

An Oppressive Silence: The Evolution of the Raped Woman in Medieval France and England

By Zoë Eckman

Rape was a very prominent issue in several areas of medieval society – especially in the law, the church, literature and everyday life – and the actions of men to define and regulate rape impacted both the way women perceived themselves and the way the feminine was viewed by society. The purpose of this paper is to give an overview of how concepts of rape and sexual violence evolved, placing special emphasis on the twelfth to fourteenth centuries and primarily within the traditions France and England. It will explore the concept of "rape" as it relates to the relationship between men and women in several contexts. The particular contexts examined will be those from which we have the greatest number of sources: religion, literature, law, and society.

The lack of any real substantial work on perceptions of rape in the Middle Ages makes it very difficult to construct a single framework or evolution for the raped woman. The conception of "rape" varied among the members of the Church, lawmakers, poets, kings, peasants, other women and even the raped victims themselves. While we can discern the opinions of the men involved in the process, the most elusive and crucial part of the dialogue is left out: the voice of the woman. Even if we go only by the sources we

have, the facts are still terribly misrepresentative of the actual frequency of rape due to the low figures caused by the majority of rape cases going unreported.¹ This paper will argue that the definitions of rape created and enforced by men gave rise to a masculine concept of rape that silenced the voice of the raped woman.

As defined by Roman law, the concept *raptus* has the literal meaning of "carrying off by force"² and is applied to the abduction of a woman against the will of the person under whose authority she lived. Under its Roman definition, sexual intercourse was not a necessary element³ and the term was also used simply to describe the theft of property.⁴ *Raptus* was not designated a public crime, but a private one between the abductor and the man who had legal power over the woman or property violently seized.⁵ Constantine, when he became Roman emperor in the early fourth century, made *raptus* into a public crime, punishable by death.⁶ He also declared that women found conspiring with their abductors to stage their own abduction – as in the cases of women who wished to marry against their parents' wishes – were also subject to the death penalty.⁷ When Justinian became the emperor in the middle of the sixth century, however, he abolished the previous laws concerning *raptus*, and strongly enforced both the death penalty and the new penalty: confiscation of property. Justinian also specifically described *raptus* as a sexual crime against only unmarried women, widows, or nuns.⁸ Thus, husbands, under Justinian Law, could not be rapists. Another aspect of the Roman law of *raptus* is that it was adverse to the marriage of the victim to their rapist and this wariness – not only because staged abductions were common – continues up to time of Gratian in the mid-twelfth century.⁹

The early Christian belief in the rejection of the body for a new asceticism is grounded in an "ideological subordination of women and misogynist construction of the feminine".¹⁰ Rape, in this new environment, follows the tradition of much older beliefs that rape functions as an extension of the customary victimization of women – simply a fact of life which is accepted by the male members of the Christian society and is not very troubling.¹¹ Augustine himself states that the height of holiness is the rejection of the body, and thus, the rejection of the woman.¹² But then marriage becomes a necessary evil which has to be accepted in order to prevent more serious forms of sexual deviancy. The marital state allows for the fulfillment of sexual desires within a regulated structure, for the good of peopling the planet. Without the approval of marriage, concubinage, prostitution and rape would have been the only ways to relieve sexual urges.

Under the teachings of the early church, the sexuality of wives and daughters becomes the possession and product of their husbands and fathers.¹³ Thomas Aquinas, in the mid-thirteenth century, explained the connection between rape and the male head-of-household when he redefined rape to mean "the use of violence to deflower a virgin," and then explained, however, that the term *raptus* can also be performed on the father in cases where the daughter and her "rapist" conspire and plan abduction to attain approval for their marriage.¹⁴ Thus, rape is performed on the body of a woman, but it is the father who is hurt by this violence. The female figure is completely inferior. Indeed, in the eyes of the Christian church, the only way a woman could be saved from the inferiority of her inherent female nature would be by renouncing her sexuality and "becoming like a man (*vir*) through virginity".¹⁵ In hagiographical literature, the female saint is sanctified by prizing her chastity so highly that she dies defending it.¹⁶

The idea that the female body is the source of human frailty and sinfulness continues to achieve a central position in ideas of rape and masculine application of force on the feminine. It is mentioned in several early penitentials that a man who has sex with a pretty woman is less guilty because her beauty has "compelled" him to feel overwhelming sexual attraction. If a man has sex with an ugly woman, then his lust is at fault, but a beautiful woman is something which cannot be resisted and most of the sin lies with her as she is too great a temptation.¹⁷

Another male conception of the guilt of the female body is present in medieval law – derived from the Galenic physiological model – that a woman could not conceive a child unless she consented to intercourse. Not only did she have to consent but, because a woman was believed to conceive only by the releasing of female sperm through orgasm, she had to enjoy the intercourse.¹⁸ This "guilt" of the female body would, due to a raped woman's pregnancy, betray the fact she had enjoyed being raped, ending her right to accuse her rapist.¹⁹

Continuing in the vein of the great Christian teachers, it was the canon lawyers – "those who controlled the production of legal discourse"²⁰ – who shaped, for the most part, the conceptions of rape between 1140 and 1500.²¹ Of course, these were all men. The greatest of these men was Gratian, who, around 1140, revolutionized canon law regarding rape. He moved away from the Roman tradition of rape towards a more sexually-based meaning. He characterized rape as sexual corruption involving both the abduction of the woman, in addition to unlawful intercourse; likewise, rape could only occur if there had been no previous marriage negotiations between the victim and rapist.²²

The most defining feature was that coitus was now necessary, and violent abduction for any purpose other than sex did not count as rape.²³ Also, because pure and simple rape was not a crime in church law,²⁴ abduction was also made an essential component.

The Christian "moralists continue[d] to view rape as an extreme variety of fornication, the inevitable end of lust that has no licit outlet".²⁵ For younger sons, clergymen and lusty knights, rape was the only way they could release their sexual energy. Rape was performed on the female body by the male, and these moralists rarely differed from the common constructs. Occasionally, they admitted, a female may rape a male or another female, but these circumstances were very rare.²⁶ This distinction caused a blurring of the line between forced and voluntary sex. In the twelfth century, in both legal and literary texts, the violent application of the masculine is construed as an expression of "conflicted love," the overwhelming passion that comes to characterize the romances.²⁷

As stated before, the only way a female could escape the machinations of her "lord and master" was by imitating Christ, retaining her sexual purity, and resisting temptation.²⁸ In the hagiographic tradition, the representation of female sinfulness in a sexual plot feminizes weakness and sexual transgression, as well as legitimizing the use of sexual violence as a test of the "saintly female".²⁹ The male clergymen, however, are in no way held to the same rigid standards, and it is these young clergy who are accused of the majority of the rapes³⁰ and then let off very easily by the canons.³¹ Interestingly, these young clergy are also often charged with performing gang rapes as a rite of passage.

Chastity was viewed as the most important element of female honor.³³ By 1230, the rape of a virgin was considered a felony in the civil law courts and punishable by death or blinding.³⁴ Also, if a man saved a woman from a rapist he was granted the choice to marry her, or to approve of her match to another – regardless of her choice in the matter.³⁵ Because a daughter's virginity was her greatest treasure and a financial asset for her father in the business of marriage brokering, these fathers saw rape as the most heinous crime³⁶ and did everything they could to protect their daughters. This inherent value in a virgin's purity probably accounts for the large amount of documents written up for nobles which all center around the practice of "heir and heiress snatching".³⁷ One imagines that a ransom for such a one-of-a-kind treasure must have made the rape of a virgin body (or, in this case, abduction with the threat of rape) very tempting.

Within marriage, however, the protection of the female body became virtually nonexistent. In Roman law, it was clearly stated that a wife could certainly be raped.³⁸ She did not change her physical status upon marriage, so she did not lose any of her legal right to protection against her husband. Quite opposite to this was the Christian view, in which the bonds of marriage that united the husband and wife delegitimized the female body. The body of the wife was no longer her own possession as she had given full rights to both her sexuality and her physical form to her husband during the marriage ceremony.³⁹ The abduction of a fiancée was likewise not classified as rape.

It is clear by now, that the evolving representations of rape have reified the male power structures in place in other aspects of society.⁴⁰ There is nothing, however, which sticks out in the modern mind like the literary tropes of rape. Ovid, the famous Roman

poet, alone had 50 examples of rape, attempted rape, or sexual coercion which was close to rape in his *Amores*.⁴¹ Georges Duby, connecting a male-created literature with the male-political system, called courtly love a "masculine game of power, property and violence".⁴² It is true that the "courtly" medieval literary society to which he was referring viewed sexual aggression as an expression of the natural animal forces of the universe – beneath the notion of *amor*, it was simply an extreme form of intense sexual desire carried through to its natural end.⁴³ The man is powerful and wants to possess the subservient female, so why should he not?

Andreas Capellanus gives a startling description of what one should do if this feeling of *amor* strikes where a peasant is the object:

"If you should, by some chance, fall in love with some [peasant] women, be careful to puff them up with lots of praise and then, when you find a convenient place, do not hesitate to take what you seek and to embrace them by force. For you can hardly soften their outward inflexibility so far that they will grant you their embraces quietly or permit you to have the solaces you desire unless first you use a little compulsion as a convenient cure for their shyness".⁴⁴

It is not clear how serious he was being, but as Gravel points out in relation to the equally comic *pastourelle* form, these types of literary representations of rape give rape an acceptance, institutionalization, and humor which once again ignores the pain and suffering of the female subject.

The greatest harm done the female body by the masculine authorship of these forms is their insistence that the female desires to be ravished.⁴⁵ The masculine authors, like the sculptors of rape scenes where "the springtime landscape, dainty gestures, controlled emotional expression, and elegant costumes all serve to prettify the rape",⁴⁶

thus silenced female voices and portrayed rape as something which did not harm women, and actually put forward the notion that women did not mean what they say.

The literary tropes built around rape all function for a male audience, and in a masculine context. Often in the romances, the wife of a noble man is carried off (sometimes even a queen) and the abduction of her body then acts as a display of power within noble spheres as if she were merely the flag in a game of "capture the flag."⁴⁷ Hanawalt and Gravdal both suggest that romances also serve an erotic function, where the male listeners (and writers) can enjoy the sexual domination and violent oppression of the female vicariously through the hero.⁴⁸

The literary traditions of the twelfth through fourteenth centuries brought about a return to legitimization of male force in socially approved relations between men and women.⁴⁹ For example, in tales of courtly love the "theme was violent sudden 'love,' which, like a flame, once kindled was irresistible. It heated the blood, inciting a man to attain at no matter what cost [sexual consummation]".⁵⁰ Virility was an extremely important aspect of masculinity – another factor which suggests the prominence of group rapes by primarily young men.⁵¹

The belief that women enjoyed being raped has a long literary tradition dating back to the early hagiographic writer Wace, who said the "experience of rape is stuporous and trancelike: a woman suffers no pain from sexual assault".⁵² As early as the thirteenth century, in France the conflation of rape and ravishment, and the literal meaning of sexual violence was being erased behind a romantic troping of ravishment. A "romantic" verse states the believed effects of rape on a woman pretty clearly: "Never would a woman dare say with her own mouth what she desires so much; but it pleases her greatly when

someone takes her against her will, regardless of how it comes about. A maiden suddenly ravished has great joy, no matter what she says".⁵³ Here it is stated that a woman will say something against being raped, but encourages the rapist to ignore what she says as she doesn't mean it; the victim's voice is yet again taken away from her.

Christine de Pisan, one of the only women to write contemporarily about rape, responded in the early fifteenth century to this silencing masculine monologue with her own resonant voice:

'I am therefore troubled and grieved when men argue that many women want to be raped and that it does not bother them at all to be raped by men when they verbally protest...' She answered, 'Rest assured, dear friend, chaste ladies who live honestly take absolutely no pleasure in being raped. Indeed rape is the greatest possible sorrow for them.'⁵⁴

Sadly this one voice speaking out against the oppressive masculine authority gets lost in the majority.

Indeed, the voices of women are often forced, if not into obscurity, into contradiction. The popular songs of the thirteenth and fourteenth century become a paradigm for the tolerance and normalization of sexual violence.⁵⁵ Due to the sing-song, repetitious, echoing form of the *pastourelle*, a woman is forced to become a ridiculous figure who contradicts herself and, with her own voice, legitimizes her rape. In a particular *pastourelle*, when a knight spies a peasant, she is singing a happy bit of a nonsense verse that goes: *tu-re-lu-re-li, tu-re-lu-re-lay*. Then, after the knight has torn off her skirt and raped her, she is forced (by the verse form) to sing the same nonsense refrain.⁵⁶ When the poet isn't busy taking away the victim's voice, he is using it against her.

The first development in medieval rape law was, as stated above, the growing distinction between *raptus* as a crime against a person, and crimes against property – which eventually became distinguished as only *rapina*.⁵⁷ Gratian was the next great modifier of the rape laws, and he distinguished four separate elements which he claimed distinguished a rape from either an abduction or fornication: the use of violence, abduction, coitus, and accomplishment without the free consent of one partner.⁵⁸ The amount of non-consent did not have to be extraordinary; in fact even just crying out or weeping was designated as enough resistance to qualify it as a rape.⁵⁹

The cases which were treated most seriously were those involving minors, the elderly, or incest; cases concerning the rape of marriageable women, wives, widows, or members of the lower class usually ended with just "a slap on the wrist".⁶⁰ The church had jurisdiction over rape, as with all sexual crimes; but in English courts, rapes show up as "trespass" cases rather than felonies because civil action secured a remedy for the victim, while sparing the criminal from death.⁶¹ Rape was a crime where the victim sought the punishment of the accused; if rape victims only wanted monetary compensation, however, they could prosecute for abduction instead,⁶² which held similar penalties to those of trespass cases. This is a clear example of how early medieval laws on *raptus*, no matter whether they were harsh or lenient, all were for the maintaining of peace among men⁶³ and not necessarily designed to secure justice for the women.

The French state during the Middle Ages remained within the tradition of Roman law *vis a vis* the death penalty for the rapist – the same punishment for murderers or those convicted of treason: to be dragged through the streets and hanged.⁶⁴ In England, the thirteenth century Bracton laws stated that a rapist should suffer "the same for same"; that

is, by taking away the female's member – her hymen – the accused should be castrated.⁶⁵ As terrifying and justifying as these punishments may sound however, because they were so severe, they were hardly ever meted out.⁶⁶ A sure way to escape the worst would be to flee to the sanctuary of a church where one was tried by ecclesiastical courts, which were far more lenient.⁶⁷

Gratian was the person who really changed the penalties for convicted rapists: no death or mutilation; the punishments ranged from excommunication, public penance, imprisonment, a whipping, monetary fines, marriage to victim as penance, even enslavement (or a combination of these).⁶⁸ Mostly, however, it depended on the circumstances of the case.⁶⁹

As deterring as these punishments might be, even these were not applied with any regularity. The ecclesiastical courts of Northern France were notoriously lax with their sentencing, and openly flouted canon law.⁷⁰ Within the secular jurisdiction, penalties were also usually softened to mutilation (castration) and fines⁷¹ instead of death. In both England and France, despite strict laws and rulings which imposed harsh penalties for rape where peasants were concerned, actual punishment was usually just a monetary fine,⁷² with no dismemberment. A common idea was that men shouldn't even be indicted unless the victim was a virgin, and even then, the low incidence of indictment indicated that opinion was not strong about punishing rapists.⁷³ The new leniency was to advantage of the male rapist, and scarcely protected the rights of the woman.⁷⁴ For example, a man raped a widow and was charged five sous, but the widow was charged fifteen sous for allowing a man "carnal knowledge" of her.⁷⁵ In another case, a cleric was fined five sous

for rape; by the same court a layman was fined five sous for throwing a loaf of bread at someone's head.⁷⁶

With so much disregard for the basic tenets on which the court stands, it is obvious ever more apparent loopholes were available to the rapist to escape any punishment at all. A majority of cases were settled by marriage between the victim and the rapist,⁷⁷ and as Germanic custom influenced the legal canon, and ecclesiastical laws began to relax, these marriages became more and more prevalent and accepted.⁷⁸ However, these marriages also offered an "escape hatch" for the rapist – if he could persuade the girl, he could escape heavy punishment.⁷⁹

Another way to escape legal procedure was that the rich and well-connected defendants could have the crime erased from the legal record.⁸⁰ The male controlling force was at work here, too. Most law codes included the possibility that a woman could falsely charge a man, either to force him to marry her, or as revenge to cause him to be killed or mutilated.⁸¹ Even where there was no doubt as to the occurrence of the act, there would be suspicion that the woman had enjoyed it,⁸² and the court would do all it could to get the case thrown out.

During the trials, a woman was oppressed by both the rapist (and also by the jury depending) and the law itself.⁸³ There was a commonly held belief among men that appeals of rape were a way for a woman to avenge wrongs done to her family, or to ensnare husbands.⁸⁴ One woman did not tell her husband because she was afraid he would accuse her of enjoying the act.⁸⁵ Another thing which bars women from receiving justice is lack of witness⁸⁶. And worst of all, a woman who brought an unsuccessful

charge of rape could find herself in the dock, accused of defamation of attacker, or of having consented to have sex with him⁸⁷ at which point she would be completely ruined.

These tactics to undermine a woman's claim to justice worked extremely well because a medieval woman was obsessed with her reputation. She did not really have much else. The main reason rape was so underreported was because of the embarrassment to victims and victims families, as well as possible retribution by the rapist's family or rapist himself.⁸⁸ Rape victims in England were treated "as no more than damaged goods",⁸⁹ thus, "in addition to the difficulties and embarrassment that would be involved for a woman in bringing a charge of rape, and the very low conviction rate for this offense, a rape victim would be advertising the fact she was no longer virgin, thus diminishing her own marriage chances".⁹⁰

This is why adult women preferred to claim "attempted" rape to avoid admitting they had been violated, or having their morals subjected to a court's scrutiny.⁹¹ The poet John Gower stated that even the innocent raped woman still feels shame because of ideas of pollution and the public exposure of intimate details.⁹² Christine de Pisan sympathized and stated that rape victims are shamed and often flee to prostitution⁹³ as they have nowhere else to go and no more reputation to protect.

In pastourelles, fictional seduction and rape are staged as a struggle between the powerful (knight) and powerless (peasant) in order to give expression to the conflict between social classes.⁹⁴ And in approximately 18% of the extant Old French pastourelles that Gravidal studied – 38 out of 160 – the shepherdess is raped by the medieval knight.⁹⁵ In one case, a raped noble woman lost her status completely, so she

went to the chatelaine to accuse one of the men of raping her, and the chatelaine took her "into service" and made her work among the hands,⁹⁶ placing her on level with the peasants simply because she was raped.

The story for raped widows is often as depressing as for peasants. In one case in England, two adult women who claimed in church court to have been raped were told to prove it – suggesting that the court was unsympathetic to them merely because they were sexually experienced.⁹⁷ Unprotected widows were common targets and if rapists were after money too, then a wealthy married woman or widow would be his victim of rape and robbery or rape and burglary.⁹⁸ Hanawalt says that "there are many instances of gang rape ... in which the victim was a widow or wife of a titled gentleman or wealthy merchant or gentry. I suggest that these were revenge rapes".⁹⁹ Once again, we see here that women are being used by men as tools to damage other men, and that the humiliation of the female is really only thought of in terms of how it will effect the man to whom she is connected.

The story was even worse for prostitutes: because only "honest women" could be raped, a prostitute who claimed to have been raped was completely ignored.¹⁰⁰ The loss of social standing was so severe that often, along with the medieval women with no other choice, rape victims would turn to prostitution to make a living.¹⁰¹ Because prostitution was so widely criticized by the clergy, lawmakers, and the world at large,¹⁰² the voice of the prostitute was ignored completely. If, for example, a regular client had intercourse with her and then raped or tried to rape her there could be no charge; she was a body for hire, and a body for hire cannot be raped.¹⁰³ She also could not be raped because "she was considered to belong to all men and therefore had no right to withhold consent".¹⁰⁴

Consistent with Roman law, prostitutes could not denounce a criminal and the court could not hear a harlot's complaints about wrongs done to her.¹⁰⁵

"Various studies have reported that a large proportion of prosecuted sexual assaults were against little girls",¹⁰⁶ and the rape of these minors was treated very seriously.¹⁰⁷ It was not uncommon for children even as young as seven to be violently seized and raped.¹⁰⁸ Therefore, by the middle of the 1500s, rape law extended to include any intercourse (violent or not) with a child under six or seven years old due to the impossibility of a child that young giving their consent.¹⁰⁹ The predominance of children or young girls among alleged victims suggests that, although secular courts seem to have treated rape as felony, and treated some attempted rape seriously, much sexual violence, at least to adult women, most likely went unprosecuted.¹¹⁰

Gravdal suggests that the fourteenth century legal definition of rape was derived from a thirteenth century literary concept which itself, in turn, was based upon definitions in twelfth century law books.¹¹¹ With such a multi-layer history of precedents, it is easy to see why the concept of rape was so varied and so hard to define. However, it is clear to see that the trend was clearly moving away from the idea that rape was a sexual crime of passion towards the more modern idea that rape is a crime of domination and aggression.¹¹² By the late fourteenth century, rape no longer was characterized as being a violent crime against a woman's body, nor was it about a girl's loss of virginity; it dealt more with notions of consent.¹¹³ While this is clearly an evolution towards the modern definition of rape, it also serves to decentralize the figure of the woman until all there is - is an ambiguous question with no real way to present proof. Even today, the question of

female consent emerges in rape trials, and it is just as difficult to prove today as it must have been in the Middle Ages.

Women's sexuality and the victimization of male-defined crimes were tried by men at every level of society.¹¹⁴ In a society where women were virtually the property of men, fathers (genetic and spiritual) and husbands debated with urgency the questions tied to rape that impacted themselves: proof, punishment, and reparation.¹¹⁵ Rape still continues to be "a crime that reduces a woman to the status of object by divesting her body of her voice and, consequently, of her person".¹¹⁶

It is clear that within every sphere, right next to the raped woman, was a man who had control. Whether it was the emperor, the churchman, the lawyer, the poet, the father or the husband, the raped woman clearly did not make up her own rules. She was living in a masculine world, under a masculine thumb, and according to masculine rules of life. Eventually, the raped woman would get to speak for herself, but even in our world, there are many ways a voice can be silenced.

- ¹ Gravdal, Kathryn, "The Poetics of Rape Law in Medieval France," *Rape and Representation*, ed. Lynn A. Higgins and Brenda R. Silver (New York 1991), p.212
- ² Brundage, James A., "Rape and Seduction in Medieval Canon Law," *Sexual Practices and the Medieval Church*, ed. Vern L. Bullough and James Brundage (Buffalo 1982), p.141
- ³ *Ibid.*, loc. cit.
- ⁴ *Ibid.*, loc. cit.; see also, Gravdal, Kathryn, *Ravishing Maidens: Writing Rape in Medieval French Literature and Law* (Philadelphia 1991), p.6, and Potkay, Monica Brzezinski and Regula Meyer Evitt, *Minding the Body: Women and Literature in the Middle Ages, 800-1500* (New York 1997), p.143
- ⁵ Brundage, "Rape and Seduction," pp.141-2
- ⁶ *Ibid.*, p.142
- ⁷ Gravdal, *Ravishing Maidens*, p.7
- ⁸ Brundage, "Rape and Seduction," p.142
- ⁹ *Ibid.*, p.146
- ¹⁰ Gravdal, *Ravishing Maidens*, p.21
- ¹¹ Gravdal, "The Poetics of Rape Law," p.210
- ¹² Bullough, Vern L., "Sex Education in Medieval Christianity," *The Journal of Sex Research*, Vol. 13, No. 3 (Aug., 1977), pp.185-6
- ¹³ Phillips, Kim M., "Written on the Body: Reading Rape from the Twelfth to Fifteenth Centuries," *Medieval Women and Law*, ed. Noël James Menuge (Woodbridge 2000), p.142
- ¹⁴ Aquinas, Saint Thomas, *Summa Theologiae*, trans. Thomas Gilby (Westminster 1967), pp.231-3
- ¹⁵ Gravdal, *Ravishing Maidens*, p.22
- ¹⁶ Bullough, "Sex Education," p.169
- ¹⁷ Bloch, R. Howard, "Medieval Misogyny," *Representations*, No. 20, Special Issue: Misogyny, Misandry, and Misanthropy (Autumn, 1987), pp.3-5
- ¹⁸ Shahar, Shulamith, *The Fourth Estate: A History of Women in the Middle Ages*, trans. Chaya Galai (Cambridge 1983), p.17
- ¹⁹ Potkay, *Minding the Body*, p.144
- ²⁰ Phillips, "Written on the Body," p.1
- ²¹ Brundage, "Rape and Seduction," p.141
- ²² *Ibid.*, p.142
- ²³ *Ibid.*, p.144
- ²⁴ Gravdal, *Ravishing Maidens*, p.10
- ²⁵ Adams, Tracy, *Violent Passions: Managing Love in the Old French Verse Romance* (New York 2005), p.32
- ²⁶ Brundage, "Rape and Seduction," p.145
- ²⁷ Gravdal, *Ravishing Maidens*, p.41
- ²⁸ *Ibid.*, p.31
- ²⁹ *Ibid.*, p.41
- ³⁰ *Ibid.*, p.125
- ³¹ *Ibid.*, loc. cit.
- ³² Gravdal, "The Poetics of Rape Law," p.212
- ³³ Jones, Karen, *Gender and Petty Crime in Late Medieval England: The Local Courts in Kent, 1460-1560* (Woodbridge 2006), p.77
- ³⁴ Gravdal, *Ravishing Maidens*, p.123
- ³⁵ Mast, Isabelle, "Rape in John Gower's *Confessio Amantis* and Other Related Works," *Young Medieval Women*, ed. Katherine J. Lewis, Noël James Menuge and Kim M. Phillips (New York 1999), p.105
- ³⁶ Phillips, "Written on the Body," p.141
- ³⁷ Hanawalt, Barbara A., *Crime and Conflict in English Communities 1300-1348* (Cambridge 1979), p.106
- ³⁸ Brundage, "Rape and Seduction," p.144
- ³⁹ *Ibid.*, loc. cit.
- ⁴⁰ Gravdal, "The Poetics of Rape Law," p.208
- ⁴¹ Mast, "Rape," p.112
- ⁴² Gravdal, "The Poetics of Rape Law," p.208
- ⁴³ Adams, *Violent Passions*, pp.22-3
- ⁴⁴ Capellanus, Andreas, *The Art of Courtly Love*, trans. John Jay Parry (New York 1941), p.150
- ⁴⁵ Gravdal, "The Poetics of Rape Law," p.209
- ⁴⁶ Wolfthal, Diane, "'A Hue and a Cry': Medieval Rape Imagery and Its Transformation," *The Art Bulletin*, Vol. 75, No. 1 (Mar., 1993), p.39

- ⁴⁷ Gransden, Antonia, "The Alleged Rape by Edward III of the Countess of Salisbury," *The English Historical Review*, Vol. 87, No. 343 (Apr., 1972), p. 340
- ⁴⁸ Gravdal, *Ravishing Maidens*, p.45
- ⁴⁹ *Ibid.*, p.9
- ⁵⁰ Duby, Georges, *The Knight, the Lady, and the Priest: The Making of Modern Marriage in Medieval France*, trans. Barbara Bray (New York 1983), p.211
- ⁵¹ Jones, *Gender and Petty Crime*, p.77
- ⁵² Gravdal, *Ravishing Maidens*, p.40
- ⁵³ *Ibid.*, p.5
- ⁵⁴ Mast, "Rape," p.105
- ⁵⁵ Gravdal, "The Poetics of Rape Law," p.219
- ⁵⁶ Gravdal, *Ravishing Maidens*, p.117
- ⁵⁷ Brundage, "Rape and Seduction," p.142
- ⁵⁸ *Ibid.*, p.143
- ⁵⁹ *Ibid.*, p.144
- ⁶⁰ Gravdal, "The Poetics of Rape Law," p.210
- ⁶¹ Brundage, "Rape and Seduction," p.145
- ⁶² Potkay, *Minding the Body*, p.159
- ⁶³ Gravdal, *Ravishing Maidens*, p.8
- ⁶⁴ Shahar, *The Fourth Estate*, p.16
- ⁶⁵ Saunders, Corinne, "A Matter of Consent: Middle English Romance and the Law of *Raptus*," *Medieval Women and Law*, ed. Noël James Menuge (Woodbridge 2000), p.113
- ⁶⁶ Gravdal, "The Poetics of Rape Law," p.215
- ⁶⁷ *Ibid.*, p.213
- ⁶⁸ *Ibid.*, p.210
- ⁶⁹ Brundage, "Rape and Seduction," pp.145-6
- ⁷⁰ Gravdal, "The Poetics of Rape Law," p.211
- ⁷¹ Brundage, "Rape and Seduction," p.145
- ⁷² Shahar, *The Fourth Estate*, p.16
- ⁷³ Hanawalt, *Crime and Conflict*, p.105
- ⁷⁴ Gravdal, "The Poetics of Rape Law," pp.210-11
- ⁷⁵ *Ibid.*, p.213
- ⁷⁶ *Ibid.*, p.218
- ⁷⁷ Brundage, "Rape and Seduction," p.145
- ⁷⁸ *Ibid.*, p.146
- ⁷⁹ *Ibid.*, loc. cit.
- ⁸⁰ Potkay, *Minding the Body*, pp.151-2
- ⁸¹ Shahar, *The Fourth Estate*, p.16
- ⁸² *Ibid.*, loc. cit.
- ⁸³ Phillips, "Written on the Body," p.143
- ⁸⁴ Jones, *Gender and Petty Crime*, p.78
- ⁸⁵ Shahar, *The Fourth Estate*, p.17
- ⁸⁶ Mast, "Rape," p.124
- ⁸⁷ Jones, *Gender and Petty Crime*, p.78
- ⁸⁸ Mast, "Rape," p.104
- ⁸⁹ Potkay, *Minding the Body*, p.160
- ⁹⁰ Jones, *Gender and Petty Crime*, p.78
- ⁹¹ *Ibid.*, p.77
- ⁹² Mast, "Rape," p.116
- ⁹³ *Ibid.*, p.106
- ⁹⁴ Gravdal, *Ravishing Maidens*, p.105
- ⁹⁵ *Ibid.*, loc. cit.
- ⁹⁶ Duby, *The Knight*, p.260
- ⁹⁷ Jones, *Gender and Petty Crime*, p.82
- ⁹⁸ Hanawalt, *Crime and Conflict*, p.153
- ⁹⁹ *Ibid.*, p.109
- ¹⁰⁰ Brundage, "Rape and Seduction," p.144

- ¹⁰¹ Karras, Ruth Mazo, "The Regulation of Brothels in Later Medieval England," *Signs*, Vol. 14, No. 2, Working Together in the Middle Ages: Perspectives on Women's Communities (Winter, 1989), p.400
- ¹⁰² Geremek, Bronislaw, *The Margins of Society in Late Medieval Paris*, trans. Jean Birrell (Cambridge 1987), p.211
- ¹⁰³ Brundage, James A., "Prostitution in the Medieval Canon Law," *Sexual Practices and the Medieval Church*, ed. Vern L. Bullough and James Brundage (Buffalo 1982), p.156
- ¹⁰⁴ Karras, "The Regulation of Brothels," p.405
- ¹⁰⁵ Brundage, "Prostitution," p.156
- ¹⁰⁶ Jones, *Gender and Petty Crime*, p.79
- ¹⁰⁷ Gravdal, "The Poetics of Rape Law," pp.214-5
- ¹⁰⁸ Hanawalt, Barbara A., "Medieval English Women in Rural and Urban Domestic Space," *Dumbarton Oaks Papers*, Vol. 52, (1998), p.21
- ¹⁰⁹ Brundage, "Rape and Seduction," p.143
- ¹¹⁰ Jones, *Gender and Petty Crime*, p.82
- ¹¹¹ Gravdal, "The Poetics of Rape Law," p.208
- ¹¹² Mast, "Rape," p.108
- ¹¹³ Phillips, "Written on the Body," p.137
- ¹¹⁴ Gravdal, *Ravishing Maidens*, p.131
- ¹¹⁵ *Ibid.*, p.117
- ¹¹⁶ Potkay, *Minding the Body*, p.159