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Caroline Dunn, *Stolen Women in Medieval England : Rape, Abduction and Adultery, 1100-1500*

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- 1 Rape in medieval England is a complex and contested subject. At the centre of this complexity, as Caroline Dunn emphasises in this excellent new study of the subject, is the problem of translating the Latin verb *rapere*. As she makes clear, and as, indeed, other historians have noted, simply translating it as 'rape' in the modern sense will not do: legal documentation can claim that an individual offender '*rapuit*' a variety of people or things. This can mean that rape in the modern sense, that a woman being forced into non-consensual sex by a man or men is being alleged, certainty when the documentation gives further details of intercourse. It can also mean that there was allegedly an abduction (*rapt* in French is derived from the Latin *rapere*). And the verb is also sometimes found, given that *rapere* means 'to take', in allegations of theft or asportation: hence it was alleged at the King's Bench that the mid-fourteenth century northerner Robert Broun *rapuit* ten marks of silver. Dunn has carried out impressive research into legal documentation between 1100 and 1500 (she lists her sources in Appendix II), and finds that of the 1,213 'ravishment' cases she has discovered only 108 (or 9 percent) can be unequivocally regarded as rape in the modern sense. Against this total, 556 of her cases allege abduction, and 527 are ambiguous (the remaining twenty-two allege both rape and abduction).

- 2 Another complication for the would-be student of medieval English rape is that the law on the subject changed. Dunn shows how early post-Conquest legal commentaries, notably Glanvill and Bracton, regarded rape as non-consensual intercourse. The big change came with the Statutes of Westminster of 1275 and 1285, major codifications of the English law which, *inter alia*, introduced the abduction of unmarried and married women as a felony (relevant legislation, in both the original Latin or French and in English translation, is given in Appendix I). This appears to be the law reacting to a perceived social problem. By the late thirteenth century issues of landholding, inheritance, and property in general had become major concerns for the landed elite, and the abduction of heiresses in particular was a cause for disquiet. Rape in the modern sense was still an offence, and still prosecuted : but so, now, was abduction. Dunn, surely correctly, links the chronology of cases of 'ravishment' to this legislation. In the thirteenth century there were twenty-eight cases of rape, forty-eight of abduction, and 107 ambiguous cases. In the fourteenth century there were forty-seven, 407 and 316 respectively, meaning that nearly two thirds of the 'ravishment' cases she has identified fell in that century. In the fifteenth century, changing legislation and shifts in legal procedures led to a diminution of allegations of 'ravishment' coming before the courts.
- 3 Dunn has therefore produced a scholarly and well-founded study which helps clarify a complex subject. But she has also gone a lot further by providing an object lesson in the advantages to be gained by questioning pre-modern court records and not taking the stories they tell at face value. As Dunn points out, not all allegations referred to an incident which actually happened, or which happened in the way the documentation claimed it did. This becomes especially clear in her analysis of allegations of abduction. Obviously, many of these allegations do involve cases in which an unmarried woman was abducted either to put pressure on her parents to accept a marriage to her abductor, or, indeed, so that she could be more or less forcibly married and her parents presented with a *fait accompli*. Conversely, 'abduction' could comprehend a range of other matters. Some abductions, notably that of Alice, the wife of Thomas, earl of Lancaster in 1317, were political. Many others seemingly involved people seeking solutions to intractable problems of love and marriage. So some abductions were consensual, with the woman willingly leaving the parental home to marry a man she loved, or to pressure her parents into accepting such a marriage. Others occurred when parents 'abducted' their married daughters to remove them from violent or abusive husbands. Yet others, again involving married women, occurred when, in an age when divorce was an impossibility, a wife wished to leave her husband for another man, possibly with the husband's consent. A minority at least of the 'stolen women' of medieval England were, it seems, quite happy to be stolen.
- 4 Rape also presents its complications. The nature of the records do not permit much by way of definite conclusions to be drawn, so the circumstances of a rape, the social status of the accused, and still less the social status of the victim can only rarely be established. Two things, however, are clear : the first is that, for the victim, the experience of being raped was as harrowing in the middle ages as it is today. The second is that convictions for rape were very rare. As Dunn points out, the (we may suppose) patriarchally inclined men who served as judges and jurors had wives, mothers, and daughters, and hence probably regarded rape as a serious offence : conversely, they may have felt that the blinding, castration or hanging prescribed for

the convicted rapist was a little too harsh. But (as with abduction allegations) she finds strong suggestions that cases were being settled out of court, before or after the acquittal of the accused, with what was in effect compensation being paid to the family of the victim. Again as with abduction cases, Dunn is alert to the possibility of malicious prosecutions, or prosecutions being launched as part of a feud. There is an interesting twist here : clerics were disproportionately represented among those accused in rape cases, and Dunn argues, persuasively, that in many cases this might be the product of community disapprobation of clerical concubinage or other forms of consensual sexual relations between a supposedly celibate priest and a female member of his flock.

- 5 Overall, then, this is a major contribution to our understanding of rape and abduction in medieval England, and also one which uses legal records to excellent effect in shedding light on the sexual and marital *mores* of the period. Dunn shows an imaginative approach to her sources which is combined with first-rate scholarship, and a level-headed and rounded approach to a topic which has, understandably, generated strong reactions among some historians. She also demonstrates a considerable expertise in the law, legal records, and legal procedures of the period, with ecclesiastical law and the possible influence of continental Roman law being considered at appropriate points in a work based mainly on the English secular law. This is an impressive work which deserves a wide readership.

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