

Consilium XLII

Argument

Leander, accused of rape perpetrated against Lucretia, was thrown into prison; and certainly there is no dispute that there was a rape, since by that time Lucretia was carrying a child in her uterus; Leander, however, when exposed to torture, confessed that he had ejected his semen near the uterus of Lucretia while they were both standing, with absolutely no penetration of his penis into her uterus, and always maintained that he had not known Lucretia carnally in any other way. The deposition of Lucretia herself agreed with this confession of Leander, whence it has been asked whether Lucretia could have conceived from Leander sowing his semen in this way without any intromission of the penis in her uterus, and certainly I have arrived at the opinion that Lucretia could not have conceived from Leander sowing his seed in this fashion, but that either Leander indeed raped her with the intromission of his penis, or she conceived by some other man.

Summary

1. Women have conceived from semen emitted near the uterus without the intromission of the penis, a fact which is well known from a not uncommon experience in mares.
2. The uterus from Nature has a certain vigorous attraction for semen, just as a magnet has for iron.
3. Women who are impenetrable conceive without violation of the *panniculus*, the little membrane blocking the uterus.
4. The uterus possesses the same power of attraction for the purpose of swallowing the semen of the male by means of its neck, as the belly has for the purpose of

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swallowing food with the gullet.

5. Whenever it is inflamed with female lust, the uterus stimulates even its external mouth to swallow semen poured out in its vicinity.
6. The most tenuous essences of semen cannot be preserved in the outer air, even for a brief time.
7. The joining together of male and female through the proximity of their members, and the intromission of the male into the female and why it is intended by nature.
8. The pouring forth of semen from the male member and its attraction by the uterus are not sufficient for this purpose, that conception follows.
9. In coitus the member must be thrust in as deeply as possible, otherwise conception follows with more difficulty.
10. Why the shortness and length of the penis may prevent conception.
11. If the pouring forth of semen near the female receptacle was sufficient for conception, the joining together of male and female through the intromission of the penis into the uterus would be unnecessary.
12. How women who are impenetrable can conceive.
13. Conception can occur from only a part of the semen.
14. Twins are produced from a single act of coitus.
15. Attraction of the semen occurs from the uterus itself, when it is moved to attract semen by the desire it experiences.

We have dealt more fully concerning this subject in *lib.3 Quaestionem Tit.1. quaest.8 throughout*. Wherein we stated the conclusion, established on the basis of the most valid reasons, that a woman cannot conceive from the simple ejaculate of a man near her uterus; wherein I presented the arguments persuading the opposite opinion and to what extent I persuade myself to be satisfied sufficiently by them; those arguments which follow were the most potent, which I will run through quite briefly.

1. First, therefore, on the authority of the most learned men and from knowledge gained from experience, the contrary conclusion seemed probable, namely that a woman could conceive from male semen spilled out near her receptacle; for certain examples of this fact are told by men most worthy of trust, which amazingly confirmed as true that which some say about the mares which they call ringed mares, since, when their keepers do not wish them to be entered by the males, they apply a certain device to the vulva which prevents the entrance of the penis of the raging stallion, and yet they know from experience that mares restrained in this way do conceive.

2. But this should not seem unusual, since it is known by what a strong desire for the male seed the uterus is possessed, because of which it is endowed with no less a pull to attract it than we may see a magnet is endowed with for the purpose of attracting iron. Therefore, it is possible, indeed as it happens not difficult, as can be elicited from the examples cited above, that, from the simple ejaculate of Leander outside of, but near the uterus of the virgin, the uterus of the virgin could have attracted the semen thus emitted, and could draw it to itself and conceive from it, notwithstanding the fact that his member had not been thrust into her uterus by Leander; and thus the virgin could have conceived by means of her uterus.

3. But also other facts are not lacking to confirm this; for we know from experience that in those women, whom we name the impenetrable ones, conception takes place without the male member being able to penetrate into the uterus. Indeed, in these women, the *panniculus*, a thick little membrane, is stretched in front of the internal mouth of the uterus which prevents the entrance of the male member, with the result that they cannot be deflowered by any amount of force. However, it is known that these women conceive from the simple ejaculate of a man, and I noted this elsewhere on the authority of Hippocrates, Avicena and others; Hippocrates likewise asserts that these women die in giving birth from this cause, because of the fact that the *panniculus*, which prevented the entrance of the male penis on account of its thickness and strength, could not be broken to permit the exit of the birthing foetus; and thus it follows that both mother and child finally perish.

4. What recommended this argument more urgently was the fact that *Arist. lib. 2. de Gener. Anim. c. 4. & Gal. lib. 1. de sem. c. 4 & D. Thom referente, Sanchez de Mat. lib. 7. disp. 113. n.* maintain that the uterus undoubtedly has been endowed with such a great a power of of attraction that it uses its own neck, as if it were hands, to attract male semen, just as the belly uses the gullet or the stomach or the oesophagus (whichever you prefer, or that passage which extends from the mouth to the belly and through which food and drink pass to the belly itself, which is called the stomach by some and also the oesophagus; *Hipp. lib. de Cord. n. 1 & lib. de Cor. rec. n. 2*), as if it were hands, for the passing in of food and drink: for, in order for an animal to pass through food right to the belly, it is not necessary that the animal place the food near the upper mouth of the belly, which is called the stomach by the Greeks, but it is enough

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that it brings the food to the mouth, because immediately thereafter the belly draws the food from the mouth through the oesophagus, which for this purpose is endowed with round and transverse fibres. And so, in a similar fashion, when engaged in the act of conception, it is sufficient that the male semen be poured out near the uterus, for immediately through its neck, the uterus attracts the semen to itself with marvellous avidity, whereupon conception soon follows.

5. And it should not be said that it is impossible that this should occur in this way, since the external mouth of the uterus, if it is not dilated by the penis of the male, may contrive this on its own, nor that it may be opened by itself so that it can receive semen consequently also, if the semen is poured out near it and the uterus produces the force, it is not impossible that it can attract the semen to itself, nor should it be said that to attempt this is in vain, on account of the previously mentioned impediment, because whenever the female desire for coitus is burning, and the uterus burns with the desire to swallow semen, and already it is in a ferment and is held fast by vast and insatiable lecherousness, with even the external mouth itself gaping and dilated, just as baby birds do when food is held out to them by their mother, it hastens to bring in that semen; for the uterus, from a certain cognitive sense, because of which it is called *Animal* by some, seems to recognize its own lack of male semen, and for that reason seems to stir itself suitably for ridding itself of that lack by going to meet the onrushing seed of the male, with even the external mouth gaping to admit the semen.

6. However, all these arguments notwithstanding, it will be demonstrated that the conclusion already presented by me at the beginning of this discourse is rather the true one, not only for the following reasons, but also from a full explanation regarding the

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arguments to the contrary: for, in the first place, it is impossible that male semen can be preserved intact in the open air, since it is inevitable that those most tenuous essences, from which the entire beginning of generation proceeds, vanish at once, as I said on the authority of *Aristotle lib. 3. quest. 8. n. 16*: as its essences disappear, the semen becomes sterile, with only its more solid material remaining, which is as fit for conception as mere liquid full of phlegm would be if it were received in the uterus.

7. And for no other more powerful reason did Nature want the male and female to be joined together so fiercely; since Nature wanted the semen to be sent with force by the male through the passage and right to the internal mouth of the uterus, so that no masculine semen should be accessible by the open air; indeed Nature wanted some of the seed to cling most fiercely all along the same members in coitus, and Nature was not content that the male pour out seed near the female receptacle, because if this had been sufficient for conception, such a fierce joining together of masculine with feminine would have been devised to no purpose; moreover, since Nature does nothing to no purpose, but rather always looks to the more beneficial end, *Arist. de animal. in coss. cap, 10* and elsewhere, therefore, the joining together of male and female through the intromission of the penis into the womb is absolutely necessary for conception, otherwise no generation can follow.

In the second place, granted such a strong power of attraction of the uterus, and also the effusion of masculine semen ejaculated near the outer mouth of the uterus, yet many things are wanting for the accomplishment of conception; before all else the pressure is missing and ejaculation on the part of the male, which does absolutely nothing when the effusion happens outside the womb, since the force of the ejaculation

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is finished right outside in the external orifice of the uterus into which it pushes; and so when we say that this ejaculation is in no way necessary, we will be compelled to affirm that neither the member itself, through which ejaculation takes place, is necessary, nor indeed are the [female] ejaculating vessels themselves, and thus nature has laboured needlessly to make the masculine member and the above mentioned vessels, and indeed the neck of the uterus or the vagina into which the member has been placed, since one could beget a foetus and propagate the species of animals without such fatigue, and in a much easier way, through the simple proximity of the male and female next to the genital region, therefore, it was expedient that we had been formed without the virile member, as well as other living beings of whatever kind which Nature wanted to propagate their species in a similar union.

8. In the third place, although granted there are certain men who are not able to arouse their member and yet spill semen near the outside of the uterus, or who, if they have an erection, yet they cannot introduce it into the uterus but are forced to project their semen in front of the entrance itself, on the first threshold, men whom I have demonstrated should be counted among the sterile *lib. 3. Tit. 1. quaest. 5. num. 12.*, it is probable that those men are able to procreate, because the argument of the uterus' own capacity of attraction through which it draws semen to itself and conceive is the same: since, therefore, these men can satisfy the principal purpose in strict matrimony, which is the procreation of children, with the utmost wrong they were prevented from contracting a marriage, since not only are they prevented from so contracting marriage, but also are forced to dissolve a union by the canons: as decrees *c. Laudabilem de*

frig. & males. cum iis, which adduces Sanchez de Matrim. lib. 7. disp. 92 num. 7; these are but a few of many examples.

9. In the fourth place, if, in celebrating coitus, it is not sufficient for conception to follow that the male insert his member into the womb, but it is necessary that his member intrudes as deeply as possible, so that the semen may be poured out near, and as close as possible to the internal mouth of the uterus, otherwise conception is not going to follow, on the authority especially of Hippocrates and of other doctors, how much more likely is it that conception would not follow if the semen is ejaculated near the outer uterus? 10. And if, moreover, it is agreed that those who are endowed with quite a short penis do not procreate, for that reason only, doubtless, because they cannot reach right to the internal mouth of the uterus with their instrument, and thus their semen, poured out some distance from the mouth itself, does not arrive fertile on that account, because it becomes cold immediately before it can be drawn by the uterus, how much more will conception be prevented because of semen poured out outside? And if the excessive length of the uterine member renders the semen infertile because it becomes cold in the passage, as *Arist. lib. 1. de generat. Anim. cap. 6.* maintained, how much more will the semen be cooled when it is completely exposed to the outer air before it can be drawn inside by the uterus? Therefore, it is permitted for one speaking for the truth to burst forth against the fictitious arguments of certain men and their credulity and complete absurdity which is not convincing even to boys themselves:

Qui nondum aere lavantur. Who are too young to pay at the baths.

Finally, since the attraction of male semen by the uterus occurs through the neck by means of the helpful hairs and fibres with which it is endowed, or with which it ought

to be endowed for this purpose, already it is clear that the external mouth of the uterus neither becomes vigorous from this change, nor is it constructed with any hairs and fibres, therefore, it will not be able to attract the male semen poured out near itself, and the uterus itself must be said to attract to itself with its neck even semen ejected at a distance, with the exterior parts of the uterus not standing in the way and preventing its entrance; let those who persuade themselves of these things, or who permit absurd beliefs of this kind to be imposed on them by others. see whether this is foolish or not..

11. But I should not neglect to add the following reason also, even if it may not pertain to medical matters; I say, therefore, that if, for the purpose of attaining the end of marriage, which is principally the procreation of children, the proximity only of the members of generation of both spouses and the effusion of male semen near and also outside the female receptacles is sufficient, the kind of joining together where the man can penetrate to the interior of the uterus and then plant his seed, which all the Canons unanimously affirm is yet required for the validity of a marriage, and which is confirmed by the fact that sowing the seed outside the receptacle leads to mortal sin, as is shown on the authority from all the established Canons, Pontium de Matrim. *lib. 10. cap. 11. num. 6.*, such a union is required in vain for the validity of a marriage.

A response to these arguments to the contrary is very easy, and as for the knowledge gained by experience and narratives told by certain persons, it must be said that they are not of proven veracity; for two kinds of person allow these things as true, one is of the kind who wish to impose their own vices on others, as do the Hebrews, with their fable concerning semen ejected in the bath, Averroes & Amatus Lusitanus of suspect faith, indeed men of acknowledged mendacity: the other kind consists of the

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pious, indeed of certain holy men, theologians to be sure and men learned in canon law, who, since they are less knowledgeable in matters of sexual love, and not in any way familiar with matters of medicine and anatomy, furnish the ears with tales of this kind, and accept them as truth ; however, they are certainly as far from the truth as the sky is distant from the earth.

But be it that we admit these experiences, which it is clear do not exceed the ternary number from the first course of the world, and accept them as true, yet they are of no help for the case of the accused; for, with what confidence, on account of one or the other experience as yet uncertain and not to be depended on, will we maintain this conclusion and will we canonize as true, that it is possible that a woman may conceive from male semen poured out near her receptacle without the intromission of the penis into the uterus? Certainly if this conclusion is true, thenceforth the conclusion which which I also brought forward above will especially be true, that without doubt the joining together of the male and female through the members of generation is not necessary for conception, and is completely useless and superfluous and ordained by Nature in vain, since without it animal species can propagate: but Nature and God do nothing in vain, this is noted *Arist. 1 partit. 12.*

To that which is added concerning the mares which have been ringed, it must be said that this is to be convinced by the narration of an untrue action, because if the keepers of those mares protect them with the device which has been mentioned, so that they cannot be entered by the stallions and conceive, already it is clear that this diligence of theirs is completely useless, since, even if the impeding instrument is present to prevent the females from being embraced by the males and conceiving, they

do conceive with the device proving no obstacle, hence, therefore, it follows that either the diligence of the keepers is not well grounded or is practiced in a way that the mares not conceive, or it is not true that when they have been ringed they conceive, unless something else intervenes.

12. What is said about the impenetrable women does not have adequate reason. For, in the first place, the penis for the most part is received into the uterus because that little membrane is not present near the external mouth of the uterus, but, from moving forward inside, it is stretched near the internal mouth of the uterus itself, whence it happens that the penis, having been sent partly into the vagina of uterus, ejaculates semen near the internal mouth itself, whence it is drawn closer by the uterus and is less altered by the air: add that, in those who conceive, that little membrane is endowed either with some opening through which the ejaculated semen, by its own force and the pressure of the penis, can penetrate to the uterus, or it is completely porous and made accessible with little holes, and thus through these the semen, since its assault is made with the helping attraction of the uterus, penetrates to the uterus itself and conception takes place, and although not all the semen may reach the uterus in this way, yet it is not for that reason that conception does not occur,**13** and **14** for it is not necessary that all the semen be received by the uterus for conception to follow, for sometimes it occurs from only part of the semen, which the occurrence of twins and triplets and other kinds of multiple conceptions sufficiently and more than sufficiently makes clear, when the false idea that this certainly occurs on account of different unions of male and female is removed; but conception of twins and other multiple births occurs from a single congress, as experience persuades and as attests *Hippoc. in lib. de Nat. Puer. num. 44*

& in lib. de supersatat. num. 7. & lib. de Diaet. num. 25, from which it is inferred that the foetus is sometimes created from a part only of the semen not from the whole mass of semen. Add to this that it is sufficient for conception that the more tenuous part of semen and the more spiritual part arrives at the uterus so that it can inseminate the female semen, nor is it necessary that the denser and more material part arrive at the same time, and, therefore, the more spiritual part of the semen can penetrate inside the uterus through the little membrane with just as much ease that same spiritual part of the semen is accustomed to vanish into the air.

15. What is said concerning the attraction of the uterus achieved through the neck to be not otherwise than the attraction of foods by the belly through the oesophagus or gullet is not pertinent to the matter, for just as the gullet or the belly does not attract through itself foods brought to external mouth, unless it is placed reasonably near to the gullet itself, and it would be ridiculous if anyone were to offer foods only to the external mouth expecting that the belly would draw it through the oesophagus, and it would be something that ought to be tried in a measured way for that man who persuades himself of it, thus it is much more ridiculous to persuade oneself that the uterus can attract through its neck male semen brought to its external mouth, since attraction is an action of the uterus itself, although it may occur through its neck, whence it is not enough that the semen be poured out near the external mouth in order that it may be attracted by the uterus, since, although the uterus may attract semen because of a certain sensation of desire, on account of which it is moved to attract it, this sensation cannot happen outside the uterus, for it would be completely absurd to believe that there would be sensation at a perceptible distance, as if the uterus could divine that semen had been

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poured out from outside it and could be moved by this foreseeing to attract it. From these arguments, therefore, it is seen that what was concluded by me is true, when I said in the argument that either Leander truly deflowered Lucretia by penetration of his member to the inner part of the uterus, or Lucretia had conceived by another man who deflowered her.