

“A drunken cunt hath no porter”: Medieval Histories of Intoxication and Consent

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IN HEREFORD IN 1292, Isabella Plomet brought a civil suit against Ralph de Worgan, a local physician. In it, she alleged that she had gone to him with pain in her lower leg. Promising to heal her, he gave her a common surgical narcotic called “dwoledreng” [‘dwale’-drink], then “*postea cum ea concubuit contra voluntatem suam*” (afterwards he had sex with her against her will).¹ Isabella seems to have been unmarried and does not claim to have been a virgin at the time of her assault, and the case record contains no mention of a husband, father, or brother.² Rather, it focuses on the harm done to Isabella herself, “against her

*This essay was completed with the support of a Temple University Summer Research Award. I am grateful to Tekla Bude, Jennifer Garrison, Monica Green, Min Ji Kang, Jeanette Patterson, and Elly Truitt for sharing sources and ideas with me and to *MFF*'s two anonymous readers for providing important insights and suggestions for revision. Audiences at Chestnut Hill College, Manhattan College, the 2018 New Chaucer Society Biennial Congress, and the 53rd International Congress on Medieval Studies provided helpful feedback, as did Claire Falck, Marissa Nicosia, and Thomas Ward as well as Kinohi Nishikawa and Rebbecca Tesfai. Thanks are also due to Gwen Seabourne for discovering Isabella Plomet's case and to Jami Ake for first alerting me to the concept of intoxication-facilitated sexual assault.

1. This case survives in two sources and is printed in Gwen Seabourne, “Drugs, Deceit, and Damage in Thirteenth-Century Herefordshire: New Perspectives on Medieval Surgery, Sex, and the Law,” *Social History of Medicine* 30, no. 2 (2017): 255–56, doi:10.1093/shm/hkw053. *Middle English Dictionary* (henceforth *MED*) s.v. “dwale” (n.), 4(a), <https://quod.lib.umich.edu/m/med/>.

2. Seabourne, “Drugs, Deceit, and Damage,” 257n9 and 268.

will.” The case hinged on the jury believing her testimony over that of a male physician and landowner, even though she was not from a noble or prominent family. The jury found Ralph legally responsible for threatening and assaulting Isabella, ordering him to pay a hefty fine of forty pence and imprisoning him until he was able to pay it. This remarkable case, recently discovered by Gwen Seabourne, shows how a thirteenth-century jury recognized that sexual assault could be facilitated through intoxication rather than a weapon or overt physical violence, and they punished the perpetrator accordingly.

Women’s intoxication due to drugs or alcohol has been central to numerous high-profile sexual assault cases in recent years, including Bill Cosby’s trials for drugging and assaulting Andrea Constand in 2017 and 2018; Brock Turner’s 2016 trial for assaulting an unconscious woman on Stanford University’s campus; the Steubenville trial in 2013, with its searing evidence photo of two male high school students carrying their slack-limbed, unconscious female classmate by her arms and legs like a dead deer; the 2017 avalanche of Title IX lawsuits filed against Baylor University alleging that members of the football team had systematically drugged and raped their female classmates, often in groups, and circulated recordings of themselves doing so; and the 2015–2017 Vanderbilt trials in which four football players assaulted a drunk, unconscious woman and attempted to evade culpability by claiming in a pretrial hearing that she had a reputation as a “party girl.”³ Contemporary audiences

3. On Bill Cosby’s 2017 and 2018 trials for assaulting Andrea Constand, see the comprehensive local coverage by the *Philadelphia Inquirer*, including Laura McCrystal and Jeremy Roebuck, “Bill Cosby’s Lawyer Tries to Rattle Andrea Constand, As She Takes the Stand ‘For Justice,’” *Philadelphia Inquirer*, April 13, 2018, <http://www.philly.com/philly/news/cosby/bill-cosby-trial-andrea-constand-testifies-settlement-20180413.html>. On Brock Turner’s trial, see the excellent coverage by the *Guardian*, including Sam Levin, “Ex-Stanford Swimmer Gets Six Months in Jail and Probation for Sexual Assault,” *Guardian*, June 3, 2016, <https://www.theguardian.com/us-news/2016/jun/02/stanford-swimmer-sexual-assault-brock-allen-turner-palo-alto>. On the Steubenville case, see Richard A. Opiel, Jr., “Ohio Teenagers Guilty in Rape That Social Media Brought to Light,” *New York Times*, March 17, 2013, <https://www.nytimes.com/2013/03/18/us/teenagers-found-guilty-in-rape-in-steubenville-ohio.html>, as well as Nancy Schwartzman’s 2018 documentary *Roll Red Roll*. For one forty-page Baylor lawsuit featuring intoxication-facilitated

often view the notion that intoxication-facilitated sexual assault is, in fact, assault as relatively recent. Cosby himself attempted to invoke this misperception when he claimed in a deposition that Quaaludes were viewed as a legitimate means of facilitating sexual activity “at that time” and “in those days,” implying that his actions were not wrong when he committed them.⁴ But Isabella Plomet’s case over seven hundred years ago, together with a range of medieval texts ranging from advice poems to penitential manuals to proverbs, illustrates that the interaction of intoxication with consent central to these present-day cases is not recent, but rather has a long and complex history.⁵ I shed light on that history here, linking past texts with contemporary legal cases in order to illustrate continuities in how victims are blamed and how perpetrators are exonerated when alcohol and sexual assault intersect and to show that intoxication-facilitated sexual assault has been recognized as a violation for far longer than we may realize.

“Perverted Little Tarts”: Contemporary Discourses of Gender, Intoxication, and Consent

In our own time, discussions of intoxication-facilitated assault typically focus on women as victims, and they often depict women as responsible

gang rape, see “7th Baylor Title IX Lawsuit,” *Waco Tribune-Herald*, May 17, 2017, http://www.wacotrib.com/th-baylor-title-ix-lawsuit/pdf_6a967169-6305-5d27-a9a4-2d39e2ce2383.html. And for an overview of the Vanderbilt case, see Jessica Luther, “A Look at Complex Vanderbilt Rape Case That Left a Community Reeling,” *Sports Illustrated*, February 9, 2015, <https://www.si.com/college-football/2015/02/09/vanderbilt-rape-case-brandon-vandenburg-cory-batey>; Vanessa Grigoriadis, *Blurred Lines: Rethinking Sex, Power, and Consent on Campus* (Boston: Houghton Mifflin Harcourt, 2017), 156-65 (for the “party girl” quotation see 163); and the local coverage by *The Tennessean*.

4. Associated Press, “Read Excerpts from Cosby’s 2005-2006 Quaalude Deposition,” *Los Angeles Times*, May 16, 2016, <http://www.latimes.com/local/lanow/la-me-ln-bill-cosby-quaalude-deposition-excerpts-20160523-snap-story.html>.

5. For a comprehensive discussion of intoxication and consent from a contemporary feminist legal perspective, see Sharon Cowan, “The Trouble with Drink: Intoxication, (In)capacity, and the Evaporation of Consent to Sex,” *Akron Law Review* 41 (2008): 899-922.

for their assaults due to their choice to consume drugs or alcohol. This victim-blaming echoes the popular but flawed antiviolence strategy of “risk avoidance,” which puts the responsibility on individuals to manage risk and avoid victimization by limiting their alcohol consumption and guarding their drinks.⁶ In 2013, *Slate’s* former Dear Prudence advice columnist Emily Yoffe wrote a widely-shared article titled “College Women: Stop Getting Drunk,” arguing that reducing “binge drinking” among college women is the “best rape prevention.”⁷ The banner at the top of the article’s mobile webpage reads: “The Best Rape Prevention: Tell College Women to Stop Getting So Wasted,” putting the onus on “college women” to prevent their own rapes by drinking less.

The victim-blaming attitudes articulated by Yoffe are frequently shared by college administrators. In a string of federal Title IX lawsuits filed against Baylor University in 2017, dozens of women alleged that the school’s football players had drugged their drinks at parties and exploited their resulting immobility to rape them and film the assaults, then to blame them afterward. In one lawsuit, a former student reported attending an off-campus house party hosted by Baylor football players during her freshman year.⁸ She became very intoxicated after only a few drinks. Witnesses report that she was unable to stand and saw multiple football players carrying her limp body to a car. The men then drove her

6. Moira Carmody, *Sex, Ethics, and Young People* (New York: Palgrave Macmillan, 2015), 88–90; Rachel Hall, “It Can Happen to You: Rape Prevention in the Age of Risk Management,” *Hypatia* 19, no. 3 (2004): 1–19, <https://www-jstor-org/stable/3811091>.

7. Emily Yoffe, “College Women: Stop Getting Drunk,” *Slate*, October 15, 2013, http://www.slate.com/articles/double_x/doublex/2013/10/sexual_assault_and_drinking_teach_women_the_connection.html. Sarah Hepola conducts an in-depth, sensitive discussion of Yoffe’s article’s larger context in “The Alcohol Blackout,” *Texas Monthly*, January 2016, <https://www.texasmonthly.com/the-culture/the-alcohol-blackout/>.

8. All description of the incident is taken from “7th Baylor Title IX Lawsuit,” 24–25. After attempting to have the suit dismissed, Baylor settled with the plaintiff in July 2018. Philip Ericksen, “Baylor Settles with Former Student Who Accused Football Players of Gang Rape,” *Waco Tribune-Herald*, July 13, 2018, https://www.wacotrib.com/news/courts_and_trials/baylor-settles-with-former-student-who-accused-football-players-of/article_7af8cdao-ae12-53a7-a048-efe8ed020204.html/.

to an off-campus apartment and raped her. She reports remembering the assault and staring at the glow-in-the-dark stars on the ceiling while unable to move. The players circulated at least two recordings of their actions among themselves via text message, and they sent harassing text messages to the woman, telling her that she was “easy” and had “wanted it.”⁹ This is only one of many similar accounts accusing Baylor football players of using women’s intoxication to carry out assaults together as a group.¹⁰

Because the players often used drugs or alcohol to facilitate their assaults, Baylor’s coaches, staff, and administration chose to focus on the victim-survivors’ alcohol consumption and to blame them for their own victimization. In 2017, a Title IX lawsuit filed by ten female Baylor students alleged that the school’s administration used its alcohol policy to punish women who reported that they had been assaulted while intoxicated.¹¹ An external investigation found that the school had no amnesty policy protecting students from punishment for drug or alcohol use even when they were assaulted as a result of their intoxication, and it noted that administrators typically “focus[ed] on the complainant’s choices and actions, rather than robustly investigating the allegations.”¹² Included as part of the lawsuit were emails in which a Baylor University regent referred to female students who drink alcohol as “perverted little

9. “7th Baylor Title IX Lawsuit,” 25, 10.

10. See the Title IX lawsuit whose pdf is available at “Elizabeth Doe vs. Baylor University lawsuit,” *Waco Tribune-Herald*, January 27, 2017, http://www.wacotrib.com/elizabeth-doe-vs-baylor-university-lawsuit/pdf_a8ffac44-e4e4-11e6-852f-ff3e95855b50.html. Doe alleges on pages 16–17 that she was raped by two Baylor football players while “very intoxicated” after a party.

11. Phillip Ericksen, “In Emails, Then-Baylor Regent Calls Students Suspected of Drinking ‘Perverted Little Tarts,’” *Waco Tribune-Herald*, July 1, 2017, http://www.wacotrib.com/news/courts_and_trials/in-emails-then-baylor-regent-calls-students-suspected-of-drinking/article_c88a8812-72ef-5301-b35e-8d845e8dbdc6.html.

12. A pdf of the full report is available at “Baylor Board of Regents Findings of Fact Based on Pepper Hamilton Report,” *Waco Tribune-Herald*, May 26, 2016, http://www.wacotrib.com/baylor-board-of-regents-findings-of-fact-based-on-pepper/pdf_9c7b34b6-2360-11e6-b908-676e1358e179.html. The impact of the school’s alcohol policy on victim-survivors is discussed on page 8.

tarts,” “very bad apples,” and “the vilest and most despicable of girls.”¹³ He linked young women’s consumption of alcohol to their sexuality in a negative fashion, claiming that they were “perverted” and “tarts”—an old-fashioned derogatory slang term that the *Oxford English Dictionary* defines as “a female of immoral character; a prostitute”—due to their choice to drink.¹⁴ These comments illustrate how the Baylor players’ habitual, long-unpunished practices of intoxication-facilitated sexual assault did not occur in a vacuum, but rather were enabled by a campus culture where victims were punished for their inebriation and where female students who drink were viewed as sexually transgressive, as “perverted little tarts.”

Gender, Alcohol, Consent, and Culpability: Medieval Viewpoints

In the Middle Ages, as now, drinking was thought to be a precursor to sex.¹⁵ As Robert Mannyng writes in *Handlyng Synne* (ca. 1303–1317), “Yn drunkenes men wyl rage, / And ragyng wyl reyse korage [inflame sexual desire].”¹⁶ The Middle English verb “rage” designates a range of behaviors—“to engage in amorous dalliance,” “to flirt,” “to behave wildly,” “to live wantonly,” “to romp,” “to frolic”—and it is frequently depicted as leading to sex.¹⁷ Here the script is clear: first drinking, then “raging,” then inflamed desire, then illicit sex. Similarly, Chaucer’s Alison of Bath claims that her sexual desire is inflamed by wine: “And after wyn on Venus moste I thynke, / For al so siker as cold engendreth hayl, / A likerous mouth moste han a likerous tayl,” she declares.¹⁸ Through her

13. Ericksen, “Perverted Little Tarts.”

14. *OED* s.v. “tart” (n.), 2b.

15. For a wide-ranging historical and geographical survey of this belief, see A. Lynn Martin, *Alcohol, Sex, and Gender in Late Medieval and Early Modern Europe* (New York: Palgrave Macmillan, 2001).

16. Robert Mannyng, *Robert of Brunne’s “Handlyng Synne,”* ed. Frederick J. Furnivall, 2 vols., EETS, o.s., 119 and 123 (London: Early English Text Society, 1901, 1903), 2:303, lines 9712–13.

17. *MED* s.v. “ragen” (v.), 4(a)–(c).

18. *The Wife of Bath’s Prologue*, in *The Riverside Chaucer*, 3rd ed., ed. Larry D. Benson et al. (Boston: Houghton Mifflin, 1987), lines 3.464–66. All quotations from

repetition of “likeroous” [gluttonous, lascivious], Alisoun ties the desires of a woman’s “mouth” to those of her “tayl” [vulva], and she invokes a script in which consuming “wyn” leads to thoughts of “Venus” [sexual activity], a connection that can be traced to Ovid’s famous line, “*Venus in vinis . . . fuit*” (Venus was in the wine).¹⁹ This longstanding cultural link between sexual desire and drunkenness aligns with contemporary perceptions that intoxicated women are more sexually available than sober women.²⁰

After the Black Death epidemic in 1348–1350, alcohol consumption rose in England, and the alehouse industry grew quickly. Alehouses were associated with women, who brewed ale, ran alehouses, served ale as tapsters, and sometimes plied their trade as sex workers in alehouses.²¹ This fact, coupled with popular stereotypes of women’s inherent lustfulness and inability to control themselves and cultural anxieties about women’s proximity to alcohol, meant that women who drank or worked in alehouses were frequently associated with sexual transgression. As Marjorie Keniston McIntosh notes, drink work rendered women “vulnerable to sexual advances and social disapproval.”²² These attitudes toward tapsters appear in clerk and serving maid ballads such as *Be pes ye make me spille my ale* (ca. 1500) and John Skelton’s *Manerly Margery Mylk and Ale* (1490s), which both feature aggressive customers who

the *Canterbury Tales* are taken from this edition.

19. MED s.v. “likeroous” (adj.), 1(b) and 2(a); Ovid, *Ars Amatoria*, in *Ovid’s Erotic Poems: “Amores” and “Ars amatoria,”* trans. Len Krisak (Philadelphia: University of Pennsylvania Press, 2014), 1.244; Bartlett Jere Whiting, *Proverbs, Sentences, and Proverbial Phrases; From English Writings Mainly Before 1500* (Cambridge, MA: Belknap Press, 1968), W359.

20. Maria Testa and Kathleen A. Parks, “The Role of Women’s Alcohol Consumption in Sexual Victimization,” *Aggression and Violent Behavior* 1, no. 3 (1996): 217–34, at 227–28; Emily Finch and Vanessa E. Munro, “The Demon Drink and the Demonized Woman: Socio-Sexual Stereotypes and Responsibility Attribution in Rape Trials Involving Intoxicants,” *Social and Legal Studies* 16, no. 4 (2007): 591–614.

21. Judith M. Bennett, *Ale, Beer, and Brewsters in England: Women’s Work in a Changing World 1300–1600* (Oxford: Oxford University Press, 1996); Martin, *Alcohol, Sex, and Gender*, 58–78; Marjorie Keniston McIntosh, *Working Women in English Society 1300–1620* (Cambridge: Cambridge University Press, 2005), 140–81.

22. McIntosh, *Working Women*, 253.

rape tapsters on the job after the women refuse their advances, and in the fifteenth-century Digby *Mary Magdalene* play when the galaunte Curiosity declares, “Wyth sum praty tappysstere wold I faine rownd” (I would gladly whisper flirtatiously with some pretty tapster), implying that all tapsters are fair game for sexual attention due to their proximity to alcohol.²³ Emily Finch and Vanessa E. Munro show how this perceived link between women, alcohol, and sexual availability persists today, observing that “women who consume alcohol in the presence of a male drinker [are often] perceived to be more sexually disinhibited and sexually available.”²⁴ In a fifteenth-century advice poem written in the voice of a mother addressing her adolescent daughter, the narrator warns that tavern-going damages young women’s reputations: “Ne go thou nought to taverne thi wurchipe to felle” (Do not go to the tavern to destroy your reputation), she cautions.²⁵ In another mother-daughter advice poem, the speaker warns against frequenting taverns and getting drunk:

23. *Be pes ye make me spille my ale* (DIMEV 773), in *Music and Poetry in the Early Tudor Court*, ed. John Stevens (London: Methuen, 1961), 339–40; John Skelton, *Manerly Margery Mylk and Ale* (DIMEV 743), in *The Complete English Poems of John Skelton*, rev. ed., ed. John Scattergood (Liverpool: Liverpool University Press, 2015), 29; *The Digby Mary Magdalene Play*, ed. Theresa Coletti (Kalamazoo, MI: Medieval Institute Publications, 2018), line 495. Another misogynist poem claiming that tapsters are inherently lascivious is Robert Sempill’s *Offcullouris cleir // quha lykis to weir*, in *The Bannatyne Manuscript*, ed. W. Tod Ritchie, 4 vols. (Edinburgh: Scottish Text Society, 1928), 2:333–36.

24. Finch and Munro, “The Demon Drink,” 598–99; also Antonia Abbey, Tina Zawacki, Philip O. Buck, A. Monique Clinton, and Pam McAuslan, “Alcohol and Sexual Assault,” *Alcohol Research and Health* 25, no. 1 (2001): 43–51, at 46. For more on sexual aggression experienced by women in bars, see Kathryn Graham, Samantha Wells, Sharon Bernards, and Susan Dennison, “‘Yes, I do but not with you’: Qualitative Analyses of Sexual/Romantic Overture-Related Aggression in Bars and Clubs,” *Contemporary Drug Problems* 37 (2010): 197–240.

25. *The Goode Wif Thought Hir Doughter* (DIMEV 1098), in Tauno F. Mustanoja, ed., “*The Good Wife Taught Her Daughter*,” “*The Good Wyfe Wold a Pylgremage*,” “*The Thewis of Gud Women*” (Helsinki: Suomalaisen Kirjallisuuden Scuran, 1948), 159–72, line 53; also lines 57–60 and 150–53. Felicity Riddy explores this recurring theme of mothers cautioning their daughters against tavern-going in “Mother Knows Best: Reading Social Change in a Conduct Text,” *Speculum* 71, no. 1 (1996): 66–86.

Ne go thou nought to the tavern,
 Thy godnes for to selle therinne...
 Wherever thou comme at ale other wyne,
 Take not to myche, and leve betyme [early];
 For mesure therinne, it is no herme,
 And drounke to be, it is thi schame.²⁶
 (65–66, 69–72)

The mother portrays the tavern as a dangerous space where young women “selle” their “godnes.” She urges her daughter to forgo overindulgence and late nights out by invoking her fear of social “schame.” By linking shame, female drunkenness, and loss of virtue and reputation, the fictional mothers in these poems seek to steer their daughters away from alcohol and alehouses. More recently, Yoffe notes, “I’ve told my [teenage] daughter that it’s her responsibility to take steps to protect herself.”²⁷

Whereas drunk women are viewed as forfeiting their safety and modesty by choosing to drink, men’s intoxication is often blamed for their sexual aggression. Numerous medieval texts portray men whose drunkenness leads them to commit rape, invoking the myth that alcohol is responsible for male perpetrators’ actions. In a popular story from Gregory the Great’s *Dialogues* (ca. 593) retold in Mannyng’s *Handlyng Synne*, a burgess invites his adolescent goddaughter to spend Easter weekend with him.²⁸ One night, he rapes her after getting drunk: “Thys man, for drunkenes and unryght, / Lay by hys god-doghtyr that yche [same] nyght” (9731–32). Mannyng does not mention the goddaughter’s consent or response to the burgess’s drunken violation. Her rape is elided, and she disappears entirely from the narrative after these lines. The burgess fails to confess his sin due to fear of “more shame” (9744) and dies a week

26. *Lyst and lythe a lytell space* (DIMEV 3067), in Mustanoja, *The Good Wife*, 216–21.

27. Yoffe, “College Women: Stop Getting Drunk.”

28. Gregory the Great, *Gregorii magni dialogi*, ed. Umberto Moricca, 2 vols. (Rome: Forzani e C. Tipografi del Senato, 1924), 2:277; also the Anglo-French *Manuel des Pechiez* (ca. 1260) in the facing-page text of Furnivall, “*Handlyng Synne*,” 2:304–5, lines 7161–7218.

later, his corpse consumed by a cloud of foul smoke as punishment for his sin. The tale portrays the burgess's "drunkenes" (9712, 9713, 9731) as the sole reason for his actions, enabling his violence to be blamed on the alcohol rather than his choice to assault his goddaughter. A similar story survives in Juan Ruiz's fourteenth-century *Libro de buen amor* in which the devil tempts a hermit to drink wine for the first time after forty years of wilderness asceticism.²⁹ Overcome by alcohol-fueled sexual desire (*obdició fazer fornicio, desque con vino estava*, st. 539), the hermit leaves his hermitage and rapes the first woman he encounters (*forçó una muger*, st. 541) before killing her. Here, again, overconsumption of alcohol (*vino*) is portrayed as solely responsible for the perpetrator's actions, which are framed as runaway lechery, and this belief is reflected in a medieval Scottish proverb claiming that "wicht wyne . . . men to Lychorye doith inclyne" (white wine inclines men to lechery).³⁰

Similarly, in the Old English *Judith* (late ninth-tenth century), the "*modig ond medugal*" (arrogant and mead-drunk) Assyrian general Holofernes's extreme drunkenness is framed as his motivation for attempted rape.³¹ Described as both "*galferbð*" (62; lascivious) and "*gefeol ða wine swa druncen*" (67; falling-down drunk from the wine), Holofernes orders the "*eadigan mægð*" (blessed maiden) Judith to be "*ofstum fetigan to his bedreste*" (35–36; fetched quickly to his bed). He is unable to carry out his intended rape only because he passes out cold from intoxication. The narrator dwells upon Holofernes's inebriation in order to link it to his

29. All citations come from the English-Spanish parallel text version in Juan Ruiz, *Libro de buen amor*, ed. and trans. Raymond Willis (Princeton, NJ: Princeton University Press, 1972), 144–51, stanzas 528–49a. For Ruiz's sources, see Archer Taylor, "The Three Sins of the Hermit," *Modern Philology* 20, no. 1 (1922): 61–94; for a discussion of the narrative, see J. A. Chapman, "A Suggested Interpretation of Stanzas 528 to 549a of the *Libro de Buen Amor*," *Romanische Forschungen* 73 (1961): 29–39. I am indebted to Min Ji Kang for bringing this narrative to my attention and sharing sources with me.

30. B. J. Whiting, "Proverbs and Proverbial Sayings from Scottish Writings before 1600: Part Two M-Y," *Mediaeval Studies* 13 (1961): 156.

31. *Judith*, ed. Mark Griffith (Exeter: University of Exeter Press, 1997), line 26a; Tracey-Anne Cooper, "Judith in Late Anglo-Saxon England," in *The Sword of Judith: Judith Studies across the Disciplines*, ed. Kevin R. Brine, Elena Ciletti, Henrike Lähnemann, and Deborah Levine Gera (Cambridge: Open Book, 2010), 169–96.

sexual predation, showing how persistently this myth was disseminated.

In the examples that I cite above, men's drunkenness incites them to commit sexual violence, whereas women's proximity to alcohol is represented as increasing their vulnerability to assault. In other words, alcohol makes men less responsible for committing assault, while it renders women more responsible for being assaulted.³² Finch and Munro have explored how jury members in rape trials view male perpetrators who have been drinking versus female victim-survivors who have engaged in the same behavior, providing a useful window into widespread cultural views on gender, intoxication, and culpability. They found that intoxication rendered perpetrators less culpable for their actions in the eyes of third-party observers, whereas it rendered women more likely to be viewed as responsible for their own victimization.³³

We can see this dynamic in Brock Turner's case, where Turner's drunkenness was cited as exculpating him and was instead depicted as the agent of *his* victimization, while Emily Doe's intoxication was reframed as affirmative sexual consent. Turner declared in a pre-sentencing court statement, "At this point in my life, I never want to have a drop of alcohol again. I never want to attend a social gathering that involves alcohol or any situation where people make decisions based on the substances they have consumed. . . . I want to show that people's lives can be destroyed by drinking and making poor decisions while doing so."³⁴ He blamed his actions on "the culture surrounded by binge drinking and sexual promiscuity that protrudes through what people think is at the core of being a college student."³⁵ In naming his assault vaguely as "poor decisions" and attributing it to "binge drinking" and "substances," Turner cast himself as victimized by alcohol and drew on the common rape myth that alcohol causes perpetrators to commit sexual assault.³⁶

32. Finch and Munro, "The Demon Drink," 593.

33. Finch and Munro, 592–96.

34. The full text of Turner's statement is included in Sam Levine and Julia Carrie Wong, "Brock Turner's Statement Blames Sexual Assault on Stanford 'Party Culture,'" *Guardian*, June 7, 2016, <https://www.theguardian.com/us-news/2016/jun/07/brock-turner-statement-stanford-rape-case-campus-culture>.

35. Levine and Wong, "Brock Turner's Statement."

36. Research has shown that men's heavy drinking, especially in social and dating

In contrast, Turner's attorney implied that the woman whom Turner assaulted was responsible for her own assault due to her alcohol intake that night. In court, he focused relentlessly on the amount of food and alcohol she had consumed and whether she had a history of "partying" and "blackouts."³⁷ He said, "When you drank the quantity of vodka in the red cup, you drank it all down at once, right?"

"Yes," replied Emily Doe.

"Like, chugged it," he elaborated, emphasizing the manner of her drinking. "And that was a decision you made, right?" he asked, implying that a decision to chug vodka is the same as a decision to engage in sexual contact.

"You did a lot of partying in college, right?" he also asked, implying that "a lot of partying in college" made her responsible for being sexually assaulted.

In the victim impact statement that she addressed to Turner in court before his sentencing, Emily Doe discussed the role of alcohol in her assault. She said:

"Alcohol is not an excuse. Is it a factor? Yes. But alcohol was not the one who stripped me, fingered me, had my head dragging against the ground, with me almost fully naked. Having too much to drink was an amateur mistake that I admit to, but it is not criminal. . . . Regretting drinking is not the same as regretting sexual assault. We were both drunk, the difference is I did not take

situations, is a risk factor for committing sexual assault, but this typically co-occurs with "other identified risk factors for sexual aggression (e.g., impulsivity, narcissism, lack of empathy, delinquency, enjoyment of casual sex, hostile masculinity, and peer norms that encourage forced sex)." Antonia Abbey, Rhiana Wegner, Jacqueline Woerner, Sheri E. Pegram, and Jennifer Pierce, "Review of Survey and Experimental Research That Examines the Relationship Between Alcohol Consumption and Men's Sexual Aggression Perpetration," *Trauma, Violence, and Abuse* 15, no. 4 (2014): 265–282, at 277. See also Antonia Abbey and Angela J. Jacques-Tiura, "Sexual Assault Perpetrators' Tactics: Associations with Their Personal Characteristics and Aspects of the Incident," *Journal of Interpersonal Violence* 26, no. 14 (2011): 2866–89.

37. Sam Levin, "Stanford Sexual Assault Victim Faced Personal Questions at Trial, Records Show," *Guardian*, July 19, 2016, <https://www.theguardian.com/us-news/2016/jul/19/stanford-sexual-assault-brock-turner-victim-personal-questions>.

off your pants and underwear, touch you inappropriately, and run away. That's the difference."³⁸

She sharply differentiates the choice to drink from the choice to engage in sexual activity, reminding Turner of his own agency in the situation. She addresses a common objection raised by intoxication-facilitated sexual assault deniers—*if they were both drunk, aren't they just assaulting each other?*—by powerfully detailing how Turner's numerous assaultive criminal actions contrasted with her "mistake" of drinking too much.³⁹

"Make we hym drunkun with wyne, and slepe we with hym": Intoxicated Male Victims

While our contemporary conversations about intoxication-facilitated sexual assault typically focus on male perpetrators and female victims, multiple medieval texts depict men as victims of intoxication-facilitated sexual assault by women or by other men.⁴⁰ By reading these texts about male victims in the context of women's assault narratives, we can see continuities in victim-blaming attitudes and tactics, since male victims in the Middle Ages, particularly when the perpetrators were women, are portrayed in the same victim-blaming light as female victims today.

38. Katie J. M. Baker, "Here Is The Powerful Letter The Stanford Victim Read Aloud To Her Attacker," *BuzzFeed*, June 3, 2016, https://www.buzzfeed.com/katiejmbaker/heres-the-powerful-letter-the-stanford-victim-read-to-her-ra?utm_term=.pa3iX6dk8#.udGJY8KXB; see also Anonymous, "Stanford Sexual Assault Case Survivor Emily Doe Speaks Out," *Glamour*, November 1, 2016, <https://www.glamour.com/story/women-of-the-year-emily-doe>.

39. For an example of this argument, see James Taranto, "Drunkenness and Double Standards: A Balanced Look at College Sex Offenses," *Wall Street Journal*, February 10, 2014, <https://www.wsj.com/articles/drunkenness-and-double-standards-1392060966>.

40. For more on the role of intoxication in male victimization today, see Heather R. Hlavka, "Speaking of Stigma and the Silence of Shame: Young Men and Sexual Victimization," *Men and Masculinities* 20, no. 4 (2017): 482–505. For more on medieval representations of male victims (albeit without the intoxication factor), see Dyan Elliott, "Sexual Scandal and the Clergy: A Medieval Blueprint for Disaster," in *Why the Middle Ages Matter: Medieval Light on Modern Injustice*, ed. Celia Chazelle et al. (New York: Routledge, 2012), 90–105.

These examples provide a fuller picture of medieval attitudes regarding gender, victimhood, and sexual assault perpetration, and they also provide a crucial acknowledgement of men as victims that is missing from more recent discussions of intoxication-facilitated sexual assault.

This medieval recognition of male victimhood can be traced to two narratives from the book of Genesis that were popular in the Middle Ages and were frequently cited as illustrating the dangers of excessive drinking. One is the story of Lot and his daughters, and the other is the tale of Noah and his son Ham. In both narratives, an intoxicated man is victimized sexually by his offspring. Lot is frequently blamed for his own victimization, whereas medieval texts often side with Noah and portray him as the unequivocal victim of his son's actions, with God expressing righteous anger on Noah's behalf. This contrast in perceived culpability sheds important light on cultural attitudes surrounding intoxication, consent, and perpetrators' gender that still persist to this day.

In Genesis 9, Noah takes up winemaking after the great flood. After overindulging in the fruits of his labor, he passes out naked and drunk. His son Ham sees his exposed genitals and mocks his intoxicated, defenseless father in a moment that scholars since antiquity have read as voyeurism, castration, maternal incest, or sexual assault, because the original Hebrew uses an idiom for intercourse to name Ham's actions.⁴¹ After victimizing his father, Ham invites his brothers to laugh at their father's nakedness and to humiliate him sexually as well. The late fourteenth-century Wycliffite Bible says, "whan Cham . . . had seen . . . the privey herneis [genital equipment] of his fader to be nakid, he tolde it to his two britheren with out."⁴² This version of the narrative emphasizes

41. David M. Goldenberg argues for the castration or paternal sexual assault reading in "What did Ham do to Noah?" in *The Words of a Wise Man's Mouth Are Gracious: Festschrift for Günter Stemberger on the Occasion of his 65th Birthday*, ed. Mauro Perani (Berlin: Walter de Gruyter, 2005), 257–65. John Sietze Bergsma and Scott Walker Hahn discuss these interpretations and argue for the additional possibility of maternal incest in "Noah's Nakedness and the Curse on Canaan (Genesis 9:20–27)," *Journal of Biblical Literature* 124, no. 1 (2005): 25–40, doi: 10.2307/30040989.

42. John Wyclif, *The Holy Bible, containing the Old and New Testaments, with the Apocryphal Books*, ed. Josiah Forshall and Frederic Madden, 4 vols. (Oxford: Oxford University Press, 1850), 1:95.

Noah's unconsciousness: "Noe . . . wakyng of the wyn . . . lerned the thingis that his yonger sone dide to hym," says the text, underscoring Noah's intoxicated oblivion through the alliterative phrase "wakyng of the wyn" and highlighting Noah's horror when he "lerned the thingis that [Ham] dide to hym" while he was incapacitated.⁴³ He is clearly victimized by his son, who takes advantage of his "drunkun and nakid" state in order to inflict sexual harm on him.⁴⁴

This narrative choice to depict Noah as unequivocal victim and to blame Ham for exploiting his inebriation for his own enjoyment and power occurs in other medieval texts, demonstrating that audiences understood that men could be victims of intoxication-facilitated sexual misconduct by other men. In the *Cursor Mundi* (ca.1325), Ham invites his brothers to join him in humiliating their father: "Seide he, / 'Brother com now hidur and se . . . thi fadir slepith. . . He lith here; com se thou shalle / Naked up on his lymmes alle'" (2029–34).⁴⁵ After Noah awakes, he delivers a lengthy curse upon Ham, and the narrative depicts God as siding with the victim rather than the perpetrator: "Awey he fledde he and his / Oure lordes enemyes thei were i-wis" (2079–80), says the narrator, depicting "oure lorde" as backing up Noah's righteous fury at being victimized. In these versions of the story, Noah is *not* blamed for his drunkenness and resultant victimization. Rather, the culpability is laid solely on his son for exploiting his father's drunken unconsciousness in order to harm and disempower him, with God blaming the perpetrator rather than the victim.

Genesis 19 tells a different narrative of victimization and culpability in the story of Lot and his daughters, who are living alone in the mountains

43. Wyclif, *The Holy Bible*, 1:95.

44. When read as an example of intoxication-facilitated sexual assault, this narrative is particularly illuminating for its racial implications, as the linking of dark-skinned people with Noah's curse and sexual victimization in the cultural imagination furnishes a genealogy of the pernicious stereotype of the black male sexual predator. I am grateful to Jennifer Garrison for this insight.

45. *Cursor mundi (The cursor o the world). A Northumbrian poem of the XIVth century in four versions*, ed. Richard Morris, 7 vols., EETS o.s., 57, 59, 62, 66, 68, 99, 101 (London: K. Paul, Trench, Trübner and Co. for the Early English Text Society, 1874–93).

after the destruction of Sodom and Gomorrah. Worried that their family line will die out, the sisters decide to give their father wine so that they can both assault him. While this incident is not named explicitly as rape or ravishment, at least one Middle English rendition of Genesis 19:31–33 depicts the sisters plotting methodically to make their father drunk in order to have sex with him against his will:

And the more seide unto the lesse . . . “Come, and make we hym drunkun with wyne, and slepe we with hym, that we mown kepe the seed of oure fadir.” And so thei gaven to her fadir to drynk wyne that nyght, and the more was gon yn, and slept with the fadir; and he felide nother whan the dowghter ley down, ne whan she aroos.⁴⁶

(And the older said to the younger, “Come, let us make him drunk with wine, and sleep with him, that we may keep the seed of our father.” And so they gave their father wine to drink that night, and the older sister went in, and slept with the father; and he felt neither when the daughter lay down, nor when she arose.)

This same scenario, with precisely the same language, repeats with the younger sister using alcohol to assault their father the next night. The sisters use the language of coercion—“*make we hym drunkun*,” the older one says—and indeed, the account utterly strips Lot of all grammatical and sexual agency. He does not act. Rather, everything is done to him: wine is “gaven” to him, and his daughters “go in” and “slepe with” him while he “feels” nothing. In this narrative, women use alcohol to subdue and assault men, and they carefully plan their assaults. This version underscores Lot’s insensibility and lack of “feli[ng]” due to the wine that has been “gaven to [him] to drynk.” It demonstrates that even if the specific vocabulary of sexual violence is not used, the act is still depicted as something that is done to Lot as a passive, unfeeling, nonconsenting body, and his lack of consent due to intoxication is still made clear. This portrayal of Lot’s victimization echoes the Vulgate, where the daughters are the agents, and Lot is the object, of almost all the active verbs in the narrative: *inebriemus* [let us inebriate (him)], *dormiamusque* [let us

46. Wyclif, *Holy Bible*, 1:114.

sleep (with him)], *dederunt* [they gave (to him)], *ingressa est* [she went in (to him)], *dormivitque* [she slept (with him)].⁴⁷ Lot is the agent of only one verb—*non sensit* [he did not feel]—which underscores his lack of agency and volition.

In contrast to the biblical narratives of clear victimization and non-consent, other medieval texts use Lot as an example of drunkenness's perils by citing his intoxication to blame him for what his daughters do to him, questioning whether he was really as drunk as he claimed to be and depicting him as responsible for his assault due to his choice to drink. One Middle French *Bible historiale* (1411) questions whether Lot could have been unaware of his daughters' actions, challenging his assault narrative by claiming it is "hard to believe" that Lot was as insensible as he claims and implying that he would have been unable to perform sexually if he were truly intoxicated.⁴⁸ And William Langland's *Piers Plowman* (ca. 1380) uses the story of Lot to illustrate why one ought not "drynk out of reson" (1.28):

For Lot, in hise lifdayes, for likynge of drynke,
Dide by hise doughtres that the devel liked;
Delited hym in drynke as the devel wolde,
And Leccherie hym laughte, and lay by hem bothe;
And al he witte it on wyn that wikked dede:

Inebriemus eum vino dormiamusque cum eo

Ut servare possimus de patre nostro semen.

Thorough wyn and thorough wommen ther was Loth acombred . . .
Forthi dred delitable drynke and thow shalt do the bettre.

(1.27–32, 34)⁴⁹

47. *The Vulgate Bible*, vol. 1: *The Pentateuch, Douay-Rheims Translation*, ed. Swift Edgar (Cambridge, MA: Harvard University Press, 2010), 88.

48. See British Library MS Royal 19 D III, folios 21v–22r: "*Les hebreux dient que ceste chose, c'est assavoir que Loth ne le sceut mye, est aussi comme increable, car la nature des choses ne puet souffrir que homme congnoisse femme charnelement et qu'il ne le sache mye*" (The Hebrews say that this thing, that is, that Lot didn't know about it, is hard to believe, because the nature of things doesn't allow for a man to know a woman carnally without knowing it). I am grateful to Jeanette Patterson for sharing this reference with me and providing her translation.

49. William Langland, *Piers Plowman: The B Version*, rev. ed., ed. George Kane

(For Lot, during his lifetime, due to enjoyment of drink,
 Did with his daughters what the devil liked:
 Delighted himself in drink as the devil wished,
 And lechery seized him, and he lay by them both—
 And he blamed that wicked deed all on the wine.
*“Let us make him drunk with wine and sleep with him,
 So that we might preserve the seed of our father.”*
 Through wine and through women Lot was overcome;
 Therefore shun delightful drink and you will be better off.)

Unlike the biblical version of Lot’s story, this narrative places the grammatical agency squarely on Lot: he “delited hym[self] in drynke,” “dide . . . that the devel liked,” and “lay by” both his daughters. *Piers Plowman’s* C-Text (ca. 1390) is even more explicit: “In his dronkenesse a day his doghteres he dighte / And lay by hem bothe” (1.27–28), it says, linking the euphemistic sexual verb “dighte” [did] alliteratively to “dronkenesse” and “doghteres.”⁵⁰ The incident here has its roots in Lot’s “likynge of drynke” rather than the daughters’ deliberate choice to intoxicate him and remove his capacity to consent so they can rape him. The assault is represented as a “dede,” as something that Lot does, an action he performs, rather than something that is done *to* him, as we saw in the Wycliffite Bible. Lot’s assault is reframed as his choice.

However, this attribution of responsibility to Lot is revised in the passage’s penultimate line, where the narrator casts Lot as “acombred” (overcome, defeated) by alcohol as well as by women, highlighting the victimization aspect of his drunkenness.⁵¹ The passage’s initial

and E. Talbot Donaldson (Berkeley: University of California Press, 1988). In Ruiz’s *Libro de Buen Amor*, the Lot narrative serves a similar purpose to illustrate the perils of “*el vino*” in stanza 528 (pages 144, 146), and in the French biblical commentary cited above, Guyart des Moulins claims that Lot’s choice to drink (*Et apres pource qu’il s’en yvra, si fu ce pechié de yvresse cause de l’autre pechié*) makes him culpable for his victimization (*Loth n’est mye excusable de son pechié*).

50. William Langland, *Piers Plowman: A New Annotated Edition of the C-Text*, ed. Derek Pearsall (Exeter: University of Exeter Press, 2008).

51. *MED* s.v. “acombren” (v.), 1(b), 2; also Whiting, *Proverbs*, W358.

victim-blaming is further challenged by the two embedded Latin lines from the Vulgate in which the daughters articulate their premeditated choice to intoxicate and rape their father, depicting him as object rather than agent with the masculine accusative and ablative pronouns “*eum*” and “*eo*” (both meaning “him”). The Middle English tale portrays Lot’s choice to drink as the narrative’s chief transgression: limit your drinking, the lesson goes, and your life will be better. But the Latin cropping up in the interstices between the English lines blaming Lot for “that wikked dede” tells a different story: Lot is acted upon by his daughters, who plot to make him drunk in order to rape him.

Chaucer’s *Pardoner’s Tale* contains a similar lesson about Lot’s drunkenness and culpability. Warning that “luxurie (lechery) is in wyn and dronkenesse” (7.484), the Pardoner echoes *Piers Plowman* by citing Lot to illustrate drunkenness’s sexual perils:

Lo, how that drunken Looth, unkyndely [unnaturally],
Lay by his doghtres two, unwityngly;
So dronke he was, he nyste what he wrought.
(7.485–87)

Once again, Lot’s drunkenness is cited as the issue here, rather than his daughters’ choice to intoxicate and take advantage of him. “Drunken Looth” has the grammatical and sexual agency in this retelling: he “lay by” his daughters, functioning as the active agent of the verb. The Pardoner focuses on Lot’s extreme inebriation—with the descriptors “drunken” and “so dronke” both occurring in this three-line passage—rather than the fact that his daughters facilitated his drunkenness for the purposes of sexual assault. *Their* agency in the tale and their deliberate, premeditated exploitation of their father’s intoxication, on the other hand, is erased entirely. This erasure of the perpetrators’ role contrasts directly with the depiction of culpability in the Noah narrative, which places the blame squarely on Ham and does not fault Noah for his alcohol consumption. Instead, Noah’s drinking is related in a matter-of-fact fashion and is portrayed as a condition of vulnerability that is cruelly exploited by Ham. This disparity in how perpetrators are portrayed can be linked to widespread cultural attitudes that persist to this day about gender and sexual violence perpetration: the Noah narrative

acknowledges men as victims when men are perpetrators, but the Lot narrative demonstrates an unwillingness to view women as perpetrators who victimize men.

The Biblical narratives of Lot and Noah reflect contemporary trends in intoxication-facilitated sexual assault: in some cases, as in the story of Lot, the assailant premeditates their assault and either tricks or encourages their victim to consume drugs or alcohol so that they can assault them. In other cases, as in the Noah narrative, the victim consumes intoxicants voluntarily, only for the perpetrator to choose them deliberately as an easy target and take advantage of them after recognizing their defenselessness due to inebriation.⁵² In other words, some perpetrators actively create the conditions for the assault, and others seize upon the already incapacitated victim's intoxication as an opportunity to assault them. These medieval texts are useful for what they can tell us about perpetrators of intoxication-facilitated assault, and they are also valuable for illustrating how victim-blaming operates. The way that medieval authors mobilize the Lot narrative reinforces the popular idea that by making the choice to drink to excess, individuals are responsible for what others do to them while they are under the influence, as we saw in the contemporary cases that I cited earlier in this essay. But the paradigm in the Noah narrative, with its unequivocally victimized victim and clear-cut perpetrator suffering the curse of his victim as well as "oure Lorde," is less common today, as we see in numerous cases where intoxicated victims are portrayed as responsible for what happens to them. The medieval Noah narrative offers important, empowering possibilities for survivors of intoxication-facilitated assault today: that it is not their fault, that anger and indignation are appropriate responses, and that the wrath of the Lord is on their side.

52. Abbey and Jacques-Tiura, "Sexual Assault Perpetrators' Tactics"; Abbey et al., "Alcohol and Sexual Assault," 47-48; Finch and Munro, "The Demon Drink," 597-605.

“In wommen vinolent is no defence”: Intoxicated Women and Consent

In contrast to the Noah story depicting men as undisputed victims, or the Lot narrative portraying men as both victimized and victim-blamed, medieval texts represent intoxicated women as either more likely to consent affirmatively to sex or unable to consent altogether. We see the former in the Digby *Mary Magdalene* play, which stages intoxicated women’s increased sexual boldness and enthusiastic affirmative consent.⁵³ After falling out with her parents, the rebellious young Mary Magdalene runs away from home. She encounters Lady Lechery, who takes her to a tavern and orders wine to lift her spirits, illustrating the cultural link between illicit female sexuality and alcohol consumption.⁵⁴ A handsome, fashionably-dressed young man named Curiosity passes by the tavern, and the two women eye him appreciatively before inviting him to join them for a drink. The scene represents alcohol as leading to women’s sexual assertiveness when Mary commands the taverner, “Cal him in. . . . And we shall make ful mery yf he wolle abyde” (509–10). Mary Magdalene and Curiosity dance together, engage in flirtatious banter, and enjoy “soppes in wyne” (536). At the end of their drinking session, he invites her to go somewhere a bit more private: “Now, derlyng dere, wol yow do be my rede? / We have dronkyn and ete lytyl brede. / Will we walk to another stede [place]?” (540–42). He seeks her consent, ending with a question: “will we walk?” he asks, framing her potential choice to say yes to him as “my rede [advice, counsel].” He suggests that she go home with him, but then leaves the decision up to her.

Mary Magdalene responds affirmatively—“Evyn at your wyl (Just

53. Theresa Coletti explores the link between maternal sentiments expressed in conduct texts and Mary Magdalene’s behavior regarding sex and alcohol in “‘Curtesy Doth It Yow Lere’: The Sociology of Transgression in the Digby *Mary Magdalene*,” *ELH* 71, no. 1 (2004): 1–28, <https://www-jstor-org/stable/30029920>.

54. The tavern scene occurs in lines 470–546. For another medieval scene of a tavern-date leading to illicit sex, see *A Lutel Soth Sermun*, edited by Susanna Fein in “All Adam’s Children: The Early Middle English Lyric in Oxford, Jesus College, MS 29 (II),” in *Middle English Lyrics: New Readings of Short Poems*, ed. Julia Boffey and Christiania Whitehead (Cambridge: D. S. Brewer, 2018), 215–17.

as you wish), my dere derlyng,” she says (543), although she frames her consent in terms of Curiosity’s “wyl,” not hers—and they disappear offstage together. The next time she appears, she has become a sex worker. The fact that Curiosity seeks her consent illustrates that medieval audiences understood its importance. However, the play’s depiction of her affirmative consent, coming as it does directly after female rebellion, rowdy carousing with other women, friendship with Lechery, sexual assertiveness, drinking, verbal flirtation, and dancing, serves to characterize women who drink in taverns as indelibly linked to sexual transgression, as actively searching for sex and predisposed to say yes to it. Rather than depicting Mary Magdalene as unable to consent, the play portrays her as more likely to consent affirmatively due to her choice to drink in the tavern.

Other medieval texts highlight how drunkenness removes women’s capacity to consent altogether. Chaucer’s *Alisoun of Bath* notes how women’s intoxication renders them incapable of defending themselves against aggression or saying no to sex, and she reflects on how their wine-induced defenselessness is sometimes exploited by lecherous men. She says, “In wommen vinolent is no defence— / This knowen lecchours by experience” (In wine-filled women is no resistance; / Lecherous men know this by experience; 3.467–68).⁵⁵ She focuses on inebriated women’s lack of capacity for self-defense, and she underscores how predators deliberately exploit this powerlessness. Her use of the phrase “by experience” is especially chilling: lechers know that intoxicated women have no ability to defend themselves because they have experienced this incapacity for themselves.

Alisoun of Bath’s statement regarding gender, intoxication, and consent is illustrated in multiple proverbs. One Scottish proverb states, “A drukin cunt hes na dure bar” (a drunken cunt has no door bar), using the shock of obscenity to reinforce its lesson.⁵⁶ Another version asserts,

55. For a discussion of intoxication and consent in Chaucer’s *Reeve’s Tale*, see Carissa M. Harris, *Obscene Pedagogies: Transgressive Talk and Sexual Education in Late Medieval Britain* (Ithaca, NY: Cornell University Press, 2018), 55–58.

56. M. L. Anderson, ed., *The James Carmichael Collection of Proverbs in Scots* (Edinburgh: Edinburgh University Press, 1957), no. 56.

“Ane drunken cunt had never ane good dore bar.”⁵⁷ A door-bar is “any device for fastening a door or blocking a doorway.”⁵⁸ This proverb, then, crudely insists that drunken women lack the ability to resist unwanted sex, and anyone can open the door and come inside to take what they wish. Here “cunt” functions as an explicit term for the vulva, its bluntness working to seize audiences’ attention and to emphasize the sexual nature of women’s alcohol-induced defenselessness.⁵⁹

However, it is important to examine how this proverb frames culpability. By claiming that drunkenness disables the capacity to say no or to resist, removing the door-bar that protects the “cunt” from invasion or keeps out intruders, the proverb does not say that drunk women automatically say *yes* to sex. Rather, this proverb highlights the incapacity to deny access, the inability to say no to sexual contact, which puts the responsibility on perpetrators not to barge in and plunder.

A similar proverb—“a drunken cunt hath no porter”—survives in England, attesting to these attitudes’ pervasiveness.⁶⁰ Here “dore bar,” a device for fastening a door or blocking a doorway, is replaced by “porter,” which means “gatekeeper” or “doorkeeper” for a building, castle, or town.⁶¹ The porter controls access to that which he guards; he carries the keys and defends his domain against those who might harm it. His job is to vet everyone who seeks entry and to determine whether

57. Erskine Beveridge, ed., *Fergusson’s Scottish Proverbs, From the Original Print of 1641, Together with a Larger Manuscript Collection of About the Same Period Hitherto Unpublished* (Edinburgh: William Blackwood and Sons for the Scottish Text Society, 1924), 16.

58. *MED* s.v. “dor(e)” (n.[1]), 4(a).

59. *MED* s.v. “cunte” (n.). The *OED* entry for “cunt” (n.) contains a comprehensive overview of the term’s changing history, showing how it evolved from a crude genital term to a derogatory insult for a woman. At the time of this proverb’s circulation, “cunt” frequently functioned as a pedagogical tool, as it does here; as a precise term for the vulva in medical texts; as a tool to denigrate women in obscene comic literature; and as a verbal weapon used by men to insult one another. For more on “cunt” see Harris, *Obscene Pedagogies*, 1–2, 15–16, 24, 68, 82–83, 227–28.

60. Whiting, *Proverbs*, C619; Morris Palmer Tilley, *A Dictionary of the Proverbs in England in the Sixteenth and Seventeenth Centuries* (Ann Arbor: University of Michigan Press, 1950), C901.

61. *MED* s.v. “porter” (n.), 1(a).

their entry is in his domain's best interest. According to this proverb, a drunken vulva does not have this doorkeeper; there is no one to grant or deny access, and thus entry is guaranteed. It is important to note that this is not an active *giving* of access; it is not opening the door. Rather, these proverbs both point to the absence of the capacity to deny access. In a treatise on the seven deadly sins written in 1522, Sir Thomas More writes in his discussion of Gluttony's perils:

Men are wont to write a short rydle on the wal, that D.C. hath no P. Rede ye [interpret for you] this rydle I cannot; but I have hard say, that it toucheth the redines that woman hath to fleshly filth, if she fal in dronkenes. And if ye fynde one that can declare it, though it be no greate authoritie, yet have I heard saye that it is very true.⁶²

More claims that this proverb is abbreviated, its obscenity censored, in order to make it a "short rydle" written frequently by "men" on walls—perhaps in public bathrooms—as crude graffiti, illustrating how proverbs like this functioned socially. Because it is shared publicly by "men," it becomes a tool of same-sex peer education, where men use obscenity to teach their peers about women, sex, and consent. In this case, the obscene proverb tells men that drunk women offer no sexual resistance and can be read as encouraging men to take advantage of their defenselessness. More furnishes an interpretation of the proverb, claiming it means that women who "fal in dronkenes" are more prone to engage in "fleshly filth" or sexual transgression than sober women. He claims that drunkenness increases women's "redines" to sex, even though the proverb itself states that drunk women are unable to say yes or no, lacking a porter who vets all who seek to enter, rather than prone to say yes. More vouches for the veracity of his interpretation by

62. Sir Thomas More, *A treatyce... upon these wordes of holye Scripture, Memorare novissima*, in *The workes of Sir Thomas More Knyght, sometyme Lorde Chauncellour of England, wrytten by him in the Englysh tonge* (London: for John Cawod, John Waly, and Richard Tottell, 1557), 72–102, at 97. James Howell includes the proverb as "A drunken C. hath no porter" in *Paroimiographia Proverbs, or, Old sayed sawes & adages in English (or the Saxon tounge), Italian, French, and Spanish, whereunto the British for their great antiquity and weight are added* (London: J.G., 1659), 6b.

claiming that it is “very true.” These popular proverbs regarding women’s defenselessness could have served as warnings against taking advantage of drunken women’s inability to resist unwanted sex. However, More’s misogynist interpretation demonstrates that these proverbs were instead likely understood as testaments to alcohol-induced female lasciviousness, with the implication that the absence of “no” constitutes a “yes,” echoing *Mary Magdalene* as well as Brock Turner’s lawyer in portraying women who consume alcohol as especially inclined to engage in sexual activity.

Conclusion: Willful Violations

The first time that I was truly drunk, it was the fifth week of classes in my freshman year of college, and I was drinking with three friends who lived down the hall. The friend whose room it was and who had supplied the alcohol insisted on making my drink. It tasted like pure vodka, and I winced as I drank it, but I said nothing because I did not want to be rude.

He and I laughed and talked and sang along to Pink Floyd. At some point, I realized that I could not move or hold up my head. As he began to assault me, I was filled with a cold, sick rush of bewildered horror. I could not speak except to moan, “Please, I’m so drunk. Please, I’m so drunk.” In Alisoun of Bath’s words, I had “no defence.”

Once I was able, I remember rolling sideways out of the chair onto the rough dormitory carpet in order to get away from him. I was too drunk to walk, so I crawled down the hallway to my room, legless under the relentlessly bright fluorescent lights in the middle of the night, determined to get away. And I feel as though part of me has been forever frozen in that hallway, always nineteen, always crawling, always trying to get to somewhere safe.

I share this narrative because it is imperative that we understand the devastating magnitude of the deliberate violations of the will that intoxication-facilitated sexual assault entails. There is something uniquely vile about having one’s defenses methodically disarmed and usurped for another’s gratification, then having to carry the double burden of being blamed for that defenselessness, heaping shame upon trauma and making it all the more difficult to heal. I would not have said yes to sexual contact with this friend, but I was not given the chance to say yes

or no. And when I reported the assault, my university punished me for drinking. They sent a disciplinary letter home to my parents, forcing me to tell them what had happened before I was ready. When I wanted to pursue a disciplinary hearing, I was told that I would not win because my intoxication would be counted against me. I carried the guilt and shame around with me like a bag of stones that I could not put down. I still do, in spite of everything.

I write about medieval histories of intoxication and consent for the nineteen-year-old dragging herself like a wounded animal down that hallway. I want her and others like her to know that it is not their fault, that this kind of willful violation has happened for centuries, that it was known and named as a violation in the case of Isabella Plomet in 1292. I want them to know that victim-blaming those who have been assaulted while intoxicated has a long history, and that cultural recognition of their harm has a history that is equally long.

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