996.
- Donegan, Janet B. "Midwifery in America, 1760-1860: A Study in Medicine and Morality." Unpublished Ph.D. dissertation, Syracuse University, 1972.

- Donnison, Jean. Midwives and Medical Men: A History of Inter-Professional Rivalries and Women's Rights. New York: Schocken Books, 1977.
- Dorogi, Daniel. Comparative Cultural Historical Inquiry: A Multidisciplinary Methodology. Master of Arts Thesis, Department of Sociology and Anthropology, Simon Fraser University. Burnaby, 2001.
- Douglas, Mary. Purity and Danger. London: Routledge, Kegan & Paul, 1966.
- Doyle, Patricia Martin. "Women and Religion: Psychological and Cultural Implications." Religion and Sexism: Images of Woman in the Jewish and Christian Traditions (Rosemary Radford Ruether, ed.). New York: Simon and Schuster, 1974, pp. 15-40.
- DuBois, W.E.B. The Negro. New York: Humanity Books, 1963 (orig. ed., 1915).
- Dumont, Micheline. "The Influence of Feminist Perspectives on Historical Research Methodology." The Effects of Feminist Approaches on Research Methodologies (Winnie Tom, ed.). Waterloo: Wilfrid Laurier University Press, 1989, pp. 111-129.
- Durkheim, Emile. Moral Education (trans. Everett K. Wilson and Herman Schnurer). USA: Free Press, 1961 (orig. ed., 1925).
- _____. The Elementary Forms of Religious Life (trans. Joseph Ward Swain). London: George Allen and Unwin Ltd., 1915. Dylan, Bob. "The Times They Are A-Changin'." The Times They Are A-Changin'. Sony Music Publishing, 1964.
- Ehrenreich, Barbara and Deirdre English. For Her Own Good: 150 Years of the Experts' Advice to Women. Garden City, N.Y.: Doubleday, 1979.
- _____. Witches, Midwives and Nurses: A History of Women Healers. New York: The Feminist Press, 1973a.
- _____. Complaints and Disorders: The Sexual Politics of Sickness. New York: The Feminist Press, 1973b.
- Einstadter, Werner and Stuart Henry. Criminological Theory: An Analysis of its Underlying Assumptions. Forth Worth: Harcourt Brace & Company, 1995.
- Englishwoman's Review. October 1873, pp. 277-278.
- Evans-Pritchard, Edward Evan. Witchcraft, Oracles and Magic Among the Azande. London: Oxford University Press, 1937.
- Faith, Karlene. Unruly Women: The Politics of Confinement and Resistance. Vancouver: Press Gang, 1993.
- Fishbein, Dana. Biobehavioural Perspectives in Criminology. Toronto: Nelson Thomson Learning, 2001.

- Flexner, Abraham. Medical Education in the United States and Canada: A Report to the Carnegie Foundation for the Advancement of Teaching (Bulletin No. 4). Boston: P.B. Updike, 1910.
- Ford, Anne Rochon and Vicki Van Wagner. "Access to Midwifery: Reflections on the Ontario Equity Committee Experience." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 244-262.
- Foucault, Michel. Discipline and Punish: The Birth of the Prison. New York: Vintage, 1979.
- French, Marilyn. From Eve to Dawn: A History of Women (vol. I). Toronto: McArthur and Company, 2002.
- Freud, Sigmund. New Introductory Lectures on Psychoanalysis. New York: W.W. Norton, 1933.
- Friedman, Richard Elliott. Who Wrote the Bible? (2nd ed.) San Francisco: HarperCollins, 1997 (orig. ed., 1987).
- Garrigues, H.J. "Midwives." Medical News (72). 1898.
- Gluckman, Max. Custom and Conflict in Africa. Oxford: Basil Blackwell, 1963.
- Goethe, Johann Wolfgang von. The Elective Affinities (trans. Elizabeth Mayer and Louise Bogen). Chicago: H. Regnery Co., 1963 (orig. ed., 1809).
- Goode, Erich and Nachman Ben-Yehuda. Moral Panics: The Social Construction of Deviance. Oxford: Basil Blackwell, 1994.
- Gould, Stephen Jay. The Mismeasure of Man. New York: Norton, 1981.
- Graham, Harvey. Eternal Eve: The Mysteries of Birth and the Customs That Surround It. London: Hutchinson & Company, 1960.
- Groh, Dieter. "The Temptation of Conspiracy Theory, Part II." Changing Conceptions of Conspiracy (C.F. Grauman and S. Moscovici, eds.). Berlin: Springer-Verlag, 1987.
- Hamilton, Bernard. The Medieval Inquisition. New York: Holmes and Meier, 1981.
- Hardin, E. R. "The Midwife Problem." Southern Medical Journal (18). 1925, pp. 347-350.
- Harris, Marvin. Cows, Pigs, Wars and Witches: The Riddles of Culture. New York: Random House, 1978.
- Hester, Marianne. Lewd Women and Wicked Witches: A Study of the Dynamics of Male Domination. New York: Routledge, 1992.
- Hinnebusch, W.A. The History of the Dominican Order. New York: Alba, 1966.

- Hird, Carol and Brian Burch. "Midwives and Safe Motherhood: International Perspectives." The New Midwifery: Reflections on Renaissance and Regulation (Shroff Farah, ed.). Toronto: The Women's Press, 1997, pp. 115-145.
- Home Birth Association of British Columbia. "Why Are B.C. Grandmothers Going to Jail?" Press Release, April 2002. Available online at <http://www.glorialemay.com/legal.htm>. Accessed January 14, 2005.
- _____. "Birth in B.C." Available online at <http://www.homebirthbc.com/birth-in-bc.html>. Accessed January 14, 2005.
- Hudson, Robert P. "Abraham Flexner in Perspective: American Medical Education, 1865-1910." Bulleting of the History of Medicine (46). December 1972, pp. 545-561.
- International Confederation of Midwives. "International Definition of the Midwife." Available online at http://www.washingtonmidwives.org/about_maws.shtml. Accessed January 3, 2005.
- James, E.O. The Social Function of Religion. London: University of London Press, 1948.
- James, Susan and Ivy Lynn Bourgeault. "To Fund or Not To Fund: The Alberta Decision." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 131-149.
- Kaufman, Karyn and Bobbi Soderstrom. "Midwifery Education in Ontario: Its Origins, Operation, and Impact on the Profession." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 187-203.
- Kelly, Joan. Women, History and Theory. Chicago: University of Chicago Press, 1984.
- King, Howard D. "The Evolution of the Male Midwife, with Some Remarks on the Obstetrical Literature of Other Ages." American Journal of Obstetrics and the Diseases of Women and Children (77). February 1918.
- Klaits, Joseph. Servants of Satan: The Age of the Witch Hunts. Bloomington: Indiana University Press, 1985.
- Klein, Dorie. "The Etiology of Female Crime." Criminological Perspectives: Essential Readings (2nd ed.; Eugene McLaughlin, John Munice, and Gordon Hughes, eds.). London: Sage, 2003 (orig. ed., 1996), pp. 182-210.
- Kluckhohn, Clyde. Navaho Witchcraft. Boston: Beacon, 1944.
- Kornelsen, Jude and Elaine Carty. "Challenges to Midwifery Integration: Interprofessional Relationships in British Columbia." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 111-130.

- Kors, Alan C. and Edward Peters. Witchcraft in Europe 1100-1700: A Documentary History. Philadelphia: University of Pennsylvania Press, 1972.
- Kramer, Heinrich and James Sprenger. The Malleus Maleficarum (trans. Montague Summers). New York: Dover, 1971 (orig. ed, 1486).
- Lanctôt, Guylaine. The Medical Mafia: How to Get Out of it Alive and Take Back our Health and Wealth. Miami: Here's the Key, Inc., 1995.
- Larsen, E.N. Personal communication with author (Brian Burtch). 1992.
- Lea, Henry Charles. Materials Towards a History of Witchcraft (Arthur C. Howland, ed.). New York: Lincoln Burr, 1957.
- Lemay, Gloria. "From Gloria Lemay about the Case." Available online at <http://www.birthlove.com/gloria/new.html#from>. Accessed January 14, 2005.
- _____. "Legal." Available online at <http://www.glorialemay.com/legal.htm>. Accessed January 14, 2005.
- Levack, Brian P. The Witch-Hunt in Early Modern Europe (2nd ed.). New York: Longman, 1995 (orig. ed., 1987).
- Lewis, I.M. Ecstatic Religion; An Anthropological Study of Spirit Possession and Shamanism. Harmondsworth, Middlesex: Penguin, 1971.
- Little, William, H.W. Fowler, and Jessie Coulson. The Shorter Oxford English Dictionary on Historical Principles. Oxford: Clarendon Press, 1973.
- Litoff, Judy Barret. American Midwives: 1860 to the Present. Westport: Connecticut: Riverside Press, 1978.
- Lombroso, Cesare and Willem Ferrero. The Female Offender. New York: Appleton and Co., 1899.
- MacDonald, Margaret. "Tradition as a Political Symbol in the New Midwifery in Canada." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 46-66.
- MacFarlane, A.D.J. "Witchcraft in Tudor and Stuart Essex." Crime in England, 1500-1800. Princeton, N.J.: Princeton University Press, 1977, pp. 187-209.
- Mack, Burton L. Who Wrote the New Testament? The Making of the Christian Myth. San Francisco: HarperCollins, 1995.
- Madaule, J. The Albigensian Crusade: An Historical Essay. New York: Fordham University Press, 1967.
- Madonnet, P. St. Dominic and His Work. St. Louis: Herder, 1944.

- Malinowski, Bronislaw. Magic, Science and Religion, and Other Essays. Garden City, N.Y.: Doubleday, Anchor, 1955.
- Markowitz, Gerald E. and David Karl Rosner. "Doctors in Crisis: A Study of the Use of Medical Education Reform to Establish Modern Professional Elitism in Medicine." American Quarterly (25). March 1973, pp. 83-107.
- Marriner, Jessie L. Midwifery in Alabama. Alabama State Board of Health, 1925.
- Martin, Emily. "The Egg and the Sperm: How Science has Constructed a Romance Based on Stereotypical Male-Female Roles." Feminist Approaches to Theory and Methodology: An Interdisciplinary Reader (Sharlene Hesse-Biber, Christina Gilmartin, and Robin Lydenberg, eds.). New York: Oxford University Press, 1999, pp. 15-28.
- _____. The Woman in the Body: A Cultural Analysis of Reproduction. Boston: Beacon Press, 1987.
- Marwick, M.G. "The Social Context of Cewa Witch Beliefs." Africa 22 (2-3). 1963, pp. 120-135, 215-232.
- McCracken, Leilah. "Why Gloria Lemay was Charged with Contempt of Court in 2002." Available online at <http://www.birthlove.com/gloria/new.html#why>. Accessed January 14, 2005.
- Mengert, William F. "The Origin of the Male Midwife." Annals of Medical History (4). September, 1932.
- Midwives' Association of Washington State. "Types of Midwives." Available online at http://www.washingtonmidwives.org/midwife_define.shtml. 2005. Accessed January 3, 2005.
- Mills, C. Wright. Sociological Imagination. Oxford: Oxford University Press, 1959.
- Milton, John. Paradise Lost and Other Poems (Edward Le Comte, ed.). New York: Penguin, 1981 (orig. ed., 1961).
- Moore, R.I. The Formation of a Persecuting Society: Power and Deviance in Western Europe 950-1250. Oxford: Blackwell, 1987.
- Moysa, Marilyn and Sherri Aikenhead. "Judge Finds Midwife Not Guilty of Illegally Practicing Medicine." Edmonton Journal, June 6, 1991.
- Nadel, Siegfried. "Witchcraft in Four African Societies: An Essay in Comparison." American Anthropologist (54). 1952, pp. 18-29.
- Nelson, M. The Persecution of Witchcraft in Renaissance Europe: An Historical and Sociological Discussion. Chicago: University of Chicago Press, 1971.

- Nestel, Sheryl. "The Boundaries of Professional Belonging: How Race has Shaped the Re-emergence of Midwifery in Ontario." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 287-305.
- _____. "A New Profession to the White Population in Canada: Ontario Midwifery and the Politics of Race." Health and Canadian Society (4, 2). 1996-1997, pp. 315-342.
- _____. "'Other Mothers': Race and Representation in Natural Childbirth Discourse." Resources for Feminist Research (23, 4). 1994-1995, pp. 5-19.
- Nihell, Elizabeth. A Treatise on the Art of Midwifery. Setting Forth various Abuses therein, especially as to the practice with Instruments: the Whole serving to put all Rational Inquiries in a fair way of very safely forming their own Judgment upon the Question: which it is best to employ, In Cases of Pregnancy and Lying-In, a Man-Midwife or, a Midwife. London: Morley, 1760.
- Noble, David F. A World Without Women: The Christian Clerical Culture of Western Science. New York: Random House, 1992.
- Palys, T.S. Research Decisions: Quantitative and Qualitative Perspectives (3rd ed.). Scarborough: Thomson Nelson, 2003.
- Parvey, Constance F. "The Theology and Leadership of Women in the New Testament." Religion and Sexism: Images of Woman in the Jewish and Christian Traditions (Rosemary Radford Reuther, ed.). New York: Simon and Schuster, 1974, pp. 117-149.
- Paul, Alexandra. "Stillbirth Prompts New Pressure to Legalize Midwifery." Winnipeg Free Press. May 10, 1990.
- Pelka, Fred. "The Women's Holocaust." The Humanist (52, 5), pp. 5-9.
- Perrot, Michelle (ed.). Une histoire des femmes est-elle possible? Paris: Rivages, 1984.
- Phaff J.M.L. (ed.). Perinatal Health Services in Europe: Searching for Better Childbirth. London: Croom Helm, 1986.
- Pickering, W.S.F. Durkheim on Religion. London: Routledge and Kegan, 1975.
- Pinchbeck, Ivy. Women Workers and the Industrial Revolution, 1750-1850. London: G. Routledge & Sons, Ltd., 1930.
- Plecker, W.A. "Virginia Makes Efforts to Solve Midwife Problem." Nation's Health (7). December 1925, pp. 809-811.
- _____. "The First Move Toward Midwife Control in Virginia." Virginia Medical Monthly (45). April 1918, pp. 12-13.
- _____. "The Midwife Problem in Virginia." Virginia Medical Semi-Monthly (19). December 1916, pp. 456-458.

- _____. "The Midwife in Virginia." Virginia Medical Semi-Monthly (18). January 1914, pp. 474-477.
- Pollak, Otto. The Criminality of Women. Philadelphia: University of Pennsylvania Press, 1950.
- Pratt, Minnie Bruce. "Identity: Skin, Blood, Heart." Yours in Struggle: Three Feminist Perspectives on Anti-Semitism and Racism (Elly Blakin, Minnie Bruce Pratt, and Barbara Smith, eds.). New York: Long Haul Press, 1984.
- Prusak, Bernard P. "Woman: Seductive Siren and Source of Sin? Pseudepigraphal Myth and Christian Origins." Religion and Sexism: Images of Woman in the Jewish and Christian Traditions (Rosemary Radford Ruether, ed.). New York: Simon and Schuster, 1974, pp. 89-116.
- Robbins, R.H. The Encyclopedia of Witchcraft and Demonology. New York: Crown, 1959.
- Rose, E. A Razor for a Goat. Toronto: University of Toronto Press, 1962.
- Rowbotham, Sheila. Hidden From History. New York: Pantheon, 1974.
- Ruether, Rosemary Radford (ed.). Religion and Sexism: Images of Woman in the Jewish and Christian Traditions. New York: Simon and Schuster, 1974.
- Russell, Jeffrey Burton. The Prince of Darkness: Radical Evil and the Power of Good in History. Ithaca, N.Y.: Cornell University Press, 1988.
- Sawhney, Sabina. "Strangers in the Classroom." Women's Studies on its Own: A Next Wave Reader in Institutional Change (Robyn Wiegman, ed.). Durham: Duke University Press, 2002, pp. 341-367.
- Scialli, Anthony R. "Sexism in Toxicology." Reproductive Toxicology (3). 1989, pp. 219-220.
- Scott, Joan Wallach. Gender and the Politics of History. New York: Columbia University Press, 1999.
- Sermon, William. Ladies Companion, or, the English Midwife: wherein is demonstrated the manner and order how women ought to govern themselves during the whole time of their breeding children and of their difficult labour, hard travail and lying-in, etc.: together with the diseases they are subject to (especially in such times) and the several wayes and means to help them: also the various forms of the child's proceeding forth of the womb, in 17 copper cuts, with a discourse of the parts principally serving for generation. London: Edward Thomas, 1671.
- Sharp, Jane. The Midwives Book, or, The whole art of midwifery discovered. Directing childbearing women how to behave themselves in their conception, breeding, bearing, and nursing of children in six books. London: Printed for Simon Miller, at the Star at the West End of St. Pauls, 1671.

- Shaver, Elizabeth. "Infant Mortality and the Midwife Program." Louisville (Kentucky) Monthly Journal of Medicine and Surgery. June 1912.
- Simmel, George. The Sociology of Religion (trans. Curt Rosenthal). New York: Philosophical Library, 1959.
- Smelser, Neil J. Theory of Collective Behaviour. New York: Free Press, 1962.
- Society for Bettering the Condition and Increasing the Comforts of the Poor. Extract of an Account of the Ladies' Committee for Promoting the Education and Employment of the Female Poor. London, 1804.
- Spivey, Robert A. and D. Moody Smith, Jr. The Anatomy of the New Testament: A Guide to its Structure and Meaning. New York: MacMillan, 1974.
- Stevens, Rosemary. American Medicine and the Public Interest. New Haven: Yale University Press, 1971.
- Stull, Caleb. "Living a Palindrome." Parlour Steps: Hours of Tremor. Figment Music (SOCAN), 2002.
- Szasz, Thomas. The Manufacture of Madness. USA: Delta Books, 1971.
- Tertullian. On Female Dress.
- Thomas, W.I. The Unadjusted Girl. New York: Harper and Row, 1923.
- _____. Sex and Society. Boston: Little Brown, 1907.
- Thompson, Michael, Richard Ellis and Aaron Wildavsky. Cultural Theory. San Francisco: Westview Press, 1990.
- Trevor-Roper, H.R. The European Witch-Craze of the Sixteenth and Seventeenth Centuries. London: Penguin, 1969.
- Turner, Ralph H. and Samuel J. Surace. "Zoot-suiters and Mexicans: Symbols in Crowd Behaviour." American Journal of Sociology (62). July 1956, pp. 14-20.
- United States Bureau of the Census. Statistical Abstract of the United States: 1975. Washington, D.C., 1975.
- Vadeboncouer, H el ene. "Delaying Legislation: The Quebec Experiment." Reconceiving Midwifery (Ivy Lynn Bourgeault, Cecilia Benoit, and Robbie Davis-Floyd, eds.). Montreal & Kingston: McGill-Queen's University Press, 2004, pp. 91-110.
- Wagner, Marsden. "A Global Witch Hunt." Available online at <http://www.gentlebirth.org/archives/globwtch.html>. Reprinted from The Lancet (vol. 346).
- Wakefield, Walter Legget and Austin P. Evans (eds.). Heresies of the High Middle Ages. New York: Columbia University Press, 1969.

- Weber, Max. Economy and Society. Berkeley: University of California Press, 1978.
- Westminster Review. July 1850.
- Williams, Lynne Sears. "Relations Between Alberta Midwives, MDs Appear to be Thawing Despite High-Profile Trial." Canadian Medical Association Journal (145, 5). 1991, pp. 497-198.
- Willis, Deborah. Malevolent Nurture: Witch-Hunting and Maternal Power in Early Modern England. Ithaca: Cornell University Press, 1995.
- Willughby, P. "Observations in Midwifery." As Also the Countrey Midwives Opusculum or Vade Mecum (H. Blenkinsop, ed.). London, 1951.
- Wilson, M. "Witch Beliefs and Social Structure." American Journal of Sociology (56, 4). 1951, pp. 307-313.
- World Health Organization. "International Definition of the Midwife." Available online at http://www.washingtonmidwives.org/midwife_define.shtml. Accessed January 3, 2005.
- Young, Donna. "Birth Witnesses Attendant Goes to Prison." Lotus Birth (205, February 2003). Available online at <http://www.lotusbirth.com/doc/FEB2003Lotusbirth-205.htm>. Accessed January 14, 2005.

Statutes Cited

Canadian Criminal Code. Scarborough: Carswell, 2003.

Midwives Regulation. British Columbia, 2002.