Chapter 6

RAPE IN ROMANCE

Sir Degare[1]

Sir Degare includes a graphic rape scene that leads to the conception of the protagonist, Degare. The following close reading will demonstrate that the nameless raped princess fulfills the constructed legal identity of the reluctant but willing accomplice, and I argue that with this legal identity, the contemporaneous medieval audiences would have read her pregnancy as consent of the flesh and her marriage to the rapist fairy knight as a natural and relatable ending for a rape survivor.

Sir Degare is a traditional narrative based on a knight's identity quest. The romance begins with a strong warrior king in Brittany. However, the king's major flaw is his inability to produce a male heir, as he only has a daughter. We are first introduced to the princess as a virgin "maidenchild," and because the absent queen-mother died in childbirth, the king is very protective of his daughter. This has led many scholars to note the threat of incest, as the king's fondness for his daughter exceeds the cultural norms of acceptable paternal affection.[2] When the princess becomes of marital age, numerous suitors seek her hand in marriage, but the king refuses to let her marry any man unless he can unsaddle him in a tournament. This is prefaced by the fact that the king has never lost a single foot out of a stirrup. Unsurprisingly, the nameless princess remains unwed.

On the annual feast day to commemorate the late queen's death, the king, princess, and their courtly entourage ride into a forest where an abbey is located. The princess is riding with two maidens when she tells them to stop because she needs to go to the bathroom.[3] The ladies dismount in the forest and are separated from the knightly entourage surrounding the king.

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1 Composed between 1330–1340, it is also contained in Edinburgh, National Library of Scotland, MS Advocates 19. 2. 1 (Auchinleck MS).

2 Archibald, *Incest and the Medieval Imagination*, 163; Ashton, *Medieval English Romance in Context*, 70–72, 95–96; Florschuetz, *Marking Maternity in Middle English Romance*, 13; Saunders, *Rape and Ravishment*, 215.

3 "Sir Degare," ll. 48–54.

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Their isolation from civilization and the protection of court is accentuated, as "the woods were rough and thick."[4] The two maidens and the princess end up in an extremely dense forest and come into "a land" unlike where they were from.[5] When the princess and her ladies realize that they are lost, they cried out hoping that the court entourage will hear them, but "no man" heard them.[6]

The romance continues with the supernatural theme that is initiated with the thick forest, as we are told that the weather is hot, and it is just before noon. So, the ladies decide to lie down under a chestnut tree. As previously discussed in *Sir Orfeo*, these are common literary motifs suggesting a supernatural encounter: mid-day is a typical time for fairy interactions, forests usually lead to otherworlds, going to sleep often initiates a dream-like state of supernatural qualities, and chestnut trees are symbolic of chastity. This is especially important, since the princess's virginity is about to be stolen. The two accompanying ladies fall asleep under the chestnut tree and remain chaste, but the princess does not. Her isolation is emphasized, as she is separated from not only her known world of Brittany but also from her courtly entourage and from her sleeping ladies. Her vulnerability to rape is explicit because of her isolation.

The princess is intrigued by her strange surroundings. She picks flowers, listens to the "song of wild fowl," and travels further into the woods where she is lost and even more alone, as we are told that she does not know where she is and she does not know the way back to her ladies.[7] Here, we have the first direct speech of the princess where she states: "'alas!' she said, 'that I was born! / Now I know that I am lost! / Wild beasts will eat me / Before any man shall find me!'"[8] The princess is explicitly fearful of being overtaken and consumed by wild beasts, but little does she know that it is the approaching fairy knight who will consume her.

Just when the princess is in utter fear of attack by wild beasts, she sees a stranger approach her. The stranger is described in traditional courtly context:

> Toward her came a knight / Gentle, young and handsome man; / A robe of scarlet he had upon; / His face was fair, his body in everyway; / Of courte-

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4 "Sir Degare," ll. 55–61.

5 "Sir Degare," ll. 62–65.

6 "Sir Degare," ll. 66–70.

7 "Sir Degare," ll. 77–84.

8 "Sir Degare," ll. 85–88.

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> ous manner; / Well-shaped legs, foot, and hand: / There was none in all the King's land / More attractive man than was he.[9]

The stranger is described first as a knight, placing him within the courtly world. The knight appears to come out of nowhere, emerging from within the deep woods, and approaching the princess. The familiar signals of the courtly and knightly identity of the fairy work to place the context of rape on the fringe of a real courtly world. The fairy knight does not follow the norms of courtly seduction even though he is evidently not ignorant of the courtly world, and yet he is seemingly beyond the rules of court, in what Helen Cooper calls the realm of "somewhere else."[10] After his physical description, the knight is given eleven lines of speech:

> Damsel, welcome you are! / Be afraid of no man: / I am here a fairy knight; / My kind is armed [by] nature, / On horse to ride with shield and spear; / Therefore afraid be thou not: / I have nothing brought but my sword. / I have loved you for many years, / And now we are both here by ourselves, / You must become my lover before you go, / Whether you like it or not.[11]

Fear is repeatedly mentioned in this scene, as the princess fears an attack by wild beasts and the fairy knight tells her not to be afraid of him. The fairy knight claims that he has been watching the princess for "many years" and that he loves her. Here, the scene for a heterosexual encounter is set: the knight approaches the princess, he states that he has loved her for years, and now they find themselves alone together. The threat of rape becomes ever more apparent, as the knight claims that she will become his *lemman* (his lover) whether she likes it or not, proving that her consent to sexual intercourse is irrelevant.[12] The rape is explicit:

> Then nothing could she do / But weep and cry and would flee; / And he began to seize her, / And did his will as he desired. / And bereft her of her maidenhood, / And soon afterwards he stood up.[13]

9 "Sir Degare," ll. 90–97.

10 Cooper, *The English Romance in Time*, 179.

11 "Sir Degare," ll. 98–108: "Damaisele, welcome mote thou be!/ Be thou afered of none wihghte:/ Iich am comen here a fairi knyghte;/ Mi kynde is armes for to were,/ On horse to ride with scheld and spere;/ Forthi afered be thou nowt:/ I ne have nowt but mi swerd ibrout./ Iich have iloved the mani a yer,/ And now we beth us selve her,/ Thou best mi lemman ar thou go,/ Wether the liketh wel or wo."

12 The literary construction of "whether she wishes it or not" is nearly identical to that in *Sir Orfeo*. See Chapter 5.

13 "Sir Degare," ll. 109–14: "Tho nothing ne coude do she/ But wep and criede and

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The text unambiguously tells the audience that there was nothing that the princess could do to stop the rape. The knight's actions are described as simultaneously being an act of desirous love and extreme violence. The narrative places seduction and rape on the same continuum. The difference between the two is depicted as a sliding scale, which is based on the amount of pressure and force used to persuade the reluctant lady. Her verbal and mental non-consent are explicit, and, like actual legal documents, the violence inflicted upon the princess is obscured and stated rather vaguely while working to demonstrate her physical non-consent. The vulnerability of the woman to the desires of the "noble" and "gentle" knight are foregrounded by her weeping, which is a unique line for romance in that it shares the princess's internal fear of knowing that she is about to be raped. The internal state of her mental non-consent is made explicit to the audience while the romance acknowledges that she "would flee" if she could, but there is nothing she can do to escape. The knight is described as forcefully seizing the princess and doing his "will" and "desires" as he rapes her of her virginity.

The seizure of her maidenhood is something to mourn, as the term *binam* signifies loss—implying the taking away of something or the ruining of someone's reputation, both of which can be implied in this context.[14] The knight's dominant position is evident by the term *torforen*, as he both stands up spatially in front of the princess and he physically dominates her. After the rape, the fairy knight speaks to the princess and yet again addresses her as his *lemman*:

> "Lover," he said, "gentle and free," / I know that you shall be with child; / For sure I know it will be a boy; / Forth my sword you shall have, / And when he is of age / That he may protect himself, / Give him the sword, and bid him to attempt / To seek his father in each land. / The sword is good and fitting: / Indeed, as I fought with a giant, / I broke the point of its head; / And soon thereafter he was dead. / I took it [the point of the sword] out and have it here, / Ready in my purse. / Yet sometime may come / That my son meet with me: / By my sword I may know him. / Have a good day! I must go."[15]

This long, eighteen-line, direct speech from the fairy knight reiterates that the rape was an action of passion and love, according to the rapist himself. Margaret Robson suggests that the phallic symbol of the sword, with its

wolde fle;/ And he anon gan hire at holde,/ And dide his wille, what he wolde./ He binam hire here maidenhod,/ And seththen up toforen hire stod."

14 MED, "bininem v.," article 3a.

15 "Sir Degare," ll. 115–32.

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missing tip, could reflect a "displaced version of castration for the rapist."[16] Although the notion of the tip-less sword representing *Bracton*-era punitive castration for men convicted of raping virgins is an enticing symbolism, it is ultimately unlikely due to the princess's consent of the flesh nullifying a conviction of rape in the criminal courts. The fairy knight's spatial mobility is implied when he says that their son "seek his father in each land." The fairy knight does not intend to stay in one place, but rather moves throughout human lands and is capable of being anywhere. This encourages the understanding that the threat of rape looms everywhere, both in the courtly world and on the fringes of court, as in this context. Despite the fairy knight's direct speech, the princess remains silent except for her cries. This could imply that in her crying out, the princess raised the hue and cry to try and alert others even though it was ultimately futile. In the twenty-line exchange between the fairy and the princess, all direct speech is spoken by the knight, and of these twenty lines, two of them are devoted to telling the princess explicitly not to fear him. As the knight disappears back into the woods, the princess's silence speaks volumes to her victimization and trauma. The princess's explicit fear of wild beasts in the forest is both rational and foreshadowing her future encounter with the fairy knight. The conflation here of the metaphorical representation of a human man (knight) and an "other" (fairy) raping on the fringes of the courtly world (the forest) displays an anxiety about the failure of masculine gender identity expression in men who rape.

As far as the narrative allows us to speculate, the rapist leaves the scene of the crime without consequence. This is the exact opposite of the princess. She fears incestuous accusations will be made against her and her father, and she fears for her own reputation with the loss of her virginity. Consequently, she is forced to abandon her child. Once Degare is born, the princess leaves the narrative until the end (as does the fairy knight), and the story focuses on the development of Degare. This displacement emphasizes the literary erasure of rape by decentring the narrative away from the fairy knight and princess and focusing instead on Degare, who is ironically the product of rape. The minimal narrative insight into the princess's emotions reveals a transition from fear and shame to eventual love and reunion.

After the rape, the princess is in tears and physically hurt: "utterly weeping she took the sword, / And came home sorely sighing."[17] Here we can read

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16 Robson, "How's Your father?," 89.

17 "Sir Degare," ll. 134–35: "al wepende the swerd she nam / And com hom sore sikend."

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a survivor-narrative, as the text stresses "the harms of sexual assault," and we can speculate that intended audiences would have recognized the violence of this scene.[18] The rape is explicit; it is not a joke, and it is not trivialized by the narrator. The fairy knight forcibly seized her virginity, which denotes the felony rape of a virgin—the most serious form of rape under England's *raptus* laws. But there are also the real legal and medical implications of her pregnancy, which imply her physical consent to the rape. When considering the medieval medical theory of two-seed conception, the romance narrative implies that the princess's body enjoyed the rape which led to her pregnancy. Medieval audiences would have likely been aware of the legal implications of pregnancy from rape, but it is probable that they would not have questioned that the coitus was non-consensual sex, as is evident from the forceful language and her weeping. The rape scene implies that physical force and violence were used to overwhelm the princess, hinting at the legal necessity—as stated in the laws and treaties repeatedly—of the woman having been *vi oppressam*.

However, the contemporaneous legal, theological, and medical context of this romance ensures that the princess was a reluctant but ultimately willing accomplice to her own rape, since she did not give mental consent, but the weakness of her flesh consented. This is critical to the medieval audiences' potential interpretation of the rape scene. Her pregnancy ensures her consent of the flesh both within the reality of the romance itself and in the very real legal discourse informing the construction of the narrative and audiences' expectations. Critically, the remainder of the romance works to erase the rape and turn it into consensual coitus between lovers, as this unites the already given consent of the flesh with the consent of the mind and ensures a happy ending in matrimony. Because the princess conceives the protagonist hero from the rape, the brutality and the significance of the crime is deflated, as the audience is encouraged to no longer condemn but rather applaud the birth of Degare.

Back at court, we are once again reminded of the trauma that the princess lives with: "His daughter sickened and sorrowed greatly; / Her womb grew more and more; / Meanwhile she tried to hide her suffering. / On a day, as she sat weeping, / One of her maidens perceived it."[19] The contrast between the "glad" and "joyful" men and the sorrowed, sickened, and weeping lady implies that rape and pregnancy have lasting consequences for the princess

18 Baechle, Harris, and Strakhov, "Reassessing the Pastourelle," 26.

19 "Sir Degare," ll. 156–60.

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while the men are blissfully unscathed and unaware. This also works to isolate the princess as a rape survivor within her own courtly world, as she hides away from everyone else at court. The physical suffering of hiding her pregnancy represents the embarrassment and shame which many women who endure rape unfortunately feel. It is striking that no man at court recognizes the princess's anguish, but it is another woman, her maiden, who picks up on the emotional suffering of her lady. There is a suggestion that rape as a threat applicable to all women (in a medieval English legal context) can bring women across social classes together in support of one another. The maiden asks the princess why she is crying, to which the princess replies:

> A! Gentle maiden, chosen one, / Help me, otherwise I am lost [*forloren*]! / I have ever been gentle and kind [*meke and milde*]: / Indeed, now I am with a living child! / If any man should perceive it, / Men would say by sty and path / That my father the King begat it / And I was never intimate with [a] man! / And if he learns of it himself, / Such grief shall him strike / That never happy shall he be, / For all his joy is in me," / And told her all together there, / How it was begotten and where.[20]

Her self-identification as *forloren*, or "lost," could be hinting at her son Degare—meaning "almost lost"—but alternative meanings of *forloren* have much more serious implications. The term is associated with disgrace and ruin to one's honour. This is a closer reading to the dishonour placed on women who conceive from rape, since they were viewed as weak for succumbing to their assumed sexual desires. The dishonour from her loss of virginity was compounded by the potential rumours of incest. The princess exclaims that she has never been intimate with a man, and this figurative detachment from the real-world occurrence of knights that rape enables a safe distance for contemporaneous audiences to critique real societal problems, as some knights do rape. Moreover, the traditional feminine attributes of being meek and mild are the exact same words used in the First Statute of Westminster (1275), further reiterating a legal influence within the construct of the romance narrative.

After disclosing how she became pregnant, the maiden creates the plan to hide the pregnancy and get rid of the child. Once the baby boy is born, the princess places four pounds of gold and ten pounds of silver in his cradle along with a pair of gloves which will be used as an identity token for her son to find her. The princess is now a consensual lover with the fairy rapist knight, as we are told: "And then she took a pair of gloves / That her lover

20 "Sir Degare," ll. 163–76.

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sent her from fairy land."[21] The princess's change of emotion from fear to love towards the fairy rapist may seem jarring to modern audiences. However, it is working to unite the duality of consent of the flesh and consent of the mind. In case the medical and legal implications of pregnancy implying the princess's consent of the flesh were too subtle, the romance ensures that her consent after the fact is now explicit, as the princess and fairy knight have mutually referred to one another as lovers. The literary erasure of the rape is happening quickly and subtly within these two lines. The entire expunging of the rape occurs with the narrative exit of the princess altogether, right up to her eventual reunion and marriage with the fairy knight at the end of the romance.

The narrative shifts focus away from the princess and onto the boy, who is eventually named Degare. After twenty years, Degare beings his identity quest, entering a joust against the king of Brittany. Unsurprisingly, Degare unsaddles the previously undefeated king. Unbeknown to anyone but the audience, the prize is his very own mother's hand in marriage. Despite the fact that the princess's father is consenting to allow his daughter to marry the unknown jousting victor, her non-consent to the marriage is suggested: "Then was the damsel sorry, / For she knew: / That he should her spouse be / To a knight that she never had seen."[22] Despite her lack of freely given consent, the princess is brought to the church and the wedding ceremony occurs "under holy sacrament."[23] Even though the church demanded freely given consent to form a valid marriage, this ideal was not always realized, especially for the high nobility and royalty. The princess's dread, sorrow, and lack of consent is a retelling of real lived experiences of some women who had a significant lack of choice in marriage arrangements.

After the wedding feast, Degare and the princess retire to the bedchamber to consummate the marriage when Degare remembers the gloves that were left to him. The princess, immediately recognizing the gloves, confesses to her father that she is not a virgin, as "twenty winters" ago she had "lost" her maidenhood "in a forest."[24] There is no mention of rape or lack of consent to the sexual encounter as she describes it. Once Degare sets off to find his father, he enters an "ancient forest" where "he was begotten some

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21 "Sir Degare," ll. 194–95.

22 "Sir Degare," ll. 585–88.

23 "Sir Degare," ll. 610–12.

24 "Sir Degare," ll. 681–89.

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while [ago]."[25] Returning to the forest where his mother was raped, the narrative eclipses the brutality of the violent scene with the focus now placed on the conception of the hero. The method of conception, however, is not the intended focus. The text now mirrors the fear of wild beasts in the forest, which the princess experienced earlier. We are told that "No domesticated beasts he found / But many wild beasts he saw / And birds singing high."[26] The parallels in Degare's experience in the forest and his mother's just before she was raped are striking: there are no domesticated animals in sight, but only wild beasts which was the princess's greatest fear prior to her rape; both the princess and Degare are listening to the birds before the fairy knight approaches. There is the intentional duplication of sensory experiences between mother and son, but the stark difference is that Degare is intentionally seeking his father, whereas the princess was the unassuming victim of the fairy rapist.

Degare eventually meets a "doughty knight," which can mean brave, worthy, honourable, noble, gracious, or handsome.[27] Describing the fairy rapist in such courtly language works to illuminate the potential violent methods of seduction utilized by courtly knights. Upon recognizing his father, Degare tells his father that his mother "is in great mourning," and he convinces his father to reunite with his mother: "As soon as the lady saw the knight, / Wondrously well she knew the knight; / Immediately she changed her colour right away."[28] This is their first reunion since the rape twenty years ago. The family reunion is complete with Degare and the princess obtaining a divorce and her subsequent marriage to the fairy knight. This completes the narrative arc for the nameless princess, as her rape is turned into consensual sex between a husband and wife. The marriage clause in *raptus* laws is enacted to transform rape so that, as stated by Frances Ferguson, "marriage is a misunderstanding corrected, or rape rightly understood."[29] Marriage acts in both law and romance as a legal erasure to rape, and because the princess already gave consent of her flesh, the marriage ensures that the rape has been transformed into consensual coitus between spouses.

Fourteenth-century audiences would have likely recognized that the rape was turned into consensual sex with the conception of Degare. The

25 "Sir Degare," ll. 728–29.

26 "Sir Degare," ll. 732–34.

27 "Sir Degare," l. 994; MED, "doughti adj. & n."

28 Sir Degare," ll. 1079–81.

29 Ferguson, "Rape and the Rise of the Novel," 92.

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eventual harmony between the princess's initial consent of the flesh (by her pregnancy) and her mental consent later are representative of a legal and medical reality. The rape is not a wish fulfilment on the part of the princess, as has been suggested by Gail Ashton and others, simply because she consents to the marriage later.[30] It is not the fulfilment of a sexual fantasy in an attempt to escape her overbearing father,[31] nor is it entirely correct that the romance is simply stating that marriage is the expected outcome "even in the rape case of *Sir Degare*."[32] The transformation of the rapist fairy knight turned courtly lover, husband, and father, is fulfilling the ideal outcome of the marriage clause in rape laws and EC cases, specifically when both complainant and defendant are single and a child has been conceived. This is the most logical "happy ending" from a contemporaneous legal perspective. Just as the court records depict matrimony as a form of settlement between rapist and survivor, here in *Sir Degare* it acts as a justification to the premarital rape. As stated by Ferguson, "rape simply ceases to exist because it has been, by definition, absorbed into marriage."[33] This is a legal reality that is being mirrored in *Sir Degare*. The fairy knight was initially depicted as a usurper of social order by raping the princess, but he is now a narrative tool to uphold social order through marriage.

The legal and medical contexts which are influencing the construction of the narrative and the audience's expectations must be recognized to understand the princess's eventual marriage to her rapist. The legal implications of her physical consent—given by her body through conception—nullifies any legal claims of rape and places her in the legal identity of the reluctant but, nonetheless, willing accomplice. Therefore, without any legal crime, the romance genre requires a happy ending. This necessarily demands the princess's eventual mental consent and her marriage to the rapist. This may even be suggestive to young women, assuring them that they too can have a "happy ending" in matrimony even if they are raped out of wedlock.

Marriage between rapist and survivor legally nullifies any rape appeals by the woman in medieval English laws. With *Sir Degare*, the graphic rape is almost immediately conflated with expressions of love, the immediate consent of the flesh of the princess, followed by the consent of the mind, and the eventual marital reunion of the rapist and survivor. The romance is illus-

30 Ashton, *Medieval English Romance in Context*, 96.

31 Robson, "How's Your Father?," 86.

32 Cooper, *The English Romance in Time*, 256.

33 Ferguson, "Rape and the Rise of the Novel," 92.

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trating the legal realities of women who conceive from rape and have little choice but to marry the men that raped them. The literal erasure of the rape is perpetuated throughout the narrative with the conflation of rape and love. She is his lover, and he becomes hers. This, according to Corinne Saunders, suggests that medieval audiences debated the "impossibilities and doubts surrounding the actuality of rape" in the real world.[34]

The marriage between the rapist and the princess legally transforms rape after the fact, turning it into consensual sex while the resulting pregnancy medically and legally drives home the point that this was always consensual coitus. Importantly, legal realities intrude yet again into the narrative, as we are told that the reason for the divorce between Degare and his mother was because the marriage was within the prohibited degrees.[35] Here, the romance is seeking legal realism in what makes a valid marriage. Audience members are being encouraged to recognize the invalidity of the incestuous marriage while simultaneously being encouraged to acknowledge the validity of the marriage between rapist and survivor. Importantly, audiences are presented with the conflicting consent models and the possibility of the consent of the flesh overpowering mental non-consent of rape survivors.

Sir Gowther[36]

This is a narrative of repentance. Gowther was born as a demon child and throughout his youth he commits various crimes, including the rape and murder of a convent of nuns, until he finally realizes the severity of his actions and embarks on a journey of repentance and chivalry. Rape plays a very crucial role in Gowther's penitential quest. The narrative opens with a prayer for God to protect the audience against "the fowle fende."[37] *Fiends* refers to those possessing various demonic qualities, which includes fallen angels or demons who can cause madness in mortals.[38] The text explains that fiends once had the ability to trick noblewomen into sex because they disguised themselves to look like their husbands, suggesting that they may

34 Saunders, *Rape and Ravishment*, 218.

35 "Sir Degare," l. 1093.

36 Extant in two manuscripts (London, BL, MS Royal 17. B. 43; Edinburgh, National Library of Scotland, MS Advocates 19. 3. 1) both dating from the fifteenth century and both likely originating from the North Midlands of England.

37 "Sir Gowther," l. 4.

38 MED, "Fend (n.)."

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represent sexual dangers unique (legally speaking) to women who are seemingly easily tricked into sex. These sexual tricksters "caused ladies so great woe" because "that fiend lay with women so near / And made them with child."[39] The legal realism—the statement that only women are victims of rape, whether it be by men (in the real world) or by fiends (in the literary reality of *Sir Gowther*)—further demonstrates the vulnerability of women to sexual assault. The class element must also be noted, as the opening lines state that ladies are tricked by fiends, and thus there is an inherent social class issue because the fiends do not trick peasant women into sex. Presumably, if anything is learned from the pastourelle genre, peasant women are viewed as sexually available and do not need the "refinement" of tricking them into sex.[40]

Gowther is first introduced as a "great demon," and we are told that he gave his mother much sorrow because of his "wild deeds."[41] *Wylde* is defined as "lacking in restraint," "out of one's mind," "perverse, wicked," "wanton; also, lusty," "without civilization," "savage," or "beastly."[42] Gowther's *wylde* nature ensures that he is the opposite of courtly: he is impulse driven, cruel, lacks reason, and has strong sexual urges. Gowther's *wylde* characteristics are emblematic of medieval popular opinions about men who rape; that is, men are overcome with sexual urges, and they lack the discipline to control those sexual impulses. The legally required physical proof of resistance to rape necessarily required physical bodily harm, which in turn requires some form of brutality to produce visible proof of non-consent. There is thus a close connection between the legal requirement of physical injury and the presumed *wylde* and violent nature of men who rape. Here, the romance is making the connection between rapists and *wylde* behaviour by referring to Gowther as such. This notion will become clearer throughout the romance, as it plays with the fine line between a chivalrous knight and a rapist knight, between courtly and wild, between rational and irrational, and between man and monster.

The romance continues with the introduction of the duke and duchess of Austria who remain childless after ten years of marriage. The romance makes it clear that both are to blame for the lack of conception, as the duke

39 "Sir Gowther," ll. 11, 14–15.

40 See Baechle, Harris, and Strakhov, "Reassessing the Pastourelle," 23–25.

41 "Sir Gowther," ll. 22–24: "with his warcus wylde."

42 MED, "Wild(e (adj.)," articles 1a–d.

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cannot beget a child nor can the duchess carry a child.[43] However, it is important to remember the legal context. Impotence was grounds for an annulment, and this was particularly damaging for women whose future marriage prospects could suffer because of their presumed inability to conceive. This helps to explain the desperation of the duchess. The legal realism intrudes into the fictional narrative when the duke exclaims to his wife: "'I believe you to be somewhat barren, / It is good that we separate; / I do but waste my time on you, / Heirless much our lands be'; / For weeping he cannot cease."[44] The fictional duke is living in the legal reality of the listening and reading audiences as he explains how a lack of conception is grounds for separation in the fictional world, much like the real lived world.[45] The fact that the duke is emotional exposes the complexities of medieval marriages and the importance for the woman to produce an heir for both her own security and for continuity of the male's dynastic line. The duke does not want to separate, but, for the sake of his patrimony, he must. These emotions are speaking to a reality that imitates the lived experiences of the medieval past.

The duchess is distraught from the news that she will be left alone unless she can conceive, and she repeatedly prays to God and the Virgin Mary to bless her with a child. The desperation for conception and the impending separation from her husband foregrounds the following scene:

> In her orchard upon a day / She met a man, then truth to say, / That of her love besought, / As like her lord as he might be; / He laid her down under a tree / With her his will he wrought. / When he had his will all done / As a shaggy fiend he leapt up quickly. / And stood and her beheld; / He said "I have begotten a child on you / That in his youth full wild shall be, / And weapons mightily wield." / She blessed herself and from him ran, / Into her chamber fast she went, / That was so firmly built.[46]

Reminiscent of the rape scene in *Sir Degare*, the duchess is alone in an orchard. Like forests, orchards are typical places where supernatural encounters occur, and both *Sir Gowther* and *Sir Degare* imply that women who are alone are vulnerable to sexual predators.[47] The approaching being

43 "Sir Gowther," l. 53.

44 "Sir Gowther," ll. 56–60.

45 For a discussion on impotence as grounds for divorce in medieval England see Butler, *Divorce in Medieval England*, 30–31.

46 "Sir Gowther," ll. 67–81.

47 Harris also notes the physical environment as isolating women leading to rape in *Obscene Pedagogies*, 117.

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is first described as a man like the fairy knight in *Sir Degare*. We are then told that the approaching man looks like her husband, the duke, and that he initiates the physical exchange by laying her down under a tree. The inclusion of a tree is also a typical romance trope in scenes of rape and abduction, as we have seen with the chestnut tree in *Sir Degare* and in *Sir Orfeo*. The man is the subject of the actions while the duchess is the grammatical object of his actions: *he* laid her down; *he* did *his* will to her; *he* finished *his* desires. There is no mention of her desires, her will, her consent; rather, she is the object of his sexual pleasure, and she is the recipient of his actions. Only after coitus is completed does the man transform into a shaggy fiend. The active position of the masculine is highlighted by his direct speech and the duchess's passivity is reinforced by her silence. Her silence, much like the princess in *Sir Degare*, is a marker of her victimization and trauma. We can interpret her silence as failing to verbally cry out and express mental non-consent through her failure to raise the hue and cry. However, I argue that silence is a form of acquiescing, and silence is itself indicative of non-consent. Silence is a real biological trauma response to rape.[48]

Here, the issue of consent is complex. Did she consent because she thought it was her husband, or did she consent out of desperation to conceive an heir. Alternatively, was this rape because she did not explicitly consent to coitus with the fiend? These are questions which scholars have debated for decades.[49] However, scholars have not yet fully acknowledged the legal realities informing the text. Spouses were required by ecclesiastical law to remain sexually available to one another. The fact that the fiend approached her in the disguise of her husband ensures that the duchess's consent to coitus with her apparent husband was necessarily (legally speaking) required of her. The audience would have expected a wife to willingly accept her husband's sexual advances, as this was part of the legal requirement of medieval marriages. Here, the wife's consent can be assumed even though it was not explicitly given because of the conjugal debt. However, the fact that the man was not actually her husband, and she was ultimately deceived and impregnated, places the duchess within the legal identity of the reluctant but willing accomplice to her own rape. If the coitus was

48 For a discussion on the act of freezing and silence as a form of non-consent and a biological reaction to trauma, see de Heer and Jones, "Tonic Immobility as Defensive Trauma Response to Rape," 1–29. See also Galliano et al., "Victim Reactions During Rape/Sexual Assault," 109–14.

49 Cohen, *Of Giants*, 127; Saunders, *Rape and Ravishment*, 224–25; Sylvester, *Medieval Romance and the Construction of Heterosexuality*, 57–60.

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completed under the false pretenses that it was her husband, can this be interpreted as falsely assumed consent and ultimately rape? From a modern perspective, yes, but the issue is more complex to medieval minds. The text seems to superficially suggest that, legally speaking, it is not considered rape. However, there is an alternative reading that implies that this could be defined as medieval rape in which the duchess is an unfortunate accomplice. She was expected to consent to her husband because of the conjugal debt, and the fiend took advantage of this legal loophole to create an ambiguous situation in which her consent was not explicit nor was his true identity known to her. Here, the non-consent of the duchess is problematic in a social understanding but not a legal one. The marital debt ensured *legally* that her explicit verbal and mental consent to coitus with her husband was not required, but the social commentary and debate about the realities of marital rape are open for discussion with this passage. Even though marital rape was a non-existent crime in medieval England, we can logically assume that it was a reality for some women. Clearly, marital rape was a social issue (despite not being a legal one at this time), and the potential for it to be debated here in *Sir Gowther* was likely not lost on medieval audiences.

The differentiation in treatment between the duchess's two sexual scenes (one with the fiend and the other with her real husband) is striking and seemingly reinforces that this was indeed rape. The fiend is described as doing his will and pleasure to her. This is in opposition to the description of coitus between the duchess and her husband, in which they "make love" together.[50] The literary treatment of and distinction between sexual intercourse with the fiend and the husband is highly suggestive that the former was non-consensual and thus (from a social perspective) was rape. However, the duchess cannot be a truly innocent victim because of the disguise of the fiend, but neither is she the culpable, scheming women. Consequently, the duchess fulfills the legal identity of the accomplice to her own rape. This is further reinforced to medieval audiences by her resulting pregnancy. Like the princess in *Sir Degare*, the fact that the duchess conceived from the coitus proved (legally and medically) that she had given physical, bodily consent to the fiend.

The similarities between the princess in *Sir Degare* and the duchess in *Sir Gowther* are notable: both characters are unnamed, both are alone in the outdoors when they are raped by supernatural beings, both women are silent throughout the sexual encounter, and both rape scenes highlight

50 "Sir Gowther," l. 90.

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the ambiguity between consensual coitus and rape through the conception of the male protagonist. Importantly, both rapists (fairy knight and fiend) express notions of love and admiration for their victims. Once again, lust, seduction, and rape are placed on the same continuum in the chivalric world of medieval England. Masculine aggression was a normalized—although condemnable—display of love.

Once Gowther is born, it is apparent that he has supernatural qualities, as he grows much quicker than a normal infant and is described as "fierce and violent."[51] Gowther suckles nine wet-nurses to death, leaving his mother no choice but to nurse him herself. On her attempt to breastfeed Gowther, he bites off her nipple. His consumption of the female body as an infant foreshadows his physical domination of the female body when he later rapes the nuns. Gowther's biting off of his mother's nipple is reminiscent of the mutilated female body in hagiography and the princess's fears of wild beasts in *Sir Degare*. The male consumption of the female body is a trend in these romances which is associated with beast-like—or monstrous—rapists.

Gowther is repeatedly described as *wylde*. Gowther is a hybrid, part mortal and part demonic. Wild nature and humanity are one in the same in Gowther; he is both a knight and a duke as well as a rapist and a murderer. His uncontrollable sexual urges combined with his physical strength and aggression make Gowther a fearful hybrid. When Gowther preys on women—specifically holy women and virgins—he is not only committing an egregious felony according to contemporaneous statutory laws, but he is also breaking the social code of appropriate, chivalrous, masculine behaviour. While committing these crimes, Gowther is a dubbed knight, and thus we can read his behaviour as an *exemplum* of a criminal knight committing rape much like the fairy rapist knight in *Sir Degare*. This disassociation from humanity—Gowther is both diabolical and a mortal—allows for the literary distance to debate and discuss the crimes he commits as a knight in the courtly world. Gowther (like Degare's fairy father) is both within the courtly context familiar to the contemporaneous audiences and outside of that familiarity because of his supernatural qualities.

Gowther is out hunting when he comes upon a convent. When the prioress and the nuns come out to meet him "they were full [of] fear of his body."[52] The nuns' explicit fear, caused by the sight of Gowther's physical body, is followed by their rape and murder:

51 "Sir Gowther," l. 108.

52 "Sir Gowther," l. 187.

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> For he and his men both lay with them- / The truth why should I hide? / And then he enclosed them in their church / And burned them up, thus did he work; / Then went his name full wild.[53]

As argued by Amy Vines, the depiction of romance heroes who rape "proves [that] rape is a fundamental aspect of masculine chivalric identity."[54] Vines poignantly states that the hero who rapes is depicted as a man in a frenzied, irrational state, and the scenes are "seen as problematic moments of weakness to be overcome" by learning courtly behaviour.[55] This argument is supported by the fact that physical prowess and heterosexual desires are the hallmarks of a chivalric knight and the assumed ingredients of a rapist in contemporaneous medieval thought. Gowther, as a dubbed knight, represents "the impulses of reckless physical self-assertion which are hidden in all of us, but are normally kept under control."[56] Like men who rape because of irrational lust at the sight of a maiden's beauty (as suggested by *Bracton*), Gowther too is depicted as beyond rational control of his actions because of the sinfulness he inherited from his biological father.

The scene depicts felony rape and murder of nuns, and, according to Westminster II, this is a serious crime punishable by death. The romance also states that Gowther's companions had sex with the nuns, suggesting that it was (according to modern understandings) group rape. Pre-Norman England experienced numerous Danish raids on female religious houses—to such a degree that the forty-one female houses were depleted to just nine by 1066.[57] In ca. 871, Danish raiders burned the nuns to death at the notable Barking Abbey, much like the fictional Gowther after he rapes the nuns.[58] Male violence against religious women was evidently a real problem for early medieval English society. Religious houses were isolated along the English coastline, which allowed for raiders to frequently attack these secluded women. Consequently, the real rape, torture, and murder of nuns in the earlier medieval English past provides contextual information as to why later medieval audiences found stories of sexualized violence against holy women entertaining—even titillating, eliciting both shock and excitement.

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53 "Sir Gowther," ll. 189–92.

54 Vines, "Invisible Woman," 162.

55 Vines, "Invisible Woman," 162.

56 Bernheimer, *Wild Men in the Middle Ages*, 3.

57 Horner, "Spiritual Truth and Sexual Violence," 658–60.

58 For a translation of Goscelin of Saint-Bertin's account of the Danish raids, see Morton and Wogan-Browne, *Guidance for Women*, 148.

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The rape of the nuns is the second rape scene out of four in this romance. The first is the fiend raping the duchess, the third is Gowther raping maidens, and the fourth is Gowther raping married women. We are told that after the rape and murder of the nuns, Gowther then attacks virginal maidens, and, by raping them of their virginity, he ruins their marriage prospects. This too is a crime according to every *raptus* law, from *Glanvill* to the Statute of Rapes. Clearly, Gowther is a serial rapist. The "maidens' marriage would he spoil" further suggests that the consequences of rape are disproportionately devastating to the women, as Gowther never faces any legal repercussions.[59] The legal reality is intruding into the romance, as the narrative implies that the consequences of rape are much more disastrous for women. The rape of wives "against their will" is theoretically felony rape, but as we have seen with the EC in practice, this was not of major criminal legal concern. It is unquestionable that the rape and murder of the nuns is the most heinous crime that Gowther commits, as he is subsequently described as "full wild." The severity of this crime is further reflected in the fact that it receives the most detail (line length) out of all the various crimes he commits. This scene of rape is entirely omitted from the British Library's manuscript version of *Sir Gowther*, suggesting that it was too heinous of a crime to laugh about, especially for a more courtly (less popular) audience. This story pushed the boundaries of acceptable social commentary. Indeed, such romanceswere "danger recreations" of real societal concerns.[60]

The romance excuses Gowther's serial rapist behaviour because of his fiend-like nature. Gowther as a monster commits many crimes, including rape, and it is through the control of his bodily impulses that he is transformed into a secular, saint-like figure. The masculine body is thus susceptible to performing both monstrous and saintly acts, and it is up to the will and reason of the individual to choose the right path. This is reminiscent of medieval medical beliefs that men who do not have easy access to women's bodies for sexual release will rape. Gowther's sexual crimes are representative of the potential sexual crimes of every man, as man is susceptible to the sins of flesh and sexual pleasure. Thus, the fiend-hybrid qualities of Gowther can be interpreted as symbolic of the contemporaneous assumption that all men are capable of rape if they do not have "appropriate" access to women's bodies and control over their libido. All men, it suggests, can become "full wild."

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59 "Sir Gowther," ll. 196–97.

60 McDonald, "A Polemic Introduction," 16–17.

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Despite the severe crimes committed by Gowther, he repents for his actions. His penance includes living in silence and isolation and living with dogs under the emperor's table. The three-day battle between the sultan and the emperor is the final penance required of Gowther, and he miraculously receives the symbols of knighthood. After defeating threatening Saracens, he is transformed into a rational, chivalric knight. The happy ending required of romance is in full form in *Sir Gowther*: he is given a new patrilineage so that he is no longer of demonic origin, he marries the emperor's daughter, and, consequently, he inherits the Holy Roman Empire. To compensate for raping and murdering the convent of nuns, Gowther builds an abbey.[61] While this certainly exemplifies atonement, there are no legal repercussions for the rape and murder of the nuns, and the narrative ensures that the crimes committed against them were ultimately used as narrative building blocks to Gowther's true chivalric identity. By building an abbey, *Sir Gowther* implies that rapists can atone for their actions and no criminal legal punishments are needed to restore justice. Consequently, rape is used as a measurement of the lack of nobility in Gowther, but the audiences are expected to excuse his rapist tendencies because of his demonic hybrid nature. The monstrosity of Gowther provides the fictional screen necessary to create space to debate and discuss the failure of chivalry, the misbehaviour of knights, and the crimes of rape against all women in society. This is critical, as the Statute of Westminster II and the Statute of Rapes claim to protect all women from rape, including wives, widows, virgins and nuns, and it is beyond coincidence that Gowther explicitly rapes all the classes of women described in the statutory laws.

Sir Gowther confronts societal issues and popular anxieties about knights who rape, the crimes of youthful men, and the violence and destruction that they can perpetuate. Despite what the laws state in writing, trial records demonstrate that it was the rape of virgins which garnered the greatest legal retribution. This legal reality intrudes into the fictional narrative, as it is Gowther's rape of the chaste nuns and the virginal maidens which are described as the most condemnable. As suggested by Jeffrey Jerome Cohen, Gowther is a "monstrous hero"; he can be interpreted as representative of medieval social concerns about masculine violence, while the "fragility" existing between Gowther's monstrosity and his knightly identity is a reminder that knights are capable of monstrous crimes.[62] The message

61 "Sir Gowther," l. 699.

62 Cohen, *Of Giants*, 77, 81.

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to young men in the audience could be inspiring: if Gowther is capable of redemption, so too will the sins of reckless youth be forgiven if they repent. The narrative implications for young women are not as hopeful. The failure of chivalry was an ever-present concern, and *Sir Gowther* demonstrates that failure of masculinity. Overall, *Sir Gowther* highlights many social concerns about rape and women's sexuality, including debates about marital rape and the conjugal debt, the consequences of conceiving from rape, and the wild nature of men who rape. *Sir Gowther* is a harsh reflection of the lived realities of some women and men in the Middle Ages, and, undoubtedly, this romance was shocking and conversation-stimulating to contemporaneous audiences.

Le Bone Florence of Rome[63]

The story of Florence is one of a heroine's suffering, endurance, and eventual marital reunion. To briefly summarize the plot, this narrative opens with the one-hundred-year-old king of Constantinople, Garcy, who is infatuated by stories of Florence, the daughter of Otes, king of Rome. However, she rejected him. Enraged, Garcy declares war on Rome, and two valiant Hungarian princes, Mylys and Emere, travel to Rome to fight for Otes. Florence and Emere immediately fall in love, and they have a marriage ceremony with the exchange of rings, but, critically, the marriage remains unconsummated. Emere bravely leaves for Constantinople and entrusts his brother, Mylys, to look after Florence. However, Mylys tries to trick Florence into marrying him by falsely telling her that Emere has died in combat. At this point, the hagiographical tendencies of the romance are intensified, as Florence vows to be a bride of Christ, and the following threats of rape are a test of her chastity. Mylys attempts to rape Florence twice, but due to divine intervention, he is unable to. In anger, he violently beats Florence and abandons her in the woods. Florence is rescued by another man, Sir Tyrry, who brings her to his house as a place of refuge. An evil knight, Machary, comes into Florence's bedroom in the middle of the night and attempts to rape her. Florence successfully defends herself, but, as revenge, Machary murders Tyrry's daughter and leaves the weapon in Florence's hand as she sleeps.

63 Extant in one Middle English manuscript (Cambridge, Cambridge University Library, MS ff. 2. 38, fols. 239c–254b,) likely dating from ca. 1500. It was based on the French *Chanson de Florence* which was popular in England from 1275–1325. See Heffernan, ed., *Le Bone Florence*, 7–8; Riddy, "Temporary Virginity and the Everyday Body," 199; Stavsky, *Le Bone Florence*, 14, 18, 27.

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Florence is then exiled from Tyrry's home, at which point she is captured and sold to mariners. While at sea, Florence endures another threat of rape, and while attempting to fight off her attacker, a miraculous storm brews, and Florence happily awaits death, as she would rather die than loose her virginity (clearly parallelling virgin martyr narratives). Her virginity is saved by a miraculous storm which destroys the ship, and Florence safely washes ashore.

Seeking refuge in a convent, Florence gains healing abilities which become renowned. As word spreads of a magical healer, all her previous aggressors—Mylys, Machary and the sailor, who all happen to be suffering from diseases (leprosy, palsy, and a festering wound)—come to the convent to be healed. The mariner suffers from "suppurating"[64] genitals, which serves as a form of divine justice and echoes *Bracton*-era legal thought in that the convicted rapist should lose his testicles. Unbeknown to the men, Florence is the healer. Before she agrees to heal them, she demands that they all confess to the crimes they committed against her. After confessing, she heals them of their various ailments. Emere, also suffering from an infected battle wound, comes to the convent and is reunited with Florence. Since she is still a virgin, their union is finally made into a proper marriage, and they have a triumphant return to Rome, where they rule happily together. This is how the majority of continental versions end. However, the Middle English text goes further, stating that Emere, upon hearing of all the wicked crimes these men committed against his beloved, orders them all to be burned to death. This is rather remarkable, considering one of the condemned men is Mylys, his own brother. This works to emphasize the theme of divine justice and secular punishments for crimes in a highly moralizing tale. There are four scenes of attempted rape in *Le Bone Florence of Rome*, making this romance not just hint at sexual violence against women. Rather, threatened rape is central to the plot. What has yet to be fully acknowledged is the immense legal realism depicted in these rape scenes.

Before Garcy kills Otes, he tells the king that "with this blow I challenge Rome, / And your daughter [Florence], bright as bloom, / That brewed all this trouble, / When that I have laid with her, / And done her shame and violence, / Then I will of her no more, / But give her to my chamberlain."[65] Garcy promises to violently rape Florence and then offer her to his men. The subsequent attempted rapes of Florence are not only a crime against her

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64 MED, "roten adj." article 1b.

65 *Le Bone Florence*, ll. 685–91.

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but, equally, a threat to the political stability of Rome, as she is her father's only child. Echoing the treatment of rape and abduction of heiresses in the real world, rape is being represented here as a threat to the male patrimony.

Mylys's wicked nature is repeated throughout the narrative, as he is continually described as "false" and "evil." Mylys intentionally misleads Florence, further isolating her, until they reach a "deep gulley," where Mylys attempts to rape her:

> "Thou shall [see Emere] no more," / Then the lady sighed terribly, / And fell off her palfrey. / He [Mylys] beat her with his naked sword [*nakyd swyrde*], / And she cast up many woeful cries, / And said often, "oh woe / Shall I never my lord see? / No, by God that died on the cross," / The false traitor said. / Up he cast her and forth they rode, / Hastily without any abode, / This long summer's day. / They spent the night in a thick wood, / A lodge made [by] that wicked traitor, / Underneath a tree, / There he would have laid [*leyn*] by her, / And she made her prayer specially, / To God and Mary fair and free: / "Let never this false fiend / Shame nor disgrace [*schame nor schende*] never my body, / Almighty in majesty!" / His lust [*lykyng*] vanished all away.[66]

The sexual nature of the assault is illustrated by Myly's "naked sword." Florence's pain is explicit, as she cries out multiple times, demonstrating both her mental and verbal non-consent through raising the hue and cry. After the physical assault, Mylys then tries to rape her, but, through Marian intervention, his lust disappears. The narrative suggests that the worthy will be saved from rape, as Florence receives divine protection which saves her body from "shame" and "disgrace." This is reminiscent of the real debates amongst theologians concerning the degree of guilt and shame that raped maidens endure. These real social issues are demonstrated here, as Florence knows that if she is raped, the disgrace and dishonour is her burden. Much like the preaching of Augustine previously discussed, virginity is not something that can be restored, and once it is taken, the woman is considered forever changed. After setting a hermit on fire and threatening to burn Florence to death, Mylys tries to rape Florence again:

> And there he [Mylys] would by her have laid, / But she prayed to God to be her shield, / And right as he was going to, / His lust vanished [*lykyng vanyscht*] all away, / Through the might of Mary mild. / Timely as the day can dawn, / He led her through a fair thicket, / In woods waste and wild; / He alighted at mid-morning, / Down under a chestnut tree, / The fairest in that field. / He said "you have bewitched me, / I may not have my way with you,

66 *Le Bone Florence*, ll. 1422–44.

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> / Undo [your spell] or you shall pay for it." / She answered him with mild mood, / "Through grace of Him that died on the cross, / False traitor you shall lie [dead]." / He bound her by the lock of her hair, / And hung her on a tree there, / That lady of fair body; / He beat her with a birch-tree branch, / Her naked flesh [*nakyd flesche*] until he was exhausted, / She gave many a rueful cries [*rewfull crye*].[67]

The blending of physical and sexual violence is explicit, much like the necessity of physical proof of non-consent as discussed in the secular *raptus* laws and treatises. Like hagiographical stories of the mutilation of virgin martyrs, Florence is saved from rape by divine intervention yet again, although this time it is at the expense of her earthly body. While allowing herself to be physically abused—as Florence is in a "mild mood"—she knows that her virginal body will prevail despite the harm to her physical flesh. Like the sources of evidence prescribed in *Glanvill*, *Bracton* and Westminster I, Florence has dishevelled hair, ripped and torn clothes, and bruises and bleeding flesh. The romance is repeating the written legal expectations of physical, bodily proof of non-consent to rape almost verbatim. Beyond coincidence or mere entertainment, these markers of violence on the female body ensure Florence's victim status from a contemporaneous legal perspective.

Florence raises the hue and cry, indicating her mental and verbal non-consent by screaming out to such a degree that Sir Tyrry "heard the cries of that fair lady, / There he went with his men."[68] Upon hearing the men approach, Mylys flees and abandons Florence in the woods with "the fairest palfrey he left there, / And herself hanging by her hair, / And her rich garments."[69] This suggests that Florence was naked when she was rescued by Sir Tyrry, which further works to substantiate her victim status. It is also reminiscent of the exposed and injured body of virgin martyrs. They untangle her hair to relieve her from the tree, and we are told about the severity of her injuries:

> She could not speak, the romance said, / On a litter they laid her, / And to the castle her led. / They bathed her in herbs often, / And made her sore sides soften, / For almost was she dead. / They fed her with full rich food, / And all things that she needed, / They served her in that spot.[70]

67 *Le Bone Florence*, ll. 1496–1518.

68 *Le Bone Florence*, ll. 1525–26.

69 *Le Bone Florence*, ll. 1531–33.

70 *Le Bone Florence*, ll. 1546–54.

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The legal context is paramount to the audiences' interpretations of Florence, as she does everything correct from the legal perspective: she raises the hue and cry to alert others, she resists the rape, and she has extreme bodily injury to show as legal proof of her non-consent.

While recovering, Machary attempts to rape Florence. He watched Florence "day and night," stalking her like a predator until he finally made his move:

> In her chamber stood that maiden, / To her then he went to see; / He laid her down on her bed, / The lady wept sorely [*wepyd sore*] for dread [*dredd*], / She had no one to protect her there. / Before her bed lay a stone, / The lady took it up immediately, / And took it in a haste, / On the mouth she hit him, / That his front teeth out he spat, / Above and also beneath. / His mouth, his nose, bursting out [*braste owt*] blood, / Towards the chamber door he went, / For dread [*drede*] of more wrath;[71]

The physical injury is graphic. Florence hits Machary with the bed-stone, causing him to lose his upper and lower front teeth, and blood pores from his nose and mouth. The two consent models are evident: Florence's initial weeping is indicative of her mental non-consent and her subsequent use of the bed-stone ensures she physically proved her non-consent. The text uses the exact same word, *dredd*, to describe both Florence and Machary at different stages in the attempted rape. This literary repetition works to re-centre the narrative around Florence's acts of agency in the face of sexual violence, as she who initially felt dread imposes those feelings onto the attempted rapist.

While at sea, all the men onboard the ship thought that they could have sex with Florance "each one of them after the other was done."[72] The threat of group rape is obvious, and it is here that the final rape attempt is made:

> The mariner set her on his bed, / She had soon after a bitter spread, / The ship sailed vigorously; / He said, "Damsel I have bought you, / For you are so worthily shaped, / I will wed you as my wife." / She said, "No that shall not be ..." / In his arms he folded [*folde*] her, / Her ribs cracked [*rybbes crakyd*] as they would break, / In a struggle [*struglynge*] they engage. / She said, "Lady Mary free, / Now you have mercy on me, / ... That I take no shame [*schame*] today, / Nor lose my maidenhood [*maydynhede*]."[73]

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71 *Le Bone Florence*, ll. 1598–1611.

72 *Le Bone Florence*, ll. 1829–30.

73 *Le Bone Florence*, ll. 1840–57.

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The mariner explains that he is going to rape and marry Florence because of her physical beauty, exemplifying *Bracton*-era mentalities that men rape because of irresistible female beauty. Florence's verbal and mental non-consent is unambiguous, as she clearly says "no." Her verbal non-consent is immediately ignored by the mariner, as he physically grabs her with such force that he cracks her ribs. The physical altercation is described as "a struggle," indicating the expectation of women to physically resist rape. This reading suggests that verbal and mental non-consent will not protect women from sexual assault, but physical resistance is necessary. Adding to the didacticism of the scene, Florence states that if her virginity is taken from her, it is her shame to carry. Even though she did not verbally consent, and she is physically fighting to preserve her virginity, the potential burden of shame is, nonetheless, apparently hers to endure. This notion is referenced later in the narrative when Emere and Florence finally wed because she is "chaste and clean."[74] Rape is described in this romance repeatedly as disgraceful and dirty, but these connotations are applied to the woman rather than the rapists themselves. Like the use of *pollutionis* and *corruptam* in the secular laws and treatises, the romance reminds the audiences that rape leads to the corruptions and dishonour of the victim.

Emere is enraged by the attempted rapes of Florence, and in an extremely vengeful state, he orders the men to be burned at the stake. Out of the seven extant versions of the story, this burning scene appears in only four of them, including the Middle English Cambridge text. The Cambridge manuscript states that "He made a great fire, / And cast them in with all their attire, / Then was the lady woeful."[75] Despite the hagiographic tendencies of the romance, Emere demonstrates that even after confession and the healing of their diseases as proof of their atonement, he does not accept divine justice. Instead, Emere demands secular punishments for the crimes committed against his wife. As we have already seen with the case of Eleanor West, male kin could claim victim status for their female relative's rape and/or abduction. Emere is claiming this by demanding secular justice for the crimes against him, Florence's husband. The "archetype" of the Middle English narrative roughly coincides with the time of transition from the Second Statute of Westminster to the Statute of Rapes.[76] This historical legal con-

74 *Le Bone Florence*, l. 2163.

75 *Le Bone Florence*, ll. 2119–21.

76 Even though the Cambridge manuscript dates from ca. 1480s, Stavsky argues that "the archetype of the Middle English poem" dates from as early as ca. 1350–1375. See Stavsky, *Le Bone Florence of Rome*, 19, 27.

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text exposes lawmakers' potential fears about protecting male rights, male property, and male honour in *raptus* cases. The Statute of Rapes ensured that men had the legal capacity to demand justice for the (alleged) crimes against the bodies of women. The romance opens the space for medieval audiences to discuss Emere's right for vengeance around the same time that the English parliament was discussing the petition of Sir Thomas West.

The repeated emphasis on mental, verbal, and physical non-consent intricately acts as the connective tissue between contemporaneous *raptus* laws, treatises, ecclesiastical texts, and *Le Bone Florence of Rome*. The paradox of Florence's initial objectification as a rapeable body—in that she is solely the object of male desire—and her subsequent subjectivity and agency as a defiant heroine that preserves her virginal status concurs with medieval legal and cultural understandings of rape and (non-)consent. In the legal discourse of medieval England, married women received some legal subjectivity and agency through the objectification of rape, as it was (in theory) one of two crimes they could prosecute independently. Florence (a married woman) embodies this paradox as both a rapeable body and a resisting heroine who demonstrates subjectivity through her resistance to rape. Unlike Mylys and the mariner, who wanted to marry Florence, the second rape attempt is solely because of her striking beauty, reaffirming the continuum of lust and seduction leading to attempted rape. Florence is so beautiful that she can drive courtly men (Machary and Mylys are both knights) mad with the desire to rape.

Florence demonstrates the various consent models, as she offers verbal, mental, and physical non-consent. Notably, her verbal non-consent fails her every time. Her physical resistance saves her from Machary. However, it is Florence's mental non-consent, through spiritual resistance and prayers, which saves her from the attempted rape by Mylys and the mariner. This further highlights the paradox of Florence's resistance, which more often successfully manifests itself as a submission of her will to a higher power rather than through any overt individual action. In accepting her powerlessness, she exemplifies her true victim status, as Florence and real medieval women were generally believed in criminal courts due to their presumed powerlessness and their physical proof of non-consent.[77]

Florence does everything "right," but, ultimately, without divine intervention, her non-consent was futile. Is the narrative suggesting that women

77 Frances Ferguson discusses the connection between a rape victim's "lack of power" which could "guarantee her truthfulness." See Ferguson, "Rape and the Rise of the Novel," 97.

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and girls should continue to defend themselves, but in the end only the worthy will be saved from rape? Florence's physical injuries are viewed as temporary and trivial compared to the preservation of her chastity for her husband. But there is more here than mere hagiographic rhetoric. When looking at the romance from the perspective of contemporaneous statutory laws and legal treatises, the physical injuries inflicted on Florence take on a much more important meaning beyond the traditional hagiographic motif of saints' lives and threatened rape. The romance appears to purposefully incorporate the legal requirement for physical proof of non-consent while reiterating the possibility of mental non-consent. Mylys beats her specifically on her naked flesh until he exhausts himself, causing her to have near-death injuries. He rips off Florence's clothing, presumably leaving them torn, and, later, the sailor breaks her ribs. The attacks by Mylys and the mariner fulfill all the prescribed proof of non-consent to rape that *Glanvill*, *Bracton*, and Westminster I needed, even though the rapes do not occur. *Le Bone Florence* makes it clear that all attempted rapes are by force and against her will, thus concurring with contemporaneous understandings of the crime all the way from *Glanvill* to the Statute of Rapes. Much like the actual case of Agnes Enovere (1287)—who at seven years old was violently beaten yet was able to preserve her virginity—fictional Florence emulates the expectations not only praised in hagiography but also evident in real court documents.[78] Unfortunately, this was a double-edged sword: young Agnes Enovere fought so bravely to preserve her virginity that, despite the severe injuries she showed the authorities, the crime was deemed a minor trespass because her virginity remained intact. Perhaps Agnes's story was not unique, and, just maybe, the story of Florence provided the space to debate such court rulings.

Past scholars have come to different conclusions about Florence's physical injuries than I have, often claiming that she is a secularized virgin martyr.[79] Although Florence is reminiscent of a secular saint—as these other scholars have suggested—the evidence suggests that the contextualization of the romance within secular *raptus* laws and treatises adds another layer of understanding to the narrative's unmistakable attention on Florence's physical and mental non-consent. Florence resists all three attempted rapes, and she proves her physical and mental non-consent by enduring violent

78 TNA, JUST1/328 m6. For a full discussion see Chapter 3.

79 Dunn, *Stolen Women*, 91–92; Heffernan, "*Raptus*," 173–79; Mehl, *The Middle English Romances of the Thirteenth and Fourteenth Centuries*, 140–42; Riddy, "Temporary Virginity and the Everyday Body," 203–6; Saunders, *Rape and Ravishment*, 203–6.

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assaults. In the context of *raptus* laws, the focus on Florence's injuries physically proves her non-consent and thus make her a "real victim." Florence is the perfect role model for audience members, as she demonstrates women's legal responsibility to resist rape verbally, mentally, and physically.

Concluding Thoughts

The previous two chapters demonstrate that when one reads romance in conjunction with contemporaneous legal assumptions about rape and (non-)consent, there is the potential for more holistic interpretations of the actions of the fictional characters. Beyond hagiographic rhetoric or attempts to simply excite the audience, scenes of sexual violence are mimicking legal realities that the medieval audiences would have undoubtedly been aware of. These narratives offer opportunities to examine cultural attitudes towards the expectations of rape victims, the potential use of silence as indicative of non-consent, and the physical injuries that women may endure when they refuse male sexual advances. There are continual representations of a woman's verbal and mental non-consent as inadequate to stop rape, and she must physically resist as well. Romance implies that male lust can lead to seduction and rape much like the legal assumptions that men rape because of a woman's beauty. Rape and seduction are placed on the same continuum in both MER and medieval England's legal sources. Laws, cases, and literary sources often end this continuum of lust, seduction, and rape with the potential of marriage. Romance continually excuses masculine aggression, as we have seen with the fairy rapist knight (*Sir Degare*), the demonic hybrid (*Sir Gowther*), and the ravishing fairy king (*Sir Orfeo*). These violent tendencies are normalized in romance as if they are inevitable outcomes of women's beauty, isolation, and vulnerability. Although masculine aggression is condemnable in romance, as in the laws, it is, nonetheless, continually depicted as a display of masculine lust. These fictional metaphors of men are frequently committing felonious acts out of desire much like the stated reasoning for Belisaunt's malicious accusations (*Amis and Amiloun*). The duality of the laws—to protect innocent women from rape and to protect innocent men from vindictive women or loss of property—are represented throughout the romances under study here.

Prevailing medical thought about conception and consent, ecclesiastical demands of the conjugal debt, and the legal impossibility of marital rape are all real social issues which are represented through the princess (*Sir Degare*) and the duchess (*Sir Gowther*). Questions regarding malicious accusations of rape and the validity of the marriage clause in *raptus* cases are depicted

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through the actions of Belisaunt and her father (*Amis and Amiloun*). Florence (*Le Bone Florence of Rome*) is depicted as the perfect victim, as she has all the legal requirements of physical proof of non-consent while also exemplifying verbal and mental non-consent. Florence endures and Belisaunt threatens to self-inflict the visible markers of violence and non-consent which are the exact same tokens of proof stated in *Glanvill*, *Bracton*, and Westminster I. On the other hand, Orfeo, Belisaunt's father, and Emere display how the male next of kin can claim victim status of their wives' and daughters' rapes and/or abductions around the same time as when Sir Thomas West was petitioning similar claims in parliament. These fictional stories mirror real societal anxieties around feminine sexuality, bodily worth, rape, consent and non-consent, abduction, physical abuse, malicious accusations of rape, resistance to rape, and pregnancy from rape. These social concerns are addressed in the fictional romances to such a high degree of realism that they provide the space for the audiences to engage and debate these issues. These characters are enduring real-life problems which make them relatable to the audience, both medieval and modern.

The duality of mental and physical (non-)consent is addressed throughout the romances under study here. Heurodis (*Sir Orfeo*) and the princess (*Sir Degare*) express explicit verbal and mental non-consent while the narratives make it clear that physical resistance is futile. Belisaunt (*Amis and Amiloun*) projects fears of malicious rape accusations, as she threatens to provide proof of physical non-consent to substantiate her alleged rape. The duchess's (*Sir Gowther*) non-consent is implied from her silence and lack of expressed desire to have coitus with the fiend in-disguise, which opens the space for questions about marital rape and implied spousal consent. Gowther (*Sir Gowther*) himself rapes every class of victim according to contemporaneous statutory law, demonstrating the monstrosity of rapists. Lastly, Florence (*Le Bone Florence of Rome*) provides explicit mental, verbal, and physical non-consent. The various non-consent models within these texts suggests that despite the laws expectations of physical proof of non-consent and ecclesiastical debates about a divided mental and physical (non-)consent, the belief that the mind and body can, and should, act together to defend against rape (but at times bodily consent will take over) was seemingly upheld in popular opinion.

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