

**Gendering Violence: Re-thinking Coercion and Consent in Early Modern English  
Literature**

by

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## **DEDICATION**

This project is dedicated to all the survivors of sexual assault who have been failed by the criminal justice system—to survivors who are too afraid to tell their story, to survivors whose stories have fallen on deaf ears, and to survivors who have found the courage to face their accusers, only to come to the realization that they are the ones on trial. I acknowledge your experience and admire your strength.

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## TABLE OF CONTENTS

DEDICATION	ii
ACKNOWLEDGMENTS	iii
ABSTRACT	vi
INTRODUCTION	1
CHAPTERS	
I. “Her beauty was ordained to be my scaffold”: Desire, Violence, and Culpability in <i>The Revenger’s Tragedy</i>	29
II. “For she, alas, was but the instrument”: Agency, Gender, and the Facilitation of Violence in <i>The Maid’s Tragedy</i>	59
III. “Her lips are conquerors, his lips obey”: Gender, Aggression, and Consent in Shakespeare’s <i>Venus and Adonis</i>	105
IV. “Maidens call it love-in-idleness”: The Capacity for Consent in <i>A Midsummer Night’s Dream</i>	131
CODA	155
BIBLIOGRAPHY	169

## ABSTRACT

“Gendering Violence: Rethinking Coercion and Consent in Early Modern English Literature” puts various cultural materials—including legal manuals, trial depositions and transcripts—from early modern England in conversation with drama and poetry of the period to reconceptualize the notion of violence. Through close examination of these materials, I assert that, for early moderns, violence was gendered and that acts of violence, including but not limited to sexual violence, can be both physical and non-physical. Records of prosecutions and punishments for lethal and non-lethal acts of violence indicate that there are consequences for performing acts of violence marked as aberrant for one’s gender. At the same time, acts of violence performed by female characters in the works of Thomas Middleton, Francis Beaumont and John Fletcher, and William Shakespeare provide an expansive range of feminine modes of violence, including non-physical acts such as speech, and cuckoldry, which is available exclusively to women.

Using legal records to contextualize the rhetoric of Middleton’s *The Revenger’s Tragedy*, my first chapter performs a comparative reading of women’s claims of sexual harassment and sexual assault against men in the period and the language male characters use to defend their sexual crimes against women. Together, these two genres present a cultural narrative that portrays sex as a masculine need and male perpetrators of sexual violence as powerless to deny this need, ultimately suggesting that there is a double loss of agency in rape. The second chapter,

on Beaumont and Fletcher's *The Maid's Tragedy*, introduces the terms "facilitator" and "instrument" in order to argue that facilitated acts of violence are performed by an instrument who is both an active agent and a controlled subject. The facilitator is the guiding force, but may also find themselves in the position of a passive bystander who must depend on the actions of their instrument. Examining oppositely-gendered instrument-facilitator pairs, Melantius and Evadne, and Aspatia and Amintor, I show how gender asymmetry affects this dynamic at the same time that it underscores the unstable power balance on which facilitation depends. My third chapter analyzes the gendered rhetoric of violence in Shakespeare's *Venus and Adonis*, arguing that while scholarship has traditionally read Shakespeare's inversion of the standard gender binary as comedic, Adonis's plight at the hands of Venus in fact demonstrates numerous elements of sexual coercion. This reading demands that we acknowledge how women participate in sexual harassment and rape. My final chapter, on Shakespeare's *A Midsummer Night's Dream*, argues that, in dropping the juice of the "little western flower" into Titania's eyes, Oberon commits an act of drug-facilitated rape (2.1.166). Returning to the language used by male perpetrators of sexual violence in the period, I demonstrate that, unlike them, Titania is *truly* powerless to resist her sexual urges. Thus, while Titania sexually violates Bottom, her actions are guided by Oberon—the true perpetrator of Bottom's rape. These final two chapters explicitly engage with present-day concerns regarding sexual assault, the U.S. legal system's understanding of consent, and the high prevalence of drug-facilitated and incapacitated rape on college campuses. My project is indebted to both feminist and presentist studies as I use the past to better understand contemporary discourses of sexual consent, agency, coercion, and violence. I also argue that bringing early modern texts into conversation with contemporary discourses can enrich humanities pedagogy.



## INTRODUCTION

In April of 2014, I was preparing to give my first lecture to a group of undergraduates. Anxious about delving into the 21<sup>st</sup> century—the primary time period of the course—I chose to contextualize current statistics on sexual assault and the survivors’ stories I used to explain “what rape is” with information from a time-period more familiar to me. I paraphrased, for students, the tale Thomas Laqueur uses to open his groundbreaking book, *Making Sex*.<sup>1</sup> In the story, a young man rapes a woman he—and everyone else—believes to be dead. After he leaves, the woman awakes and her community realizes she was only in a coma. Unfortunately, the woman becomes pregnant as a result of the young man’s assault. When told the story in 1752, French surgeon Antoine Louis claimed that the young woman was never in a coma. Instead, he argued, the pair must have conspired together to hide their sins because both male and female orgasm were needed to conceive a child and one does not orgasm when in a coma. I explained to students that one dominant belief, going back to at least the fifteenth century, was that women who bore children following an act of sexual violence were assumed to have orgasmed—a reaction that signaled they enjoyed the experience—and, thus, were not considered rape victims. Today, this idea seems absurd or, I asked the students, does it? I then played a 2012 interview with Todd Akin, former republican representative for the state of Missouri. Asked if he believes abortion is

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<sup>1</sup> Laqueur, Thomas. *Making Sex: Body and Gender from the Greeks to Freud*. Reprint edition, Harvard University Press, 1992.

justified in cases of rape, Akin’s response suggested that rape cannot result in pregnancy: “It seems to be, first of all, from what I understand from doctors, it’s really rare. If it’s a legitimate rape, the female body has ways to try to shut the whole thing down.”<sup>2</sup> This comparison was eye opening for students. Even though some had previously heard Akin’s comments, they were shocked—and a few disheartened—to see that the ideology of Louis’s society was still evident in modern discourse.

Four years later, as I watch Brett Kavanaugh be appointed to the Supreme Court, I am reminded of Todd Akin’s ignorance and the long-standing gender ideologies that make it possible. Of course, some progress has been made since 2014—the #MeToo movement has empowered victims of sexual assault and sexual harassment to speak out against previously untouchable individuals and recent initiatives indicate there are efforts being made to change the climate, with regards to gender-based harassment, on university campuses.<sup>3</sup> Alongside this progress, however, is the rise of #HimToo<sup>4</sup> and the effect, or lack of effect, Christine Blasey

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<sup>2</sup> Gentilviso, Chris. *Todd Akin On Abortion: “Legitimate Rape” Victims Have “Ways To Try To Shut That Whole Thing Down” (VIDEO) | HuffPost.* [https://www.huffingtonpost.com/2012/08/19/todd-akin-abortion-legitimate-rape\\_n\\_1807381.html](https://www.huffingtonpost.com/2012/08/19/todd-akin-abortion-legitimate-rape_n_1807381.html). Accessed 27 Nov. 2018.

<sup>3</sup> Some examples include: The National Academies of Sciences, Engineering, and Medicine recently published a study that acknowledges the sexual harassment of women in the sciences. Johnson, Paula A., et al., editors. *Sexual Harassment of Women: Climate, Culture, and Consequences in Academic Sciences, Engineering, and Medicine*. 2018. [www.nap.edu](http://www.nap.edu), doi:10.17226/24994. Additionally, University of Michigan’s School of Literature, Science, and Arts, Rackham Graduate School, and Sexual Assault and Prevention Awareness Center are working together to create a training program for graduate students that focuses on sexual harassment in the university.

<sup>4</sup> One of the more recent meanings the hashtag, #HimToo, has taken on suggests that a substantial number of false accusations are being made by women against men and, as a result, men have become victims of the #MeToo movement. See the following for a detailed outline of the various meanings #HimToo has had since its inception three years ago: Ellis, Emma Grey. “How #HimToo Became the Tagline of the Men’s Rights Movement.” *Wired*, Sept. 2018. [www.wired.com](http://www.wired.com), <https://www.wired.com/story/brett-kavanaugh-hearings-himtoo-metoo-christine-blasey-ford/>.

Ford's allegations of sexual assault against Kavanaugh had on his nomination.<sup>5</sup> It would be unfortunate, though not surprising, if Kavanaugh's denial of the accusation was believed over the testimony of Ford. However, a good number of elite members of society and lay people do find Ford's claims to be credible; they simply do not care.<sup>6</sup> Especially troubling is a dominant sentiment that emerges from various interviews. Former Congressman, Joe Walsh, comments, "If stupid, bad, or drunken behavior as a minor back in high school were the standard, every male politician in Washington, DC would fail." An anonymous lawyer close to the White House...[says] "If somebody can be brought down by accusations like this, then you, me, every man should be worried." Bari Weiss, a *Times* opinion columnist, claims she believes Ford, but asks "What about the deeper, moral, cultural, like, the ethical question here? Let's say he did this exactly as she said. Should the fact that a seventeen-year-old presumably very drunk kid did this—should this be disqualifying?" (Tolentino 3).<sup>7</sup> These statements and Weis' leading

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<sup>5</sup> On September 16, 2018, Christine Blasey Ford alleged that Kavanaugh and a friend of his took Ford into a room and attempted to force themselves on her. She says that Kavanaugh put his hand over her mouth so that she could not scream and that his friend turned up the music in order to drown out her protests as well. She was able to free herself from the two young men. Kavanaugh has "categorically and unequivocally" denied Ford's claims. Various politicians, on the Left and Right, have deemed her account credible, but Kavanaugh was eventually confirmed. Shabad, Rebecca. "Kavanaugh Denies Allegations by Woman Who Says He Tried to Force Himself on Her in the 1980s." *NBC News*, 14 Sept. 2018, <https://www.nbcnews.com/politics/congress/kavanaugh-denies-allegations-woman-who-says-he-tried-force-himself-n909626>.

<sup>6</sup> In a poll from *The Economist/YouGov*, participants were asked if Kavanaugh should be disqualified if he did sexually assault a woman 36 years ago. 28% of respondents overall thought it should not disqualify him and 24% were not sure. 55% of the Republicans surveyed thought a proven allegation of sexual assault should not disqualify him. Marcin, Tim. *Sexual Assault Should Not Disqualify Kavanaugh If Proven, Majority of Republicans Believe: Poll*. 27 Sept. 2018, <https://www.newsweek.com/sexual-assault-should-not-disqualify-kavanaugh-proven-majority-republicans-1141877>.

<sup>7</sup> All three quotes can be found in the following source: Tolentino, Jia. *After the Kavanaugh Allegations, Republicans Offer a Shocking Defense: Sexual*

question offer drunkenness, youth, and the fact that all men—supposedly—have similar pasts as reasonable excuses for Kavanaugh’s behavior. Perhaps these individuals find it easy to defend Kavanaugh because they are not acknowledging the reality of his actions. His “stupid, bad, drunken behavior” is sexual assault. “Accusations like this” are Kavanaugh trapping a 15-year-old Ford in a bedroom and holding his hand over her mouth. The “he did this exactly as she said” is Kavanaugh employing a friend to help him drown out Ford’s screams; the only reason the “this” that this “drunk kid did” did not escalate from assault to rape is that Ford was able to escape Kavanaugh and his accomplice.

In confirming Kavanaugh as the next Supreme Court Justice, those with ultimate power in our society simultaneously excuse him from committing sexual violence against one woman and imbue him with the power to enable gendered violence on millions of female bodies.<sup>8</sup> And though a lot *has* changed since 2014, the debate over whether Kavanaugh’s actions should be

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*Assault Isn’t a Big Deal* | *The New Yorker*. 20 Sept. 2018, <https://www.newyorker.com/news/our-columnists/after-the-kavanaugh-allegations-republicans-offer-a-shocking-defense-sexual-assault-isnt-a-big-deal>.

<sup>8</sup> The issue of abortion has always been an important political topic, but Kavanaugh’s appointment brings the peril of *Roe v. Wade* to the forefront of discussions. Kavanaugh’s placement on the court increases the likelihood that the rights made possible by this case will be revoked. Such an act would force many women to continue with pregnancies against their will or endure experiences similar to that of Gloria Allred, former President of the Los Angeles chapter of NOW. In her 20s, she was raped at gunpoint and, sadly, did not believe anyone would believe her story. When she found out that she was pregnant, she decided to do as “millions of women did in those days [before *Roe v. Wade*]—[she] went to have a back alley abortion.” She almost died as a result of this procedure and, ultimately had to be taken to the hospital. Instead of showing compassion or simply, the nurse told her ‘I hope this teaches you a lesson.’ Allred writes that she doesn’t “know what lesson she thought that was going to teach me, but the lesson I did learn was that abortion should be legal, affordable, safe, and available to all women.” Many men and women have learned this lesson over the years, but Kavanaugh—who may very well have the opportunity to rule on a case that determines whether women who have experienced sexual assault will have access to abortion options—has also just learned a lesson: the powerful members of our society will protect and promote perpetrators of sexual assault. Allred, Gloria. National Organization for Women. “Re: Why I’m Supporting NOW on Giving Tuesday.” Received by Charisse Willis, 27 Nov. 2018.

disqualifying suggests that our country is still trying to decide which acts of violence we will condone and which we will mark as aberrant.<sup>9</sup>

This tension between tolerating and rejecting violence informs this dissertation. As the title of my dissertation indicates, my project aims to re-imagine violence. In the pages that follow, I will argue that acts such as adultery should be construed as a form of violence, ask whether early moderns' gender biases might allow them to ignore the reality of an act of murder, and posit that a skull serves as an agent of violence. More than just exploring the different ways in which violent acts can be represented, I also look at how certain legal theories were changing in the early modern period. For example, as Nazife Bashar explains, in legal statutes concerning rape, women were no longer thought of simply as property; rather, women were beginning to be granted rights over their own bodies.<sup>10</sup> This shift, as I will explain later, unfortunately made it more difficult for women to prove they were raped. As our society is also currently in a moment of change, it remains to be seen what legal shifts will occur and whether the consequences of those shifts will be positive or negative. The #MeToo movement has made rape culture visible in a way that has never occurred before; people are listening to, and in some cases, believing victims of sexual violence; and current laws are being debated and reformulated.<sup>11</sup> Kavanaugh's

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<sup>9</sup> Kavanaugh's position on the Supreme Court will give him the power to make these decisions. As a Justice, Kavanaugh will help determine if the government will usurp women's rights or allow them to remain in control of their bodies. If *Roe v. Wade* is overturned, the government will both condone and serve as facilitator to the violence enacted on female bodies forced to seek unsafe abortion procedures or endure unwanted pregnancies. More, Kavanaugh will cast his vote on any case that comes before the court that has bearing on the way our society views acts of violence—death penalty, hate crimes, etc.

<sup>10</sup> Bashar, Nazife. "Rape in England between 1550 and 1700." *The Sexual Dynamics of History: Men's Power, Women's Resistance*, edited by London Feminist History Group, Pluto Press, 1983, pp. 28–42.

<sup>11</sup> For example, the Department of Education proposed a Title IX rule, which would replace the Obama Administration's Title IX guidance, and there is a public comment period that allows

confirmation certainly reinforces our culture's pre-existing patriarchal ideologies—as his actions were cast as harmless 'boys will be boys' behavior—but the controversy surrounding his confirmation suggests that there is still time to promote positive cultural shifts. In order to do so, however, we do need to understand the “deeper, moral, cultural...ethical” issues at stake.<sup>12</sup> Just as I used the link between early modern beliefs concerning conception post-sexual assault and Todd Akin's thoughts on “legitimate rape” to show my students that the issues of the past can be the issues of today, my dissertation posits that we can ask the same questions of early modern texts that we can of current political issues. How does our society think about sexual violence when the perpetrator is male versus female? Or when the victim is female instead of male? How does the role alcohol plays in assessing Kavanaugh's level of responsibility intersect with cultural expectations surrounding masculinity? Does intoxication affect Ford's image and credibility similarly or do men and women experience different consequences for alcohol consumption when there are accusations of sexual assault? In looking for answers to these questions in early modern texts, we may learn why these century-old discourses and ideologies have persisted. Perhaps we can use this knowledge to dismantle them.

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anyone to share their comments, suggestions, and critiques. This is a rare moment for public input.

*Secretary DeVos: Proposed Title IX Rule Provides Clarity for Schools, Support for Survivors, and Due Process Rights for All | U.S. Department of Education.* <https://www.ed.gov/news/press-releases/secretary-devos-proposed-title-ix-rule-provides-clarity-schools-support-survivors-and-due-process-rights-all>. Accessed 18 Dec. 2018.

<sup>12</sup> While the earlier referenced *Newsweek* poll showed that the majority of Republicans and a quarter of the respondents overall do not think sexual assault should disqualify Kavanaugh and a little under a quarter of respondents said they were unsure, forty-eight percent of respondents overall thought the act should disqualify him. Also, Professor Richard L. Hall, from University of Michigan's political science and public policy departments, argues that even if we cannot be sure of Kavanaugh's actions, it is better to reject one innocent man than to risk having a guilty one sit on the Supreme Court. See: “No High Court Nominee Deserves Benefit of the Doubt.” *Detroit Free Press*, 4 Oct. 2018, <https://www.freep.com/story/opinion/2018/10/04/kavanaugh-benefit-doubt/1525014002/>.

This dissertation pursues such questions by means of the following texts: John Middleton's *The Revenger's Tragedy*, Francis Beaumont and John Fletcher's *The Maid's Tragedy*, and William Shakespeare's *Venus and Adonis* and *A Midsummer Night's Dream*. I begin my examination by asking: how does the drama conceive of violence? A standard dictionary definition is "behavior involving physical force intended to hurt, damage, or kill someone or something," but this emphasis on the physical obscures the complex nature of violence (New Oxford American Dictionary, violence 1a). I argue, amongst other things, that violence is not limited to the physical. A sword can be the means of death, such as in *The Maid's Tragedy*, or, as we see in *A Midsummer Night's Dream*, the nectar of a flower can become one's weapon of choice. Speech, of course, can also be employed as a tool of violence and its power is on full display in the court scenes in *The Revenger's Tragedy* and *A Midsummer Night's Dream*. Taking direction from the alternative expressions of violence offered by these texts from the period, I also ask, how did early moderns understand and recognize violence? Historian Garthine Walker explains:

early modern classifications of non-lethal violence perceived bodily harm and aggressive words not as separate categories, but to lie upon a continuum of violence. Threatening words, attempted harm by force and violence, and battery involving actual loss or injury were things of 'several natures.' Yet their purpose was the same: 'to hurt him against whom they are bent.' (23)

It seems that, early moderns, too, saw violence as more than just physical; it was present in words as well as deeds. Key to their conception of violence was the intention of harm. Contemporary conceptions of violence are also concerned with the intent behind violent behavior. *Mens rea*—"the state of mind statutorily required in order to convict a particular

defendant of a particular crime”—plays an important role in our justice system.<sup>13</sup> Indeed, whether a person knows they are causing harm has become quite important in recent discussion of reforming rape laws.<sup>14</sup> I will address the complex role intent plays in acts of sexual violence more in my final chapter, but below I will outline the general relationship between intent and culpability.

Throughout my dissertation, I argue that a person can unknowingly be an instrument of violence. In Slavoj Žižek’s discussion of violence, he makes a distinction between subjective and systemic violence, with subjective violence being “that violence which is enacted by social agents, evil individuals, disciplined repressive apparatuses, [and] fanatical crowds” and systemic violence being “violence inherent in a system: not only direct physical harm, but also the more subtle forms of coercion that sustain relations of domination and exploitation, including the threat of violence” (10, 9). Žižek asserts that because subjective violence is the most visible form of violence, it distracts people from the more important systemic violence; he encourages us “to disentangle ourselves from the fascinating lure of this directly visible ‘subjective’ violence, violence performed by a clearly, identifiable agent” (1). Žižek’s identification of these two forms of violence is useful, but rather than maintain a separation between them, I am interested in what

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<sup>13</sup> Staff, L. I. I. “Mens Rea.” *LII / Legal Information Institute*, 6 Aug. 2007, [https://www.law.cornell.edu/wex/mens\\_rea](https://www.law.cornell.edu/wex/mens_rea).

It is interesting to note that no act of violence was involved in the legal case that affirmed the legal precedent for *mens rea*—*Staples v. Supreme Court*; rather, the precedent was set for a case in which there was the possibility for future violence. The defendant was charged with possession of a dangerous firearm. Also, note that traditionally, *mens rea* has been one of the five elements necessary to prove rape: “as with any offense, the prosecution must prove that the defendant had a culpable state of mind. This requirement takes on great practical significance when a rape defendant claims that he made a mistake about the victim’s consent.” From: *Rape: Legal Aspects | Encyclopedia.Com*. <https://www.encyclopedia.com/law/legal-and-political-magazines/rape-legal-aspects>. Accessed 17 Dec. 2018.

<sup>14</sup> Hong, Kari. “A New Mens Rea for Rape: More Convictions and Less Punishment.” *American Criminal Law Review*, vol. 55, no. 2, Spring 2018, pp. 259–332. General OneFile.



acts of subjective violence can teach us about the system/s in which they are performed. I assert that the particularities of violent acts—such as the weapons used, the choice of victim, the agent of violence (if one can be identified), and how others respond to the act—are exactly what we need to pay attention to in order to better understand early modern conceptions of gender, consent, and agency. Rather than thinking of the subjective as distracting from the systemic, I argue that the violent acts portrayed in the texts and the dominant ideologies of the period continuously work to reinforce each other.

The key distinguishing feature between subjective and systemic violence, for Žižek, is the identifiable agent. In subjective violence, there are “obvious signals of violence...[such as] acts of crime and terror,” and one can identify the actor (1). My dissertation posits, however, that even in overt acts of violence, the actor is not always so easily identified. For example, Žižek writes:

Let’s think about the fake sense of urgency that pervades the left-liberal humanitarian discourse on violence: in it, abstraction and graphic (pseudo)concreteness co-exist in the staging of the scene of violence--against women, blacks, the homeless, gays... ‘a woman is raped every six seconds’ and ‘In the time it takes you to read this paragraph ten children will die of hunger’ are just two examples...(6)

In the first example—‘a woman is raped every six seconds’—the obvious act of violence is rape, the victim is the woman, and the unnamed but assumed agent of violence is the rapist. In my first chapter on Middleton’s *The Revenger’s Tragedy*, Junior Brother rapes Lady Antonio. Though he is the agent of violence, he positions himself as a victim without agency and casts Lady Antonio as the one with power. One of the questions I ask is, can Junior Brother recognize himself as an agent of violence? More, to what extent does the early modern audience view him as culpable?

Similar questions become even more difficult to answer as I examine acts of facilitated violence—which involve varying degrees of agency and consent—in Shakespeare’s *A Midsummer Night’s Dream*. A facilitated act of violence is one character’s use of another to perform an act of violence. Facilitators are often people, active beings, working to achieve a goal or accomplish a task, whereas an instrument usually denotes an object, a passive entity that requires an outside force to be of use. As the instruments used in the texts I discuss are people, however, they are not completely passive and the question of whether they have agency or how much agency they have can be complicated. When, for example, Titania sexually assaults Bottom, she is not operating as an independent agent. Rather, in assaulting Bottom, she is simultaneously made an instrument of violence and a victim of Oberon’s sexual assault. In such facilitated acts of sexual violence, I assert that one can be an active agent at the same time that he or she is a controlled subject. I also maintain that in some cases of drug-facilitated rape, there can be a double loss of agency wherein both the perpetrator and the victim are in some way made vulnerable.<sup>15</sup> To what extent, I ask, can an individual with reduced agency be an agent of violence? I also assert that the vulnerability that results from this double loss of agency limits both parties’ ability to consent.

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<sup>15</sup> Facilitated rape is defined as follows:

Drug and alcohol facilitated rape (DFR)\* – perpetrator deliberately gives the victim drugs without [their] permission or tries to get [them] drunk, and then commits an unwanted sexual act against [them] involving penetration (all forms). The victim is passed out or awake but too drunk or high to know what [they are] doing or to control [their] behavior.

Incapacitated rape (IR)\* – unwanted sexual act involving all forms of penetration that occurs after the victim voluntarily uses drugs or alcohol. The victim is passed out or awake but too drunk or high to know what [they are] doing or to control [their] behavior.

\*By definition, DFR and IR are mutually exclusive. (10)

I have changed the pronouns from the original—“she” and “her”—to provide a more inclusive definition. These definitions are taken from:

Kilpatrick, Dean, et al. *Drug Facilitated, Incapacitated, and Forcible Rape: A National Study. Final Report*. Vol. 14, Jan. 2007, pp. 2-71.

I examine various characters in similar situations of questionable agency. In my first chapter on *The Revenger's Tragedy*, I ask whether it is possible for a victim of attempted sexual assault to possess agency in death. A key figure in the play is the skull of a woman, Gloriana, who was killed because she would not submit to a man's sexual advances. Her skull's use in the murder of that same man exhibits the link between gender, agency, and violence. I argue that though Gloriana is dead, her fiancée's choice to not only employ her skull in the Duke's murder, but also to lace her lips with the poison her would-be rapist will ingest, gives Gloriana the opportunity to enact revenge through an act of violence that is markedly "feminine."

I continue my exploration of gender, agency, and violence in *The Maid's Tragedy*. Discussing facilitated acts of violence, I contend that the gender of the facilitator and the instrument is a key component in determining the power dynamic in their relationship and the possibilities for exercising agency when orchestrating or enacting violence. Evadne is a female instrument who commits regicide at the behest of a male facilitator, her brother Melantius. As her act takes place in the tragedy genre and she is not in a position of power, there are consequences for her actions. Interestingly, however, it is her brother who must face these consequences. As I argue throughout my dissertation, an act of violence, physical or otherwise, is most often committed by a person whose gender cannot be separated from their action. Though Evadne wields the dagger that kills the king, in the world of the play, her gender marks her as incapable of such a violent action. As such, the fault must lie with Melantius—an outcome that indicates that acts of violence, for the early moderns, were deeply gendered.

As I have begun to suggest, my dissertation explores the following questions: Which acts of violence are condoned and which are marked aberrant? How does gender affect the marking of an act of violence as aberrant or permissible? How does gender affect the consequences for

performing aberrant acts? The ideal of early modern womanhood as “chaste, obedient, and silent” has played a significant role in our understanding of the types of violence women were expected to engage in—or rather, not engage in. Carol Z. Wiener points out that “in the hierarchical relationships which they saw in their society, most Elizabethans thought it illegitimate for those on the subordinate side to use violence no matter what the provocation. Certainly, women were taught that tears, not force, were their proper remedy” (45).<sup>16</sup> In her discussion of early modern England crime records, however, Walker argues that such gender stereotypes are not reflected in the actions women carried out in their daily lives.<sup>17</sup> She writes: “historians tend to accept criminality in general to be a masculine category without conceptualising or contextualising it in terms of gender. Male criminality is thus normalised, while female criminality is seen in terms of dysfunction, an aberration of the norms of feminine behaviour” (4). She asserts that the archival data in her book will show that “neither men nor women committed acts solely in line with the prescriptions either of their own society or of ours... women participated in most categories of crimes. Indeed, they were more likely to participate in the non-‘feminine’ offences than they were in those labelled as women’s crimes” (4). Walker does show that women were more likely to commit acts of theft and simple assault than historians may have previously acknowledged. It is important to note, however, that women comprised only “one-fifth of suspected killers in Cheshire [the county Walker’s data is taken from]” and, unsurprisingly for the time-period, no women were suspected of or prosecuted for

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<sup>16</sup> Wiener, Carol Z. “Sex Roles and Crime in Late Elizabethan Hertfordshire.” *Journal of Social History*, vol. 8, no. 4, 1975, pp. 38–60.

<sup>17</sup> Lena Cowen Orlin has made the point that “‘Chaste, silent, and obedient’, the message that was endlessly repeated in early modern English household manuals, conduct books, and marriage sermons became a refrain repeated more often in contemporary scholarship... than it may have been in early modern England (1998, quoted in Rackin 2000, 54)” (4). Gajowski, Evelyn. “The Presence of the Past.” *Presentism, Gender, and Sexuality in Shakespeare*, edited by Evelyn Gajowski, Palgrave Macmillan, 2009, pp. 1–22.

sexual assault/rape (135). Her actual data, then, indicates that while women did commit some “non-feminine” offences, of the most heinous offences, women were still in the minority.<sup>18</sup>

Throughout my chapters, I find that the more heinous acts of violence—such as murder—are gendered masculine. The method used to carry out the act of violence was also linked to gender. For example, murder committed with a dagger is gendered masculine whereas murder by poison has historically been considered more of a feminine method.<sup>19</sup> More interesting are the consequences, or in some cases, the lack thereof, for performing acts of violence that are marked as aberrant for one’s gender. In reviewing the rates of lethal violence, Walker notes that “women suspected of homicide were more likely to be dismissed before formal charges were made. Once these cases went to court...grand and petty juries discharged and acquitted a much greater

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<sup>18</sup> It is also important to note, regarding the murders women did commit, “of forty-eight female principal suspects in the sample, five of their victims were husbands... [and] thirty-one were their own children...” (135). Infanticide was, as Walker herself acknowledges, considered a ‘feminine’ crime. More, men murdered both people who were close to them and strangers, while female murderers’ victims were almost exclusively close relatives. As cultural norms made it inappropriate for women to plead self-defense when they killed their husbands even though “only one husband out of eight suspected Chester uxoricides was executed and none of those who beat their wives to death was convicted of murder,” it seems clear that in addition to being in the minority, the reasons women killed may also need to be taken into consideration when thinking about the likelihood of women committing lethal violence (140).

<sup>19</sup> Regarding the former, Walker writes, “The most significant gender difference in weapon-use is that in some sole perpetrated assaults, men used swords/rapiers and firearms, whereas no women did so” (79). Interestingly, Walker notes that “the Latin term for poisoning was the same as witchcraft: *veneficium*. Both were secret, ‘most abominable’, acts against which there were few defences...The poisoner was thus attributed with negative feminine characteristics - weak, foolish, wicked, cunning. Indeed, Reginald Scot wrote that ‘women were the first inventors and the greatest practisers of poisoning...’” (144). In Cheshire, “poisoning did fit the category of non-confrontational methods of killing preferred by women. It was the method women allegedly used in eight (sixty-six per cent) of the twelve Cheshire cases with adult victims. In contrast, only nine (six per cent) of 161 men charged with homicide were suspected of poisoning, and six of these were in league with women” (144). Wiener also noted that “in the few murder cases which appear in the assize records, woman [sic] were responsible for only five out of seventeen deaths; since one woman had poisoned three people, women were only three of the fifteen murderers” (45). It is clear from both Walker and Wiener’s accounts that men, by far, outnumbered women when it came to committing homicides—or, in Walker’s case, being charged with them—and that poison was a method more aligned with women.

proportion of female than male defendants”(135-36). She goes on to say “we ought not too quickly conclude that women received favourable treatment by the courts. For unlike men, who did not often hang for homicide, women who were found guilty almost always suffered sentence of death” (136). Walker’s data suggests that there may have been a reluctance to link women to lethal acts of violence. Unlike Walker assumes, however, this does not tempt me to believe that women were treated favorably. Rather, my thoughts return to *The Maid's Tragedy*: Evadne disrupts her society not simply because she commits regicide—removing, theoretically, God’s chosen ruler—but because she upsets the norms established for her gender. In punishing Melantius, the other members of court can attribute the violence to a male actor, present this male actor to the public, and ultimately restore order to the kingdom. For Cheshire, the high number of acquitted female defendants signals a desire, conscious or unconscious, to maintain their society’s association of men with murder. And it follows that male murderers could be given alternative sentences, precisely because their actions may not have threatened established cultural norms. In contrast, the few women who were convicted of murder most certainly did threaten such norms and it thus comes as no surprise that their removal from society was deemed imperative.

While studies like Walker’s and the legal documents regarding cases brought against men accused of sexual violence are an important component of my analysis, my primary focus is early modern drama. My project seeks to identify which acts of violence male and female characters in the drama performed, how they performed them, whether or not they performed these acts with a facilitator or as independent agents, and how their acts were represented in their fictional world. In addition to identifying which acts of violence were gendered feminine, which were gendered masculine, and what the consequences were when an individual performed an act

that was considered aberrant for their gender, I also assert that there are some modes of violence that are exclusively available to women. As I demonstrate in my first chapter, for example, cuckoldry can serve as a form of violence and, especially because of early moderns' anxiety regarding the right of primogeniture, women had the unique ability to use their sexuality as a weapon.<sup>20</sup>

As the example of cuckoldry indicates, my dissertation takes a capacious view toward the definition of sexual violence. For early moderns:

rape and other acts of sexual coercion [were situated] on a spectrum that incorporated inhuman cruelty and wickedness at one end and 'unremarkable' acts of sexual aggression on the other... When rape was conceptualized as sex, its implications were not the same as when it was conceptualized as violence; violent sex and sexual violence were differentiated long before the latter term was coined. Yet the relationship between rape, coercion, persuasion, and seduction were variously drawn, and individuals disagreed on where particular incidents fell. (Walker, "Everyman" 11)<sup>21</sup>

Much like today, there was no consensus on what exactly counted as an act of sexual violence.

The term "rape" (from the Latin "raptus") was originally understood to include "'stealing'

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<sup>20</sup> The importance of primogeniture for early moderns can be seen in their rape statutes. For example, "a girl under 12 years old was assumed to be incapable of giving consent even to relations she might think she desired, and she was believed to be too young to conceive a child even if penetration occurred. As there was no threat that she would conceive a bastard child, the culture could magnanimously consider a girl 'within years' to be innocent whether she had consented to her ravisher or not. After turning 12, however, she was held accountable for her sexual decisions because they could compromise her husband's or future husband's paternity and disrupt the primogenitural flow of wealth from father to child" (Burks 159).

Burks, Deborah G. *Horrid Spectacle: Violation in the Theater of Early Modern England*. Duquesne University Press, 2003.

<sup>21</sup> Walker, Garthine. "Everyman or a Monster? The Rapist in Early Modern England, c.1600–1750." *History Workshop Journal*, vol. 76, no. 1, Oct. 2013, pp. 5–31.

women and forcing women to submit to sexual relations” (Burks 152). Importantly, the term “rapist” was not in use during the early modern period. The idea that a woman could be forced into a sexual act against her will did, of course, exist and—perhaps because they did not have a term to place perpetrators into a separate category—early moderns were able to recognize that “ordinary men posed a threat of rape to women” (Walker, “Everyman” 11, my emphasis). Indeed, some of the questions I ask as I examine various acts of sexual violence stem from early moderns’ ability to recognize that rapists are not exclusively individuals who jump out of bushes and alleyways—a fact modern society often struggles to grasp. These questions include: how does early moderns’ understanding of sexual desire affect their capacity to assign blame to male perpetrators who commit acts of sexual violence?<sup>22</sup> What role or how much of a role does the physical body play?

The concept of will is key to answering these questions. Throughout my dissertation, “will” is used to indicate 1) desire, 2) willpower or an individual’s ability to control their emotions and impulses, and 3) consent. How early moderns defined will is critical to my discussion of sexual violence as all three meanings of “will” intersect in acts of this nature. Legally, the term “will” was synonymous with “consent.” For example, the definition of rape as “carnal knowledge of a woman’s body against her will” is taken to mean that the woman has not given her consent.<sup>23</sup> During the early modern period, there was a shift in how consent was

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<sup>22</sup> In my third chapter, I will explore female sexual predators, but here I mention male perpetrators specifically because men were the individuals early moderns saw as most capable of committing sexual violence.

<sup>23</sup> In *The Institute of the Laws of England (1628)*, Edward Coke writes that rape is “carnall knowledge and abuse of any woman above the age of ten years against her will, or of a woman child under the age of ten years with her will, or against her will” (vol. 4, 60). Coke, Edward Sir. *The First Part of the Institutes of the Laws of England (1628)*, 4 vols. Edited by Charles Butler et al., Reprint of the eighteenth edition, The Lawbook Exchange, Ltd., 1999.



determined.<sup>24</sup> Amy Greenstadt explains that most “theologians persistently linked mental and physical purity, [which] made women responsible for the desires they inspired in others,” but Augustine’s definition of female chastity imagined that “the human will could remain independent not only from the body’s sensations and urges but also its significations” (19). In Augustine’s view, then, a woman’s consent, not simply the fact that her body had been violated, was the key factor in cases of rape. However, while Augustine’s definition of rape was becoming the standard in English law, Greenstadt points out that “the new Augustinian definition of rape did little to increase prosecution rates—which, along with conviction rates, may actually have decreased over this period” (21). Interestingly, one reason she gives is that “Augustine himself claimed that it was impossible for a woman to prove she had been sexually violated” (21). While Augustine knew how to detect arousal in a male—his discussion of men’s erections being one example—he viewed women’s bodies as inscrutable and: “While the Renaissance jurists who

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<sup>24</sup> Legal conceptions of “rape” were changing in the early modern period. Explaining how “the change...lay in the role assigned to the victim [and] the weight attached to consent,” Miranda Chaytor explains:

‘Rape,’ Matthew Hale wrote... ‘is the carnal knowledge of any woman above the age of ten years against her will, and of a woman-child under the age of ten years with or against her will’...the centrality of consent which Hale formulates here had not (as far as I know) been formulated so clearly before. It isn’t that the concept was lacking in earlier centuries...but simply that its status was weak, in that what was determined by the victim’s consent was not *whether* a rape had been committed but *in whose name* the prosecution was brought: ‘If a feme covert be ravished and *consent to the ravisher*,’ Edgar wrote in *The Lawes Resolutions*, ‘the husband alone may have an Appeale’...[In short,] For so long as rape was perceived as a theft, the woman herself was not called into account; the crime lay in the robbery...But once the law began to turn on consent, what was at stake was not property, but sexuality, morality, not the criminal’s act but the victim’s resistance, her innocence, her will, her desires. (395-396, emphasis in original)

Chaytor, Miranda. “Husband(ry): Narratives of Rape in the Seventeenth Century.” *Gender & History*, vol. 7, no. 3, 1995, pp. 378–407.

Also see:

Rudolph, Julia. “Rape and Resistance: Women and Consent in Seventeenth-Century English Legal and Political Thought.” *Journal of British Studies*, vol. 39, no. 2, Apr. 2000, pp. 157–84; and Bashar, “Rape in England between 1550 and 1700.”

adopted Augustine's perspective on sexual violence must have believed it was possible to prove rape, existing evidence suggests they may have shared his sense of woman's characteristic inscrutability" (21).<sup>25</sup> More than simply not being able to read women's bodies, the focus on consent and woman's will meant that the prosecution of rape was now a crime that a man committed against a woman, as opposed to one that a man committed against another man. Miranda Chaytor explains that when "rape was perceived as a theft, the woman herself was not called into account; the crime lay in the robbery...But once the law began to turn on consent, what was at stake was not property, but sexuality, morality, not the criminal's act but the victim's resistance, her innocence, her will, her desires" (396). As it was inappropriate for women to speak about sex, those who did—even to bring a charge of rape before the courts—were automatically seen as less credible than the men they were accusing. As such, this shift to the victim and their consent, ironically, did not benefit women.<sup>26</sup>

As the Augustinian definition of rape made its way into the legal lexicon, it began to establish itself in other parts of early modern society. One goal of my project is to explore how

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<sup>25</sup> Greenstadt writes:

At some point in his discussion of rape, Augustine did speculate that for women even rape (*stuprum*) 'perhaps could not take place without some carnal pleasure [*carnis aliqua voluptate*]' (1.16; translation mine) implying that carnal 'lust' was a necessary part of copulation for both sexes. Yet Augustine's perhaps is significant here, for he is unsure if this is truly the case. The fact that he is reduced to speculating on this point suggests that, unlike the paradigmatic fallen body that involuntarily attests to its inward desires, women's bodies are inscrutable, even to Augustine himself. Lacking the outward visible sign of erectile movement, the female body keeps its secrets. (18)

<sup>26</sup> Laura Gowing writes: "Perfectly chaste and honourable women should not, technically, have discussed their sexual reputation in court"; and "The early modern legal system offered most women little recourse against rape, particularly when men's stories were given more credit by economic and social advantage. The stories that men told about sex automatically received more credit than those of women" (40, 38).

"Language, Power, and the Law: Women's Slander Litigation in Early Modern London." *Women, Crime, and the Courts in Early Modern England*, edited by Jenny Kermode and Garthine Walker, The University of North Carolina Press, 1995, pp. 26–47.

Augustine’s repurposed ideas overlapped with the remnants of pre-existing ideologies—in particular, the notion that women bore some responsibility for the desire others felt for them. Most interesting to me is how these two lines of thought—one which focused on a woman’s consent/will and the other which seemed to suggest that the state of a woman’s body supersedes her will—were expressed in the language used by and about male perpetrators of sexual violence. Drawing on both historical records of early modern crime and early modern literary texts, I compare various discourses from the period to evaluate how male perpetrators positioned themselves in relation to their victims. More often than not, men—despite being the aggressors—identified as victims of women’s beauty and their own sexual desire. Various cultural materials also suggest that the physical manifestations of male sexual desire—“the uncontrollable rise of the male member”—led to the general expectation that men had little to no willpower (Greenstadt 18).<sup>27</sup> Thomas Edgar’s words in the *Lawes Resolutions of Human Rights* imply that there was some belief that men could not control their sexual desires. He writes of men being “so drunken...with their own lusts” that, without the legal system, no woman between 12 and 100 years of age would be safe from rape.<sup>28</sup> And various historians, after surveying trial depositions and transcripts, have also asserted that rape was often depicted as the inevitable result of uncontrollable male lust.<sup>29</sup> In shifting the focus to the male perpetrator, the language found in these texts takes attention away from female victims and the absence of their consent.

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<sup>27</sup> During the early modern period, “will” also meant “carnal desire or appetite” (“Will, n.1, 2”). “Will, n.1.” *OED Online*, Oxford University Press. *Oxford English Dictionary*, <http://www.oed.com/view/Entry/229046>. Accessed 17 Dec. 2018.

<sup>28</sup> Edgar, Thomas. *The Lawes Resolutions of Womens Rights: or, The Lawes Provision for Woemen*. London, 1632.

<sup>29</sup> See Garthine Walker, “Everyman or a Monster?: The Rapist in Early Modern England, c.1600-1750.”; Bashar, “Rape in England between 1550 and 1700”; and Miranda Chaytor, “Husband(ry): Narratives of Rape in the Seventeenth Century.”

Such narratives make it easier for perpetrators to lay blame on victims' beauty and the perpetrators' own weak wills.

The language of these legal documents is also evident in the period's dramatic texts. Melissa Sanchez reminds her readers that the Petrarchan tradition "see[s] suffering, not joy, as evidence of true love; if we love someone even though it hurts us, our affections must be both selfless and sincere. As early modern erotic literature recognizes, this association of pain with love may lead both political and erotic subjects to accept, or even enjoy, their own abuse" (5). Rather than use it to profess love for their victims, the male sexual aggressors I examine employ Petrarchan discourse in their attempts to establish a link between their physical, sexual desires and pain. In so doing, they mark their act of sexual violence, not as an act in which they took pleasure, but as a way for them to relieve their suffering. Of course, while women were not plagued with this outward sign of their arousal, they were also left, as Greenstadt points out, with no means of demonstrating their innocence in instances of rape. I contend that the supposed inscrutability of women's will amplified the importance of other physical evidence, such as visible marks of violence.<sup>30</sup> The emphasis placed on such physical evidence persists today in cultural expectations surrounding the amount of physical resistance rape victims should assert.

Traditionally, to secure a rape conviction, a victim must prove that the sexual act was committed forcibly and against the victim's will.<sup>31</sup> A justification for this requirement has been

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<sup>30</sup> See T. E.'s *The Lawes Resolutions of Women's Rights*, which states that a rape victim should 'go straight way and with Hue and Cry complaine to the good men of the next towne, shewing her wrong, her garments torne and any effusion of blood' (392).

<sup>31</sup> Only in three special situations has consent alone been sufficient: "the three cases in which intercourse traditionally has been equated with forcible rape, even in the absence of physical compulsion, are those in which the woman was unconscious, was mentally incompetent, or gave her consent under certain false pretenses."

*Rape: Legal Aspects* | *Encyclopedia.Com*. <https://www.encyclopedia.com/law/legal-and-political-magazines/rape-legal-aspects>. Accessed 17 Dec. 2018.

that consent is “too amorphous in sexual matters” and that “genuine nonconsent is difficult to distinguish from ‘reluctant submission’ or even coy but voluntary participation” (*Rape: Legal Aspects* | *Encyclopedia.Com*). There has been some evolution in how rape is defined legally, but before I narrate this shift I must first clarify some terminology, because my dissertation moves back and forth between early modern concepts and contemporary terms (some of which were not part of the early modern frame of reference). Four related terms appear throughout my dissertation: sexual violence, sexual harassment, sexual assault, and sexual coercion.<sup>32</sup> For the purposes of this dissertation, *sexual violence* encompasses all acts of harm that occur without a victim’s consent and involve a sexual component. This includes sexual harassment, sexual coercion, sexual assault, and attempted sexual assault. The harm can be physical, verbal, or psychological. *Sexual harassment* includes unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature that creates an intimidating or hostile environment (this can include exposing one’s self, touching—but not penetrating—a victim without their consent, etc.). *Sexual assault* is any sexual contact occurring without a victim’s consent, through the use of physical force, the threat to physically harm, or other intimidation tactics. These other intimidation tactics, which I sometimes refer to as *sexual coercion*, can include moral shaming, psychological manipulation, or any other pressure used to compel a person to engage in a sexual act against their will. These can include, but are not limited to, repeatedly asking someone for sex, threatening to slander a person, using one’s authority to exert sexual pressure, etc.

Sexual conduct includes, but is not limited to penetration. Importantly, for my project, sexual conduct does not require physical contact. It can include verbal harassment and violence,

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<sup>32</sup> While these definitions inevitably have been shaped by much of the scholarship that precedes them, no definition has been taken, verbatim, from any one source.

emotional manipulation, coercion, etc. In addition to these non-physical methods, physical sexual conduct other than penetration can include touching with any body part, drugging—giving someone a drink, food, potion, etc.—and using another individual to facilitate a sexual act. As mentioned above, historically, a sexual act has had to include force *and* a lack of consent to be considered rape by the legal system, and force could only be established with evidence of acts or threats of physical violence. My definition of rape is concerned only with the presence or absence of consent; that is, it need not involve bodily penetration. Moreover, I insist that treating non-physical intimidation tactics as equal to physical violence is essential to our ability to see sexual violence as gendered and to dissociate the act of rape from heteronormative frameworks which emphasize penetration. Fortunately, in 2013, the FBI removed the term ‘forcible’ from their definition of rape and some states have begun to update their laws to punish instances of sexual intercourse that occur without consent; they consider the addition of force as an aggravating factor. Other states, however, still require that force be proven. Even in states where the law does not mandate this requirement, the long-standing cultural narratives that led to the initial requirement of force continue to influence law enforcement, jurors, and judges.<sup>33</sup>

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<sup>33</sup> For information on the myths about rape and sexual assault and their effect on sex crime laws, see:

Tracy, Carol E., et al., *Rape and Sexual Assault in the Legal System: Presented to the National Research Council of the National Academies Panel on Measuring Rape and Sexual Assault in the Bureau of Justice Statistics Household Surveys Committee on National Statistics*. 2012.

Also, see:

Squires, Bethy, and Lauren Oyler. “Why Do We Still Have Laws That Say It’s Not Rape Unless the Victim Fights Back?” *Broadly*, 27 July 2017,

[https://broadly.vice.com/en\\_us/article/evdedn/earnest-resistance-laws-that-say-its-not-rape-unless-the-victim-fights-back](https://broadly.vice.com/en_us/article/evdedn/earnest-resistance-laws-that-say-its-not-rape-unless-the-victim-fights-back).

Adkins, Mary. “The Misguided Definition of Rape as ‘Force.’” *The Atlantic*, May 2014, <https://www.theatlantic.com/health/archive/2014/05/the-misguided-definition-of-rape-as-force/370954/>.

Alongside my examination of what constitutes force and consent, I examine the complications of will in my discussions of facilitated violence. When both a facilitator and instrument are involved in acts of violence, there is often a question of whose will is being carried out. Ultimately, the facilitator determines the course of action as the goal is to accomplish their desire, but as we will see in *The Maid's Tragedy*, psychological manipulation can play a key role in the pair's relationship and an instrument can be convinced that they share the desire of their facilitator.

If my first two chapters focus on the relationship between will and force, in my final two chapters, I look at another dominant rape narrative—the stereotypical sexual victimization paradigm which assumes perpetrators are male and victims are female.<sup>34</sup> I assert that the pervasiveness of this paradigm, both in the early modern period and contemporary society, has made it possible, for instance, for early modern scholars to read Venus's sexual aggression towards Adonis in Shakespeare's *Venus and Adonis* as humorous in its very aggression. Drawing on current sociological studies and examples from the #MeToo movement, I suggest that our society needs to acknowledge the existence of female sexual predators and male victims of sexual assault. I also examine modern depictions of alternative sexual victimization paradigms that are presented as comedy. I argue that while satire can be an effective means of representing cultural problems, it can also allow audiences to ignore the seriousness of that which is being represented. More, a disparity in satirical representations of female and male rape victims—i.e., the fact that male rape is more likely to be the subject of satire—can be more indicative of cultural insensitivity than a push for cultural change. My final chapter turns to *A Midsummer*

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<sup>34</sup> Stemple, Lara, and Ilan H. Meyer. "The Sexual Victimization of Men in America: New Data Challenge Old Assumptions." *American Journal of Public Health* 104.6 (2014): e19–e26. PMC. Web. 9 Feb. 2018.

*Night's Dream* to examine the relationship between consent and agency in acts of sexual violence that include facilitation.

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My first chapter, focused on Thomas Middleton's *The Revenger's Tragedy*, examines the relationship between sexual urges, as understood in early modern England, and individual will. Using legal records to contextualize the rhetoric of Middleton's play, I perform a comparative reading of women's claims of sexual harassment and/or sexual assault against men in the period and the language male characters use to defend their sexual crimes against women. Together, these two textual genres suggest that early modern men were often considered unable to control their bodily urges and sexual desire. More than simply lessening a rapist's culpability, such a narrative portrays sex as a need and perpetrators of sexual violence as powerless to deny this need. In addition, this narrative suggests that there is a double loss of agency in rape—within this conceptual framework, both Junior Brother and Lady Antonio are forced into a sexual act. A key figure in this analysis is Middleton's Duchess. With her strategic use of cuckoldry and speech to harm her husband, she serves as a counterexample to unrestrained male sexual desire in the play. By taking control of her sexuality and wielding it as a weapon, she effectively manipulates the male characters around her and makes possible a space for female participation in the play's system of justice. This comparison invites the reader's recognition of qualitatively different forms of violence and allows me to argue that acts of violence are gendered; not all acts of violence are physical; and non-physical acts of violence, such as speech, are often gendered feminine.

My second chapter, on Beaumont and Fletcher's *The Maid's Tragedy*, continues my exploration of connections between sexuality, gendered violence, and individual will by



considering acts of facilitated violence. In this play, the concept of “will” involves both desire and willpower. I use Melantius’ employment of his sister, Evadne, to facilitate the king’s murder to introduce the terms “facilitator” and “instrument” to the critical conversation. Highlighting Evadne as Melantius’ instrument, I show how gender asymmetry affects the machinations of violence at the same time that it underscores the unstable power balance on which facilitation depends. Thus, this chapter asks what the power dynamics in the play’s facilitated acts of violence can tell us about how early moderns conceptualized gendered violence. If certain acts are typically linked to specific genders, how does the act of facilitation affect the possibility for transgressive behavior—that is, for women to perform acts typically associated with men and vice-versa? What does agency look like when one is an instrument of someone else’s will? Or a facilitator? I argue that when an act of facilitated violence is carried out, the act often is performed by an instrument who is both an active agent and a controlled subject. The facilitator, in turn, may be the guiding force, but he or she may also find themselves in the position of a passive bystander who ultimately is dependent on the actions of their instrument. Melantius maintains control of his instrument because he employs the memory of his dead father and his role as a brother when he threatens Evadne. His tactics show the important role gender can play in acts of facilitated violence. The success of the facilitator depends on their ability to impose their will on their instrument and while a female facilitator, such as Aspatia, requires the assistance of a male persona to control her instrument, male facilitators are able to draw on the authority already afforded them by the patriarchal framework of their societies.

My third chapter turns to narrative poetry and asks why comedy in erotic verse seems to attenuate the representation of violence. The predominant paradigm in discussions of sexual violence has assumed that men are aggressors and women are their victims. In Shakespeare’s

*Venus and Adonis*, however, Venus is the aggressor and Adonis the reluctant object of her attention. Rather than acknowledge the violence underwriting this dynamic, existing scholarship has traditionally read Shakespeare's *Venus and Adonis*' complication of the standard binary as comedic, with Venus an inept "wooer" and Adonis a pouty adolescent. I argue that Adonis' plight at the hands of Venus is not, in fact, particularly comic and demonstrates numerous elements of coercion.

The final chapter returns to drama to further explore the issues of consent, facilitated violence, and agency addressed in previous chapters. Through a close examination of the sexual violence perpetrated and/or experienced by characters in Shakespeare's *A Midsummer Night's Dream*, I argue that, in dropping the juice of the "little western flower" into Titania's eyes, Oberon commits an act of drug-facilitated rape (2.1.166). Oberon both takes away Titania's capacity to consent to any sexual acts and makes it impossible for Titania to choose her sexual partner, thereby rendering her a controlled subject. I also argue that Titania sexually violates Bottom, and I return to the language used by Junior Brother and male sexual perpetrators of the period to assert that, unlike them, Titania is *truly* powerless to resist her sexual urges. Because of this, Oberon is the perpetrator in Bottom's rape. He may not be physically present during the couple's physical contact, but his facilitation makes him responsible. Though I recognize that Titania, being the Queen of the Faeries is in a position of power, I also argue that both she and Bottom experience a loss of agency as neither is given the opportunity to consent. I ask: can agency be separated from consent? I make a similar claim with Demetrius, arguing that he occupies a state of constant violation, with Oberon also serving as the facilitator to any future sexual acts he may engage in. Finally, this chapter engages with present-day concerns regarding the high prevalence of drug-facilitated and incapacitated rape on college campuses and the

confusion college students have surrounding issues of consent when drugs and alcohol are involved. I argue that Oberon, Titania, and Bottom's narrative can be used to introduce the idea of mutual loss of agency and the distinction between agency and consent to discussions surrounding sexual violence and consent.

As should be clear, my dissertation is informed by contemporary discourses of sexual violence. As a feminist invested in bringing awareness to issues of sexual violence and as a teacher who experiences the high prevalence of sexual assault on college campuses not just as statistics, but through interactions with students, my scholarship will always be connected to the present.<sup>35</sup> As Evelyn Gajowski writes in her advocacy of the method of "presentism": "Enmeshed in the early twenty-first century as we are, we cannot help but be influenced in our apprehension of Shakespeare's [or other early modern] texts by contemporary discursive practices, ideologies, and events that constitute us, even as we, in turn, constitute Shakespeare's texts" (2). The word "enmesh" is particularly fitting for the current political moment. I began this introduction with a discussion of Kavanaugh's appointment to the Supreme Court, how this connects to contemporary movements such as #MeToo, and legislation concerning women's bodies, such as *Roe v. Wade*. All of these events are inextricably linked, entangled with one another. Feminists have long noted that the personal is political; Kavanaugh's appointment and the Senate's treatment of Christine Blasey Ford underscore that fact, suggesting that our political system routinely condones sexual violence. Just as my scholarship is inevitably influenced by

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<sup>35</sup>I agree with Gajowski that feminist scholarship is inherently presentist:

Insofar as feminist and queer literary theory and criticism are discursive practices that are rooted in and are informed by early twenty-first century political, economic, and social practices, they are inevitably presentist in nature. Put another way—more succinctly, perhaps, and appropriating the useful formulation of Jacques Derrida (and, after him, Stephen Greenblatt)—feminist and queer studies are *always already* (1972, 1988) presentist. (2)

contemporary discourses, I understand that our political system does not exist in a vacuum. Rather, it is the product of hundreds of years of shifting social ideologies and acrimonious legal debates. As such, my project seeks not only to use modern discourses to examine the past, but also—aligned with the move toward “presentism” in early modern studies—to use the past, in both its differences and similarities to today, to better understand our contemporary discourses of sexual consent, agency, coercion, and violence.<sup>36</sup> And as my Conclusion will argue, relating the past to the present in this way not only provides new ways of reading old texts, but enriches humanities pedagogy by empowering students to understand themselves as makers of history.

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<sup>36</sup> See: Gajowski, Evelyn. “Beyond Historicism: Presentism, Subjectivity, Politics: Beyond Historicism.” *Literature Compass*, vol. 7, no. 8, Aug. 2010, pp. 674–91.

Gajowski, Evelyn, editor. *Presentism, Gender, and Sexuality in Shakespeare*. Palgrave Macmillan, 2009.

Grady, Hugh, and Terence Hawkes, editors. *Presentist Shakespeares*. 1 edition, Routledge, 2006. “Shakespeare Reloaded.” *Shakespeare Reloaded*, <http://shakespearereloaded.edu.au/>. Accessed 23 Dec. 2018.

## CHAPTER I

### “Her beauty was ordained to be my scaffold”: Desire, Violence, and Culpability in *The Revenger's Tragedy*

Vindice: Duke, dost know

Yon dreadful vizard? View it well; 'tis the skull

Of Gloriana, whom thou poisoned'st last.

Duke: Oh, 't has poisoned me!

Vindice: Didst not know that till now?

...

The very ragged bone

Has been sufficiently revenged. (3.5.147-151, 153-154)<sup>1</sup>

Vindice, the revenger of Middleton's *The Revenger's Tragedy*, has worked hard to orchestrate the Duke's murder. Every aspect has been carefully plotted, especially the method of disposal.

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<sup>1</sup> All quotations taken from: Middleton, Thomas. "The Revenger's Tragedy." *English Renaissance Drama: A Norton Anthology*, edited by David Bevington et al., W. W. Norton & Company, 2002, pp. 1297–1370.

The Duke, having propositioned Vindice's fiancée, Gloriana, and then poisoned her when she refused to submit to his advances, is now made to suffer a similar fate: he will be poisoned soon after being tricked into having a sexual encounter with a skull.<sup>2</sup> Vindice's insistence on using Gloriana's poison laced lips to kill the Duke suggests he may see his deceased fiancée as an active participant in his act of revenge, but the question of whether Gloriana plays a role in the murder plot is still up for critical debate. To lure the Duke, Vindice must dress Gloriana up and present her as a woman willing to engage in an affair with the Duke. In doing so, he presents Gloriana as the woman she refused to be in life, a woman who yields to the Duke's sexual advances. And yet, despite the play opening with Vindice talking to Gloriana's skull and other characters, such as Vindice's brother Hippolito, making reference to the skull, the Duke's murder marks the first mention of Gloriana's name. This naming signals, perhaps, that her status as a mere object in the play has changed. More than just a skull kept by a possibly insane revenger, Gloriana is brought to life through or for this act of revenge.

The attraction of this scene for feminist scholars analyzing sexual violence is its view of chaste women's limited agency in a male dominated world; Gloriana may be able to play a role in her revenge here, but only with Vindice controlling her bones—with Vindice, not Gloriana, making the choice to present the chaste female figure as a sex object. The other models of chastity in the play are Castiza, Vindice's sister, and Lady Antonio, a victim of rape and wife to Lord Antonio. Karen Robertson and Karen Bamford both focus on Castiza, Gloriana, and Lady Antonio as figures of ideal chastity in the play. Robertson, in particular, argues that violence

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<sup>2</sup> While the Duke did not complete a sexual act with Gloriana's skull, he was deceived into touching it in a sexual manner and kissing it before being poisoned. Additionally, he was in a vulnerable place, unable to call out for help, because he had snuck away for an adulterous meeting.

performed to protect women, such as that done by Vindice, is condoned by a gendered system of honor that leaves men free to carry out numerous actions while restricting women's ability to participate "in the operations of justice" (216).<sup>3</sup> I suspect, however, that it is the foregrounding of the victim's experience and chastity that causes Robertson, amongst others, to overlook a key example of not just female participation in the justice system, but of female agency in *The Revenger's Tragedy*.<sup>4</sup>

As the above scene suggests, the play does indeed hinge on the consequences of the Duke's illicit sexual affairs. Gloriana's murder and the Duke's subsequent mistreatment of Vindice's father set the play in motion and, of course, the Duke's death is Vindice's main goal. However, he also hopes to destroy the entire royal family and is able to use their vices to his advantage. For example, it is not only Gloriana's poisoned lips that bring about the Duke's death. There is also the matter of the sight he cannot brook: the Duchess cuckolding the Duke with his son, Spurio. This cuckolding is, as we hear in the first act, a strategic move, and one that calls for more attention. The Duke's court crumbles around him because he is unable to control his sexual urges and those of his male subjects, but the Duchess—notably the only survivor amongst a royal family of lustful men—remains firmly in control of her desires and uses her sex and sexuality as a weapon to be wielded when needed. Her seduction of Spurio is one of these moments.

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<sup>3</sup> Robertson, Karen. "Chastity and Justice in *The Revenger's Tragedy*." *Sexuality and Politics in Renaissance Drama*, edited by Carole Levin and Karen Robertson, Edwin Mellen Press, 1991, pp. 215-236. See also: Karen Bamford, *Sexual Violence on the Jacobean Stage*. Palgrave Macmillan, 2000.

<sup>4</sup> Most recently, Christina Gottlieb, in "Middleton's Traffic in Dead Women: Chaste Corpses as Property in *The Revenger's Tragedy* and *The Lady's Tragedy*," continues the trend of focusing on chastity in *The Revenger's Tragedy* as Gottlieb is interested in the early modern property status of the corpse. She argues that, as a chaste woman, Gloriana's body is more vulnerable to becoming property at the same time that it is afforded certain rights and protections because of its status as such (261).

While the Duchess provides a counter example to unrestrained male sexual desire, her son Junior Brother embodies it. Most critical analysis of Junior Brother has focused on his court case and the Duke's role in his punishment.<sup>5</sup> Junior Brother's rape of Lady Antonio further endangers the Duke's political position as it not only proves him incapable of *controlling* sexual urges even within the royal family, but also shows him incapable of *punishing* unrestrained sexual activity. Unsurprisingly, the Duke's decision to delay Junior Brother's sentencing puts him at odds with the nobles of his court while his refusal to completely exonerate Junior Brother earns him the Duchess's ire. There is more at stake in this court case, however, than the wheels that keep this plot turning. Junior Brother's defense of his actions challenges modern expectations of the power dynamic between a rapist and his victim, as he paints himself as the powerless victim and Lady Antonio's beauty as the perpetrator. While they certainly did not portray themselves as perpetrators, some women who filed charges of rape against men in early modern England described men as lovesick, uncontrollable victims of lust and unrequited male desire. Thus, especially when viewed in conjunction with legal records discussing sexual violence in the period, Junior Brother's rhetoric hints at a larger cultural notion of how early modern men experienced sexual desire and whether they should be held accountable for the actions they take as a result of their desires. In this chapter, I will put these legal records and other cultural materials of the period in conversation with Junior Brother's rhetoric in and the Duchess's effect on the play's legal proceedings. An analysis of these various discourses will

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<sup>5</sup> See Robertson, Bamford, and Kathryn R. Finin, "Trying Rape in The Revenger's Tragedy: 'A Slack Performance.'" *Cahiers Élisabéthains*, vol. 74, no. 1, Nov. 2008, pp. 17–22. *SAGE Journals*, doi:10.7227/CE.74.1.4.



allow us to reconsider the politics of agency and violence in *The Revenger's Tragedy* and the relationship among male sexual desire, sexual violence, and culpability in early modern England.

### **“Flesh and Blood”<sup>6</sup>**

In the early 1620s, Margaret Knowsley of Cheshire, England, filed charges against a municipal preacher, Stephen Jerome. According to her suit, Knowsley was subject to “a campaign of cumulative sexual harassment by Stephen Jerome during the summer and autumn of 1625” (Hindle 400).<sup>7</sup> During this campaign, Knowsley—who was then working as a maidservant for Jerome—says that he told her:

he had an inward burning in his body and to confess the truth said he ‘I cannot be satisfied without the use of a woman though I have skill in physic I have used all means possible I could...’ and that he had ‘a body to preserve as well as a soule and therefore he was to regard the one as well as the other.’ (400)

Jerome’s language here does not signal pleasure; rather, he represents sexual desire as a “burning” that he cannot control. And notably, his request for a woman is presented as a last resort. Jerome claims to have used his skill in physic, trying “all means possible,” but he must have “the *use of* a woman” (400, my emphasis).<sup>8</sup> The phrase “use of” suggests that women serve

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<sup>6</sup> 1.2.48

<sup>7</sup> Knowsley’s suit resulted in her being punished for libel, despite the court’s acknowledgment that her claim was “corroborated by unimpeachable judicial authority”—the authority being Nantwich magistrates of Newcastle from where Jerome previously worked and was fired for ‘notoriously scandalous’ behavior (Hindle 404).

<sup>8</sup> See Wendy Wall for a discussion of physic’s role in the kitchen: “Just a Spoonful of Sugar: Syrup and Domesticity in Early Modern England.” *Modern Philology*, vol. 104, no. 2, 2006, pp. 149–72. In particular, see Wall’s discussion on the use of “kitchen physic” to treat “the wicked fires of lust” in Shakespeare’s *Merry Wives of Windsor* - “‘Household Stuff’: The Sexual Politics of Domesticity and the Advent of English Comedy.” *ELH*, vol. 65, no. 1, 1998, pp. 1–45.

as merely a tool with which to abate Jerome's unpleasant urges. Finally, he claims that he needs the "use of a woman" to preserve his body.<sup>9</sup> Thus, for him, women and the act of sex with them is not something that he simply desires; it is something that his body needs.<sup>10</sup>

Other legal documents evince similar ideas and language: Elizabeth Attye's charge of rape against Richard Harwood, the case in which William Hill raped a fifteen-year-old girl, and Ann Caplin's rape case against Edward Richards.<sup>11</sup> As historian Patricia Crawford notes "common to the law courts was the expression he had 'the use' of her body. The language for the sexual act was of evacuation, expenditure, and the satisfaction of an itch" (70). And this "itch" was, seemingly, expected to be tolerated by early modern women. For example, historian Garthine Walker, in her discussion of how rapists were perceived—as an everyman or as a monster—from 1600-1750, tells of:

a married woman who complained about repeated sexual attempts by a local preacher in 1627, including a particularly nasty incident during which he ejaculated over her, was censured by female neighbours on the grounds that the minister was 'but a man.' (17)<sup>12</sup>

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<sup>9</sup> See also Lynda E. Boose, "The Priest, the Slanderer, the Historian and the Feminist." *English Literary Renaissance*, vol. 25, no. 3, 1995, pp. 320–40.

<sup>10</sup> Valerie Traub, in *Thinking Sex with the Early Moderns*, discusses a similar phenomenon for women—virgin melancholy. The lack of consummation of Martha Joyless's marriage in *The Antipodes* is seen as a medical problem and Martha is diagnosed as "'full of passion,' 'distracted,' mad for a child,' and ... 'sicke of her virginity' (1.2.211; 2.1.769; 2.1.770, 2.1.770)" (107, emphasis in original). Traub notes that Galenic medicine marked marriage as the cure for virgin melancholy, but "absent regular vaginal intercourse, an alternative treatment prescribed in several medical textbooks was the manual manipulation of the genitals by a female midwife" (107). While *The Antipodes* overlooks this alternative treatment in favor of advancing the plot between Martha and her husband, Jerome asserts that he has tried "all means possible," including medical remedies, to abate his desire and they are simply insufficient (400).

<sup>11</sup> Walker, Garthine. "Rereading Rape and Sexual Violence in Early Modern England." *Gender & History*, vol. 10, no. 1, 1998, pp. 1–25.

<sup>12</sup> Walker, "Everyman or a Monster? The Rapist in Early Modern England, c.1600–1750." *History Workshop Journal*, vol. 76, no. 1, Oct. 2013, pp. 5–31.

She goes on to note that “Testimony taken before magistrates both by women who claimed to have been raped and by men who refuted the charges frequently configured rape as the expression of irresistible male lust and love. This ‘love’ had to be accommodated at all costs; if it were not, there would be consequences” (Walker, “Everyman” 13). While some of the lords and, of course, Vindice see the need for sexual restraint, the actions of the Duke, Lussurioso, and the ease with which Junior Brother dismisses his rape of Lady Antonio make these consequences clear; unrequited male desire finds an outlet in acts of violence committed against women.

We are first introduced to Junior Brother at his trial:

First Judge:           Let the offender stand forth.  
                              ‘Tis the duke’s pleasure that impartial doom  
                              Shall take fast hold of his unclean attempt.  
                              A rape! Why ‘tis the very core of lust,  
                              Double adultery!

...

Second Judge:        What moved you to’t?

Junior Brother:       Why, flesh and blood, my lord.  
                              What should move men unto a woman else?

...

Well, then, ‘tis done, and it would please me well  
Were it to do again. Sure she’s a goddess,  
For I’d no power to see her and to live;  
It falls out true in this, for I must die.  
Her beauty was ordained to be my scaffold...

(1.2.40-44, 1.2.47-49, 60-64)

When asked why he raped Lady Antonio, Junior Brother immediately draws attention to his body. His statement removes rational thought from the equation and focuses instead on primal instincts, casting the rape of Lady Antonio as more of a biological compulsion than a conscious decision. The emphasis on the biological continues when Junior Brother turns the question back to the judges, asking “what should move *men* unto a woman else?” (my emphasis). Though his statement is likely meant to be flippant, the plural “men”—and notably singular “woman”—serves to shift the focus from Junior Brother to men in general, reminding the male judges that they, like all men are made of flesh and blood and subject to physical desires.

Junior Brother’s attention to the body recalls Jerome’s experience: “he had an inward burning in his body...[and] ‘a body to preserve as well as a soule’” (Hindle 400). Both narratives draw attention to the body and a lack of control, but there are some key differences in how these two topics are presented. Jerome’s words are centered on *his* body. He notes the “inward burning” he feels and that he has “‘a body to preserve’” and though he is reportedly speaking to Knowsley, he does not make mention of her specifically: “‘I cannot be satisfied without the use of *a woman*’” (Hindle 400, my emphasis). He cannot control his own sexual desires and despite his “skill in physic [and] “all means possible,” he is driven to commit an act (or multiple acts) of sexual violence to satisfy his needs. Junior Brother’s language references the body in more general terms. The invocation of “flesh and blood” is, purposely, applicable to everyone. More, while Jerome’s detached phrases present his assault *only* as a means of relieving his suffering—“use of a woman” and “body to preserve”—Junior Brother employs language that suggests rape is the inevitable result of his victim’s power over him, but also acknowledges the pleasure he derives from the assault. He first notes that “it would *please* [him] *well*” to rape Lady Antonio

again and then, worse, suggests that she is to blame for his crime. He had “no power to see her and to live” (1.2.62). Much like the lover in a Petrarchan sonnet, he is completely captivated by the woman’s beauty; unlike the Petrarchan lover, however, he is not powerless. The rape, in fact, is possible because of the power and physical strength he wields—which may explain why Junior Brother never mentions the rape in his defense. Instead, he moves, rhetorically, from Lady Antonio’s beauty to the scaffold, blaming his victim’s beauty, instead of himself, for his impending execution.<sup>13</sup> Junior Brother portrays himself as a man who cannot control himself.

Later, when Junior Brother is on his way to the scaffold he says:

Must I bleed, then, without respect of sign? Well—

My fault was sweet sport, which the world approves;

I die for that which every woman loves. (3.4.77-79)

In this moment, he has fulfilled his own prophecy—“I’d no power to see her and to live...Her beauty was ordained to be my scaffold”—and now he not only reminds us that he sees his rape of Lady Antonio as “sport,” but also claims the world shares his view (1.2.62-64). At the trial, when Junior Brother says “my fault being sport,” he makes no claims that others should interpret his rape to be “lovemaking, amorous play,”<sup>14</sup> but in this jailer scene, Junior Brother’s sport has

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<sup>13</sup> Karen Bamford’s *Sexual Violence on the Jacobean Stage* notes that there are three groups of plays dealing with sexual violence in the Jacobean period, one of which focuses on a heroine’s resistance to sexual assault and heavily relies on the history of saints who resisted sexual assault. Bamford highlights a tenth-century play, *Callimachus*, which also explores claims of a woman’s beauty rendering men powerless. However, in this play it is the woman who voices these ideas. Drusiana, a virgin, is threatened with sexual assault and chooses death. In her prayer to Christ, she says: “O Lord Jesus, what use is my vow to chastity? My beauty has all the same made this man love me. Pity my fears, O Lord...Let me die swiftly. Save me from being the ruin of a soul!” (29, 55 in original source). Drusiana removes responsibility from her attacker and makes her beauty the aggressor; her beauty has “made” someone love her and, further, if she is raped, she will be responsible for “the ruin of a soul.”

<sup>14</sup> "sport, n.1." *OED Online*. Oxford University Press, December 2015. Web. 25 January 2016.

become “sweet” and he asserts that the world “approves” of his behavior (1.2.66). Given the activities of the rest of the court, it is not difficult to see why he might think this, but it is more likely that Junior Brother is deliberately confusing sex with rape. Even with this conflation, however, it is the case that Junior Brother is not the only member of the royal family engaged in criminal sexual acts. The Duke, for example, not only sexually harasses women, but also has a habit of killing those that refuse to have sex with him. And yet, Junior Brother is the only one being sent to the scaffold.

One could say that the Duke and Lussurioso, the Duke’s son, are more discreet in their sexual liaisons, but their victims’ economic and social status may also be an important factor in the different mechanisms of punishment for the men: that is, the state as sanctioned arbiter as opposed to privately motivated revenge. When Piato<sup>15</sup> asks why he does not simply marry Castiza, Lussurioso claims that the “dowry of her blood and of her fortunes” marks her as an unacceptable marriage option (1.3.101). Indeed, she is only “good enough to be bad withal” (1.3.102).<sup>16</sup> Lussurioso’s economic rationale is further substantiated by the judges’ claim that Junior Brother’s crime is even “worse” because it was “committed on the lord Antonio’s wife, / That general-honest lady” (1.2.44-46). The fact that lord Antonio’s wife can be definitively defined as “honest” is itself indicative of her noble status. Recent historical studies have shown

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<sup>15</sup> Vindice is sometimes disguised as Piato, whom Lussurioso, ironically, hires to help him seduce Castiza.

<sup>16</sup> Lussurioso’s language regarding Castiza’s chastity shows that he counts on her financial state to wear down her chastity and bribe her mother:

Enter upon the portion of her soul,  
Her honor, which she calls her chastity,  
And bring it into expense, for honesty  
Is like a stock of money laid to sleep,  
Which, ne’er so little broke, does never keep. (1.3.113-117)

Similar to the domestic servants in Julius Ruff’s, *Violence in Early Modern Europe, 1500-1800* study, Gratiana’s economic dependence could force her into compromising situations.

that European women in the higher echelons of society were better able to substantiate their innocence because they did not have to work outside of the home and they were, ostensibly, always with servants, a male chaperone, or other women of their social class.<sup>17</sup> Court records show that a substantial number of rape victims were domestic servants and women working in agriculture. Domestic servants were often preyed on by male servants and/or the male head of the house and agricultural work often isolated women, making them easy targets for perpetrators. In addition, certain statutes denied “women of loose morals” the opportunity to file a rape claim. Even for those women who could file complaints,

judges regularly admitted testimony intended to impugn plaintiffs’ reputation, and any hint of immorality led to the acquittal of the defendant. Indeed, it was virtually impossible for girls employed in taverns, women with friends among the soldiery, or females who strayed too far from home to get a fair hearing on rape charges. (Ruff 144)<sup>18</sup>

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<sup>17</sup> For more information on class and sexual violence, see Anna Clark’s *Women’s Silence, Men’s Violence: Sexual Assault in England, 1770-1845* and Julius Ruff’s *Violence in Early Modern Europe, 1500-1800*. For work on domestic violence and its effects on both female and male servants, see Frances E. Dolan’s *Dangerous Familiars: Representations of Domestic Crime in England, 1500-1700*.

<sup>18</sup> It was not until the late twentieth century, 1974, that rape shield laws were passed in the United States. These laws limited defendants’ ability to use an accuser’s previous sexual history as evidence in criminal trials. For more information, see: Tanford, J. Alexander, and Anthony J. Bocchino. “Rape Victim Shield Laws and the Sixth Amendment.” *University of Pennsylvania Law Review*, vol. 128, no. 3, Jan. 1980, p. 544. *Crossref*, doi:10.2307/3311608; “Rape Shield Law.” *Encyclopedia Britannica*, <https://www.britannica.com/topic/rape-shield-law>. Accessed 22 Jan. 2019. For information on how rape shield laws are being used as modern society begins to engage in sexual behavior via online communication, see: Sweeney, JoAnne, and John Slack. “Sexting as ‘sexual Behavior’ under Rape Shield Laws.” *International Journal of Cyber Criminology*, vol. 11, no. 2, Jan. 2017, pp. 246–60, doi:10.5281/zenodo.1037401.

Lady Antonio's social status, then, may have contributed to Junior Brother's state-authorized punishment. In other words, the problem may not be that he raped a woman, but rather that he raped the *wrong* woman.<sup>19</sup>

More than societal approval, though, Junior Brother suggests that he "die[s] for that which every woman loves" (3.4.79). I take the "that" here and the "sweet sport" in the line above to be rape, but unlike his claim that his "fault was sweet sport," in which he admits to having a fault that *he* labels as play, his proclamation about what *he* dies for assumes to know what *women* desire. By projecting his desires onto women, Junior Brother continues to pass blame to his victims, insisting he is dying not for that which he loves, but for that which his victims—past and potential—love. Thus, his scaffold speech shows the delusions of an insatiable man who may very well believe that the women he desires also desire him. As in the court scene, Junior Brother may be jesting, but unfortunately, the idea that women could desire his actions is echoed in some other cultural scripts of the period. Thomas Edgar highlights one such in *The Lawes Resolutions of Women's Rights*:

so drunken are men with their own lusts, and the poison of Ovid's false precept, *vim licet appellat, vis est ea grata puellis* [one may call it violence, (but) such force is pleasing to girls] that if the rampier [rampart] of Laws were not betwixt women and their harms, I

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<sup>19</sup> In 4.3, the Duchess's sons lament her affair with Spurio; just as Junior Brother's crime was made worse because Lady Antonio was a "honest lady," they think their mother's infidelity is worse due to Spurio's illegitimate status:

Ambitioso: If she were bent lasciviously, the fault  
Of mighty women that sleep soft—O death!  
Must she needs choose such an *unequal* sinner  
To make all worse?  
Supervacuo: A bastard, the Duke's bastard!  
Shame heaped on shame. (4.3.10-14, my emphasis)



verily think none of them, being above twelve years of age, and under an hundred, being either fair or rich, should be able to escape ravishing. (377)

While it was certainly not the only theory of lust or men's expectations for women's sexual desires, Edgar's text indicates that Ovid's false precept and, thus, the idea that women enjoy ravishment, was a part of early modern rape discourse. This passage also highlights the key role the Duke plays in maintaining order in his court. For Edgar, laws protect women from men drunken with their own lusts, but these laws can only protect women if, first, they are enforced by the state and, second, the consequences for breaking them are feared by the perpetrator/s. Junior Brother certainly did not seem to fear the law and, unfortunately, Lady Antonio did not live long enough to see the lords of the kingdom carry out the sentence the Duke was too weak to impose.

Junior Brother's cavalier attitude may be indicative of his inability to believe that the law applies to him. Indeed, his mother seems to think that he should "walk...upon the thorny law" (1.2.104). After the trial, she notes that:

one of [the Duke's] single words  
Would quite have freed my youngest, dearest son  
From death or durance, and have made him walk  
With a bold foot upon the thorny law,  
Whose prickles should bow under him.... (1.2.101-105)

The Duke represents the law in his court, but he also, as the play shows, risks losing the support of his lords if he does not see that the law is upheld. The Duchess has no concern for retaining the loyalty of the court. Instead, while she begs the judges for mercy at Junior Brother's trial, she

believes that her son should not only boldly discount the law, but that the law should, in fact, “bow under” him.

Alternatively, Junior Brother’s jovial manner may be a genuine reflection of a lack of concern for his life. When Lussurioso urges Junior Brother to “not jest [his] doom” because “the law is a wise serpent / And quickly can beguile thee of thy life,” Junior Brother replies, “good admonitions, faith, / If I’d the grace now to make use of them” (1.2.49-51, 1.2.54-55). “Grace” in the OED is defined as, “In a person: virtue, goodness; sense of duty and propriety” (“grace” 4b). Junior Brother’s character does not have this quality; he has no sense of duty to the laws of his country, only to the call of his “flesh and blood.”

**“My neatest spirit”<sup>20</sup>**

Lussurioso is no less subject than Junior Brother to sexual temptation, but—like his father, the Duke—he is far more adept at keeping his desire, the object of which is currently Vindice’s sister, Castiza, hidden from public view. Castiza’s absence from court most likely plays a significant role in her ability to escape Lussurioso’s pursuit and he never gains physical access to her. This distance is optimal as the description of his intense desire for her mirrors his stepbrother’s language of captivation by female beauty. When the audience hears of Lussurioso’s infatuation, he is far along in his “wooing” process. His previous attempts have failed and he is now hiring someone thought to be more experienced in seduction to serve as his representative to Castiza. Unbeknownst to him, this someone is Vindice disguised as Piato. The language Lussurioso uses to describe his feelings to Piato both gives some hint as to why he is willing to

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<sup>20</sup> 1.3.92

go to such extremes and recalls Junior Brother's reliance on "flesh and blood" for his legal defense:

Attend me; I am past my depth in lust,  
And I must swim or drown. All my desires  
Are leveled at a virgin not far from court,  
To whom I have conveyed by messenger  
Many waxed lines, full of my neatest spirit,  
And jewels that were able to ravish her  
Without the help of man; all which and more  
She, foolish-chaste, sent back.... (1.3.88-95)

Lussurioso's lyrical language does not sound as insensitive as Junior Brother's or as crude as his real life counterpart, Stephen Jerome's, but the same disturbing links between uncontrolled lust and violence to the female body are present. The line, "past my depth in lust," signals that Lussurioso is in an unfamiliar space in which his desires have overcome him. He expresses the magnitude of this lust when he casts his desire as a matter of life and death, much in the way that Jerome felt he had to have the "use of a woman" to preserve his body (Hindle 400).

Lussurioso's attempts to convey his feelings to Castiza only increase in their level of inappropriateness. First, he sends her "waxed lines" which he claims are "full of [his] neatest spirit"—"neatest spirit" is glossed as "my most intense feeling" (1.3.92). Next, he sends jewels, and his description of them suggests they are a surrogate for Lussurioso himself—they are supposed to have the power to ravish her / Without the help of man" (1.3.93-94). As 'ravish' in this period meant "to drag off or carry away (a woman) by force or with violence (occas. also

implying subsequent rape),” it seems that Lussurioso attributes to the jewels his own desire to overpower Castiza (“ravish” OED).<sup>21</sup>

Though the text gives no other hints as to what they could be, Lussurioso’s claim that “all which and more” have been sent back to him suggests that his enticements did not end with jewelry. We do, however, know that his next move is to send someone “well experienced” who has a “smooth enchanting tongue” capable of “bewitch[ing] her ears and cozen[ing] her of all grace” (1.3.109, 111-112). Finally, if Castiza “prove chaste still and immovable,” Piato is instructed to “venture upon the mother, and with gifts, / As I will furnish thee, begin with her” (1.3.147-149). Lussurioso has escalated from sending lines of poetry to attempting to convince Gratiana, Castiza’s mother, to become a bawd to her own daughter.<sup>22</sup> This step, while suggesting Lussurioso has more control than Junior Brother, does imply that “no” is not an answer Lussurioso is prepared to accept.

Lussurioso’s obsessive behavior—sending bribes, hiring experienced seducers and persuading mothers to become bawds to their daughters—is not limited to the stage. In 1619, Ann Caplin reported multiple attempted rapes to the Star Chamber, a common law English court at the royal Palace of Westminster. Caplin wrote that Edward Richards, a man who claimed to love her, had been harassing her for several years. His tactics ranged from promises and gifts to bribing her servants to having a key to her house made and making ““many secret entrances into

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<sup>21</sup> This thinking is mirrored in early modern legal understandings of rape as a property crime in which a man steals another man’s property (wife, daughter, sister). See Julia Rudolph, “Rape and Resistance: Women and Consent in Seventeenth Century English Legal and Political Thought”; Frances E. Dolan, “Rereading Rape in *The Changeling*”; and Miranda Chaytor, “Husband(ry): Narratives of Rape in the Seventeenth Century.”

<sup>22</sup> For more on this, see Jennifer Panek, “The Mother as Bawd in ‘The Revenger’s Tragedy’ and ‘A Mad World, My Masters.’” *Studies in English Literature, 1500-1900*, vol. 43, no. 2, 2003, pp. 415–37.

the house before the same could be discovered” (Walker, “Re-reading Rape” 16). Once “he crept into her house when her husband was away and hid in ‘an obscure place’ until night-time; when she was asleep in bed he undressed and jumped in next to her, intending to ‘have ravished her against her will,’ and ‘did violently assault her’” (Walker, “Re-reading Rape” 16). Here, Richards is characterized by a never waning persistence in his pursuit of the object of his sexual desires.<sup>23</sup> In his case, Richards’ persistence gives way to his attempt to usurp the role of Caplin’s husband.<sup>24</sup> He waits, enters her home and climbs into bed next to her; while her testimony states that he planned to ravish her against her will, Richards may have expected the marital bed to act as a means of seduction.<sup>25</sup> Perhaps, by being in that space, he gave himself license to, in the words of Jerome, have “the use of” Caplin’s body (Hindle 400). Lussurioso, because of Castiza’s virginal status, does not have a husband’s place to usurp, but he still invades her domestic space through his many gifts and messengers. In addition, he takes advantage of the fact that Castiza is without the male authority and monetary aid of a father—Castiza’s father is dead and “the Duke did much deject him” before his death (1.2.123). Lussurioso, as the Duke’s son, knows this and uses the family’s economic status to turn the mother-daughter relationship into a mechanism for his seduction. Gratiana refuses Piato’s offer to help her “live wealthy” if she convinces her

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<sup>23</sup> Walker, in this section, writes: “In accounts which have much in common with the plots of Jacobean drama or medieval romance, attributing such a motive to the rapist appears to have been one way in which rape was rendered comprehensible” (“Re-reading Rape” 16).

<sup>24</sup> For a discussion of the disruption of marital beds, see Sarah Joyce Bunker’s “‘We Must See You Laid’: Domestic Utopianism & the Marriage Bed in *The Maid’s Tragedy*, *Cymbeline*, and *The Revenger’s Tragedy*.” *Appositions: Studies in Renaissance / Early Modern Literature & Culture*, vol. 5, 2012, pp. 8–21.

<sup>25</sup> Walker writes that he “persisted in breaking into her house again and again, leaving ‘noe means untempted or opportunity neglected’” (“Re-reading”16). This suggests that the physician tried other locations and had no success, but the bedchamber, he may have thought, offered a more powerful enticement.

daughter to submit to Lussurioso, but when he mentions that she could “raise her state,”<sup>26</sup> Gratiana is “overcome” (2.1.83, 98, 107). Before she agrees to play the bawd, however, Gratiana does, at least in some manner, recognize Lussurioso’s manipulation: “He touched me nearly, made my virtues bate, / When his tongue stuck upon my poor estate” (2.1.106-107). Castiza may have the luxury of denying Lussurioso and standing on principle, but Gratiana manages the household and principles will not provide for her “poor estate.”

**“O, take me not in sleep”<sup>27</sup>**

In a moment of divine intervention, Vindice’s tip to Lussurioso concerning the Duchess’s current sexual activities with Spurio actually reveals the Duke and Duchess in bed and results in what looks like an attempt at patricide. As Lussurioso stands over his father and stepmother, sword in hand, his father cries: “O, take me not in sleep. I have great sins. / I must have...months, dear son, with penitential heaves, / To lift ‘em out and not to die unclear” (2.3.9-12). Moments later, when he reflects on the punishment for his son, the Duke expands on what these sins are:

I may forgive a disobedient error  
That expect pardon for adultery  
And in my old days am a youth in lust.  
Many a beauty have I turned to poison  
In the denial, covetous of all.  
Age hot is like a monster to be seen;  
My hairs are white and yet my sins are green. (2.3.24-30)

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<sup>26</sup> This word is glossed as “estate.”

<sup>27</sup> 2.3.9

Initially having sent Lussurioso off to prison, he now decides that forgiveness is a better choice and his declaration that he is “a youth in lust” confirms Vindice’s opening claims that the Duke is a “royal lecher” and a “luxur” (1.1.1, 9). The text provides more evidence of Junior Brother and Lussurioso’s vices, but poison seems to spring from the fountainhead and the Duke, even in his old age, is guilty of being overcome by lust as well: “Age hot is like a monster to be seen; / My hairs are white and yet my sins are green.” It seems that almost every male member of this royal family has a different method of operation, but they are all driven by the same sexual desire. Junior Brother, with no regard for social distinctions, lets his bodily urges guide his actions, leading him to rape Lady Antonio. Lussurioso only escalates in the measures he takes to woo Castiza and, if not for his untimely death, Gratiana’s redemption may have provoked him to the violence the men around him turn to all too quickly. And the Duke, the example for not just his family but for his Dukedom, is unable to deal with the rejection of his sexual advances and ultimately kills the objects of his desire: “many a beauty have I turned to poison / In the denial, covetous of all.”<sup>28</sup>

**“A wonder in a woman!”<sup>29</sup>**

Thus far, I have examined the different ways in which sexual desire exhibits itself in the male characters in *The Revenger's Tragedy*, the consequences of unrestrained male sexual desire, and how the language and actions present in the play mirror contemporary cultural scripts regarding

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<sup>28</sup> This statement seems to imply that Gloriana was not the only woman the Duke poisoned because she refused to submit to his sexual advances. It also, interestingly, suggests that, unlike his stepson, the Duke understands that his actions demand repentance.

<sup>29</sup> 1.2.38

unrequited male desire. In this final section, I turn to the counter example to unrestrained sexual desire in the play, the Duchess. Through an analysis of her role in the courtroom and her relationship with Spurio, I argue that the Duchess not only provides an example of female participation in the justice system, but also establishes female sex and sexuality as a means of agency for women in *The Revenger's Tragedy*.

The court scene begins with the Duke's kind, but detached response to Junior Brother's crimes:

Duchess, it is your youngest son; we're sorry.

His violent act has e'en drawn blood of honor

And stained our honors,

Thrown ink upon the forehead of our state,

Which envious spirits will dip their pens into

After our death, and blot us in our tombs.... (1.2.1-6)

The Duke recognizes that rape, a crime of violence and uninhibited passion, undermines the stability that he, the ruling figure, is supposed to provide. He is careful to identify Junior Brother as "your [the Duchess's] youngest son," as opposed to his son or their son. This language of disassociation indicates that something about Junior Brother's circumstance makes it impossible for the Duke to come to his defense, that his crime is not one that can be excused as youthful folly or merely wiped away with a royal pardon.

While hesitant to claim Junior Brother as his own, the Duke is not hesitant to condemn him: Junior Brother's *act* has "stained *our* honors" and "thrown ink upon...*our* state" (my emphasis). The Duke speaks a few more lines in this accusatory tone before giving the judges control, saying "Doom him, lords—The fact is great—whilst I sit by and sigh" (1.2.19-20).



Ridding himself of the fate of his wife's youngest child seems like a logical decision, but the emphasis on his passive role—"whilst I sit by and sigh"—signals a conscious performance.

The Duke's speech regarding Junior Brother's stain on his honor is a public one and the Duke uses the opportunity to not just distance himself from Junior Brother, but also to reinforce his authority, continuing in his speech to describe Junior Brother's violent act as being the cause of post-mortem ridicule:

For that which would seem treason in our lives  
Is laughter when we're dead. Who dares now whisper  
That dares not then speak out, and e'en proclaim.... (1.2.7-9)

In these lines, the Duke both rebukes Junior Brother and laments that his actions will haunt the Duke's reign even after he is dead; not to be missed, though, is the Duke speaking to potential dissenters in the present. Those who might be "envious spirits" should remember that dipping their pens into the ink on the Duke's forehead may be the cause of "laughter when [he is] dead," but it is "treason in" the Duke's lifetime (1.2.8,7). Similarly, the Duke acknowledges that people may proclaim in the future, but he also voices a threat in his question: "who dares *now* whisper" against the state? (1.2.8 my emphasis).

The Duke plays the role of a wise and humble ruler, looking towards his future legacy while staying alert to the dangers of the here and now. He must also concern himself with his wife's desires and, in an attempt to lessen his role in Junior Brother's punishment, he emphasizes his role as a guilt-free observer by assigning himself a role of utter passivity—he can only "sit by and sigh" (1.2.20). Kathryn Finin acknowledges the Duke's role-playing in this court scene, which, for her, exemplifies the prescribed gender roles in the early modern period and their

connection with representations of justice. With his refusal to sentence, the Duke gives his child to a masculine authority and becomes a passive griever, two roles associated with women.<sup>30</sup>

Finin fails to acknowledge, however, that the Duchess, who is also, and I would argue more explicitly, playing multiple roles, is anything but passive in this scene. The text shows her to be kneeling and pleading with the Duke to pardon her son, fully assuming her maternal responsibilities.<sup>31</sup> Her pleas seem to fall on deaf ears until the last moment. As the judges declare that Junior Brother will be put on a scaffold, the Duke says “hold, hold, my lord... We will defer the judgement till next sitting” (1.2.80). This deferment, however, does more harm than good. The Duke does not free Junior Brother, earning him the Duchess’s anger, nor does he leave the judges to sentence him, giving his court lords a reason to form a group against him. Male honor, Finin argues, is linked to performative speech and “the Duke’s inability to speak the word which will either condemn or free the Duchess’s younger son, registers a problematic lack” (20). Thus, the Duke’s lack of speech signals his femininity while the Duchess’s excessive speech is a sign of her promiscuity.

The link between excessive speech and promiscuity was certainly prominent in early modern England and is probably a source of the Duchess’s character traits.<sup>32</sup> However, the Duchess’s extremely vocal role in the trial is an overlooked example of female agency. Moreover, instead of focusing on “reinstating” the agency of the mostly passive chaste female

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<sup>30</sup> Finin, “Trying Rape in *The Revenger’s Tragedy*: ‘A Slack Performance.’”

<sup>31</sup> There is a stage direction, [*kneeling*] at 1.2.21, and, as I discuss later in this section, the Duchess states: “Must I rise fruitless, then... Are my knees / Of such low metal that without respect---” when the Duke ignores her pleas for her son’s life (1.2.37-39).

<sup>32</sup> See Stallybrass, Peter. “Patriarchal Territories: The Body Enclosed.” *Rewriting the Renaissance: The Discourses of Sexual Difference in Early Modern Europe*, edited by Margaret W. Ferguson et al., University of Chicago Press, 1986, pp. 123–44.

characters of the play—Castiza, Gloriana, and Lady Antonio—as other critics do, we can analyze the forms and effectiveness of purposeful agency through a reading of the Duchess’s manipulation techniques, her gall in talking over the judges, and her schemes to “kill [the Duke] in his forehead” (1.2.107).

After the Duke leaves Junior Brother’s fate to the judges, the Duchess says:

My gracious lord, I pray be merciful,

Although his trespass far exceed his years.

Think him to be your own, as I am yours;

Call him not son-in-law: the law, I fear,

Will fall too soon upon his name and him.

Temper his fault with pity. (1.2.21-26)

The Duchess emphasizes her husband’s authority and raises him to a godlike status by calling him her “gracious lord” and *praying* for him to be merciful. Moreover, as the stage directions tell us, the Duchess takes the subordinate role, not just with her words, but also with her body, kneeling before her husband as she pleads for her son’s life.

The Duchess also addresses the separation the Duke seeks to put between himself and Junior Brother when he says, “Duchess, it is *your* youngest son” (1.2.1, my emphasis) by reminding him of his connection to her: “Think him to be your own, as I am yours” (1.2.23). Here, the Duchess exploits the inferior category of “woman” by using it to present herself as both the pleading maternal figure men recognize as a “safe” feminine position and as wife and partner to the Duke. This manipulation is made evident when the Duke fails to respond. Her questions, “No pity yet?” and “Must I rise fruitless then?” continue the language of maternity,

and when she exclaims “A wonder in a woman!” we can see that she is relying on the men around her to be familiar with these cultural archetypes and adhere to them (1.2.37-38).<sup>33</sup>

Faced with the knowledge that such behaviors will not work, however, the Duchess begins to speak directly to the judges and, when necessary, *over* the judges:

First Judge: This be the sentence—

Duchess: O keep’t upon your tongue: let it not slip...

First Judge: Tomorrow early—

Duchess: Pray be abed, my lord.

First Judge: Your grace much wrongs yourself...

Let that offender—

Duchess: Live and be in health. (1.2.67, 77-78, 80)

The Duchess is taking a gamble, Finin points out, “In a culture where female virtue is defined, in part, by obedient silence” (20). The Duchess interrupts men and tries to overrule them. Further, “that [she] subsequently vows to cuckold the Duke...plays out the culturally monstrous possibilities unleashed by such impropriety” (20). That the Duchess fits the link early moderns made between excessive speech and promiscuity is valid, but by paying attention to the effect of the Duchess’s words, we see that her strategy is to delay “the doom irrevocable” for Junior Brother (1.2.76). With every interruption, she buys time for her son. The judge thinks her “grace much wrongs [her]self,” but the Duchess—unlike her husband—has no concern for her image. These interruptions demonstrate her desperation to the Duke and her efforts are eventually

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<sup>33</sup> Finin reads this line as another criticism of the Duke’s sexual performance: “When he remains silent, the Duchess evokes the fertile female body to construe his passive refusal as a sexual failing: ‘Must I rise *fruitless* then...’ (1.2.37-38, emphasis added). While her body does not swell, her words do” (20).

rewarded (1.2.78). The Duke stops the judge from sentencing Junior Brother to what was surely death interjecting with, “we will defer the judgement till next sitting” (1.2.1). The Duchess is not satisfied with this deferral and moves to take revenge against the Duke directly after the trial.<sup>34</sup> However, the Duchess is more successful than she realizes. While her husband does not explicitly issue a pardon, Spurio identifies the real benefit of the Duke’s actions: “Delayed, deferred; nay then, if judgement have cold blood, Flattery and bribes will kill it” (1.2.89). The Duchess has bought Junior Brother time.

Quick to recognize their advantage, Ambitioso, another of the Duchess’s sons, says, “Brother, this makes for thee, / Fear not, we’ll have a trick to set thee free” (1.2.85-86). Most indicative of Junior Brother’s good fortune is the scene in which Lord Antonio shows Lady Antonio’s dead body to various lords. In discussing how unfortunate it is for a woman of unquestionable virtue to suffer such a crime, Piero inquires about the outcome of the trial:<sup>35</sup>

Piero: My lord, what judgement follows the offender?

Antonio: Faith, none, my lord; it cools and is deferred.

Piero: Delay the doom for rape?

Antonio: O, you must note who ‘tis should die:

The Duchess’ son. She’ll look to be a saver.

“Judgement in this age is near kin to favour.” (1.4.50-55)

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<sup>34</sup> Finin reads the Duke’s deferral as another sign of the Duke’s feminization; he is unable to choose between upholding the judges’ decision and exonerating Junior Brother, marking him as unable to perform the “masculine honour [of] performative speech” (20).

<sup>35</sup> While it may seem as if the only distinction this play makes between women is that of chaste and unchaste, there is an underlying emphasis placed on a woman’s economic social status that determines her ability to be praised as virtuous. This can be seen in the differences in the language used to discuss Castiza and Lady Antonio.

Lord Antonio seems certain that the Duchess will not only try to save her son, but will succeed. The lords with him concur, evident in their vow to carry out justice even if the Duke will not, promising “that if at the next sitting / Judgement...spare the blood / Of such a serpent, e’en before their seats, / To let his soul out” (1.4.60-63). These men, Ambitioso, Spurio, Lord Antonio and the various lords at his home, show with their vows of tricks and vengeance or their words of disappointment that Junior Brother, at least by the state, has indeed escaped being punished for his crime. She herself may not realize it, but everyone around her recognizes the Duchess’s victory.

**“I’ll kill him in his forehead”<sup>36</sup>**

Despite her success, the Duchess is not pleased with her husband’s refusal to free her son. Her monologue following the trial begins by invoking a classic revenge method:

Some now would plot his death  
With easy doctors, those loose-living men,  
And make His withered Grace fall to his grave  
And keep church better.  
Some second wife would do this, and dispatch  
Her double-loathed lord at meat and sleep. (1.2.94-99)

However, the Duchess is not just “some second wife”; she is patient and calculating. When she asks, “Was’t ever known step-duchess was so mild / and calm as I?” she is not simply posing a rhetorical question; she is signaling her ability to dissemble (1.2.93-94). She will project calmness on the outside while eschewing the traditional, obvious path of poisoning an unwanted

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<sup>36</sup> 1.2.107

husband.<sup>37</sup> Instead, "...wedlock faith shall be forgot. / I'll kill him in his forehead, hate there feed. / That wound is deepest, though it never bleed" (1.2.106-108). More than killing the Duke, the Duchess wants the Duke to suffer; it is not a stretch to assume that since judgment is only deferred and she still needs to assure Junior Brother's release, killing him now would be premature—a dead husband is of even less help than one "twice a child" (1.2.100). Instead, the Duchess will kill the Duke with cuckoldry, a wound that cuts deepest, and a revenge only she can carry out.

She worsens the deed by choosing her husband's bastard son, Spurio, as her lover.

Beginning her seduction, she asks Spurio:

---What have you thought of me?

Spurio: Madam, I ever think of you in duty...

Duchess: Puh, upon my love, I mean.

Spurio: I would twere love, but 't'as a fouler name than lust.

You are my father's wife. Your grace may guess now

What I could call it.

Duchess: Why, thou'rt his son but falsely.

'Tis a hard question whether he begot thee. (1.2.126-132)

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<sup>37</sup> Here, the Duchess seems to reference the fact that poison is seen as a conventionally feminine method of murder. According to Garthine Walker, in *Crime, Gender, and Social Order in Early Modern England*, "the Latin term for poisoning was the same as witchcraft: *veneficium*, [the practice of which was primarily linked to women.] Both were secret, 'most abominable', acts against which there were few defences... The poisoner was thus attributed with negative feminine characteristics - weak, foolish, wicked, cunning. Indeed, Reginald Scot wrote that 'women were the first inventors and the greatest practisers of poisoning and more materially addicted and given thereunto than men'" (144).

Until this point in the play, Spurio has only shown hostility to his stepfamily and he begins this scene, reasonably, rebuking the Duchess's invitation to engage in an incestuous liaison. But, just as in the courtroom, the Duchess has a rebuttal prepared. What harm is there in sleeping with her when it is not even certain that Spurio *is* the son of the Duke?

Spurio admits that he is “an uncertain man, / Of more uncertain woman” (1.2.133-34), but after he offers an alternative paternal candidate, the Duchess declares a more certain stance—and not one the audience might expect:<sup>38</sup>

But to our love:

Let it stand firm both in thy thought and mine  
That the Duke was thy father—as no doubt then  
He bid fair for't—thy injury is the more,  
For had he cut thee a right diamond,  
Thou hadst been next set in the dukedom's ring,  
When his worn self, like age's easy slave,  
Had dropped out of the collet into th' grave.  
What wrong can equal this? Canst thou be tame  
And think upon't? (1.2.145-153)

The Duchess's clever strategy wards off Spurio's initial misgivings by giving him a plausible reason for the acceptability of their affair, but it is revenge she is after and she wants a partner.

After he asserts that he has no surety of his parentage—“maybe his groom / O'th' stable begot

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<sup>38</sup> Michael Neill, in “Bastardy, Counterfeiting, and Misogyny in *The Revenger's Tragedy*,” notes that most of the characters in the play have names that describe personality traits, but Spurio's name, according to John Florio, means “a bastard, a baseborne,” which is more of a factual label like the Duke or Junior Brother. The name is not without allegoric force, though, because bastardy is a moral and genealogical category.



me; you know I know not”—she gives it to him: “Let it stand firm both in thy thought and mine / That the Duke was thy father” (1.2.134-135, 145-146). As the Duke’s son, he has been much wronged. In addition to inciting his feelings of inequity with leading questions, the materialistic imagery she uses to establish their link serves to goad Spurio into covetousness: “cut thee a right diamond;” “dukedom’s ring;” “dropped out of the collet.”<sup>39</sup>

Her words work and Spurio becomes angry about his position. Now, the Duchess gives him an excellent idea:

Who would not be revenged of such a father,

E’en in the worst way? I would thank that sin

That could most injury him, and be in league with it. (1.2.154-56)

Circling back to her initial offer of adultery, instead of simply a sin “fouler...than lust,” the Duchess’s offer is that which *Spurio* desires—revenge, an injury he can give his father (1.2.129). Spurio makes another disparaging comment against his father, but he does not yet give in. The Duchess, however, taunts Spurio with what she could only whisper about in court: manhood. When the Duke initially refused to interrupt the judges, the Duchess noted, wisely in an aside, “O, what it is to have an old cool duke / To be as slack in tongue as in performance” (1.2.74-75). Here, however, she and Spurio are alone, and she slyly impugns his reluctance as a sign of impotence: “Who but an eunuch would not sin, his bed / By one false minute disinherited?” (1.3.165-66). The implications of this question are clear and Spurio takes the bait. In the next lines, he says:

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<sup>39</sup> Oxford English Dictionary defines “collet 3a.” as, “The circle or flange in a ring in which the stone is set; also the setting for a precious stone in a piece of jewellery” and uses this line as one of its quotations. “collet, n.1.” *OED Online*. Oxford University Press, December 2015. Web. 26 January 2016.

Ay, there's the vengeance that my birth was wrapped in.

I'll be revenged for all. Now hate begin.

I'll call foul incest but a venial sin. (1.3.167-169)

From the beginning of their discussion, the Duchess uses Spurio's bastardy to her advantage: her reminder of false beds and inheritance spark him to forget all family ties, including the incest taboo.

Here, just as in the trial scene, the Duchess shows cunning to rival Vindice's. It is easy to recognize Vindice's lure of the Duke to his poisonous end or the orchestration of the masque slaying as crafty revenge, but the Duchess's careful timing and choice of words; willingness to overstep the boundaries prescribed to her sex when useful and necessary; and her precise control and strategic use of her sexuality demonstrate craft and establish her as an exceptional, if unexpected, example of female agency.

## CHAPTER II

### **“For she, alas, was but the instrument”: Agency, Gender, and the Facilitation of Violence in *The Maid's Tragedy***

#### **Introduction**

In my previous chapter's discussion of female agency in *The Revenger's Tragedy* (1607), I suggested that feminist critics' focus on whether or not Gloriana plays an active role in Vindice's revenge against the Duke leaves the Duchess, a brilliant example of female agency, unexamined. By taking control of her sexuality and wielding it as a weapon, the Duchess effectively manipulates the male characters around her and makes possible a space for female participation in the play's justice system. Her use of cuckoldry and speech to harm her husband shows that violence is not limited to the physical and indicates that there are acts of violence that are specifically gendered feminine. More, her cuckoldry highlights the threat only female bodies can pose to lineage, suggesting that some acts of violence can only be performed by women. In this chapter, I will consider acts of violence early moderns marked as exclusively feminine or masculine. Identifying what these acts are and how they are used enables me to better examine the power dynamics between female agency and masculine will.

Beaumont and Fletcher's *The Maid's Tragedy* (1619) makes possible further discussion of connections among female agency, sexuality, and violence. *The Maid's Tragedy*, also a revenge tragedy, has a cast of characters similar to those in *The Revenger's Tragedy*. The king is corrupt, and instead of being the authority his subjects can turn to for aid, he is the villain the play's male revenger, Melantius, must set out to kill. Melantius's sister, Evadne, has disgraced their family as well as her husband and Melantius's best friend, Amintor, by having an affair with the king. And worse than simply cuckolding Amintor, Evadne prevents him from marrying his beloved and betrothed, Aspatia. This chapter considers Evadne's scenes with the men in the play, examining how her access to agency changes as she loses control of her sexuality—evident in her shift from being the king's mistress to playing the role of a repentant wife barred from the sexual rites of matrimony. Further, examination of her scenes also provides the opportunity to think more fully about the complex relationship between agency and will, understood as, on the one hand, desire, and on the other hand, as willpower. In surrendering her agency to her brother's will, Evadne must learn to exercise willpower. In addition, Aspatia's scenes with Amintor highlight how gender affects access to certain modes of violence as well as the critical distinction between occupying and controlling gendered spaces.

More than highlighting the intersections of agency, gender, and violence, *The Maid's Tragedy* is a play of conflicting wills. The plot centers around ever-changing dyads that consist of the four principal characters—Amintor, Aspatia, Evadne, and Melantius—set in motion by a king whose unchecked desire threatens the stability of his kingdom and leads, ultimately, to his loss of sovereignty, his life, and the lives of four of his subjects. The dynamics of these relationships rely on unequal positions of power, determined not only by gender, but by each character's role in key acts of facilitated violence throughout the play. As Amintor, Aspatia,

Evadne, and Melantius shift between moments of agency and passivity, the question of whose will reins paramount only becomes more confused and difficult to answer. More, an examination of these changing dyads and the acts of violence that mark their relationships makes possible both an exploration of agency and will (desire) and how willpower operates in gendered acts of violence, in particular.

Instead of focusing on what the framework of the play reveals, however, much of the criticism on *The Maid's Tragedy* occurs in projects dedicated to arguing the merits of Beaumont and Fletcher's works—an assessment which seems to hinge on arguing the merits of the authors themselves. Manuscript-length works, such as those by Sandra Clark and Philip Finkelpearl, focus heavily on the authors' political leanings and their relationship to King James's court. Because Beaumont and Fletcher were members of the King's Men, Clark voices a question asked by many scholars: "could a king's man ever be less than a fervent royalist?" (17) This desire to *know* Beaumont and Fletcher's politics has guided the reading of their plays and, in the case of *The Maid's Tragedy*, almost all criticism discusses contemporary political thought concerning tyrannicide, King James's court, and Beaumont and Fletcher's relationship to both. As such, a crucial concern becomes whether or not the pair condones tyrannicide or supports the divine right of kings—a theory constantly, and unsurprisingly, reaffirmed by King James I.<sup>1</sup>

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<sup>1</sup> See the following scholars for discussions of Beaumont and Fletcher's views on tyrannicide: J. St. Loe Strachey's introduction to the 1887 Mermaids edition of *The Maid's Tragedy*; Samuel Taylor Coleridge, *Notes and Lectures upon Shakespeare and Some of the Old Poets and Dramatists with Other Literary Remains vol. 1*, 1849; John F. Danby, *Poets on Fortune Hill*, 1966; Janet Clare, *Art made tongue-tied by Authority: Elizabethan and Jacobean Dramatic Censorship*, 1990; Philip Finkelpearl, *Court and Country Politics in the Plays of Beaumont and Fletcher*, 1990; Rebecca Bushnell, *Tragedies of Tyrants: Political Thought and Theater in the English Renaissance*, 1990; Sandra Clark, *The Plays of Beaumont and Fletcher*, 1994; Gordon McMullan, *The Politics of Unease*, 1994.

Clark takes the position that, through its punishment of the king's murderer, Evadne, the play condemns tyrannicide; Finkelpearl expresses the opposite view, arguing that the forgiveness of Melantius, the orchestrator of the king's death, indicates that the play condones tyrannicide; and Janet Clare asserts that Beaumont and Fletcher "side-step the issue" altogether by turning the murder of the king into a crime of passion instead of a political act (167). The debate over whether or not *The Maid's Tragedy* condones tyrannicide is intriguing, but what is missing from scholarship's view of this violent act is a discussion of the intersection of gender and violence. Instead of thinking of Evadne and Melantius as simply the murderer and the orchestrator, I introduce the terms, facilitator and instrument, and argue that the king's murder is an act of facilitated violence. More, these two characters' actions are part of a larger pattern in the play and looking closely at their motives can illuminate our understanding of female agency, will, and early moderns understanding of gendered violence.

I have shown in my previous chapter that certain acts of violence are linked to specific genders, but one character's use of another to perform an act of violence allows for transgressive behavior—that is, for women to perform acts typically associated with men and vice-versa. The terms facilitator and instrument help us to better understand why this might be. Facilitators are often people, active beings, working to achieve a goal or accomplish a task, whereas an instrument denotes an object, a passive entity that requires an outside force to be of use. In this play, we see characters used not as persons, but as tools—as inanimate objects that can be made

to move, such as telerobots<sup>2</sup> or marionettes—to be the ends to another character’s means.<sup>3</sup> As these facilitator-instrument relationships metamorphose, their actions begin to blur the lines between those appropriate for their gender and that of their counterpart/partner. For example, Evadne’s murder of the king is seen, by the other characters in the play, as an act impossible for a woman to commit. That she does commit regicide, then, suggests that it may be her role as Melantius’s instrument that allows her to carry out the deed, prompting the questions: can a female instrument have agency while performing acts of violence made possible only by the authority or power of a male facilitator? As a character in the play suggests, does Evadne escape blame simply because of her role as instrument, and not facilitator? Is it Evadne’s gender that makes it possible for the men around her to accept that she is merely an instrument in the plot to kill the king and, thus, unable to be held accountable? It is this consideration for Evadne’s and Melantius’s function as a pair and, in particular, a gendered pair, that is missing from existing scholarship. There is an inextricable link between gender and the roles that Melantius and Evadne play in the king’s death. Moreover, in addition to Evadne’s murder of the king at the behest of her brother, *The Maid’s Tragedy* also includes Aspatia’s use of Amintor to commit suicide. The play thereby models two different combinations of gendered agency: the male

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<sup>2</sup> In the field of robotics, a distinction is made between robots that are continuously controlled by an operator (a manually controlled teleoperator) and robots that have partial autonomy (telerobots). See Thomas B. Sheridan, *Telerobotics, Automation, and Human Supervisory Control*. The MIT Press, 2003.

<sup>3</sup> For example, in Lady Macbeth’s orchestration of Duncan’s murder, Hieronimo’s use of Bel-Imperia to kill Prince Balthazar, and perhaps most fittingly, Beatrice-Joanna’s solicitation of De Flores in the killing of her unwanted fiancée, Alonzo, which character is in control is not so clear. See Frances Dolan’s “Re-reading Rape in *The Changeling*” for a discussion of the many debates surrounding who has the upper hand, if anyone, in the relationship between De Flores and Beatrice-Joanna.

Machiavel's manipulation of a female agent and a female orchestrator's employment of a male tool.

Opposite genders certainly add to the complexity, but the facilitator-instrument relationship is inherently a dependent one, making it difficult to identify stable positions of power. Often, when an act of facilitated violence is carried out, the act is performed by an instrument who is both an active agent and a controlled subject. The facilitator, in turn, may be the guiding force, but he or she may also find themselves in the position of a passive bystander who is, ultimately, dependent on the actions of their instrument. Following the actions of the four principle characters in *The Maid's Tragedy*, this chapter explores what the power dynamics and the manipulation of will in the play's facilitated acts of violence can tell us about how early moderns conceptualized gendered violence.

#### **“I do enjoy the best”<sup>4</sup>**

The extent of Evadne's power at the beginning of the play is debatable, but her confidence, and her assumption of authority over others, is apparent.<sup>5</sup> We see it first in her exchange with Amintor on their wedding night, an interaction that she controls easily, as Amintor fears the king, and Evadne presents herself as an extension of the king's power. Initially, Evadne's refusal to break the oath that prohibits her from consummating her marriage is met with Amintor

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<sup>4</sup> 2.1.293

<sup>5</sup> Cristina Leon Alfar, “Staging the Feminine Performance of Desire: Masochism in *The Maid's Tragedy*,” argues that “tempting as it may be...to accept Evadne's view of her control and power, we must recognize that her choice to become the King's mistress does not reflect a revision of patrilineal modes of female commodification...Evadne assumes that her lover's power will allow her to raise her own social value and power...[but] the liaison forbids her to marry him. And that restriction dooms Evadne to ostracism from her society and eventually to death” (320).



threatening to drag her to bed by her hair and force her into submission. Unfortunately, for Amintor, he chooses his words poorly:

Come to bed,  
Or by those hairs, which, if thou hast a soul  
Like to thy locks, were *threads for kings to wear*  
*About their arms.* (2.1.269-272, my emphasis)<sup>6</sup>

Though Evadne is alone in her marital bedchamber—a space that should be where she first submits fully to her husband—with an angry, threatening Amintor, she is dauntless. Her strength, in part, comes from Amintor’s rhetorical missteps.<sup>7</sup> Amintor renders his threat ineffective by invoking the figure of the king in the particularly intimate image he uses—a king’s arms draped in Evadne’s hair. More, his ironic simile both serves to remind Evadne of her position as the king’s mistress and, thus, the protection that position affords her, and makes space for Evadne to temporarily disrupt his speech and insert her own sotto voce threat—“why so perhaps they are” (2.1.273). An oblivious Amintor takes no note of Evadne’s aside and continues:

I’ll drag thee to my bed, and make thy tongue  
Undo this wicked oath, or on thy flesh  
I’ll print a thousand wounds to let out life! (2.1.273-275)

Evadne’s response makes clear her disregard for Amintor’s threat:

I fear thee not; do what thou dar’st to me!  
Every ill-sounding word or threat’ning look

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<sup>6</sup> All quotations taken from: Beaumont, Francis, and John Fletcher. *The Maid’s Tragedy*. Edited by Howard B. Norland, University of Nebraska Press, 1968.

<sup>7</sup> The marital bedchamber is the first time, if only theoretically, that a bride has sex with her husband. This act of consummation cements the public vows which declare her no longer her father’s (or other male surrogate’s), but her husband’s.

Thou showest to me will be reveng'd at full. (2.1.276-278)

Her relationship with the king has made her bold, but not over-confident. Evadne does not say that Amintor will be prevented from harming her, as it is likely that Amintor could inflict damage before anyone came to her aid.<sup>8</sup> Choosing her words carefully, Evadne tells Amintor: “do what thou *dar'st* to me” (2.1.276, my emphasis). A person who dares has “to have boldness or courage (*to do something*).”<sup>9</sup> In using the word “dare,” Evadne marks herself as someone Amintor needs courage to harm. Just as the soon-to-come mention of the king strips Amintor of his boldness, Evadne’s intimation that she holds an elevated position derails Amintor’s violent intentions—shifting his focus from his threats to Evadne’s promises of revenge and the man who would fulfill them.

Amintor requests the name of Evadne’s lover so that he might “cut his body into motes / And scatter it before the northern wind,” but her revelation surprises him (2.1.296-297):

Evadne: Why, 'tis the king.

Amintor: The king!

Evadne: What will you do now?

Amintor: 'Tis not the king!

Evadne: What did he make this match for, dull Amintor?

Amintor: Oh, thou hast nam'd a word that wipes away

All thoughts revengeful; in that sacred name,

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<sup>8</sup> Spatial isolation seems to be a reoccurring theme in this play: Melantius makes sure Evadne sends her ladies away so that they are alone in a room where no one will arrive in time to save her; Evadne tells the king that no one will hear him if he calls for help. The one person who does constantly call for help in the presence of others, Calianax, is ignored (and thus, effectually, unheard).

<sup>9</sup> Definition taken from the Oxford English Dictionary, third edition, “dare, v.1.”

‘The king,’ there lies a terror.... (2.1.301-306)

Amintor’s opportunity for committing violence is derailed again; knowing the name of Evadne’s lover does not give him the satisfaction of challenging the usurper of his position as her husband and lord. Just the name of the king renders Amintor powerless, and the “terror” that Evadne’s lover has struck in him brings this scene’s threats of violence full circle. If the altercation began with Amintor threatening to “let out [Evadne’s] life,” now it is his own life he seeks to end after he learns that his marriage is merely a cover up for the king’s affair: “If thou hast pity, though thy love be none, / Kill me” (2.1.275, 319-320). The power dynamics have not necessarily shifted, as during this scene Evadne was always in control, but this request shows that “dull Amintor” has finally caught on; newly informed and in fear of the king, Amintor completely submits to Evadne.<sup>10</sup>

Evadne, however, does not have long to enjoy her victory. The morning after her wedding, Evadne finds herself in the awkward position of convincing her lover that she has not cheated on him with her husband. Her exchange with the king reveals that William Shullenberger is correct in asserting that “in choosing the king for her lover, and vowing to have no one less than a king,” Evadne actually “binds herself to the power of place in the patriarchal system” (148). Her decision also indicates, however, that at least while she *is* the king’s lover, she does enjoy a measure of independence (148). The king accuses Evadne of breaking an oath that she “wouldst ne’er enjoy a man but [him],” but Evadne coolly reminds him that he has misremembered the wording of her oath (3.1.175):

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<sup>10</sup> Amintor not only gives Evadne the power to end his life, but also, as the rest of the scene suggests, the authority to deny him death. After he asks her to kill him, she replies: “I must have one to fill thy room again if thou wert dead; / Else, by this night, I would! I pity thee” (2.1.324-326). Evadne may pity Amintor, but, ultimately, her main concern is herself.

I swore indeed that I would never love  
A man of lower place, but if your fortune  
Should throw you from this height, I bade you trust  
I would forsake you and would bend to him  
That won your throne. I love with my ambition,  
Not with my eyes....(3.1.178-183)

Her candid speech is direct and unsentimental. She acknowledges that it is the king's power that attracts her, but also that she is not his equal. When she notes that she would forsake the king for his successor, she says that she "would bend to him," making it clear that she serves this king as she would the next. Though she knows her structural position is one of a subordinate, she also knows what it is to be the privileged object of a king's desire. When the king refuses to believe her, saying "thou dissemblest, and it is in me to punish thee," Evadne responds:

Why, it is in me, then,  
Not to love you, which will more afflict  
Your body than your punishment can mine. (3.1.187, 188-190)

Daring to mimic the king is quite risky. By turning his recourse to punishment back on him, Evadne reminds the king that his body is not the only one that holds power. Alfar argues that "we might be tempted to argue" that Evadne asserts "control over her body's commodification," but this control "is not an act of 'real' desire, but a desire for value as a woman, a sexual object in the patrilineal order" (321). However, a woman as a sexual object has real value, value which Evadne capitalizes on. The king may have the authority to punish Evadne, but her body is his *desired* sexual object; having the power to take that object out of circulation affords Evadne considerable control.

**“Oh my laden soul ,...choke not up / The way to my repentance”<sup>11</sup>**

When Evadne walks into the king’s bedchamber in the murder scene, her body is indeed out of erotic circulation, but her new rejection of sexuality makes uncertain the extent of her control over its commodification. Gone is the woman who flaunts her sexuality and mocks her husband for believing a woman her age could still be a virgin. Now, Evadne is ashamed of her sexuality, asks forgiveness of her husband, and seeks redemption by way of regicide. Her current role as a repentant “whore” puts her in a unique position to carry out this redemptive act—a position where the threat to deny the king her body is very real and, more, the bodily affliction that accompanies this denial is fatal.<sup>12,13</sup> Evadne uses her old role as the king’s mistress to gain access to the king’s bedchamber, and once there, she begins to divest herself of her sins, transferring the responsibility of her transgressions to the king and his court. When she describes her life as it was before her relationship to the king, she uses the word “I” and links herself to positive images—“I was once fair, / Once I was lovely, not a blowing rose / More chastely sweet”—but when her speech turns to her loss of virtue, the king and his actions become the main focus:

Till *thou, thou, thou* foul canker,

(Stir not!) *didst poison me*. I was a world of virtue

Till *your* curs’d court and *you* (hell bless *you* for’t)

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<sup>11</sup> 4.1.185-187

<sup>12</sup> When Melantius confronts Evadne, he repeatedly refers to her as a whore, telling her to, “Speak, you whore” and calling her a “stale whore” (4.1.98,150). This “title” also puts her in contrast to Aspatia who is cast as the virgin/maid of the play.

<sup>13</sup> Here I reference Evadne’s earlier lines, discussed in the above section:

Why, it is in me, then,  
Not to love you, which will more afflict  
Your body than your punishment can mine. (3.1.188-190)

With *your* temptations on temptations

*Made me* give up mine honor....(5.1.77-81, emphasis mine)

Evadne is still linked to the only positive words in the passage: “*I* was a world of *virtue*” and “mine honor.” The signifiers for the king—“thou,” “your,” and “you”—are set next to words with negative connotations, “foul canker” and “curs’d,” but even more importantly, he has all of the action in the story of Evadne’s downfall. *He* “didst poison” her and *he* “made” her give up her honor. Evadne’s only action is to “give up,” words which evoke an image of surrender. When she repeats the word “temptations,” she continues to craft a story in which the king wears her down over time. Her repetition emphasizes the king’s role as the seducer, and any possibility of resistance seems remote.

Evadne’s need to transfer her sins onto the king stems from her confrontation with her brother, Melantius, for while he is not physically in the bedchamber, he has immense influence over the situation. In the confession scene, Melantius makes her swear “by that wealth / This lustful thief stole from” her that she will kill the king (4.2.167-68). When she draws the knife to do the deed, she repeats her brother’s purpose: “if the devil, / your lust, will give you leave, repent. This steel / Comes to redeem the honor that you stole” (5.1.59-61). Evadne’s language continues to echo Melantius’s throughout her address to the king. Before she repents, her brother informs her of what the king has done to her and how he evaluates her current state; by the time of the murder, Evadne has adopted Melantius’s language:

Melantius: H’as undone thine honor, *poison’d* thy virtue,

And of a *lovely rose*, left *thee* a *canker*. (4.1.86-87, my emphasis)

Evadne: I was once fair,

Once I was *lovely*, not a blowing *rose*  
More chastely sweet till *thou, thou, thou* foul *canker*,  
(Stir not!) didst *poison* me. (5.1.75-78, my emphasis)

The similarities between the two passages are striking. Evadne has come to carry out her brother's instructions and disseminate his moral message. She does, however, make a subtle yet crucial change to her brother's words. Where Melantius says, "left thee a canker," Evadne tells the king, "thou, thou, thou foul canker." This alteration gives Evadne the opportunity to rid herself of the word her brother uses to link her to dishonor and poisoned virtue. The king, then, must do more than bear the responsibility for Evadne's succumbing to temptation; he must take on the moral taint Melantius ascribes to his sister. Only then will Evadne be able to distance herself from the label, "canker." A canker is a chronic non-healing sore and, since Evadne has come to this chamber for healing, she must transfer this inability to be restored to the king. In her speech—which one could argue is more for herself than for the king—she places special emphasis on the "thou" that precedes "foul canker," repeating it three times.<sup>14</sup> The importance

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<sup>14</sup> Also of interest here is Evadne's switch between using the more formal "you" to "thou" when she addresses the king. In the only other scene in which she holds a substantial conversation with the king, she addresses him exclusively as "you," the appropriate form of address for a subject to a king, even one in a sexual relationship with him. In the regicide scene, however, Evadne begins addressing the king as "you," but switches to *thou* as she begins to rebuke the king for his transgressions. Her switch is not consistent as she does fall back into "you" at times, but I would argue that her use of "thou," even inconsistently, indicates the shift in power she feels in this scene. With the king tied to the bed, forced to listen to her grievances, knowing that his life is in her hands, Evadne no longer feels as if she is subordinate or even on equal footing with the king. She has gained not only the upper hand physically, but also the higher moral ground. David Crystal explains the distinction between "thou" and "you" in his book, *The Stories of English*:

The social basis of the *thou/you* distinction was established by the sixteenth century. The *you* forms would normally be used:

- by people of lower social status to those above them...
- by the upper classes when talking to each other, even if they were closely related...

The *thou* forms would normally be used:

she dedicates to transferring the stain of Melantius's label, I assert, shows the significance of redemption for Evadne and, in particular, redemption in the eyes of her brother.

This quest for redemption is what drives Evadne to commit her final act before she leaves the bedchamber: to forgive the king. This act shows the disjuncture between instrument and facilitator—for in forgiving the king, Evadne does what Melantius pointedly does not. Melantius uses Evadne's guilt and the threat of his sword to control her actions when she enters the chamber, but, despite her role as instrument, she remains an active agent. Though she seems to have absorbed her brother's morals, she does not realize that forgiveness is not a part of his plans for her.

Melantius's misogyny and the misogyny of those around him associate trusting women with weakness—a trait unbecoming of Melantius's "strain."<sup>15</sup> His inability to trust Evadne makes it impossible for him to see her repentance as genuine. We first see this linkage between trusting women and weakness in the scene when Melantius learns from Amintor of his sister's infidelity. Amintor laments:

Oh, my soft temper!

So many sweet words from thy sister's mouth

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• by people of higher social status to those below them... (308)  
Crystal, David. *The Stories of English*. Reprint edition, Abrams Press, 2005.

<sup>15</sup> Immediately after the confession scene, Melantius establishes his conception of a family "strain." Melantius: Thou art my brother, and, if I did believe  
Thou hadst a base thought, I would rip it out,  
Lie where it durst.

Diphilus: You should not. I would first  
Mangle myself and find it.

Melantius: That was spoke  
According to our strain....(3.2.270-274)

Also, in 5.3.280-81, after Melantius attempts to commit suicide, Diphilus says to him, "Fie, how unmanly was this offer in you! Does this become our strain?"



I am afraid would make me take her,  
To embrace and pardon her. (3.2.242-244)<sup>16</sup>

The fear that words from a woman's mouth have the power to trick men is not unusual in early modern England, but what deceit does Amintor fear? He already knows that he is a cuckold and that he will not have any children, so there is no concern for a tainted family line. The fear expressed here, then, is specifically connected to forgiveness; Amintor fears that "sweet words" will beguile him and make him forgive Evadne. Unlike his wife, Amintor does not displace his guilt. He has been repeatedly cast as weak throughout the play, and in acknowledging his "soft temper" he admits his weakness.<sup>17</sup> Whereas Evadne puts the blame solely on the king's temptations, Amintor sees both the external "sweet words," and his "soft temper" as playing a role in his eventual embracing and pardoning.

In Amintor and Evadne's reconciliation scene, Evadne voices many "sweet words" indeed. She begins telling Amintor that she would buy his forgiveness "even with my life: / That slight contrition, that's no sacrifice / For what I have committed" (4.1.200-202). Amintor is prepared, however, and he responds—seemingly not even speaking to her directly: "there cannot

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<sup>16</sup> Interestingly, Evadne is not the agentive figure in Amintor's dreaded scenario. He does not use Evadne's name—indeed, for a scene about her, it is striking that her name is never used. This glaring absence and the positioning of the words he does use invites further analysis. By placing "sweet words" before "thy sister's mouth," Amintor makes the words, not Evadne, the subject linked to the action, "would make me take her..." Further, this change also serves to put "thy sister's mouth" next to "I am afraid." While grammatically, the words are still what he fears will make him forgive Evadne, Amintor's disruption of both the typical subject-verb arrangement and the pattern of possessive nouns link Evadne not to the action of eliciting pardoning, but to the fear of women's speech.

<sup>17</sup> The king chose Amintor as his dupe, assuming he would go along with the plan; Evadne refers to him as "dull Amintor" on their wedding night; and when Amintor describes his feelings about knowing the king has cuckolded him, he says, "in that sacred name, / 'The king,' there lies a terror. What *frail man* / dares lift his hand against it?" (2.1.303, 305-307, my emphasis). Amintor considers himself frail and, while Melantius, Diphilus, and even Evadne have no trouble lifting a hand against the king, it is only the weak Amintor who cannot.

be a faith in that foul woman...Oh, Evadne, / Would there were any safety in thy sex, / That I might put a thousand sorrows off / And credit thy repentance” (4.1.203, 209-212). He begins by referring to Evadne as an individual, but quickly moves to characterizing her as a woman—and women are, by definition, not to be trusted. Evadne responds in kind, agreeing that women are deceitful, but then forces Amintor to see her as an individual again:

I do not fall here  
To shadow by dissembling with my tears  
(As all say women can)...  
I do appear the same, the same Evadne,  
Dress'd in the shames I liv'd in, the same monster. (4.1.220-222, 226-227)

Evadne then acknowledges Amintor as her redeemer, telling him:

I am hell,  
Till *you, my dear lord*, shoot *your light* into me,  
The beams of *your forgiveness*; I am soul-sick,  
And wither with the fear of one condemn'd,  
Till I have got *your pardon*. (4.1.231-235, my emphasis)

Evadne describes herself as “the same Evadne, dress'd in the shames [she] liv'd in,” and her pleas for forgiveness support this assessment. Her request for pardon is that of one well versed in the tactics of persuasion. The scenario may have changed, but some of Evadne’s skills are still useful. She adopts submissive body language, kneeling before Amintor for the entire length of her plea.<sup>18</sup> She also employs flattery. Having stripped Amintor of his authority at the beginning of the play, she now refrains from using insulting nicknames and calls him “my lord” repeatedly.

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<sup>18</sup> Stage direction at 4.1.187 instructs Evadne’s character to “kneel.”

Moreover, she acknowledges his superiority by emphasizing her inferior position: “you are an innocent, / A soul as white as heaven; let not my sins / perish your noble youth” (4.1.218-220). Her tactics are successful. Amintor tells her to rise, and grants her forgiveness. Of course, he cannot know the task with which Evadne has been charged and, thus, when he directs her to “make [her]self worthy of it [his forgiveness],” he unwittingly adds to her determination to kill the king, a task Melantius has ensured Evadne sees as an act worthy of forgiveness (4.1.237).

When Melantius confronts his sister and charges her with this “worthy act,” he takes heed of Amintor’s fears about falling for sweet words. He declares his purpose in contrast to Amintor’s weakness:

This worthy young man may do violence

Upon himself, but I have cherish’d him

As well as I could...

Sword, hold thine edge;

My heart will never fail me. (3.2.260-264)

Melantius’s acknowledgement of Amintor’s suicidal state shows that he sees him, if not as a weak man, at least as one currently in a weak state.<sup>19</sup> Melantius takes on the role of caretaker, comforting Amintor and helping him prepare for the role the king demands he play; but after he finishes discussing Amintor’s plight, Melantius’s tone changes from soothing to firm. He

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<sup>19</sup> In the world of the play, suicide is seen as “unmanly.” We see an example of this when Melantius, struck with the grief of losing Amintor, attempts suicide and his brother says: “Fie, how unmanly was this offer in you! / Does this become our strain?” (5.3.280-281). Based on Melantius’s mention of his father in his confrontation with Evadne and other discussions in the play—see footnote 10—it is clear that Melantius very much so adheres to the prescriptions of his strain. It is reasonable to assume, then, that Melantius would see suicide as unmanly in this moment (3.2.274). Later, however, he seems to ascribe strength to a person who can succeed in suicide without the use of weapon—“His spirit is but poor that can be kept / From death for want of weapons. / Are not my hands a weapon sharp enough...” (5.3.286-288).

resumes his role as soldier, calling for his sword and, unlike Amintor, who has a “sweet temper,” Melantius has a strong heart that will “never fail.”

It is no surprise, then, that though Evadne repeatedly asks for forgiveness after she has confessed, Melantius repeatedly denies it:

Evadne: I have offended; noble sir, forgive me.

Melantius: With what secure slave?

Evadne: Will you forgive me then?

Melantius: Stay; I must ask mine honor first. (4.1.113-114, 120-21)

Melantius has no plans to ask his honor; his mind was made up before he visited Evadne. Just as Amintor bemoaned women’s deceptive speech, Melantius tells Evadne, “I fear, Evadne, / You had rather play your game out,” and he further questions her capacity to even be repentant: “can you be sorry?” (4.1.140-141, 132) Amintor may have forgiven her, but her brother has not.

Melantius is most responsible for Evadne’s feelings of shame, having called her “foul,” a “stale whore,” and telling her that she would have been better off dead than in her current disgraced state (4.1.105, 150, 136). Without his forgiveness, Evadne cannot truly be redeemed. His refusal to grant her forgiveness, then, is the critical act that makes killing the king necessary for Evadne. At the same time, Evadne sees regicide as redemptive only because Melantius wants her to: she has become her brother’s instrument.

Linking Evadne’s redemption to the act of regicide allows Melantius to control Evadne, even without being present. While he has threatened her physically, it is his psychological manipulation that ensures his plan will be successful. The need for regicide is consistently paired with images of Evadne’s past transgressions, current disgraced state, and future public shamings.

He tells her, “Y’are valiant in his bed, and bold enough / To be a stale whore...No fear. Come, you shall kill him” (4.1.149-150, 154). Moreover,

Be wise and kill him. Canst thou live and know

What noble minds shall make thee see thyself

Found out with every finger, made the shame

Of all successions, and in this great ruin

Thy brother and thy noble husband broken? (4.1.157-161)

Melantius’s tactics work. His effectiveness is confirmed in how closely Evadne’s confessional language mirrors her brother’s in the regicide scene. More importantly, Evadne has adopted Melantius’s mentality so thoroughly that regicide not only comes to represent an opportunity for her redemption, but also a moment in which she can create the model for the type of redemption she desires. She must give the king that which *she* seeks; she must give the king forgiveness. The king, it is important to note, does not ask for forgiveness. Throughout the scene, he asks who provoked her to murder him, commands her to hold, and begs for pity. Repentance is not on his mind. Rather, it is Evadne’s desires that are fulfilled when she declares: “Die all our faults together! I forgive thee” (5.1.113).

**“She, alas, was but the instrument”<sup>20</sup>**

Melantius’s unwillingness to forgive Evadne is only one obstacle for her; Evadne’s gender also threatens her quest for redemption. How the characters respond to Evadne’s role in the king’s murder is key to understanding the relationship between gender and the facilitation of violence in *The Maid’s Tragedy*. Characters display two responses: disbelief or disinterest. First, they seem

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<sup>20</sup> 5.1.139

to be incapable of linking Evadne to the crime, of attributing such an act to her or her sex. When Evadne holds a knife and tells the king, “I am come to kill thee,” he refuses to believe her:

King: No!

Evadne: I am.

King: Thou art not!

I prithee speak not these things; thou art gentle,

And wert not meant thus rugged. (5.1.82-84)

The exchange is almost comical. Evadne must argue with the king to be taken seriously as one who can commit violence. That he says “wert not *meant* thus rugged” suggests the king believes women have an inherent capacity for gentleness and are incapable of roughness or violence.

The king’s view is echoed by his servants. After the king’s gentlemen find his body, one observes: “This will be laid on us: who can believe / A woman could do this?” (5.1.126-127).

One gentleman uses the future tense when claiming that the crime “will be laid” on him while his partner uses the present tense to ask “who can” and the conditional, “could,” to denote Evadne’s actions. The use of the present “who can” to question the believability of the king’s murder at the hands of a woman suggests that it is not just other people that will have a hard time believing; the gentlemen themselves are in a state of disbelief. Even when in the room with the king’s body, they struggle to reconcile their notion of the female capacity for violence with the murder they know Evadne committed. Their assumption is confirmed when Cleon, Lyssipus, and Strato arrive:

Cleon: How now! Where’s the traitor?

First Gentleman: Fled, fled away, but there her woeful act

Lies still.

Cleon: Her act! A woman! (5.1.127-129)

Cleon has just been told that the king's body lies still in the next room and the murderer has fled, but it is the traitor's gender that grabs his attention. It is not a "king" or even a "he," but rather Evadne's "act" that lies still. In addition to demonstrating how the king has been subordinated from the highest role in the kingdom to a position of anonymity, the characters' word choice focuses on Evadne's gender and highlights the significant shift in the dynamics of the couple's relationship. Evadne may have been the king's subject when he was alive, but as the repetition of the possessive indicates—"her woeful act" and "her act"—the king is now merely an object to be possessed and Evadne's transgressive violence marks her as his possessor.

Unfortunately, Evadne only occupies this superior position to her former lover for a few moments as attention quickly shifts from her to her brother. As Melantius's instrument, she loses any claim to having committed the crime at all. When Evadne is in the bedchamber with the king, she is exercising some form of agency. Even if others will not forgive her, Evadne believes her actions will bring her redemption. Killing the king allows her to take her life and its future direction into her own hands, and especially to play an active role in regaining her honor. When the new king, Lyssipus, does inquire after her, acknowledging that yes, perhaps, she is indeed capable of killing his brother, he is immediately told: "Never follow her, / For she, alas, was but the instrument. News is brought in that Melantius...stands upon the wall...delivering / The innocence of this act" (5.1.138-140, 142-143). With the shift in focus to Melantius, Evadne is rendered unimportant; her actions are completely subsumed by her facilitator and despite having murdered the king, she will not even be pursued. In refusing to acknowledge her actions, these characters strip Evadne of her agency, consequently invalidating her act of redemption.

In his discussion of Evadne's role in the king's murder, Shullenberger rejects the idea that Evadne is merely an instrument and asserts that, by murdering the king, she "commits a crime which the patriarchal warriors of the drama implicitly dread," thereby assuming "herself some portion of the mystique which had rendered the king inviolable" (147). Shullenberger may be correct in his claim that Evadne attains some of the king's mystique; she does, indeed, confound the men around her with her ability to commit such an act of violence. However, as I have shown, Evadne's role in the king's murder is quickly overshadowed by her brother "delivering / the innocence of [her] act" (5.1.142-43). Thus, while Evadne gains some mystique, she does not seem to attain agency. Rather, in killing the king, she only solidifies her status as Melantius's instrument, or, worse, with her task complete, renders herself useless. Evadne's actions indicate that while she can perform acts of violence typically ascribed to the male gender, she is incapable of doing so on her own accord. In other words, Evadne is functioning not as an independent agent, but as an instrument of a male facilitator. Her actions, then—evident in how easily they are erased by Melantius's proclamation of the innocence of the king's regicide and the characters' subsequent ascription of ownership of the deed to him—are made possible only by the authority of her brother.

It is important to note, however, the way in which Evadne carries out her crime. Rather than argue that Evadne takes on the king's inviolability after murdering him, I would call attention to the specifically feminine tactics Evadne uses to carry out her crime. Evadne begins the play drawing on the king's power, power she has access to because of her role as his mistress. As noted earlier, Evadne is able to capitalize on the authority of her role because she recognizes her worth as a desired sexual object; she may be confined to a patriarchal system, but she is not limited to playing the role of a passive woman. By the time Evadne comes to the



king's bedchamber for the final time, she has repented and her submission to her brother and the accompanying repression of her sexuality greatly reduces the power and agency she can exercise. She nonetheless still draws on her old methods of manipulation, playing the role of the king's mistress to gain entry into his bedchamber.

Once in the bedchamber, Evadne is, of course, tasked with killing the king, but while she is operating as an instrument fulfilling the will (desire) of a facilitator, this scene also presents an opportunity for Evadne to overcome her "hot will" (carnal desire) and exercise a power that only she has: the power to deny the king access to her body. Evadne's concern with her sexual misgivings begins in her repentance scene. Her contrition for her "hot will" is immediate but seemingly sincere, and while she repeatedly asks her brother to forgive her affair, she rejects the idea of killing the king.<sup>21</sup> Thus, even though Evadne will come to accept her brother's murderous mission, only forgiveness and atonement are presented as desires of her own. The violent actions she takes to kill the king, therefore, are committed at the behest of, and enabled by, her male facilitator, rendering Evadne a seemingly agentless tool in Melantius's plot. But, to be an effective instrument, Evadne must be both a controlled subject *and* an active agent. Her act of regicide signifies her subjection, but Evadne takes liberties with the agency she is afforded, borrowed as it may be. The murder she commits is already transgressive in that its violence is

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<sup>21</sup> Melantius forces Evadne to tell him of her affair with the king, repeatedly asking her: "Will you tell me yet?" and "Will you discover yet?" and finally exclaiming, "Tell or I'll kill thee!" (4.1.66, 76, 99). But it is a confession Melantius seeks, not necessarily repentance—a theory reinforced by Melantius's refusal to forgive Evadne and his later publicizing of her sins. Just as subtly as he requests her confession, Melantius instructs Evadne "to kill this base king" (4.1.146). Evadne's response demonstrates not only her reluctance, but also her moral stance on carrying out such an act: "All the gods forbid it" (4.1.147). And for a play that critics have taken to echo pressing contemporary debates about the morality of regicide, we can infer that her repulsion at killing a king and her belief that the gods themselves are against the deed is not merely a fickle opinion.

deemed unfit, if not, unimaginable, for a woman, but Evadne also makes her act transgressive in a specifically feminine way, by invoking the power of her female body.

Before the murder, Evadne ties the king's arms to the bed, noting:

I dare not trust your strength; your grace and I

Must grapple upon even terms no more.

So, if he rail me not from my resolution,

I shall be strong enough. (5.1.37-40)

Evadne is not concerned just with physical overpowering in these lines. Rather, when she says, “if he rail me not from my resolution,” she acknowledges the king's ability to both talk her out of her commitment to murder him and to resist sexual temptation. When she confronts the king later in this scene, she reminds him that she was “a world of virtue” until he corrupted her with his “temptations on temptations” (5.1.78, 80). It is in this moment that Evadne prepares to face those temptations. Evadne's switch from addressing the king—“I dare not trust your strength”—to acknowledging the king as a threat—“if he rail me not...I shall be strong enough”—indicates her awareness of the king's power over her, both physically and mentally. While the ties that bind the king's wrists will help with the former, Evadne must exercise willpower to overcome the latter.

Evadne's staging of the murder scene is as intriguing as it is unnecessary. She could have stabbed the king in his sleep or used her sexuality to disarm him—killing him mid or post-coitus—but Evadne prepares a test for herself. She restrains the king's arms, but makes no attempt to cut off his ability to speak—a perfectly reasonable option for someone who does not want their victim calling for help. Instead of using her sexuality, moreover, she creates a scenario that allows her the opportunity to resist sexual desire. And resist she does. Though the king

beckons for her to join him in bed three times before she takes out her knife, Evadne does not stray from her resolution.<sup>22</sup> Evadne has used her body to gain entrance to the king's bedchamber, successfully faced and resisted her former lover, and now, though she is an instrument performing the task her facilitator assigned, she is also and once again the woman we saw at the beginning of the play—a woman who understands her body's worth. Not just a pawn in the patriarchal system, Evadne is finally able to do that which she threatened to do in Act III, to take her body out of circulation—to deny the king his desire. And in the moment when she stabs the king, one cannot help but think back to her earlier, prophetic lines: —“Why, it is in me, then, / Not to love you, which will more afflict / Your body than your punishment can mine” (3.1.188-190).

**“For the ground is this, and this the time / To end our difference”**

Despite initial misgivings, Evadne eventually accepts Melantius's plan for her to kill the king. Questions of forgiveness notwithstanding, this facilitator and instrument pair have the same goal. For the play's other instrument-facilitator pair, Amintor and Aspatia, however, the situation is not so simple. Amintor is ignorant of his manipulation and he does not even discover the true identity of his facilitator until after her goal is realized. But though she has more information than Amintor, Aspatia does not always have the upper hand in their exchange. In the beginning of the play, Aspatia announces that she is going to “try/ some yet unpractic'd way to grieve and die” (2.1.119-120). The uniqueness of her method provides an opportunity to investigate both the limits to, and possibilities for, exercising agency during facilitated acts of violence.

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<sup>22</sup> “My dear Evadne...come to bed” ; “To bed, my queen of love” ; “Prithee, to bed then” (5.1.45, 50, 55).

Aspatia enters Amintor's home dressed in men's clothing. As she fashions a believable narrative about her revengeful sibling, Aspatia not only appears as a cross-dressed figure—occupying both feminine and masculine space—but she also becomes two persons, Aspatia and the brother she claims to be. Aspatia draws attention to the current duality of her gender, immediately juxtaposing her outer appearance with what lies beneath:

Heaven may forgive  
My rash attempt, that causelessly hath laid  
Griefs on me that will never let me rest,  
And put a woman's heart into my breast. (5.3.1-4)

While she will appear before Amintor in man's apparel, Aspatia first reminds the audience that beneath her attire is a female body and a woman's cause. In Jean E. Howard's discussion of *Twelfth Night*, she notes that Viola adopts male clothing, but "the audience always knows that underneath the page's clothes is a 'real' woman...[and that, more,] the whole thrust of the dramatic narrative is to release this woman from the prison of her masculine attire and return her to her proper and natural position as wife" (431).<sup>23</sup> Aspatia's anguish—the griefs that will never let her rest—has driven her to this "rash attempt" that necessitates her own entry into a prison of masculine clothing, but because she is consistently denied the position of wife, her freedom, it appears, can only be achieved through death.

Aspatia creates her brother persona, specifically, by letting the visual stand in for the verbal. Responding to Amintor's request to know her will, Aspatia says:

When you know me, my lord, you needs must guess

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<sup>23</sup> Howard, Jean E., "Cross-dressing, The Theatre, and Gender Struggle in Early Modern England." *Shakespeare Quarterly*, vol. 39, no. 4, 1988, pp. 418-44.

My business, and I am not hard to know.  
For till the chance of war mark'd this smooth face  
With these few blemishes, people would call me  
My sister's picture, and her mine: in short,  
I am the brother to the wrong'd Aspatia. (5.3.37-42)

Aspatia's identity, or rather that of her brother persona, will reveal her business and, perhaps more interestingly, her brother's face—not for its own image, but for its likeness to Aspatia's—will reveal her identity. Aspatia's words here are, of course, ironic as she relies on the common knowledge that she has a likeness to her brother, in fact making it impossible for Amintor to know that he is looking at Aspatia and not the brother she claims to be. It is also important to note that Aspatia's description of war's effect on her brother differs from the one Melantius gives earlier:

She has a brother under my command  
Like her, a face as womanish as hers,  
But with a spirit that hath much outgrown  
The number of his years. (1.1.108-111)

In this description of Aspatia's actual brother, war has marked him not with blemishes, but with a mature disposition. The “few blemishes,” then, that mark his “smooth face” are Aspatia's creation, as is the narrative that explains them. Indeed, the brother she presents is designed specifically for Amintor. Aspatia seeks death and Amintor is her chosen method. She will use her disguise to challenge him to a duel, manipulating Amintor into slaying her during a fight over her honor. But despite her seeming surety in their visual similarities, Aspatia still makes the connection for Amintor, saying, “In short, / I am the brother to the wrong'd Aspatia.”

Unfortunately, in giving form to her brother persona, Aspatia reminds Amintor of the woman he has been trying to forget and though he is now convinced by her disguise, Amintor immediately becomes distracted by the sister he sees in her brother.<sup>24</sup> Unable to face the woman he betrayed, and apparently unable to “guess / [his] business,” Amintor tells Aspatia’s brother, “something in thy looks...calls my sins in a most hideous form / Into my mind,” and asks him to leave (5.3.37-38, 48-50). Aspatia is clear that she cannot do so “with credit,” and challenges Amintor to a duel, but the response she receives is a frustrating one:

Beholding thee,  
I am I know not what. If I have aught  
That may content thee, take it and be gone,  
For death is not so terrible as thou;  
Thine eyes shoot guilt into me. (5.3.74-78)

Just as Aspatia emphasizes the visual over the verbal, physical features, not words, overwhelm Amintor with thoughts of Aspatia. His language—“thy looks,” “beholding thee,” “thine eyes”—makes clear that it is looking into the face of Aspatia’s brother—indeed, into Aspatia’s face—that paralyzes him with guilt. Aspatia’s cross-dressing may afford her the privilege of male

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<sup>24</sup> This may be a result of his being too distracted by his own guilt to pay close attention. Note the exchange:

Aspatia: I am the brother to the wrong’d Aspatia.  
Amintor: The wrong’d Aspatia! Would thou wert so too  
Unto the wrong’d Amintor! Let me kiss  
That hand of thine, in honor that I bear  
Unto the wrong’d Aspatia! (5.3.42-46)

Amintor clearly latches on to Aspatia’s mention of the relation to “the wrong’d Aspatia.” The fact that he repeats this phrase twice and also adapts it to include his own name further conveys his regret. That these lines, immediately following Aspatia’s declaration that she is her brother, make no reference to the brother that is not directly linked to Aspatia—unlike in the next line when he calls him “gentle youth”—demonstrates that Amintor’s eagerness to apologize to Aspatia and her brother may play a role in his quick acceptance of Aspatia’s disguise (5.3.47).

behavior, which includes the authority to challenge Amintor to a duel, but in this moment, Aspatia finds that instead of being able to control a masculine space, the feminine nature of her face—the face she drew attention to—brings her back into a space of frustration, a space in which Amintor once again woos her with loving words, but stops short of committing the deed she desires.<sup>25</sup> In affording her the ability to challenge Amintor, but not yet giving her the ability to engage in the exclusively male ritual of dueling, Aspatia’s cross-dressing only serves to call attention to her *inability* to perform the masculine role her attire signifies.<sup>26</sup> Thus, in this moment, we do not see a brother justified in his quest for retribution. Rather, by succeeding in convincing Amintor of her masculine identity but failing to incite him to fight, Aspatia is now not just the facilitator of, but also the obstacle to, her own suicide.

Amintor further emphasizes his focus on Aspatia when he says that, “for her [Aspatia] I’ll die directly, but *against her* / Will never hazard it” (5.3.84, my emphasis). Instead of saying that he will not risk his life fighting against “her cause” or “you, her brother”—both acceptable alternatives in this scenario—Amintor focuses only on “her,” Aspatia. Aspatia, in her role as facilitator, must find a way to exert control over Amintor and, paradoxically, that means shifting his focus away from his devotion to her and onto himself: if Amintor would rather defend Aspatia than fight against her, then perhaps he will also fight to defend his own honor. Once again, taking advantage of the masculine privilege her borrowed robes afford,

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<sup>25</sup> Aspatia says:

Thus she swore  
Thou wouldst behave thyself and give me words  
That would fetch tears into my eyes, and so  
Thou dost indeed.... (5.3.79-81)

<sup>26</sup> Here, I borrow language from Jean E. Howard’s summary of Anne Kuhn’s discussion of narratives that involve crossdressing. For more details, see Anne Kuhn’s chapter “Sexual disguise and cinema” from her book, *The Power of the Image: Essays on Representation and Sexuality*.

Aspatia alters her language and turns to small acts of violence, hoping to draw Amintor into a duel. Her first strike does not succeed—“A blow I can endure—/ But stay not, lest thou draw a timeless death / Upon thyself”—but Aspatia will get another chance as Amintor, never quite cognizant of the role he is being forced to play, fails to see that Aspatia actually seeks “a timeless death” (5.3.91-92).

This is not the first time Amintor’s witlessness or, even, his blind commitment to honor, has been used against him. His ignorance to the plots of others has made him an easy pawn throughout the play. Earlier, when Amintor sought to kill the king before Melantius could realize his plans, Melantius made use of his knowledge of Amintor’s sense of honor to stay his hand:

Melantius [*aside*]:                   He’ll overthrow  
My whole design with madness.—Amintor,  
Think what thou dost. I dare as much as valor,  
But ‘tis the *king, the king, the king*, Amintor,  
With whom thou fightest! —(*Aside.*) I know he’s honest,  
And this will work with him. (4.2.309-313, my emphasis)

Melantius knows exactly which words will persuade. He first restores Amintor’s faith in him—these lines come immediately after Amintor tells Melantius “thou art no friend” if he does not help him kill the king—by saying that he does have the courage to aid Amintor in his task (4.2.303). Then, he quickly follows up with the repetition of the word “king,” invoking the sovereign to whom he knows his friend—despite the king’s betrayal of him—still feels loyal.<sup>27</sup>

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<sup>27</sup> This loyalty is, in fact, what prompted the king to choose Amintor to be Evadne’s husband. When Amintor asks the king, “Why did you choose out me / To make thus wretched?,” the king replies: “for I believe thee honest, / As thou wert valiant” (3.1.258-259, 269). This exchange further demonstrates the disruption of the proper relationship between king and subject in the world of the play; a loyal subject is rewarded with his king’s betrayal instead of a proper gift.



Indeed, Amintor's identity as a loyal subject is so ingrained that he cannot even recognize its effect on him: "I cannot tell what thou hast said, but thou hast charm'd my sword / Out of my hand, and left me shaking here defenceless" (4.2.314-315). But while Melantius and other characters in the play manipulate Amintor into passivity, Aspatia's goal is to entice Amintor to take up his sword instead of drop it.<sup>28</sup> She knows that with Amintor's high value of honor, he will not be able to remain passive in the face of disrespect, even if the perpetrator is Aspatia's brother.

Aspatia renews her attempts, adding insults to her violence:

Thou art some prating fellow,  
One that has studied out a trick to talk  
And move soft-hearted people, to be kick'd, *she kicks him*  
Thus to be kick'd. *-(Aside)* Why should he be so slow  
In giving me my death? (5.3.91-97, emphasis in original)

Though she cannot be aware of it, Aspatia accuses Amintor of doing that which he feared from Evadne. After telling Melantius of Evadne's relationship with the King, Amintor laments: "Oh, my soft temper! / So many sweet words from thy sister's mouth / I am afraid would make me...embrace and pardon her" (3.2.241-244). Now, it is "soft-temper[ed]" Amintor's words that

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<sup>28</sup> Here, we see Melantius's manipulation of Amintor in order to stop Amintor from killing the king. On their wedding night, Evadne must render Amintor powerless to avoid violence. The king needs Amintor to leave Aspatia and marry Evadne—two actions—but these acts are dependent on Amintor being subservient both before and after they take place. In Act 3.1.239-290, the king and Amintor confront one another and, much in the way that Evadne draws on the king's sovereignty on her wedding night, the king uses his position as a sovereign to stay Amintor's hand when Amintor goes to draw his sword. Amongst Aspatia, Evadne, Melantius, and the king, all use Amintor's sense of honor and or duty to the sovereign as a tactic to control him.

deceive “soft-hearted” people, but Aspatia has no fear that she will forgive Amintor and she kicks him to spur him into action.

Aspatia’s continued efforts to goad Amintor into a duel and, more, her own question concerning what hinders Amintor demonstrates a disconnect between facilitator and instrument, a disconnect that echoes Evadne’s and Melantius’s conflicting notions of forgiveness. In Evadne and Melantius’s facilitator-instrument relationship, Evadne is at her most powerful when she enters the king’s bedchamber. Melantius has used threats and shaming to facilitate this moment, but all of his planning and manipulation now hinge on the knife in Evadne’s hand. The instrument, Evadne, is the agent while the facilitator, Melantius, is forced into the passive role. At Amintor’s home, the instrument and the facilitator are in the same room, but Aspatia is still not in control of the situation. Her planning has allowed her to gain entrance to Amintor’s home as her brother, but now she needs him to pick up his sword and agree to a duel. In refusing to do so, Amintor fails to perform his function as Aspatia’s instrument of revenge.

Ultimately, though, Aspatia’s words hit the mark; Amintor may be slow about it, but he will give her the death she wants. Immediately after she queries his slowness, Amintor decides he can “bear no more” and he agrees to the duel (5.3.98). The fight appears to be brief, with Amintor quickly realizing that his opponent is not a trained soldier, and while Amintor is left asking, “What dost thou mean?,” Aspatia is finally content: “I have got enough, / And my desire. There is no place so fit / For me to die as here” (5.3.101, 105-107). To achieve her desire, Aspatia threatens social disruption by adopting men’s clothing, but the ‘womanish’ nature of her face disrupts her ability to fully take control of her instrument and, thus, to use cross-dressing to engage in the masculine practice of dueling. Her failure to initiate this male ritual, seen as transgressive for women, recalls Anne Kuhn’s argument that cross-dressing can often intensify,

rather than obscure, sexual difference.<sup>29</sup> Indeed, it is only when Aspatia turns her instrument's attention away from the woman he sees in her brother, away from the individual in front of him, and forces him to think only of male honor, that she can accomplish her goal.<sup>30</sup> And having successfully gained control of Amintor, Aspatia is free to surrender to him. Her lack of desire for revenge and her immediate yielding to his sword allows Aspatia to remain the tragic maid of this play, as opposed to the transgressive Evadne. Howard notes that "crossdressing can cause semiotic and sexual confusion...[but] it is not truly a problem for the social order if 'the heart' is untouched, or, put another way, if not accompanied by the political desire for a redefinition of female rights and powers and a dismantling of a hierarchical gender system" (432). Unlike Evadne, Aspatia never had a desire to "enjoy the best"; her only desire was to wed the man to whom she was betrothed and, even now, believing he has betrayed her, she only adopts masculine apparel to die at his hand (2.1.293). Thus, with the lines: "I have got enough, And my desire," Aspatia both reaffirms her position as successful facilitator and dissolves the facilitator-instrument relationship, reassuming her subordinate position within the social order. When she next speaks to Amintor, she does so as the Aspatia that "would fain live / Now, if [she] could"—and, poignantly if pitifully, as the Aspatia who still wants to know: "Wouldst thou have loved me then?" (5.3.217-218).

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<sup>29</sup> See Jean E. Howard's discussion of Anne Kuhn in her article, "Cross-dressing, The Theatre, and Gender Struggle in Early Modern England." *Shakespeare Quarterly*, vol. 39, no. 4, 1988, pp. 418-44.

<sup>30</sup> Amintor is distressed at seeing Aspatia in her brother's face, as evident in 5.3.37-50, and he is also reluctant to fight Aspatia's brother, whom he wishes had become his own brother through marriage, as evident in 5.3.42-46. Thus, his attention must be turned from both Aspatia's image and then from the individual, her brother. Only by turning his focus towards defending his honor can she control him.

**“Forgive me, then: / I would endure yet if I could”<sup>31</sup>**

The king’s murder and Aspatia’s suicide illustrate the complexities of facilitated acts of violence. While it may be clear who plays the role of facilitator and who takes on that of the instrument, it is not evident which of those positions affords the most power. Moreover, it becomes difficult to identify moments of agency. Is Evadne exercising agency when she murders the king or is she only following her brother’s commands? Is Amintor an active agent in the duel he fights against Aspatia or is he merely a puppet dancing to Aspatia’s strings? I have asserted that *The Maid’s Tragedy* is a play of conflicting wills. Understanding whose will—understood as desire—is being carried out will help us better understand how agency is distributed in facilitator-instrument relationships. Further, a character’s willpower—their ability to control their emotions and impulses—can determine whether or not they achieve their own desire or become the tool through which someone else has their desires fulfilled. How will functions enables us to understand the power balance in facilitated acts of violence. In particular, to what extent can someone with a weak will exercise agency? As Aspatia and Amintor’s relationship indicates, facilitators can experience moments of forced passivity. I ask, can a facilitator also lack willpower? What role, if any, does the ability to control one’s impulses and emotions play in one’s ability to control an instrument? Finally, Evadne uses her sexuality first to acquire the powerful role of the king’s mistress and then to manipulate the king into a state of vulnerability that ultimately allows her to murder him.<sup>32</sup> Her actions suggest, then, that it is possible for a character to occupy a space of agency—both by acting on their carnal desire and engaging in an act of their own choosing and by opting to exercise willpower and not give in to bodily appetite.

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<sup>31</sup> 5.3.99

<sup>32</sup> In this way, Evadne is very similar to the Duchess in that she is able to use her sexuality as a means to enact violence.

The first three acts of the play see the success of the characters, namely the king and Evadne, who indulge their bodily desires, who give in to their “hot wills,” whilst destroying the happiness of nearly everyone around them. But the structure of the play mimics Evadne’s progress, so that Evadne’s repentance for “what [her] hot will hath done” in Act IV marks a shift in tone for the final two acts of the play (4.1.223). With her decision to exercise a different kind of will and resist carnal desire, the other characters in the play are now able to demonstrate their strong wills either through the control of others or acts of self-control under pressure. We have already examined Melantius’s control of Evadne in the king’s bedchamber and Aspatia’s inability to be shaken from her purpose, despite Amintor’s enticing words and his initial refusal to enter into a duel. A closer look at Amintor will reveal a character who not only comes under the control of every other principal character, but also evolves from consciously considering who actually controls his will to a final, if fleeting, assertion of control over his fate.

The audience’s first glimpse of Amintor and Aspatia together comes right before Amintor enters Evadne’s bedchamber. Aspatia, having been engaged but not wed, now exists in a liminal state between maid and wife. While this in-between state is a source of misery for Aspatia, it allows her an agency denied to most other characters in the play. She has no attachments to restrict her movements and, because of her suicidal state, no fear of repercussions to her words or actions. She does not take a passive role on Evadne’s wedding night, telling Evadne and her attending ladies, “This should have been / My rite, and all your hands have been employ’d / In giving me a spotless offering / To young Amintor’s bed” (2.1.45-48). She unabashedly reminds the women of the wrongs done to her and, in highlighting her status as a “spotless offering,” she insults Evadne by implying that she does not think Amintor’s new bride can say the same.

This same tone persists when she sees Amintor outside of Evadne's bedchamber. She tells him: "Go, and be happy in your lady's love. / May all the wrongs that you have done to me / Be utterly forgotten in my death!" (2.1.108-110). This is not a moment of forgiveness. Instead, just as Aspatia reminds Evadne that she has taken her wedding night, she reminds Amintor of the wrongs he has done her. By saying "forgotten in my death," Aspatia makes clear that the wrongs will not be forgiven, but only forgotten—and only when she dies. This image of Amintor's wrongs and Aspatia's death is followed by Aspatia's demand of Amintor for a kiss: "I will *take* / A parting kiss, and will not be denied" (2.1.111-112, my emphasis). Here, Aspatia forces an action from Amintor—she will not give, but take a kiss—foreshadowing the role she will play as his facilitator at the end of the play.

Amintor's exchange with Aspatia triggers a reflection on his actions towards her:

I did that lady wrong. Methinks I feel  
Her grief shoot suddenly through all my veins;  
Mine eyes run; this is strange at such a time.  
It was the king first mov'd me to't, but he  
Has not my will in keeping. Why do I  
Perplex myself thus? Something whispers me,  
Go not to bed. My guilt is not so great  
As mine own conscience, too sensible,  
Would make me think; I only brake a promise,  
And 'twas the king that forc'd me.... (2.1.123-132)

In saying, "I did," Amintor indicates acceptance of his role in Aspatia's griefs, but when his "eyes run," he begins to rationalize and deflect responsibility. Now the king shares the blame: "it

was the king first mov'd me to't." Throughout his soliloquy, Amintor continually vacillates between passing the blame onto the king and maintaining that he is an autonomous being. The king moved him to it, but "he has not [his] will in keeping." The king may have suggested that Amintor marry Evadne, but he does not control Amintor's actions—Amintor made the decision to marry Evadne—nor does he own, have "in keeping," Amintor's desire. As Amintor continues to struggle with his guilt, however, the king becomes the *sole* guilty party. Amintor marks his offense as small, "only" a promise, and now the king "forc'd" him. By the end of the speech, Amintor has moved from an attempt to keep his will to a complete relinquishment of control. In giving over his will to the king, Amintor solidifies the position he will maintain throughout the rest of the play: the sovereign's dutiful and easily controlled subject.

That Amintor is so eager to yield responsibility and thus, his will, to the king is ironic given that his wife, Evadne, has one of her most agentive moments during her murder of that same king. And while her gender and her brother's role as facilitator of her crime denies her the opportunity to claim responsibility for her actions, prior to this violent act, Evadne finds power through her relationship with the king—a power Amintor never possesses. Much like the Duchess, Evadne uses her sexuality to access this power:

Think'st thou I forbear

To sleep with thee because I have put on

A maiden's strictness? Look upon these cheeks

And thou shalt find the hot and rising blood

Unapt for such a vow. No, in this heart

There dwells as much desire, and as much will,

To put that wished act in practice as ever yet

Was known to woman; and they have been shown

Both.... (2.1.282-290)

Evadne confirms Aspatia's earlier remarks—she is no virgin. More, one can not only see the lustfulness in her appearance—blushing cheeks from her hot and rising blood—but Evadne is boastful about her desire.<sup>33</sup> She is not just a woman with bodily urges; Evadne has the will to act on her desire and she emphasizes this with her claim that she has “as much will...as ever yet / was known to woman.” Evadne may be the king's mistress and her sexual acts, at least currently, are with him, but not until the very end of her address to Amintor does she mention the king and, even then, it is indirectly—“you guess the man” (2.1.294). This is in direct contrast to Amintor's discussion of will, in which every mention of his will or of his decision making is directly linked

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<sup>33</sup> In Gail Kern Paster's *Humoring the Body: Emotions and the Shakespearean Stage*, she outlines how “humoralism allows us to see the contours of a different trajectory, perhaps specific to the [early modern] period, in which the onset of sexual maturity in girls and their passage to wifehood are understood to involve a significant increase of bodily heat and of the aggressive agency such heat entails” (87). Here, Evadne acknowledges that she began engaging in sexual acts before her marriage and, drawing on prevailing humoral theory, she uses the heated blood in her cheeks to serve as a testament to her lack of maidenhood. In Paster's discussion of Desdemona, she claims that: “in humoral narratives of the reluctant virgin, an early modern audience would have a framework for recognizing and normalizing the social transformation in [Desdemona] from still, quiet maiden to boldly articulate wife...such a framework opens up a hermeneutic space for the thermal transformations wrought by desire. The two described behaviors would mark the thermal difference between women married and unmarried, between virgins before the onset of desire and women—married or not—in its throes” (109). While we do not know what Evadne was like prior to her affair with the king, the image we have of her in this bedchamber scene is consistent with that of a woman in the throes of desire: she is experiencing an increase in bodily heat; her exchange with Amintor certainly marks her as both bold and articulate; and, finally, she appears to possess—both in this scene and in her other interactions with men prior to her repentance—the aggressive agency that Paster links to an increase in body heat.



to the king—“*king* first mov’d me to’t”; “*he* has not my will”; “twas the *king* that forc’d me” (my emphasis).<sup>34</sup>

But while Amintor has placed responsibility for Aspatia’s heartbreak onto the king, he must take on the burden of bringing physical harm to his former betrothed. For, just as Amintor has unburdened himself by transferring his will to the king, Aspatia wishes to free herself of her pains by facilitating a transfer of her own and, as her instrument, Amintor must perform Aspatia’s will. Once again, Amintor is the pawn. Unable to draw on royal authority, however, Aspatia relies on Amintor’s lack of willpower to force him to aid in her suicide. She uses Amintor’s sense of honor to incite him to violence and it is his inability to restrain himself that plays a major role in her success. After she strikes him the first time, he says, “Thy sister is a thing to me so much / Above mine honor, that I can endure / All this. Good gods! A blow I can endure.—/But stay not...” (5.3.89-92). Amintor claims that Aspatia ranks higher than his honor, such that he can endure her brother’s violence, but Aspatia puts that endurance to the test—a short test. She kicks him and Amintor says: “A man can bear / No more and keep his flesh. Forgive me, then; I would endure yet if I could” (5.3.98-99). “If I could” suggests that Amintor has no choice in his decision to fight Aspatia’s brother. It is as if the challenge to his honor in some way diminishes his ability to control his actions.<sup>35</sup> And of course his actions have, for him, disastrous consequences—he kills Aspatia. After her identity has been revealed and immediately after she dies in his arms, Amintor kills himself to join her in death. Ironically, with his suicide,

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<sup>34</sup> In a much more submissive tone, Evadne acknowledges her sexual desire in a later scene, but she does so to concede her fault and to *accept* responsibility: “I do not fall here...to make less / What my hot will hath done...” (4.1.220, 222-23).

<sup>35</sup> In Evadne’s bedchamber, Amintor’s violent outburst to the news that he has been cuckolded shows how quickly his emotions can escalate when his honor is challenged. He tells Evadne: “let me know the man that wrongs me so, / That I may cut his body into motes / And scatter it before the northern wind” (2.1.295-297).

Amintor finally escapes his role as a pawn for other characters and as Aspatia's instrument of violence. For the first time in the play, Amintor makes *his will* a reality and—as he becomes both the facilitator and the instrument of his own fate—he honors his last words to Aspatia: “here's to be with thee, love” (5.3.244).

**“My strength begins to disobey my will.”<sup>36</sup>**

Melantius's and Aspatia's facilitated acts of violence could not be more different. Melantius orchestrates the murder of a king, while Aspatia's violence is directed towards herself. Aspatia's plan requires the seclusion of Amintor's home whereas Melantius holds an early modern version of a press conference immediately after his goal is accomplished. Melantius's instrument is fully aware that she is part of his scheme, but one of Aspatia's major difficulties is facilitating both her instrument's ignorance and his participation. Despite these differences, however, Aspatia and Melantius both accomplish their task and they both draw on masculine authority to do so.

Though Aspatia is a woman, she functions as a male facilitator. In the beginning of the play, Aspatia is introduced as a jilted maid and the audience sees her in women's clothing, occupying women's spaces, and engaging in women's activities. She is one of the women to whom the king speaks when he commands, “Ladies, get the bride to bed,” and, while in the bedchamber with Evadne, she bemoans Amintor's treatment of her by singing songs of unrequited love (1.2.279). We next see Aspatia when she is warning her waiting gentlewomen of

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<sup>36</sup> 5.3.216

the hazards of love and instructing them in needle work (2.2). Aspatia, of course, knows of these hazards herself and when she arrives at Amintor's home, she laments:

Heaven may forgive  
My rash attempt, that causelessly hath laid  
Griefs on me that will never let me rest,  
And put a woman's heart into my breast. (5.3.1-4)

The grief Aspatia has suffered as a result of her broken betrothal is great, but more than just her circumstances, Aspatia notes that her "woman's heart" is a source of woe for her. Throughout the play, she has cast men as the wrongdoers and women as those who must suffer. In Evadne's bedchamber, she asks that, at her funeral, virgins sing of "The truth of maids and perjuries of men" and when she sits with her gentlewomen, she notes that Antiphila has correctly given Theseus "a cozening face," but with Ariadne, she has missed the mark: "These colors are not dull and pale enough / To show a soul so full of misery / As this sad lady's was" (2.2.41, 63-65). For Aspatia, women exemplify the virtue of honesty, but they are full of sorrow and misery caused by men, whereas men are blessed with good fortune despite their character flaws. Aspatia inquires after Theseus's fate, asking if his "keel was split, / Or his masts spent, or [if] some kind or rock or other / Met with his vessel?" and when told it does not, she responds:

It should ha' been so...  
Antiphila, in this place [her needlework] work a quicksand,  
And over it a shallow smiling water,  
And his ship plowing it, and then a Fear...

Antiphila: 'Twill wrong the story.

Aspatia: 'Twill make the story, wrong'd by wanton poets. (2.2.46-48, 49, 54-56, 58-59)

With Antiphila's needlework, Aspatia can change the story. She takes on the role of the deceiver, hiding quicksand under an alluring, "smiling water." She now has the power to do what the gods did not: to punish Theseus for deserting Ariadne as Amintor deserted her.<sup>37</sup>

But Aspatia knows that she can only control her lady's needlework. In reality, men may perjure themselves and cozen others, but they are still free to safely travail the seas, leaving women to grieve their loss. Thus, when Aspatia is ready to confront Amintor, it is a man's form she chooses, covering her heart in man's apparel and engaging her former beloved in the male ritual of dueling. As she does with Antiphila's needlework, Aspatia now rejects reality and makes her own story by taking on her brother's identity. In doing so, she knows that her quest for revenge will not be questioned; the king may have ordained Amintor's marriage to Evadne, but Amintor still acted dishonorably in breaking his commitment to Aspatia.<sup>38</sup> When Aspatia tells Amintor, "When you know me, my lord, you needs must guess / my business," she assumes that when Amintor finally identifies Aspatia as her brother, he will know that he is there to avenge his sister's disgrace, for the same code of honor that compels Amintor to respond to Aspatia's later taunts dictates that Aspatia's brother repay the injury done to his sister (5.3.37-38).

Aspatia's disguise, then, gives her the opportunity not just to control her instrument and facilitate

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<sup>37</sup> After learning that Theseus's ship was not wrecked, Aspatia also asks, "could the gods know this, / and not, of all their number, raise a storm?" (2.2.49-50).

<sup>38</sup> Melantius chastises Amintor for his behavior when he first arrives telling Amintor, "I fear thou art grown too fickle, for I hear / A lady mourns for thee, men say to death, / Forsaken of thee, on what terms I know not (1.1.135-37). And though he wisely keeps his thoughts to himself, Calianax critiques the king for his role in the matter as well: "The king may do this, and he may not do it. / My child is wronged, disgraced" (2.2.83-84). Calianax believes that the king has the authority to command Amintor to marry Evadne, but not the moral authority to do so. And Amintor himself recognizes that he should be punished for his wrongdoing. After the king asks Amintor to "be a means that [he and Evadne] may meet in secret," Amintor exclaims: "I hate mine [my life] as much. / This 'tis to break a troth! I should be glad / If all this tide of grief would make me mad" (3.1.276, 288-290).

her suicide, but—though she does not plan to win the duel—it also, in affording her the masculine privilege to offer a physical challenge, empowers her to claim honor for her family and for herself.

The play's other male facilitator, Melantius, is also on a quest to redeem his family's honor and his success stems from his life as a soldier. When he first confronts his sister and future instrument, his initial attempts to persuade her to confess do not work. He tries to invoke the patriarchal authority as well as her sense of allegiance to the gods, but Evadne responds: "the gods are not of my mind" and, in reference to her father's bones, "they had better / Let 'em lie sweet still in the earth; they'll stink here" (4.1.93-94). Moving from a figurative patriarchal authority to a tangible one, Melantius says:

Do you raise mirth out of my easiness?

Forsake me then, all weaknesses of nature,

That make men women!                    [*Draws his sword*]

Speak you whore, speak truth,

Or by the dear soul of thy sleeping father,

This sword shall be thy lover! Tell or I'll kill thee! (4.1.95-100)

Finding his words unsuccessful, Melantius resorts to violence and, as he switches from oral persuasion—a tactic linked to the feminine—to physical threats, he voices his banishment of any weakness that might tie him to women. Instead he *consciously* chooses to embrace his masculine side, subsequently drawing a weapon that is not only phallic, but also a symbol of his profession as a soldier. And while he still invokes their father, it is Melantius's sword that will enforce his threat. After Melantius's threat of physical violence, unsurprisingly, sways Evadne to confess, he instructs her to kill the king. Once again, Evadne tries to protest, but Melantius is now armed

with his sword and prepared to use it; he tells her: “Kneel and swear to help me / When I shall call thee to it, or by all / Holy in heaven and earth, thou shalt not live / To breathe a full hour longer, not a thought!” (4.1.162-165). With this ruthless threat of violence, Melantius cements his facilitator-instrument relationship with his sister.

After Evadne performs her task, Melantius stands at the fort, explaining the reasons for his actions—or rather, those of his sister—to the new king, Lysippus. The stakes are high, as Melantius’s speech is his only chance to save himself from the charge of treason. He tells Lysippus:

Thy brother,

Whilst he was good, I call’d him king, and serv’d him

With that strong faith, that most unwearied valor...

I was then his soldier.

But since his hot pride drew him to disgrace me,

And brand my noble intentions with his lust

(That never cur’d dishonor of my sister.... (5.2.39-41, 43-46)

Charged with defending himself, Melantius turns to his military career. He emphasizes his service to the old king: he has “strong faith” and “unwearied valor,” traits desired in any servant. In addition to being a servant, Melantius reminds Lysippus that he was the old king’s soldier, demonstrating that more than just a loyal subject, Melantius has served his country; his faithful and valiant spirit also extend to the battlefield. Having established his worth, Melantius begins to contrast his “noble intentions” with the old king’s “lust” and “hot pride,” and finally, he invokes the male code of honor. When Melantius first told his sister to kill the king, he reasoned: “Canst thou live and know / What noble minds shall make thee see thyself, / Found out with every

finger, made the shame / Of all successions..." (4.1.157-160). And yet, here, Melantius tells everyone gathered at the fort that Evadne was the king's mistress—he even goes on to call her a whore. The use of Evadne's dishonoring in his defense, then, can be read as a strategic ploy. Similarly to how Aspatia uses Amintor's desire to defend his honor against him, Melantius relies on a shared vision of honor here. The old king, in dishonoring Evadne, gave Melantius no choice but to find his "own justice, to revenge / What [he has] suffer'd in him" (5.2.50-51). Indeed, as Melantius fills in his own pardon, he emphasizes this, saying: "It was our honors drew us to this act, / No gain" (5.2.66-67).

Either by occupying masculine spaces or drawing on masculine codes of honor and violence, our two facilitators are successful in controlling their instruments. However, whereas Aspatia achieves her suicide through her facilitated act of violence, Melantius's suicide attempt at the end of the play is just that, an attempt. Coming upon the bodies of Amintor and Aspatia, Melantius—the soldier who has withstood the trials of battle, the betrayal of his king, and the dishonoring of his family name—finally finds his match, for in Amintor, he sees his "sister, father, brother, son, / All that [he] had" (5.2.267-68). Having lost the only thing he holds dear, Melantius offers to stab himself, but his attempt is foiled by his brother, Diphilus. This hindrance only gives Melantius the opportunity to show himself to be the ultimate facilitator of violence.

Left without human aid or a physical weapon, Melantius's will itself shall serve as an instrument:

His spirit is but poor that can be kept  
From death for want of weapons.  
Is not my hands a weapon sharp enough  
To stop my breath? Or if you tie down those,  
I vow, Amintor, I will never eat,

Or drink, or sleep, or have to do with that

That may preserve life: this I swear to keep! (5.3.286-292)

The contradicting imagery in Melantius's language makes clear that, for him, strength is measured by will. While one might experience material need—be in “want of weapons”—his spirit can still be rich if such lack does not deter him from carrying out his goal. Thus, unlike his fellow facilitator, Aspatia, Melantius will serve as both the facilitator and the instrument of his death, and he will do so by embodying willpower.



## CHAPTER III

### **“Her lips are conquerors, his lips obey”: Gender, Aggression, and Consent in *Venus and Adonis***

#### **Introduction**

Since October of 2017, countless stories about the sexual violence women have experienced in Hollywood have made their way to mainstream media. Magazine covers and news headlines have featured the names of high-profile men, men who previously seemed untouchable. Seeing these men identified as predators and the workplace acknowledged as an environment that often fosters gender discrimination and sexual harassment has been cathartic. Such revelations prompted constructive conversations about how to change our society's tacit acceptance of sexual harassment and sexual violence. Women were initially seen as the primary targets of these incidents, but when the alleged victims of Kevin Spacey came forward, the oft overlooked male victims of sexual violence also became a part of these conversations. However,

after the initial frenzy caused by the Spacey scandal, the attention shifted back to what the #MeToo movement seems to prioritize: women as the victims.<sup>1</sup>

Of course, since men are much more likely to be in positions of power, such attention is not unwarranted. When thinking about who appears on these magazine covers and in these high profile #MeToo stories, the people who come to mind are often the types of men found on a November 2017 cover of *Newsweek*, headlined “How Donald Trump Rules America’s Garden of Dicks and Sparked the #MeToo Movement”—Bill Clinton, Harvey Weinstein, and Donald Trump: a former president, a movie producer who co-founded one of the six major film studios, and the owner of a multi-million-dollar real-estate company who is also currently president.<sup>2</sup> One of these positions has, as of yet, proved completely out of reach for women, while women in the others appear to be the exception, rather than the rule. For example, “the share of female directors on the top 100 [films] list...[was only] 7.3 percent” in 2017 and female producers came out only slightly better, making up 10%.<sup>3</sup> Women, it would seem, are simply rarely in the position to exercise—let alone abuse—the privilege that men have enjoyed for so long.<sup>4</sup>

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<sup>1</sup> Romano, Aja. “The Sexual Assault Allegations against Kevin Spacey Span Decades. Here’s What We Know.” *Vox*, 3 Nov. 2017, <https://www.vox.com/culture/2017/11/3/16602628/kevin-spacey-sexual-assault-allegations-house-of-cards>.

<sup>2</sup> Burleigh, Nina. “How Donald Trump Rules America’s Garden of Dicks and Sparked the #MeToo Movement.” *Newsweek*, 19 Nov. 2017, <http://www.newsweek.com/2017/11/17/me-too-donald-trump-harvey-weinstein-powerful-predators-facing-accusers-704658.html>.

<sup>3</sup> Information taken from Rebecca Sun’s “Eight Women Directed a Top 100 Movie in 2017, Study Finds (Exclusive)” in *Hollywood Reporter* and a study conducted by Martha M. Lauzen, Ph.D., “The Celluloid Ceiling: Behind-the-Scenes Employment of Women On the Top 100, 250, and 500 Films of 2017.”

<sup>4</sup> As studies and stories recounted by actors and actresses have shown, women are severely underrepresented in positions of power throughout Hollywood, and while very few of the news articles ventured beyond discussions of male v. female representation, some, especially those working from Dr. Lauzen’s research, did address the low numbers of women of color working behind the scenes in film production. But thinking about the intersection of race and gender was as far as conversations went and I think it important to acknowledge the fact that *completely absent* from all of the studies and articles I have come across—by which I mean, those analyzing

Lynda Obst, one of the first female producers in Hollywood, explains what it was like to have one of those rare opportunities:

for some reason, when women got these jobs [heads of studios, directors, etc.], no matter how immensely successful they were...they never read from the old guys' playbook.

There were perks—drivers, or beloved jets—but no sense of the abuse of power that seemed, to many men, to come with the job like in a Fitzgerald novella. We all felt so lucky just to have the jobs. And if darting and dodging unwanted passes was part of it, well, that was life, and we built an arsenal of tools to deal with it. (3)

She explains what many women know so well—being in a position does not automatically put you on equal footing with men who hold the same position and any power you do gain will not necessarily protect you from sexual discrimination and sexual harassment. For Obst, “abuse of power” seemed to be just as attached to the jobs in her profession as the material luxuries that people have come to link with movie producers—but only when those jobs go to men. I am certainly not condoning the behavior of these men, but I do think that it is important to recognize the significant power differential between male and female producers. The male producers, according to Obst, not only had the freedom to live a Hollywood lifestyle, but also felt entitled to abuse the power that came with their position. Female producers, on the contrary, spent a significant amount of time and energy worrying about simply retaining their position. More, they had to come up with defense strategies to deal with the harassment women have, sadly, learned to expect.

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representation within Hollywood's numerous positions of power—is any mention of non-gender conforming persons or persons who identify as transgender.

Reading Obst's story of her almost 40-year career in Hollywood can be discouraging, as it serves as a stark reminder that the narrative of the predatory male and the victimized female has been privileged for centuries for good reason. But she does not end her story noting her negative experiences. Rather, she concludes by recounting her response to a former assistant who was affected by the horrible stories surfacing as a result of #MeToo. Obst agrees that both the stories and their main antagonist—whom she identifies only as “he”—were horrible, but then reminds her friend that they “both knew supportive men in the business who’d helped [them] in so many ways” (5). She also recounts that, with so many terrible men “back then,”

if a man was kind and nurturing in a fatherly way, we were thrilled. Guys like that let us participate, and taught us the game, and we, in turn did the same for the women who came after. I don't think we would have reached this moment of change otherwise. (5)

This recollection does not represent an ideal situation, but it illuminates a real-life experience and one that has not found its way to my Apple News feed.

Despite her negative experiences in the industry, Obst finds it imperative—both with her friend and in her article—to highlight the men who did not prey on women, the men that, instead, took women as their mentees and made space for them. More, Obst recognizes that—as unfortunate as it is—without those few men, she would never have been able to make it to the position of producer or to help the women who came after her. To be clear: the public identification, shaming, and purging of known predators is necessary and certainly warranted. However, at the same time that we seek to overturn the systemic inequality in our society which enables rampant sexual violence against women, it is essential that we recognize that some men have also tried to do “the right thing.” Being attentive to *both* of the roles men have played, simultaneously, throughout history is a necessary step in changing the way our society thinks

about sexual violence. And just as we must acknowledge that men can be both assailants and mentors, we must acknowledge that they can be both predators and prey.

**‘I’ll be a park, and thou shalt be my deer’<sup>5</sup>**

As noted in previous chapters, early moderns thought men and women capable of different acts of violence and when a person performed an act of violence thought to be contrary to the nature of their gender, both the person and their deed were marked as aberrant. Sexual violence was no exception, with men seen as the aggressors. This sentiment is reflected in early modern drama where the majority of perpetrators of acts of sexual violence are male. Despite such prevalence, however, this binary—men as perpetrators and women as victims—is complicated by some male perpetrators in dramatic texts. As I have shown, the language some of these characters use to defend their actions suggest that they consider themselves victims and the women they attack as the ones with power. Moving beyond a linguistic argument—though language games are most certainly still afoot—Shakespeare’s narrative poem, *Venus and Adonis*, further complicates the binary by casting Venus as the active wooer while Adonis plays the passive and reluctant object of affection. Like most of the male perpetrators in drama, the female perpetrator in this poem seeks to relinquish responsibility for her predatory actions, but instead of upsetting the period’s customs, Venus uses tradition to her advantage. Rather than predatory, she presents her actions as educative and designed to make Adonis take up his proper role as the wooer in order that she may become the object of affection.

And early moderns, it would seem, are not the only ones who link certain acts of violence to specific genders. Despite the violent imagery used to describe Venus’s “seduction techniques”

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<sup>5</sup> l. 231

and her overpowering of Adonis throughout the poem, few critics have recognized Venus's actions as sexually aggressive. And when they *are* understood as such, Venus's actions generally are labeled as comic.<sup>6</sup> Michael Schoenfeldt's comments provide an accurate representation of the scholarly consensus on the poem: "As Venus carries Adonis away, we are allowed both to see the full 'force' of her desire, and to laugh at the deeply comic scenario of a pouting adolescent under the arm of a goddess..." (26). I suggest that we push back against the idea that Adonis's predicament is self-evidently comic, asking instead: what makes an adolescent being pressured into a sexual act against his will a comedic moment? Why does the reversal of gender roles give permission to laugh at attempted sexual assault? Asking these questions of Shakespeare's poem will help us to consider the female predator in early modern literature, to explore how she has been trivialized in scholarship, and to begin the important work of introducing female-on-male sexual violence into our society's current conversations.

One of the few scholars to emphasize Venus's role as a sexual predator is Jonathan Crewe. In his introduction to *The Narrative Poems*, Crewe writes that it is difficult for readers to think women capable of heterosexual rape because the deed is still so linked to the act of male penetration. For example, Jonathan Bate sums up *Venus and Adonis* by saying, "Venus's problem is that she can't actually rape Adonis, as Jove rapes Danaë, Neptune Theophane, and Apollo Isse" (92). Crewe maintains that Shakespeare's Venus can be seen as a sexual perpetrator because Shakespeare associates her "advances with the fatal penetration of Adonis by the boar's tusk" (xxxvii). Shakespeare certainly does make this association. Though Venus cannot penetrate

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<sup>6</sup>For example, Katharine E. Maus writes: "the aggressive, rhetorically hyperbolic Venus and the fastidious Adonis are funny because now as then they violate conventional notions of appropriate gender-specific behavior" (481). Rambuss writes: "their reassignment is comically hyperbolized" (242). See section III for more information.

Adonis, the boar can, a fact that Venus acknowledges, somewhat wistfully, after Adonis's death: "Had I been toothed like him I must confess / With kissing him I should have killed him first" (ll.1117-1118). Unlike Crewe, however, I hesitate to end the analysis here, as it leaves heterosexual rape linked exclusively to male penetration and implies that the explicitly feminine ways in which Venus sexually harasses and sexually assaults Adonis are not worth examining. The boar's penetration of Adonis is deadly, but in terms of an act of sexual violence, it is only metaphorical. Venus kissing Adonis against his will is a literal act of sexual assault.

The narrator describes one of the poem's many instances of Adonis's attempts to escape Venus:

Sometimes her arms enfold him like a band...  
And whence from thence he struggles to be gone,  
She locks her lily fingers one in one.

'Fondling,' she saith, 'since I have hemmed thee here  
Within the circuit of this ivory pale,  
I'll be a park, and thou shalt be my deer.  
Feed where thou wilt, on mountain or in dale;  
Graze on my lips, and if those hills be dry,  
Stray lower, where the pleasant fountains lie. (ll. 225, 227-234)

In this moment, Venus uses her physical strength to hold Adonis captive. The narrator's words create an image of Venus besieging Adonis. She first forms a band around him and when his "struggles" further indicate that her advances are not welcome, Venus only tightens her band by locking her fingers. Finally, she has "hemmed" Adonis in her grasp. Venus makes her body a

prison and with her band-like arms and locked fingers, Adonis's movements are completely restricted. Here Venus's actions show the importance of thinking beyond penetration—unable to make Adonis penetrate her, Venus will find a way to envelop him.<sup>7</sup> Now, with Adonis unable to flee her band-like hold, she weaves an erotic metaphor. In reality she is the perpetrator, actively restraining her victim, but in her fantasy, she takes on the role of the passive landscape. She invents a space in which Adonis is the actor, given free rein to “feed where [he] wilt.” While Venus is the one who instructs him, Adonis is the one who will make the moves. He will “graze” and “stray.” It is Venus's manipulation of conventional gender norms that allows her to sustain this fiction. In her pursuit of Adonis, she simultaneously takes on the role of the active wooer and refuses to relinquish her traditional passive position in the gender hierarchy. Through such maneuvering, Venus insists on the illusion that she is in the passive feminine role, despite being in control of her fictional park and maintaining possession of her deer.

**“He now obeys, and now no more resisteth”<sup>8</sup>**

Venus attempts a similar power play in a later scene, but this time her subterfuge succeeds in forcing Adonis into erotic actions. After Adonis gives her a harsh look, Venus falls to the ground and,

The silly boy, believing she is dead,  
Claps her pale cheek till clapping makes it red,

...

For on the grass she lies as she were slain,

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<sup>7</sup> Both the narrator's and Venus's language suggests this: “sometimes her arms *enfold* him,” and “Within the circuit of this ivory pale” (ll. 225, 230, my emphasis).

<sup>8</sup> l. 563



Till his breath breatheth life in her again.

He wrings her nose, he strikes her on the cheeks,  
He bends her fingers, holds her pulses hard;  
He chafes her lips; a thousand ways he seeks  
To mend the hurt that his unkindness marred.

He kisses her; and she, by her good will,

Will never rise, so he will kiss her still. (ll. 467-68, 473-480)

At this point in the poem, Venus has tried in vain to extract a kiss from Adonis. Since her rhetorical arguments cannot convince him to take up the active role in her erotic pursuits, she abandons her attempts to reason with him and turns to deception. Her method of trickery is a markedly feminine one. Robin Bowers notes of this scene, “when all else fails, she swoons—and like Marlowe’s hero, is revived by a kiss. Adonis has finally been provoked into taking action, the ‘one sweet kiss’ which supposedly ‘shall pay this comptless debt’ (l.84)” (12). Previously, Venus had attempted to force Adonis to play the part of male aggressor, but now she prompts him to take up another masculine role, that of the protector. She hopes that Adonis will come to her rescue and provide her with the only thing that will save her—a kiss. Adonis, unwilling to leave her unconscious on the ground, rises to the task, but the narrator’s commentary makes it clear that he does so, not because of any sexual desire, but because he seeks “to mend the hurt that his unkindness marred.” More, before he kisses Venus, Adonis will try “a thousand ways” to revive her, and the resentment fueling “his late intent [to] sharply...reprehend her” seems to underlie his revival tactics. He “*claps* her pale cheek till clapping makes it red,” “*wrings* her nose,” “*strikes* her on the cheeks,” “*bends* her fingers,” “*holds* her pulses *hard*,” and “*chafe[s]*”

her lips (my emphasis). There is a harsh and almost violent nature to his actions and while the aggressive nature of his tactics can be seen as necessary to revive a person, Adonis does a few things that suggest he may be guided by more than just a desire to aid Venus. First, Adonis's immediate response to Venus's fainting is physical. As soon as he "believes she is dead, [he] claps her pale cheek till clapping makes it red." Adonis does not call out to Venus nor does he, as Shakespeare's Lear will do with Cordelia, check to see if she is still breathing. Instead, he uses the opportunity to express aggression towards Venus. Additionally, while one might expect Adonis's attempts to revive Venus to become more intense or frantic as time goes on, his final tactic is a kiss. This action is in stark contrast to the harsher "claps," "wringings," "strikes," etc. that he has just given Venus and shows that Adonis does know of gentler methods, but unlike one would expect, they are his last resort. The intensity of Adonis's initial tactics and his choice to end with a kiss—an action so unlike the others and atypical for reviving a person that one wonders if Adonis is on to Venus's trick—indicates not only Adonis's extreme reluctance to kiss Venus, but also the frustration he has felt throughout the day. From their initial meeting, Venus has "pluck[ed] him from his horse" and put him under her arm, "enfold[ed] him like a band," and "hurt his hand with wringing"; in all of these instances, he was powerless to escape her (ll. 30, 225, 421). The narrator repeatedly notes that despite his "struggles to be gone," Venus "governs him in strength" (ll. 227, 42). Perhaps most symbolic of Adonis's relationship with Venus is the narrator's following observation:

Look how a bird lies tangled in a net  
So fastened in her arms Adonis lies.

Pure shame and awed resistance made him fret. (ll. 67-69)<sup>9</sup>

We might pause here to consider how we would interpret this captivity metaphor if the real-life counterpart to the bird were female. Yet, Adonis has been the defenseless bird trapped in Venus's net of seduction since the poem began. But by taking on a completely passive, in fact seemingly incapacitated, role, Venus provides Adonis with more than just the opportunity to be her protector; she leaves available a chance for him to exercise his strength. Even if Adonis is trying to—and ultimately will—revive Venus, neither his persistent reluctance to kiss her nor the unnecessary aggressiveness of his other revival methods can be ignored.

Bowers' description of Adonis's kiss, then, is quite fitting: he is “finally *provoked* into taking action” (12, my emphasis). Venus is the only one in this scenario who views this kiss as a “sweet” one. What this scene actually depicts is a coerced sexual act,<sup>10</sup> one that succeeds due to Venus's manipulation of Adonis's sympathy for her. But sympathy was not Venus's first tactic. Throughout the poem, she has attempted to appeal to Adonis's sense of masculinity, making him feel weak and ashamed for his unwillingness to engage in sexual play with her. Adonis has been cast as a “tender boy, / Who *blushed* and pouted in a dull disdain / With leaden appetite, unapt to toy. / She red and hot as coals of glowing fire; / He *red for shame*, but frosty in desire” (ll. 32-36, my emphasis). The narrator's description of Adonis serves as a blatant reminder of the age and maturity differences between Adonis and Venus. While the older and sexually active Venus's

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<sup>9</sup> “Awed” is glossed as “overpowered” in *The Norton Shakespeare: Romances and Poems* and the third edition of the *Oxford English Dictionary* defines “awe” as “to inspire with dread, strike fear into, terrify, daunt; to control, constrain, or restrain, by the influence of fear” (1a.).

<sup>10</sup>I am defining a coerced sexual act as an act of a sexual nature that results from intimidation and threats—expressed verbally or implied—of immediate or future harm. This harm can be physical, emotional, financial, or reputational and the harm can be directed towards the victim or the perpetrator. In short, if a victim has been compelled to engage in sexual activity after being made fearful due to intimidation and threats of harm, the activity they engage in is considered coerced and not consensual.

redness is an indication of her lust, Adonis is young and unaccustomed to being bombarded with sexual advances. His blush, then, is a sign of his shame and lack of desire.

Further comparison can be made by examining how the two experience heat. Venus's lust is conveyed not just in her appearance, being red, but also in her temperature, as she is said to be "hot as coals of glowing fire." Adonis may be "frosty in desire," but the narrator indicates that just as Venus's lust is expressed in her color and body temperature, Adonis both appears "red for shame" and "burns for bashful shame" (ll. 36, 49). There is a stark difference in why Venus and Adonis are experiencing these symptoms, but perhaps the similarity of their presentation is the reason for Venus's inability to accurately interpret their meaning in Adonis. Surely, had she recognized that instead of inciting desire in him, her antics were causing Adonis to move "twixt crimson shame and anger ashy-pale," she would not have continued to highlight his sexual inexperience for as long as she did (ll. 75-76). And had she recognized what the narrator made clear, that Adonis "pouted" and looked "sullen," scowling<sup>11</sup> and "fret"ting, she may have noted that Adonis's actions veered more towards those of an adolescent (ll. 32-33, 49). Further, she would have realized that she was indeed correct—though for a different reason—in her observation that, "Thou art no man, though of a man's complexion, / For men will kiss even by their own direction" (ll. 215-216). Adonis blushes with shame, shies away from her sexual advances, and fails to initiate kissing because, while she may find him attractive—"of a man's complexion"—he is just as the narrator characterizes him—"a tender boy" (l. 32).

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<sup>11</sup> The text notes that Adonis "lours and frets" (l. 75). "Lour" is defined as "look angry or sullen, frown" or "a scowl" ("lour" def. 1, def. 2). "Lour | Lower, V." *OED Online*, Oxford University Press. *Oxford English Dictionary*, <http://www.oed.com/view/Entry/110521>. Accessed 9 Jan. 2019.

And it is this tenderness that is, unfortunately, his undoing. When Venus swoons, she does more than just invoke Adonis's common decency. She uses the guilt Adonis feels for causing her "harm" to intimidate him. Worse still, she takes full advantage of the situation, now eliciting more than the one kiss: "he kisses her, and she by her good will / Will never rise, so he will kiss her still" (ll. 479-480). Having finally found the tactic that gets her what she wants, Venus eventually awakes from her self-induced swoon and says to Adonis:

'O, thou didst kill me; kill me once again!

Thy eyes'...that hard heart of thine...

Have murdered this poor heart of mine. (ll. 499-500, 502)

Venus's cries that Adonis kills her are most certainly related to the orgasm euphemism of the period, but with the last line she likens her fainting to death. Adonis's cruel heart—the heart that has repeatedly rejected Venus all day—and his eyes are responsible for the "murder" of her "poor heart." After ensuring that he knows he bears the blame, Venus tells him, "and these mine eyes, true leaders to their queen, / But for thy piteous lips no more had seen" (ll. 503-504).

Adonis has finally taken up an appropriate role and saved her.

But Venus is not subtle. Only Adonis's lips, only his agreeing to engage in sexual contact with her, will allow her to live again. More than just a change in tactic, this act of coercion indicates that Venus's harassment of Adonis is escalating. Where she previously requested sex and encouraged him to let her teach him how to engage in it, she is now pushing Adonis into action that actually results in physical sexual contact.

Further escalation can be seen when, despite her victory in eliciting multiple kisses, Venus refuses to let Adonis go:

Her arms do lend his neck a sweet embrace.

Incorporate then they seem; face grows to face,  
Till breathless he disjoined, and backward drew

...

And glutton-like she feeds, yet never filleth.

Her lips are conquerors, his lips obey,

Paying what ransom the insulter willeth

...

Hot, faint, and weary with her hard embracing,

Like a wild bird being tamed with too much handling

...

He now obeys, and now no more resisteth,

While she takes all she can, not all she listeth. (ll. 539-41, 548-550, 559-60, 563-564)

Even after Adonis has given in to her coercion and is simply exhausted, Venus is not content with what she gets. The narrator's imagery indicates that Adonis is not enjoying this encounter. He is "breathless"—but this is not a blissful, passionate breathlessness. The fact that Adonis's actions are all geared towards moving away from Venus makes clear his desires: "he disjoined, and backward drew." More, Venus is cast as a glutton, incapable of being satisfied. And it is important to note that though Adonis is kissing Venus, his actions do not signal consent: Venus is still marked as the conqueror while Adonis simply obeys. First, his lips are said to obey, and then "hot, faint, and weary," Adonis simply gives up resisting. Most alarmingly, the narrator likens Adonis's kisses to something one pays in the hopes of being released from a captor: "paying what ransom the insulter willeth." There is no ambiguity here. The reader is left with the

distinct image of Venus not just as a lustful woman, but a sexual predator determined to completely overwhelm her prey.

**‘Thus he that over-ruled I overswayed’<sup>12</sup>**

Like most sexual predators, Venus craves mastery more than sexual fulfillment—as made clear in her recounting of her relationship with the god of war:

‘I have been wooed as I entreat thee now  
Even by the stern and direful god of war,  
Whose sinewy neck in battle ne’er did bow  
Who conquers where he comes in every jar.

Yet hath he been my captive and my slave,  
And begged for that which thou unasked shalt have.

‘Over my altars hath he hung his lance,  
His battered shield, his uncontrolled crest,  
And for my sake hath learned to sport and dance,  
To toy, to wanton, dally, smile, and jest....

‘Thus he that over-ruled I overswayed,  
Leading him prisoner in a red-rose chain.  
Strong-tempered steel his stronger strength obeyed,  
Yet was he servile to my coy disdain. (ll. 97-106, 109-112)

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<sup>12</sup> l. 109

In characterizing her relationship with Mars, Venus draws implicit comparisons with the relationship she wishes to have with Adonis. Venus has spent most of the poem pursuing Adonis, but Mars allows Venus to play the role of a female beloved while he woos her. More, he recognizes her status as a goddess, having hung his lance, shield, and crest on her altars. And while Adonis claims to prefer love to hunting, even the god of war took up new activities for the goddess of love, learning to “sport and dance.”

Mars, Venus finds it necessary to stress, was her complete submissive; more than just desire, he “begged” for her love. The pleasure Venus seems to take in having “over-swayed” Mars suggests that Bate’s claim that Venus merely wants to rape Adonis oversimplifies Venus’s motives: as feminists have argued for forty years, rape is about power. Venus attempts to seduce Adonis by telling him of her relationship with Mars, but just as she failed to accurately interpret the meaning of Adonis’s blushing, here Venus fails to understand that Adonis is only an adolescent boy, not the god of war. In trying to emphasize her ability to seduce someone so powerful, Venus casts Mars as a fearsome character: he is “stern and direful” with a “sinewy neck” that “ne’er did bow.” Mars certainly has the strength to break the “red-rose chain” Venus leads him with, but Venus’s power as the goddess of love—her ability to appeal to him sexually—makes his “stronger strength [obey].” In other words, it is the exotic power Venus exerts over Mars, not physical, that renders him her “captive” and “slave.”

Adonis, alternatively, is human, which automatically gives Venus the upper hand in any relationship they might have. When she plucks him from his horse, for example, he does not have the ability to free himself from her grasp.<sup>13</sup> It is the case that Venus cannot rape Adonis—as

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<sup>13</sup>The narrator tells us:

Being so enraged, desire doth lend her force  
Courageously to pluck him from his horse.



for early moderns, a woman raping a man would not have seemed anatomically feasible—but if, as Bate’s comment suggests, Venus were only concerned with the physical, she could have taken her kiss long before it was given. The narrator tells the reader: “Backward she pushed him, as she would be thrust, / And governed him in strength, though not in lust” (ll. 41-42). It is lust that Venus hopes to govern Adonis in. She can kiss him whenever she pleases just as she could keep him captive the night before he goes to kill the boar, but “she is resolved no longer to restrain him” because it is submission Venus seeks (l. 579). She wants to completely dominate Adonis, to feel the same power she felt when she took captive the mighty god of war.<sup>14</sup>

**“No one has been seriously hurt”<sup>15</sup>**

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Over one arm, the lust courser’s rein;  
Under her other was the tender boy,  
Who blushed and pouted in dull disdain  
With leaden appetite, unapt to toy. (ll. 29-34)

<sup>14</sup> Interestingly, Heather Asals argues that the relationship between Venus and Mars is essential to the demise of Adonis. For her, Adonis embodies the martial spirit represented by the god Mars. This can be seen in his “all-absorbing interest in the hunt” and Venus’s inability to control *this* aspect of Mars allows for Adonis’s death. But, of course, Adonis’s death was inevitable; his future was already decided and Asals also notes that Death and Love—represented by Venus—are linked throughout Shakespeare’s poem. Her claim regarding Adonis’s refusal to choose Love/Venus, however, requires further attention. She writes: “what Adonis never realizes is that Love is the better Death—Death which allows a man to live again in another...In many ways, the death of Adonis can be read as the inevitable result of his unwillingness to die in the love of Venus, to find the ‘life in death’” (45). Venus may represent Love, but her actions throughout the poem have not been loving. Adonis has used verbal and physical communication to express his discomfort with Venus’s advances, but this has not stopped Venus from verbally propositioning him, touching him inappropriately, making him touch her, and attempting to sexually assault him. When one recognizes Venus’s actions as those of a sexual predator, Asal’s claim that Venus is the better death for Adonis takes on a dangerous meaning. An unwillingness to die in the love of Venus becomes an unwillingness to submit to Venus’s sexual advances, to acquiesce to Venus’s demands for him to mount her and produce the orgasm that would bring about, to flip Asal’s phrase, death in life. Making his inability to realize that Venus is what is best for him the reason for his death, then, suggests that in resisting sexual assault, Adonis chooses death.

<sup>15</sup> See footnote 128.

At the beginning of this chapter, I suggested that we reconsider the idea that Adonis's situation is self-evidently comic and instead ask why the sexual harassment of an adolescent male is considered funny simply because gender roles have been reversed. I also posited that asking these questions would help us consider the female predator in early modern literature and scholarship and begin to introduce female-on-male sexual violence into our society's current conversations. I now turn to thoughts on the poem's "humor" in order to outline a framework that connects this poem and its themes to our society's current conversation surrounding sexual violence, including conversations happening in our classrooms.

Perhaps it is fitting, then, that I begin with a text often used in survey classes, the Norton Anthology's version of *Venus and Adonis*. In the introduction, Katharine E. Maus writes:

Since in Renaissance erotic poetry the positions of actively desiring, rhetorically fluent male and passive, unwilling female are ordinarily rather strictly demarcated, the sexual transpositions in the Venus and Adonis story have immediate consequences for Shakespeare's use of conventions. Obviously they give those conventions a fresh twist...In Shakespeare's hands, such novelty is often comic: the aggressive, rhetorically hyperbolic Venus and the fastidious Adonis are funny, because now as then they violate conventional notions of appropriate gender-specific behavior. (481)

Maus's introduction highlights the sad reality of conventional notions of appropriate gender-specific behavior: they are pretty much the same now as they were 400 years ago. This lack of progress influences what audiences recognize as humor. Early moderns saw gender inversion—like Venus's pursuit of Adonis—as comic and, without acknowledging a shift in modern conceptions regarding gender, this introduction leaves readers with the idea that contemporary audiences would also find such an inversion to be funny. Updating critical editions of

Shakespeare is a large undertaking and it is understandable that Maus's introduction does not reflect current conversations surrounding sexual harassment and gender roles. She does note that Shakespeare gave the gender conventions of the early modern period a fresh twist and as we ask our students to engage with *Venus and Adonis*, we should ask them to think about whether the twist is still fresh now. Doing so will, perhaps, make space for discussing why conventional gender roles have not changed much and how our society's view of gender affects the way we do or do not view certain acts of sexual violence as funny.

Richard Rambuss, in a somewhat more recent article seeks, like I do, to overturn what he sees as the status quo in *Venus and Adonis* criticism, represented by Coppelia Kahn's influential essay in which she argues "that Adonis meets his death precisely because he refuses Venus' love, because he 'scornfully rejects the easier, more overtly pleasurable and normal course for the fatal one' (Kahn 1981: 44)" (249). Rambuss argues that Kahn's reading, and the work of various other critics who echo her, suggests that heterosexuality is the only normal kind of love. To challenge such heteronormativity, Rambuss re-evaluates Adonis's behavior in the poem. He too makes note of Jonathan Crewe's claim that we consider Adonis's ordeal to be sexual harassment, but rather than build on Crewe's idea, he simply reiterates prior critics:

The poetic conventions traditionally associated with an eager, appetitive male lover and a reluctant, even adverse female beloved are not simply upended in *Venus and Adonis*: their reassignment is comically hyperbolized. Shakespeare's Venus appears to dwarf Adonis, whom she freely manhandles throughout the poem. (242)

More than just labeling the inverse gender roles as comical, Rambuss adds his own gendering language to the poem: "manhandles." Manhandle is defined as "to handle roughly; to assault, maul, or beat up (a person; occasionally *spec.* a woman)" (OED, v1b.). Indeed, gender roles are

“comically hyperbolized” in the poem, but in only introducing a term that further highlights Venus’s masculine role in the poem, Rambuss misses an opportunity to fully explore the consequences of Venus’s rough handling of Adonis.

Perhaps Venus’s handling of Adonis is not of concern, however, because Rambuss’s main argument is that “Adonis’ desire—to the extent that it finds expression in the poem...flows in only one direction: toward the boar” [and, thus] “*Venus and Adonis* can be read at least *vis-à-vis* Adonis and the boar, as a proto-gay text” (252). With this comment, Rambuss seems to indicate a need to identify an object of erotic desire for Adonis. But just as we should not assume that Adonis must be attracted to women and thus should desire Venus, perhaps we should not assume that Adonis has any sexual attraction. It may be that he is simply interested in hunting and that the boar, instead of representing another male entity, is just a boar. In short, along with recognizing sexual orientations other than hetero, we need to recognize sexual harassment and coercion, as well as asexuality.<sup>16</sup>

Such recognition would allow us to re-evaluate acceptance of the idea that men are supposed to be the aggressors in sexual situations. It would make us pause over Adonis’s anguished plea, “you crush me; let me go,” instead of describing it as a “comically inept remark” (Bowers 13). Perhaps, before this chapter, you viewed *Venus and Adonis* as comedic. Or maybe until now, you have taught the poem as the light-hearted and risqué partner to Shakespeare’s

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<sup>16</sup> See: Bogaert, Anthony F. *Understanding Asexuality*. Reprint edition, Rowman & Littlefield Publishers, 2015; Decker, Julie Sondra. *The Invisible Orientation: An Introduction to Asexuality* \* Next Generation Indie Book Awards Winner in LGBT \*. Reprint edition, Skyhorse Publishing, 2015; Cerankowski, Karli June, and Megan Milks. “New Orientations: Asexuality and Its Implications for Theory and Practice.” *Feminist Studies*, vol. 36, no. 3, 2010, pp. 650–64.

tragic *Lucrece*.<sup>17</sup> Existing scholarship on the poem would support such actions. After all, Maus's observation is not incorrect: Venus and Adonis are thought funny "now as then [because they] violate conventional notions of appropriate gender-specific behavior" (481). The time has come, however, for us to intervene in the scholarly consensus and alter the existing scholarship. Instead of reinforcing harmful ideology, we can give prevailing notions a "fresh twist" by engaging in dialogue that not only acknowledges female-on-male harassment, but also explores the ease with which it has been viewed as humorous and argues for its consideration as a serious issue.

Tina Fey begins such a dialogue in an episode of her latest TV show, *Great News*. In the show, Fey plays a successful businesswoman who has recently taken over as head of the news network, MMN. In the episode, "Honeypot," her character, Diana St. Tropez, sexually harasses several of her male employees. Much like Venus's treatment of Adonis, St. Tropez's behavior—and her staff's response to it—is presented as comedy. When Katie, St. Tropez's mentee, hears the staff complaining about her mentor's behavior, she first refuses to believe them, asking "what were you guys doing in her office, in the middle of the day, alone...what were you wearing?" This satirical scene, titled "Sexual Harassment for a Reason," is played for laughs, but it draws attention to the important issue of workplace sexual harassment. And while it could highlight the fact that men are also victims of this behavior, the scene only serves to minimize men's experiences and show that they are acceptable material for comedy sketches.<sup>18</sup>

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<sup>17</sup> Sadly, we have sometimes managed to lose sight of the physical act of sexual violence even in this poem. See: Kahn, Coppélia. "The Rape in Shakespeare's 'Lucrece.'" *Shakespeare Studies; New York*, vol. 9, Jan. 1976, pp. 45–72.

<sup>18</sup> Media representation and response to male rape has been cited as a reason for "male resistance to reporting sexual victimization. [For example,] popular media also reflects insensitivity, if not callousness towards male victims...a 2009 CBS News report about a serial rapist who raped 4 men concluded, 'No one has been seriously hurt' (Stemple and Meyer e21).

In an article discussing the “Honeypot” episode, Jen Chaney notes that “by putting women in the roles of aggressors, victim blamers, and deniers, *Great News* underlines how strange it sounds to jump to the defense of someone in power who’s clearly harassing others” (2). Indeed, the episode does highlight how unusual it is to defend a sexual predator, but more, the show emphasizes that women are not the only victims of sexual harassment and men are not the only perpetrators. It also draws attention to society’s unwillingness to acknowledge women as aggressors and to treat female perpetrators equally to male perpetrators. Chaney’s critique, however, focuses only on the oddity of defending harassers. Instead of recognizing the utility of the *Great News*’ episode, Chaney applauds the show for finding a way to make amusing a situation that “might have seemed too played out and potentially too didactic” with a male perpetrator, suggesting that the show replaces a male aggressor with a female one for entertainment purposes only (2).

When dealing with an issue such as sexual harassment, phrases such as “too played out” and “too didactic” strike me as odd. After all, recent cultural movements such as #MeToo and the Time’s Up initiative have shown just how prevalent sexual harassment and sexual assault are in the lives of Americans. If the stream of headlines concerning famous men being accused of acts of sexual harassment and sexual assault seems repetitive, it is because this behavior is pervasive and happens every day. Thus, the idea that these serious issues need to be rendered amusing—to be masked as *anything but* an issue that requires a teaching moment—in order to capture an audience’s attention is a bit frightening. In the same vein, it is imperative that we ask why Diana St. Tropez’s harassment of male employees is seen as comic. As the seemingly ridiculous scenario posited in the “Honeypot” episode indicates, women are rarely thought of as aggressors in cases of sexual harassment. And as mentioned at the beginning of this chapter, this

narrative extends beyond fictional worlds. Even in the #MeToo movement, which seeks to give victims of sexual violence a voice while making it harder for sexual predators to hide, the conventional gender norms are upheld. With few exceptions, one narrative is being privileged: women as victims and men as the aggressors.<sup>19</sup>

In an article entitled, “The Sexual Victimization of Men in America: New Data Challenge Old Assumptions,” Lara Stemple and Ilan H. Meyer provide much needed information regarding male victims of sexual assault—most importantly, that various studies show that men and women experience similar rates of nonconsensual sex.<sup>20</sup> They also highlight the important issue

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<sup>19</sup>For example, if you type “#MeToo movement” into Google’s image search, you very quickly get the sense that victims of sexual harassment are exclusively women. When men do appear, they do so only in two capacities. They are acknowledged as allies, showing their willingness to support female loved ones. In one picture, a man holds a sign that reads: “#TRUST #RESPECT #MY MOM #MY WIFE #MY DAUGHTERS #MY SISTERS.” Or, they are labeled as sexual harassers and predators. One image of a magazine cover shows various high profile men who have been accused of harassment in the last few years—along with Bill Clinton, whose famous incident occurred in the 90s. With few exceptions, the message shown is clear: women are the victims and men are the aggressors. Thus, while issues of sexual violence are finally being thrust into the spotlight, only one narrative is being privileged. Several men have come forward to share their #MeToo experiences involving Kevin Spacey. These experiences make space for discussion of male on male sexual violence, but the Google image search does not reflect these experiences. Men are not shown as victims and Kevin Spacey is not among the high-profile men featured on the above mentioned *Newsweek* magazine cover. Indeed, Spacey’s image cannot be found anywhere in the first few pages of images, whereas numerous pictures of Harvey Weinstein, Donald Trump, and other men known to harass and assault women are present.

<sup>20</sup> Stemple and Meyer make this claim based on a 2011 CDC report which issued results from the National Intimate Partner and Sexual Violence Survey (NISVS). At first glance, the NISVS results do not seem to actually support Stemple and Meyer’s claim. Instead, they promote the expected narrative—women experience nonconsensual sex more commonly than men do. However, close examination of the data shows that NISVS’s categories made it impossible for them to accurately record men’s experiences of nonconsensual sex. They separated their data into two categories—“rape” and “other sexual violence.” Only “forced penetration,” “attempted forced penetration,” and “completed alcohol/drug-facilitated penetration” fell under the rape category. Being “made to penetrate” was included under “other sexual violence.” As such, men who reported being “made to penetrate” were not considered to have experienced non-consensual sex. Stemple and Meyer explain:

The NISVS’s 12-month prevalence estimates of sexual victimization show that male victimization is underrepresented when victim penetration is the only form of

of using outdated terminology and categories of sexual victimization in research methodologies. For example, Stemple and Meyer reviewed data on sexual victimization in five federal surveys conducted by the Bureau of Justice Statistics, the Federal Bureau of Investigation, and the Centers for Disease Control (CDC) between 2010-2012. From this review, they found that despite the “widespread sexual victimization among men in the United States...contemporary depictions of sexual victimization reinforce the stereotypical sexual victimization paradigm, comprising male perpetrators and female victims” (e19).

The 2010 National Intimate Partner and Sexual Violence Survey (NISVS) shows that while men are still more likely to be the perpetrators in cases where male victims are forcibly penetrated:

For three of the other forms of sexual violence, a majority of male victims reported only female perpetrators: being made to penetrate (79.2%), sexual coercion (83.6%), and unwanted sexual contact (53.1%). For non-contact unwanted sexual experiences...more than one-third (37.7%) reported only female perpetrators. (24)<sup>21</sup>

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nonconsensual sex included in the definition of rape. The number of women who have been raped (1 270 000) is nearly equivalent to the number of men who were ‘made to penetrate’ (1 267 000)...this striking finding—that men and women reported similar rates of nonconsensual sex in a 12-month period—might have made for a newsworthy finding. Instead, the CDC’s public presentation of these data emphasized female sexual victimization, thereby (perhaps inadvertently) confirming gender stereotypes about victimization. For example, in the first headline of the fact sheet aiming to summarize the NISVS findings, the CDC asserted, ‘Women are disproportionately affected by sexual violence.’ Similarly, the fact sheet’s first bullet point stated, ‘1.3 million women were raped during the year preceding the survey.’ Because of the prioritization of rape, the fact sheet failed to note that a similar number of men reported nonconsensual sex (they were ‘made to penetrate’).” (e21)

<sup>21</sup> The NISVS survey, unfortunately, only included information regarding cisgendered individuals and did not include any information regarding participants’ sexuality. In addition, sexual violence has, historically, been an underreported crime, and the NISVS did not provide any information on reporting percentages regarding current estimates—from 2010.



Both Stemple and Meyer's article and the NIPSV show that male victims of sexual assault are not as rare as many people think. Stemple and Meyer's article goes further and attempts to explain why the male perpetrator and female victim paradigm remains prevalent. Two reasons they discuss are the ideas that "female-perpetrated abuse is rare or non-existent" and that "for men all sex is welcome"—assumptions that have most certainly played a role in how scholars have read *Venus and Adonis* (e19).<sup>22</sup> The idea of male victims was so rare, in fact, that "until 2012, the Uniform Crime Reporting Program (UCR), through which the FBI collects annual crime data, defined 'forcible rape' as 'the carnal knowledge of a *female* forcibly and against her will' (e21, emphasis in original). The FBI's new definition of rape is more inclusive—"the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of a victim," but, as Stemple and Meyer note, this still "excludes victims who were made to penetrate" (e21). With the focus still on the penetration of the victim, a significant percentage of male victims of sexual assault will continue to be ignored. The scholarship on *Venus and Adonis*, as we have seen, is more open to viewing the metaphorical penetration of Adonis by an animal as sexual assault than Venus's literal sexually aggressive acts as such.

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The survey uses the following definitions: *Sexual coercion* - Pressured in a non-physical way (includes, for example, threatening to end the relationship, using influence or authority).

*Unwanted sexual contact* - Includes unwanted kissing in a sexual way, fondling or grabbing sexual body parts. *Non-contact unwanted sexual experiences* - exposing sexual body parts, being made to look at or participate in sexual photos or movies, harassed in a public place in a way that felt unsafe.

<sup>22</sup> The other two reasons noted were: "male victims experience less harm" and "some posit that because dominant feminist theory relies heavily on the idea that men use sexual aggression to subordinate women, findings perceived to conflict with this theory, such as female-perpetrated violence against men, are politically unpalatable" (e19-e20).

Stemple and Meyer's goal is to draw attention to how, even with the progress made by updates to some terminology, federal surveys and various CDC publications still reinforce 'the stereotypical sexual victimization paradigm.' They hope to propose new language and new surveys that will generate data inclusive of the experiences of all sexual assault victims. It is my hope that this chapter will perform a similar function and, beginning with the scholarship concerning *Venus and Adonis*, broaden the way we think about gender roles and sexual violence. If nothing else, taking seriously Venus's sexual aggression towards Adonis may help to ensure that our discussions of sexual violence do not play a role in the reinforcement of "the stereotypical sexual victimization paradigm."

## CHAPTER IV

### **“Maidens call it love-in-idleness”: The Capacity for Consent in *A Midsummer Night's Dream***

In Shakespeare's *A Midsummer Night's Dream*, the word 'consent' appears six times: three times in Athens and three times in the forest. Despite the use of the word being split evenly between the two worlds of the play, only the 'consent' of two of the play's seven main characters is addressed, that of Egeus and his daughter Hermia. Egeus is the primary user of the word, speaking it a total of four times—Helena and Hermia claim the other two instances. His disproportionate usage of the word reflects his insistence that he controls not only his will but that of his daughter. And in the world of the play, his presumption is not unwarranted. Indeed, the main actions in the play are a result of the patriarchal ideology underlying Athens. There, Egeus's consent takes precedence and his refusal to take his daughter's preference into account when choosing her husband is what drives her and her lover, Lysander, from the Athenian court. As the action of the play shifts from the Athenian court, ruled by a mythically renowned rapist and his captured bride, to the Fairy's forest, controlled by a couple, seemingly existing on more equal footing, the play's framework for consent shifts. The question is no longer whether the

lovers will consent to the demands of their elders, but rather to what extent they will have the capacity to consent. In the magical realm of the forest, Hermia and Lysander as well as Demetrius and Helena quickly become a casualty of a feud between the Fairy King and Queen, Oberon and Titania. While Egeus's consent no longer matters, Oberon proves to be a meddler in the lovers' affairs and, armed with a love potion meant for Titania, a would-be patriarch more capable of achieving the results he desires.

Indeed, the magical juice of the 'little western flower' is as much a weapon as is Theseus's sword. Armed with this weapon, Oberon facilitates multiple acts of sexual violence. Egeus's overt assertion of patriarchal privilege makes clear that he views Hermia's body as his to bestow, but in turning to Athenian law, he must appeal to a system that requires her consent. Her options are abysmal—she can consent to marry Demetrius, join a nunnery, or die—but under the terms of both the play and English society, Egeus cannot compel her to marry Demetrius.<sup>1</sup> Oberon, however, operates under no legal system and he does not have to appeal to a higher authority. As such, he can administer the floral juice without restrictions and, in doing this, he removes his unsuspecting victims' ability to consent. And as Hermia reminds the audience when she says, "ere I will yield my virgin patent up," the question of marriage in this play is inextricably linked to sex. In manipulating who the lovers will ultimately marry, Oberon manipulates their choice of sexual partner. Of course, the flower's juice was originally meant for Titania and Oberon renders her incapable of consenting to any sexual acts when he drops the

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<sup>1</sup> As Amanda Bailey notes, "Hermia is not legally her father's property. He cannot force her to marry without her consent. In onstage Athens—as in offstage England—the consent of both marrying parties, not their parents, is mandatory" (407). "Personification and the Political Imagination of *A Midsummer Night's Dream*." *The Oxford Handbook of Shakespeare and Embodiment: Gender, Sexuality, and Race*, edited by Valerie Traub, 1 edition, Oxford University Press, 2016, pp. 400–18.

juice onto Titania's eyes as she sleeps. More, in making it impossible for Titania to resist her sexual urges, he facilitates Bottom's rape. Ultimately, though he is not physically present, Oberon is the perpetrator of sexual violence committed against Titania, Bottom, and eventually Demetrius. His unique role in these acts allows me to expand my investigation into how agency functions in facilitator-instrument relationships by examining the complications specific to acts of sexual violence. I previously argued that one can serve as an instrument of violence without knowing it. The validity of sexual assault claims, however, is often determined by a victim's consent, both in the early modern period and today. *Knowing*, then, can be more complicated in acts of facilitated sexual violence. By examining the different ways in which consent operates throughout *A Midsummer Night's Dream*, I explore how knowledge of one's role as an instrument and one's culpability might function differently in acts of facilitated sexual violence. More, I consider how the relationships between instrument and facilitator, victim and perpetrator intersect. I thus ask: How is consent recognized? What role does intelligence and/or one's capacity for intelligence play in consent? How can we understand consent in a world where motivations and actions are influenced by an external agency such as magic? And, finally, how might an investigation of the use of external agencies to influence sexual acts in *A Midsummer Night's Dream* help us to think about consent in present times?

***Exeunt Fairies. Titania sleeps. Enter Oberon and squeezes the flower on Titania's eyelids.***<sup>2</sup>

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<sup>2</sup> Stage directions found in 2.2.26, *The Riverside Shakespeare*, Second Edition and Act II, Scene ii, line 26. [Exeunt Fairies] was added by Nicholas Rowe and [and squeezes the flower on Titania's eyelids] was added by Edward Capell. Shakespeare, William. *The Riverside Shakespeare, 2nd Edition*. Edited by G. Blakemore Evans and J. J. M. Tobin, 2nd edition, Houghton Mifflin Company, 1996.

When the audience first hears of Oberon and Titania, they learn that the couple is feuding over a changeling boy in Titania's service. Oberon is determined to take the boy from Titania to serve as his page. Many critics have written about the reasons behind the fairy King and Queen's attachment to the boy and what Oberon's eventual theft of the child symbolizes for female bonds in the play.<sup>3</sup> My shift in emphasis to Oberon's use of the "little western flower" in his plot to extract the child as an act of facilitated sexual violence shows, instead, how consent and agency operate in the complex relationship between facilitators and instruments. When Titania rejects his request for the boy yet again, Oberon remarks: "Well go thy way/ thou shalt not from this grove / Till I torment thee for this injury" (2.1.46-47). Oberon will, indeed, torment Titania, but instead of fearing cuckoldry (as male characters do in previous chapters), Oberon plans to pair

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<sup>3</sup> Of Titania's telling Oberon of the changeling's mother, Deborah Uman writes "Titania recalls an idyllic world of female self-sufficiency...Notably, Titania's speech is a recollection of a place and time that she cannot carry over to her present circumstances. Her votress has died...Still, the changeling might embody the reality of her memory, and this possibility gives Oberon another reason to demand that Titania turn over the child to him and finally to steal the child" (78). Uman, Deborah. "Translation, Transformation and Ravishment in A Midsummer Night's Dream." *Allegorica*, vol. 22, 2001, pp. 68-91. Literature Resource Center. Ania Loomba notes that Titania may have taken the boy to "keep faith with the mother or, because (for her as well as Oberon) the child is a prized commodity, the ultimate gift, a culmination of the trifles his mother used to fetch her" (187). Loomba also discusses what is at stake in Oberon and Titania's dispute: "The crucial point is that Titania must evoke a bond with the Indian mother in order to challenge Oberon, and Oberon must wrest her property, however it was acquired, in order to establish his control" (188). "The Great Indian Vanishing Trick - Colonialism, Property, and the Family in A Midsummer Night's Dream." *A Feminist Companion to Shakespeare*, John Wiley & Sons, Ltd, 2016, pp. 179-205. *Wiley Online Library*, doi:10.1002/9781118501221.ch9. Also see: Kim Hall, *Things of Darkness: Economies of Race and Gender in Early Modern England*. 1 edition, Cornell University Press, 1995.; Little, Arthur L., Jr. "A Local Habitation and a Name': Presence, Witnessing, and Queer Marriage in Shakespeare's Romantic Comedies." *Presentism, Gender, and Sexuality in Shakespeare*, edited by Evelyn Gajowski, Palgrave Macmillan, 2009, pp. 207-236.

his wife with another. His desire for her embarrassment, her torment, is what matters.<sup>4</sup> He tells his accomplice, Puck, to fetch for him:

a little western flower,  
Before milk-white, now purple with love's wound,  
And maidens call it love-in-idleness...

The juice of it on sleeping eye-lids laid  
Will make or man or woman madly dote  
Upon the next live creature that it sees.  
Fetch me this herb. (2.1.166-73)

The “little western flower” is a substance capable of impairing its victim’s judgment. Oberon notes that maidens call the flower “love-in-idleness.” While idleness can mean the state of being unoccupied, it could also mean, during the 16<sup>th</sup> and 17<sup>th</sup> centuries, light-headedness, imbecility, and delirium.<sup>5</sup> Given that it leads Titania to be enamored of an ass-headed Bottom, the flower’s ability to cause delirium seems quite plausible. But there is more to be gleaned from Oberon’s description of this flower. He notes that the juice of the flower is to be applied to sleeping eye-lids. Thus, not only does the juice have the ability to render its victim delirious, but its very application requires the victim’s prior incapacitation.<sup>6</sup>

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<sup>4</sup> Uman notes that Oberon may be hesitant to tell Titania of what happened between her and Bottom because the story “serves as a reminder of why ‘jealous’ Oberon is so willing to make himself into a cuckold” (77).

<sup>5</sup> Definition taken from the 3<sup>rd</sup> edition of the Oxford English Dictionary.

<sup>6</sup> James A.S. McPeck argues that there is an extensive relationship between the myth of Psyche and the dream world of *A Midsummer Night's Dream*. In his discussion of the connections between the two stories, he notes that Psyche and Titania have similar sleep experiences. Psyche, awaking from a refreshing sleep, she espies a pleasant wood of mighty trees...entering this heavenly palace, she is waited on by unseen servants and entertained by their song

After sending Puck off to fetch this flower, Oberon reveals his plans:

Having once this juice,

I'll watch Titania when she is asleep,

And drop the liquor of it in her eyes.

The next thing then she waking looks upon--

Be it on lion, bear, or wolf, or bull,

On meddling monkey, or on busy ape--

She shall pursue it with the soul of love.

And ere I take this charm from off her sight--

As I can take it with another herb--

I'll make her render up her page to me. (2.1.176-85)

Although this passage invokes lions, bears, and wolves, it is Oberon's predatory nature that is on full display. He will watch his wife as she sleeps and drop this magic juice into her eyes,

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and music; and after going to bed, she becomes the bride of an unseen husband, the supposed Serpent Bridegroom of the oracles, as Venus would have it, the 'most vile' creature alive. (76)

He goes on to note that "Titania's experiences are curiously akin. In the Palace woods of Theseus, Titania is lulled to sleep...[and] she awakens to love, not a serpent bridegroom, but another monster, Bottom the ass-man" (76). "The Psyche Myth and *A Midsummer Night's Dream*." *Shakespeare Quarterly*, vol. 23, no. 1, 1972, pp. 69–79.

David Roberts, asserts that "no dramatist represents the act of sleep more frequently or graphically than he [Shakespeare] does, whether it is disturbed like Lady Macbeth's and Richard III's, comical like Titania's, deathly like Henry IV's or restorative like Lear's..." (235). Just as Venus's pursuit of Adonis was not humorous (see Chapter 3), I suggest that Titania's sleep, which is disturbed by Oberon's application of an incapacitating drug, is not comical. "Sleeping Beauties: Shakespeare, Sleep and the Stage." *The Cambridge Quarterly*, vol. 35, no. 3, 2006, pp. 231–54.

For more on sleep in Shakespeare, see: Viswanathan, S. "Sleep and Death: The Twins in Shakespeare." *Comparative Drama*, vol. 13, no. 1, 1979, pp. 49–64.; Sullivan, Garrett A., Jr. *Sleep, Romance and Human Embodiment: Vitality from Spenser to Milton*. Reprint edition, Cambridge University Press, 2015.



subjecting her to its power to make her desire animals she would normally fear. Oberon is clearly the one in power in this situation. Titania will have no choice but to desire whatever she sees when she wakes; what's more, her desire will be sexual. The flower from which the liquid comes was hit with "Cupid's fiery shaft," is "purple with love's wound," "will make man or woman madly dote" and pursue their target with "the soul of love" (2.1.161, 167, 171, 182). As Oberon knows that this liquor will make Titania experience uncontrollable sexual desire, I argue that when he sneaks into his wife's bower and applies this substance to her eyes, he commits an act of drug-facilitated rape.<sup>7</sup> Oberon takes away not only her capacity to consent to sexual acts, but also to choose her sexual partners—the flower "will make or man or woman madly dote/Upon the next live creature that it sees" (2.1.171-172). And if we are to believe his incantation has any power, more than just putting limits on Titania's rights, Oberon seizes them for himself, as he commands, "wake when something vile is near" (2.1.184). While he is not directly choosing who or what she will wake up to, he is not content to leave things to chance. With the addition of the spell, he ensures the object of her affection will be "vile."

Oberon also controls the duration of Titania's incapacitated state as he is the one who holds the "herb" that can remove the spell she is under:

And ere I take this charm from off her sight—

As I can take it with another herb—

I'll make her render up her page to me. (2.1.183-185)

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<sup>7</sup> Kilpatrick, et. al. defines drug-facilitated rape as when the "perpetrator deliberately gives the victim drugs without her permission or tries to get her drunk, and then commits an unwanted sexual act against her involving penetration (all forms). The victim is passed out or awake but too drunk or high to know what she is doing or to control her behavior" (10).

Kilpatrick, Dean, et al. *Drug Facilitated, Incapacitated, and Forcible Rape: A National Study. Final Report*. Vol. 14, Jan. 2007, pp. 2–71.

With control of her sexual desires, some modicum of influence over the object of these desires, and complete power over how long her sexual desires and choice of sexual partners will be compromised, Oberon renders Titania a controlled subject. We have seen this before. In *The Maid's Tragedy*, Melantius, acting as facilitator of his sister, uses psychological manipulation and the threat of physical violence to turn Evadne from a rebellious, independent woman to one he can use as an instrument. Unlike Melantius, Oberon does not vow to make a sword Titania's lover, nor does he claim to have wooed her with a sword, as Theseus wooed Hippolyta.<sup>8</sup> As King of Fairies, he uses the tools more common for his world—but his weapon of choice is just as dangerous. The juice of the magical flower has the power to cause physical and psychological harm.<sup>9</sup> Indeed, as it propels its victim to orchestrate their own violation, this juice is an ideal weapon for sexual predators.

**Do I not in plainest truth / Tell you I do not nor I cannot love you?<sup>10</sup>**

When Demetrius first enters the forest, he is so adamant in his disdain for Helena, he threatens to “do [her] mischief in the wood” (2.1.237). But by the end of the play, although he knows “not by what power,” he has fallen out of love with Hermia and back in love with Helena. The audience, of course, is privy to the reason for the sudden transformation in Demetrius's feelings. Unlike the other lovers, Demetrius is still under the spell of the flower and will remain so. As he attempts to explain the change in his feelings to Theseus, he says:

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<sup>8</sup> When he first confronts his sister and future instrument, Melantius threatens Evadne, saying: “This sword shall be thy lover! Tell or I'll kill thee!” (4.1.100). In the opening of *A Midsummer Night's Dream*, Theseus tells Hippolyta: “I wooed thee with my sword” (1.1.16).

<sup>9</sup> Loomba asserts that “Oberon uses the juice of ‘a little western flower’ to trick Titania, but he disciplines her by a manipulated arousal of her sexual appetite, so that even her desire is not her own” (195).

<sup>10</sup> 2.1.200-201

But, my good lord, I wot not by what power—

But by some power it is – my love to Hermia,

Melted as the snow, seems to me now

...

And all the faith, the virtue of my heart,

The object and the pleasure of mine eye

Is only Helena. (4.1.161-163, 165-167)

Demetrius is not mistaken that the change in his affection is due to “some power.” Just as Bottom is aware that *something* took place during the time he was with Titania, even if he cannot quite remember what that something was, Demetrius knows that his feelings are the result of an outside force.<sup>11</sup> This knowledge, however, does not seem to give him the ability to alter his feelings. In fact, there is no indication that he wants to do this. As he says, Helena occupies the faith and virtue of his heart. Where before Demetrius was said to have been a “spotted and inconstant man,” his amorous eye is now focused only on Helena (1.1.110). And in addition to the shift in his affection, Demetrius is now amending the harsh statements he previously made to

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<sup>11</sup> As Catherine Belsey writes of Bottom’s experience:

What happened cannot be reported because it can’t be specified. Even its status as illusion or reality is unclear: was it a vision, or a waking dream? Bottom is not sure. ‘I have had a most rare vision. I have had a dream, past the wit of man to say what dream it was’ (*A Midsummer Night’s Dream*, 4.1.204–6). The play, of course, delicately evades the question of what actually went on, since whatever it is takes place offstage, in Titania’s bower (3.1.197). The ass, preoccupied by oats and hay, as well as a desire to be scratched, apparently made very little of the event until afterwards when, lodged precariously in the memory, it is unable to be made fully present, accounted for, recorded, textualised. For Bottom now, waking up, it is not therefore so much a question of recovering lost presence as of producing something new which is nonetheless already recognisable, of *making* sense of an event. (96)

Helena. When they first entered the forest, he told her, “I am sick when I look on thee,” but now he says:

To her, my lord,  
Was I betrothed ere I saw Hermia  
But like in sickness did I loathe this food;  
But, as in health come to my natural taste,  
Now I do wish it, love it, long for it,  
And will for evermore be true to it. (2.1.212, 4.1.168-173)

Demetrius claims that he has come to his natural taste “as in *health*,” but the only thing that has changed since he flatly told Helena, “Do I not in plainest truth / Tell you I do not nor I cannot love you,” is that he has been drugged by Oberon (2.1. 200-201). Thus, it is precisely the opposite of health that has brought about this change in his feelings. The immense danger of the flower’s juice is shown in Demetrius’s ability to both recognize that there is an outside force influencing his emotions and think that the infatuation he feels is akin to a healthy change. And his desire for Helena is not mild. His words reflect the mad doting that Oberon described: he “wishes,” “loves,” “longs” for Helena. Oberon has delivered on his promise: “Ere he do leave this grove...he shall seek thy love” (2.1.246).

**“I’ll streak her eyes, / And make her full of hateful fantasies”<sup>12</sup>**

After Oberon’s assault of Titania, he must leave her presence, for he is now a passive bystander and Titania, when she awakes, will function as an active agent. According to Oberon’s plan, Titania awakes to Bottom singing and, though Puck has given him an ass-head, Titania’s “eye is

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<sup>12</sup> 2.1.257-58

enthralled to [his] shape” (3.1.123). Titania’s attraction to Bottom soon takes a downward turn as Bottom upsets the Fairy Queen with his words, “If I had wit enough to get out of this wood, I have enough to serve mine own turn” (3.1.132-33). The thought of being separated from her new love object is unacceptable and it becomes clear that Titania will not be giving Bottom the option to leave: “Out of this wood do not desire to go. / Thou shalt remain here, whether thou wilt or no” (3.1.134-135). Titania will not only confine Bottom to the forest but—as she goes on to state that she “will purge [his] mortal grossness so / That [he] shalt like an airy spirit go”—will be taking control of what happens to his body (3.1.142-143). Eventually, she will have her faeries “tie up [her] love’s tongue [and] bring him silently,” an act that reveals she has no intention to ask for his consent (3.1.182).

While Bottom is Titania’s victim, however, Titania’s role as his perpetrator is questionable. Titania’s infatuation with Bottom is compulsory and it evokes Junior Brother’s words: “For I’d no power to see her and to live” (Middleton 1.2.62). The scaffold does not await Titania, but unlike Junior Brother, Titania’s actions are not due to a lack of willpower or a temporary lapse in judgement. When Titania sees Bottom, she is *truly* powerless to suppress her manufactured desire for him. With Titania unable to resist her sexual urges and Bottom defenseless against her power, who is the perpetrator in Bottom’s rape? Or, as Melissa Sanchez asks, “What is the nature of individual responsibility when individual resistance is futile, if not impossible?” (88) Titania is unaware of her incapacitated state. She does not know that there is anything to resist. Nonetheless, Titania does have agency. While she does not have a choice in her infatuation with Bottom, she does have a choice in how she pursues him. Does the fault of restraining Bottom lie with Titania or, as she is under the influence of a drug, should none of her actions be considered her own?

In our legal system, a defendant's mental state and their crime is considered. As law professor, Kari Hong, explains: "the legislature defines the mental state, known as mens rea, as what a defendant must have when engaging in the prohibited conduct—known as the actus reus. Together the bad thoughts and the bad act combine to constitute the elements of the crime" (272).<sup>13</sup> While Titania committed the bad act, she did not have the bad thoughts. A similar claim can be made of Oberon. He facilitated Bottom's rape in that he prompted Titania's actions, but in the eyes of the law, he would have the bad thoughts and not the bad deeds. Oberon's role is complicated further, however, when we take into consideration what bad deeds he does perform. He may not physically be present during Bottom's rape, but he does apply the drops to Titania's eyelids himself. And his application of the flower's juice is most certainly done with an intention to harm. Speaking to Puck about the flower, he says, "And with the juice of this I'll streak her eyes, / And make her full of hateful fantasies" (2.1. 257-58). His assault of Titania, then, marks Oberon as criminally responsible—he had an intent to harm while engaged in a harmful act. Oberon's conversation with Puck also indicates that Oberon's assault is pre-meditated. As soon as Titania declared that she would not give up her changeling boy, Oberon began to plan to "torment [her] for this injury" (2.1.147). He carefully selects his weapon and while swords and daggers may be ideal options for those in the human world, Oberon chooses a tool that reflects his role as Fairy King: an enchanted flower. As Amanda Bailey notes, *A Midsummer Night's Dream's* "interest in magic...suggests Shakespeare's indebtedness to a developing early modern scientific discourse. Yet the play's Athenian setting and inclusion of Theseus...situates its action squarely in the intellectual tradition of common law" (403). As such, the magic in the play is "a

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<sup>13</sup> Hong, Kari. "A New Mens Rea for Rape: More Convictions and Less Punishment." *American Criminal Law Review*, vol. 55, no. 2, Spring 2018, pp. 259–332. General OneFile.

form of power which, like the law, regulates relations among different parties by exploiting and constraining their control over one another” (403). Oberon ultimately uses the magic of the flower to control Titania, but he also exploits his role as her husband to execute his plan. As her husband, he is privy to her habits and he uses this information to assault her when she is most vulnerable. When speaking to Puck about how he will apply the flower’s juice, Oberon provides an intimate image of her resting place:

I know a bank where the wild thyme blows  
Where oxlips and the nodding violet grows,  
Quite overcanopied with luscious woodbine,  
With sweet musk-roses, and with eglantine.  
There sleeps Titania sometime of the night,  
Lulled in these flowers with dances and delight;  
And there the snake throws her enameled skin,  
Weed wide enough to wrap a fairy in; (2.1. 249-256)

Oberon’s words conjure sweet smells of roses and violets, the movement of blowing thyme, and the image of a tucked away garden covered—“quite overcanopied”—in a variety of flowers. When he mentions that this bank is where Titania sleeps, he also notes that she is “lulled” in the flowers. The word “lull” denotes a sense of calm or soothing. Being in a sleeping state already indicates vulnerability and the imagery of delicate flowers surrounding Titania enhances this feeling. Oberon’s final two lines seem to signal a shift in this otherwise pleasant imagery. He likens Titania to a snake and the metaphor only serves to draw more attention to how exposed she will be. This private space, filled with fragrant flowers, is where Titania comes to rest and shed her “enameled skin”—her protective layer. But the serenity that Titania is accustomed to

experiencing in this covered garden will soon be disrupted by Oberon. Instead of keeping the location of his wife's resting place safe, he will invade it with the intent to harm her.

Oberon's plan to take advantage of Titania in her most vulnerable state suggests that, like most rapists, he wants to exert the most control over his victim. Shirley Nelson Garner writes:

At the beginning, Oberon and Titania would seem to have equal magical powers, but Oberon's power proves the greater. Since he cannot persuade Titania to turn over the boy to him, he humiliates her and torments her until she does so. He uses the love potion not simply to divert her attention from the child, so that he can have him, but to punish her as well. (50)<sup>14</sup>

While Oberon does humiliate and torment Titania, I would argue that these actions signal weakness and not power. As Garner acknowledges, Oberon is not capable of persuading Titania to give up the boy. Only by putting Titania in a state of incapacitation can Oberon gain the upper hand in the couple's relationship.<sup>15</sup> And, notably, to induce Titania's drugged state, Oberon turns to Cupid's power, not his own:

Cupid, all armed. A certain aim he took  
At a fair vestal thronèd by the west,  
And loosed his love-shaft smartly from his bow  
As it should pierce a hundred thousand hearts. (2.1.157-160)

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<sup>14</sup> Garner, Shirley Nelson. "A *Midsummer Night's Dream*: Jack Shall Have Jill; / Nought Shall Go Ill." *A Midsummer Night's Dream: Critical Essays*, edited by Dorothea Kehler, 1 edition, Routledge, 1997, pp. 127-44.

<sup>15</sup> Oberon's desire for power is further exhibited in his need for Titania to "render up her page" (2.1.185). With her distracted by her infatuation with Bottom, it would be easy for Oberon to simply take the changeling boy, but Oberon needs Titania's complete submission; he needs her to *give* him the boy.



Cupid is the one who shoots his enchanted arrow. His power ultimately imbues the flower with the ability to make anyone infected with its nectar experience love-sickness. And Puck is the one who will “fetch [Oberon] that flower” (2.1.169). Oberon’s task is the assault; he has no role in giving the flower its magic or even the great speed with which Puck retrieves the plant. More, Puck is the one who “left sweet Pyramus translated there; / When in that moment, so it came to pass, / Titania waked and straightaway loved an ass” (3.2.32-34). Puck’s mischief has added to Titania’s humiliation, not Oberon’s craftiness or power. His limited thinking is confirmed in his reply to Puck’s report: “This falls out better than I could devise” (3.2.35). The flower’s nectar, then, only gives Oberon a temporary power over Titania. He does succeed in getting the changeling boy. However, Titania’s parting with the boy may be just as fleeting as her infatuation with Bottom. When she wakes, she asks Oberon, “how came these things to pass?” (4.1.75). Oberon ignores her question, telling her instead “silence a while,” but he cannot silence her forever (4.1.77). Titania follows him to bless Hippolyta and Theseus’s marriage ceremony, but she does not forget her earlier question. Rather, she says:

Come, my lord, and in our flight  
Tell me how it came this night  
That I sleeping here was found  
With these mortals on the ground. (4.1.96-99)

Titania’s statement, notably not a question, makes it clear that she will not let Oberon get out of explaining the day’s events. Just as Bottom attempts to make sense of his “most rare / vision,” Titania seeks clarification of the “visions” she has seen (4.1.199-200,73). Magic is, after all, just

a form of power. Cupid's flower and Dian's bud were just tools Oberon employed in his manipulation of Titania's right to consent to sexual acts.<sup>16</sup>

While his use of these flowers as tools of sexual violence and his clear malicious planning shows that Oberon has mens rea while engaging in actus reus regarding Titania's assault, Bottom's rape is still not accounted for legally. This gap in legal statutes necessitates a discussion of the special role consent can play in acts of facilitated sexual violence. As noted throughout this dissertation, the legal definition of rape was beginning to shift during the early modern period. Women, no longer thought of as property, were beginning to be seen as individuals whose will played a larger role in determining the validity of rape claims.<sup>17</sup> As Miranda Chaytor notes: "For so long as rape was perceived as a theft, the woman herself was not called into account; the crime lay in the robbery...But once the law began to turn on consent, what was at stake was not property, but sexuality, morality, not the criminal's act but the victim's resistance, her innocence, her will, her desires" (396). This understanding of consent would seem to suggest that someone who engaged in intercourse with an unconscious woman

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<sup>16</sup> As indicated in 4.1.70-71, Oberon used "Dian's bud" to undo the spell laid with "Cupid's flower": "Dian's bud o'er Cupid's flower / Hath such blessed power." These lines also stress that the power lay in the flowers, not with Oberon.

<sup>17</sup> Legal conceptions of "rape" were changing in the early modern period. Explaining how "the change...lay in the role assigned to the victim, the weight attached to consent," Miranda Chaytor explains:

'Rape,' Matthew Hale wrote... 'is the carnal knowledge of any woman above the age of ten years against her will, and of a woman-child under the age of ten years with or against her will'...the centrality of consent which Hale formulates here had not (as far as I know) been formulated so clearly before. It isn't that the concept was lacking in earlier centuries...but simply that its status was weak, in that what was determined by the victim's consent was not *whether* a rape had been committed but *in whose name* the prosecution was brought: 'If a feme covert be ravished and *consent to the ravisher*,' Edgar wrote in *The Lawes Resolutions*, 'the husband alone may have an Appeale'...[In short,] (395-396, emphasis in original)

Chaytor, Miranda. "Husband(ry): Narratives of Rape in the Seventeenth Century." *Gender & History*, vol. 7, no. 3, 1995, 378-407.

would be guilty of rape, as the woman could not consent. And yet, as Chaytor emphasizes, the focus was not on the criminal's act, but on the victim's resistance. An unconscious woman cannot offer resistance for the same reason that she cannot consent.

This emphasis on the victim's behavior, rather than the criminal's act has brought about a dangerous link between resistance and consent that still persists today. The two have become somewhat synonymous with one another. For example, according to a 2011 study, less than 3% of college women who were raped in situations involving drugs or alcohol reported their rapes to the police" and these women were less likely to acknowledge their experience as rape (Maurer 783).<sup>18</sup> One explanation for why incapacitated sexual assault is not typically acknowledged as rape is that "Incapacitated assault is inconsistent with the rape myth that the archetypical rape is violent because the victim resists" (783).<sup>19</sup> The idea that a victim needs to fight back or to be attacked with a weapon is still a stereotype in today's culture, but more importantly, it is still a big factor in today's legal system: "forty-six jurisdictions (forty-five states and Washington, D.C.) define rape as involving an actus reus of force" (Hong 277). In a disturbing 2017 case in which a 15 year old-girl was gang-raped:

A jury convicted Mr. Brown of rape in concert of a minor, forcible rape, rape of an intoxicated person, and rape of an unconscious person. But on appeal, the conviction for forcible rape was reversed. The issue in the case was that there were two encounters, one in a bedroom in which five men, including Mr. Brown, pushed the victim onto her hands

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<sup>18</sup> Maurer, Trent W. "Perceptions of Incapacitated Heterosexual Sexual Assault: Influences of Relationship Status, Perpetrator Intoxication, and Post-Assault Sleeping Arrangements." *Violence Against Women*, vol. 22, no. 7, 2016, pp. 780–97. *PubMed*.

<sup>19</sup> Kilpatrick, et. al. defines incapacitated rape as an "unwanted sexual act involving all forms of penetration that occurs after the victim voluntarily uses drugs or alcohol. The victim is passed out or awake but too drunk or high to know what she is doing or to control her behavior" (10).

and knees and held her in that position while penetrating her, and a second in a vacant apartment in which the victim pushed away Mr. Brown and then fell unconscious. The court agreed that the bedroom encounter involved sufficient force to uphold a rape conviction, but the second one did not on the basis that ‘[b]ecause [the victim] was unconscious, there was no need to use force or fear to overcome her will.’ Because the prosecution had argued both encounters met the definition for force, there was potential that the jury wrongfully considered that second encounter met the definition of a forcible rape. The court accordingly reversed the conviction. (276)

Here, we see the precedence force takes in rape statutes. Not only does it play a major role in the prosecution of rape, but force also dominates cultural perceptions of sexual violence. The definition of rape, articulated by Matthew Hale, as “the carnal knowledge of any woman above the age of ten years *against her will*, and of a woman-child under the age of ten years with or *against her will*” still influences our understanding of the word today (Chaytor 395, my emphasis). Though there was no doubt regarding whether five men forcibly raped a minor at some point on the day this “second encounter” took place, our legal system’s focus on *will* makes it easier to scrutinize a victim’s behavior than punish a perpetrator. More, the emphasis on overcoming a victim’s will reinforces the idea that victims must actively resist attackers. Until our justice system focuses more on the actions of perpetrators, we will continue to see outcomes like Mr. Brown’s reversed conviction. When determining whether an event involves sufficient force to convict a defendant of rape, courts will continue to consider *whether* “there was...need to use force or fear to overcome” the victim’s will and completely ignore *the reason why* there was no need to use force.

**“The will of man is by his reason swayed”<sup>20</sup>**

As stated in the beginning of the chapter, the play’s framework for consent shifts as Lysander and Hermia flee from Athens to the forest of the fairies. Lysander tells Hermia that “the sharp Athenian law / Cannot pursue” them once they reach his aunt’s home, but the power of that law fades as soon as the couple reaches the forest. While the patriarchal ideology of Athens devalued Hermia’s consent—she could not be forced to wed Demetrius, but her consent alone was insufficient to secure her marriage to Lysander—Hermia’s escape to the forest allows her to take more control of her body without removing it from the heterosocial market.<sup>21</sup> When the young couple prepares to spend their first night in the forest, Hermia makes it clear that she understands the worth she holds in her patrilineal society. She tells Lysander: “for my sake, my dear, / Lie further off yet; do not lie so near” (2.2.49-50). Of course, Lysander attempts to convince Hermia that his request is an innocent one—“O, take the sense, sweet, of my innocence!”—but Hermia is firm and will not be taken in by Lysander’s flattery:

Lysander riddles very prettily

...

But, gentle friend, for love and courtesy,

Lie further off, in humane modesty.

Such separation as may well be said

Becomes a virtuous bachelor and a maid,

So far be distant; and good night, sweet friend.

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<sup>20</sup> 2.2.121

<sup>21</sup> In running away with Lysander, she reserves the option to accomplish what Kathryn Schwarz labels “the chanciest task of heterosocial ideology, the elusive transmutation of virginal separatism into chaste marriage” (112). Schwarz, Kathryn. *What You Will: Gender, Contract, and Shakespearean Social Space*. University of Pennsylvania Press, 2011.

Thy love ne'er alter till thy sweet life end. (2.2.51, 59, 62-67)

Though Lysander speaks of love in his attempts to convince Theseus to let him marry Hermia, this word is notably absent from Hermia's strategy for preserving her virginity.<sup>22</sup> Instead, Hermia acknowledges the commodification of the female body in Athenian society, just as she did when, attempting to exert some control over her body, she told Theseus in his court that she will join a nunnery "ere she will yield her virgin patent up" (1.1.80). Her "love" was not being bartered; rather, it was the disposition of her virgin body. So, too, until she and Lysander *are* married, she must preserve her virginity. To do so, she reminds Lysander of their unwed status by referring to them as "a virtuous bachelor and a maid." Additionally, she repeatedly refers to him as her friend—"my gentle *friend*" and "my sweet *friend*." This contrasts with the more affectionate language she uses the next day—"sweet *love*" and "my *love*"—when daylight and the presence of their companions, Helena and Demetrius, provide her with an alternative means of protecting her chastity (3.2.263, 273).<sup>23</sup> The palace scene did more than just remind Hermia of her place in

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<sup>22</sup> Lysander's comment to Demetrius links love to marriage—"you have her father's love, Demetrius; let me have Hermia's. Do you marry him" (1.1.93-94). But Hermia, as does her father, recognizes that, for the Athenian legal system, who she loves and who she marries does not need to be the same person. Egeus responds: "True, he hath my love; And what is mine my love shall render him, / And she is mine, all my right of her / I do estate unto Demetrius" (1.1.95-98). Only Egeus's love matters; it determines who will receive Hermia's body.

<sup>23</sup> European women in the higher echelons of society found it easier to substantiate their innocence in cases of sexual assault than domestic servants and women who worked outside of the home. This was because upper class women were, ostensibly, always with servants, a male chaperone, or other women of their social class. The absence of chaperones when Hermia is alone in the forest with Lysander makes separation necessary for the maintenance of Hermia's virtue—or perhaps more importantly, the appearance of her virtue. However, when they are in the presence of Demetrius—who, as the man her father has chosen as her future husband, can be viewed as a male chaperone—and Helena—a woman of their social class—Hermia may feel more comfortable using affectionate terms with Lysander. The couple has someone to "substantiate their innocence." For more information on women, class, and sexual violence, see Julius Ruff's *Violence in Early Modern Europe, 1500-1800*; Frances E. Dolan's *Dangerous Familiars: Representations of Domestic Crime in England, 1500-1700*.

Athenian society. It also reminded her of the fleeting nature of love. In his attempts to get Theseus to side with the young couple, Lysander says: “Demetrius...Made love to Nedar’s daughter, Helena, / And won her soul, and she, sweet lady, dotes...Upon this spotted and inconstant man” (1.1.106-108, 110). Demetrius’s inconstancy could afflict any of the lovers. Hermia’s final line to Lysander before they sleep shows her caution: “Thy love ne’er alter till thy sweet life end.” Hermia may love Lysander enough to flee her home, but as she shows in the opening scene, she is not a fool. She is as strategic in the forest as she is at court, and, in not compromising what patriarchal society deems her most prized possession, she makes sure that she keeps as many options available to her as possible.

Hermia’s caution is immediately proven warranted as Lysander’s love for her seems to shift to Helena the very next day. Unlike Demetrius, though, Lysander is not simply fickle in his desires. Instead, he has been drugged by Puck with the nectar of the “love-in-idleness” flower. Ironically, having fled the patriarchal rule of Athens, where the devaluing of feminine consent prohibited the couple from entering into a mutually consensual sexual relationship, the couple now finds themselves in the forest, where Titania’s authority provides the model for female autonomy. In this space, Hermia is able to take control of her body and it is here that she occupies what is perhaps her most agentive role in the play. She chooses Lysander as her *future* sexual partner while asserting her right as “a virtuous maid” to deny him access to her body. And yet, in the same space that Hermia is finally able to exercise her right to consent, Lysander will be stripped of his. For him, the forest becomes a space in which his sexual autonomy is lost, as he is incapacitated by Oberon’s rape-facilitating drug.

Puck finds Lysander and, mistaking him for another Athenian, Demetrius, “*drops the juice on Lysander’s eyelids,*” saying:<sup>24</sup>

Churl, upon thy eyes I throw

All the power this charm doth owe.

When thou wak’st, let love forbid

Sleep his seat on thy eyelid. (2.2.84-87)

Just as Titania does with Bottom, Lysander wakes to find Helena before him and immediately falls in love with her. Of course, he cannot love Helena and Hermia at the same time:

Content with Hermia? No, I do repent

The tedious minutes with her I have spent.

Not Hermia but Helena I love.

Who will not change a raven for a dove? (2.2.117-120)

Lysander’s declaration of love for Helena is one of comparison. Helena is the dove to Hermia’s raven.<sup>25</sup> In referring to Helena as “worthier,” Lysander indicates that there is another maid.<sup>26</sup>

Despite the echoes of Hermia in Lysander’s wooing of Helena, he is convinced that he loves Helena. Her apparently self-evident superiority to Hermia is not the only reason why:

The will of man is by his reason swayed,

And reason says you are the worthier maid.

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<sup>24</sup> Stage direction at 2.2.86.

<sup>25</sup> This comparison foreshadows Lysander’s later slurs that suggest Hermia has a darker complexion: “Away, you Ethiopie.”; “Out, tawny Tartar, out” (3.2.258, 265). For a brilliant discussion of why these slurs should be seen as more than just an allusion to dark and light hair, see Kim Hall’s *Things of Darkness: Economies of Race and Gender in Early Modern England*.

<sup>26</sup> This language contrasts to the words Demetrius will later use to discuss his love for Helena. He mentions Hermia only to say that his love for her has “melted as the snow” (4.1.163). Demetrius’s explanation to Theseus focuses on how he previously loathed Helena, but now loves her.



Things growing are not ripe until their season,  
So I, being young, till now ripe not to reason.  
And, touching now the point of human skill,  
Reason, becomes the marshal to my will,  
And leads me to your eyes.... (2.2.121-127)

Lysander's insistence that reason has led him to choose Helena is more than a little ironic, as the application of the flower's juice has made it impossible for Lysander to exercise reason.

Lysander believes Reason "leads...[him] to [Helena's] eyes," but it is Puck's application of the flower's nectar to *his* eyes that guides him. Oberon explains that the flower has the power to make a person take "what thou seest when thou dost wake...for thy true love" (2.2.33-34). Just as Demetrius claimed that he came to his newfound affection for Helena "as in health," Lysander insists that Reason has "become the marshal to [his] will" (4.1.171). However, the drug has actually become the marshal to his will. He is now forced to abandon Hermia and "madly dote" on Helena (2.1.171). In trying to make sense of their feelings, these two men have convinced themselves that their condition is the result of something positive. Not only have they been stripped of their capacity to consent, then, but the flower's juice has the ability to make the men—and Titania—active participants in what amounts to their own sexual assault.

Lysander and Titania will be freed from the powers of the flower's juice. Demetrius, however, will never wake from his drugged state. In a sense, he will remain Oberon's instrument forever. Not only will he continuously seek Helena's love, but when he engages in sexual acts with her in the future, he will be playing an active role in his own sexual assault. In the facilitator-instrument relationships between Oberon and Titania, and Oberon and Demetrius, the fairy king proves to be a facilitator unlike any previously discussed in this project. Other acts of

facilitated violence indicate that the facilitator-instrument relationship is inherently a dependent one, with the facilitator eventually having to take on the role of a passive bystander and rely on the actions of their instrument. However, while Oberon became more passive after drugging the sleeping Titania, and he will be less in control of the Athenians when they leave the forest, Oberon does not have to worry about his instruments' compliance. By introducing an outside agent—a magical flower—to the facilitator-instrument relationship, Oberon erases any possibility of resistance and renders Titania and Demetrius completely obedient for the duration of *his* will. The facilitator-instrument relationships in *A Midsummer Night's Dream*, then, can help us think about not only acts of facilitated sexual violence, but also how consent functions when a victim is incapacitated. As seen with Demetrius, Titania, and Lysander, incapacitation not only impairs an individual's ability to fully understand their circumstances, but removes their ability to consent.

As the reversal of Mr. Brown's conviction shows, U.S. sexual violence law still centers on force and will. This allows defendants to claim that “because [a] victim [is] unconscious there [is] no need to use force or fear to overcome [their] will” (Hong 276). Instead of thinking of will as something to be overcome, our court system should recognize it as something to be exercised. If the legal system shifted the concept of will in this way, then incapacitation could be viewed as a state in which a victim is unable to exercise their will.<sup>27</sup> As Shakespeare's play demonstrates, an inability to consent should not be taken as consent. Just as Titania, Demetrius, and Lysander were unable to recognize that they were in a situation that *required* their resistance, so in the law, the absence of dissent should not be taken as consent.

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<sup>27</sup> While I am focusing on the legal system's use of “will” here, I want to be transparent in my belief that force should only be considered an aggravating factor in rape charges and the term should otherwise be removed from rape and sexual assault statutes.

## CODA

### **“Legal interpretation takes place in a field of pain and death”:**

#### **Violence, Voice, and the Legal System—then and now**

This dissertation was written with an insistent backdrop of violence, particularly sexual violence. Such violence is experienced not only, as I show in this dissertation, in terms of interpersonal dynamics between perpetrator and victim, facilitator and instrument, but also in terms of social systems such as courts of law. Feminist projects such as mine typically approach such social systems as monolithic systems of constraint, in which women can only be further oppressed. This view, however, is too simplistic, and it risks eliding voices, particularly female voices, that protest and change their conditions of existence. The early modern texts I have read in this dissertation, alternatively, show us women’s diverse methods for affecting such change.

When *A Midsummer Night's Dream* opens, Egeus comes to Theseus’s court, hoping to assert his paternal right to choose who Hermia will wed. Unwilling to abide disobedience, Egeus “beg[s] the ancient privilege of Athens,” insisting that Hermia choose between forced matrimony or death. According to Peter C. Herman:

When, therefore, Egeus invokes the “ancient privilege of Athens,” Shakespeare employs a phrase that would have automatically granted the law in question tremendous authority in early modern England. The term was closely associated with the authority of the

Ancient Constitution, the privilege of Parliament, habeus corpus, and Magna Carta. In each of these cases, the privileges in question exist independently of the ruler, who, as even Henry VIII realized, must accommodate them rather than vice versa...[Further, when Egeus invokes this right,] he puts both Theseus and the audience on notice that this law is not something any ruler of a commonwealth, be it ancient Athens or late sixteenth-century England, can ignore or casually supersede. (11)

This scene takes place in a palace, but the mention of Hermia's death reminds the audience that what Egeus is requesting is not just the enforcement of an ancient custom. He is asking Theseus to pass judgement on a civil dispute between him and his daughter. Theseus's court, then, is much like a modern courtroom, with its powers over life and death. As legal scholar Robert Cover has argued, "legal interpretive acts signal and occasion the imposition of violence upon others," and, in deciding if and how this ancient privilege will be enforced, Theseus has the power to impose death upon Hermia (1601).

Egeus is impatient and demands that Hermia "here before your grace [Theseus] / consent to marry with Demetrius" (1.1.39-40). But Theseus must give his opinion on the matter before he allows Hermia to reply to her father:

Be advised, fair maid.

To you your father should be as a god,  
One that composed your beauties, yea, and one  
To whom you are but as a form in wax  
By him imprinted, and within his power  
To leave the figure or disfigure it.  
Demetrius is a worthy gentleman. (1.1.46-52)

Here, Theseus attempts to provide a justification for the patriarchal framework of Athens society that allows for Egeus to “dispose of” his daughter.<sup>1</sup> As Hermia’s creator, her father has the authority to preserve or destroy her. Almost as an afterthought, Theseus concludes with a line about the important, but silent Demetrius. Voicing an opinion he likely does not believe, Theseus refers to Demetrius as “a worthy gentleman”—a statement that contrasts with his later confession that he meant to speak to Demetrius about rumors regarding the man’s character.<sup>2</sup> And, as in confirmation, when Hermia rebuts Theseus’s compliment to Demetrius—saying “So is Lysander”—Theseus has no other information with which to recommend Demetrius (1.1.53). Instead, he returns to his argument regarding the importance of Hermia obeying her father.

Theseus’s continued promotion of the validity of the patriarchal system would suggest he agrees with Egeus that Hermia’s duty is to accept her father’s choice. Laura Levine supports this interpretation, going so far as to argue that “rather than transforming the sexual coercion he begins the play by promising to get rid of, [Theseus] immediately repeats it. Rather than undoing an act of sexual violence, he reenacts one. In fact, this sexual violence is embodied in the principle of Athenian law itself” (211). While Athenian law is certainly based on patriarchal

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<sup>1</sup> James A. Calderwood points out that, “If patriarchal authority rests on conception, then mothers have as natural a right to be considered gods as fathers. What is glaringly absent from Theseus’s justification of patriarchy calls our attention to what is glaringly absent from the scene itself—mothers” (427). “A Midsummer Night’s Dream: Anamorphism and Theseus’ Dream.” *Shakespeare Quarterly*, vol. 42, no. 4, 1991, pp. 409–30.

Margaret Tudeau-Clayton argues that Theseus asserts his political authority at the same time that he asserts Egeus’s authority as Hermia’s father. “Scenes of Translation in Jonson and Shakespeare: ‘Poetaster, Hamlet’, and ‘A Midsummer Night’s Dream.’” *Translation and Literature*, vol. 11, no. 1, 2002, pp. 1–23.

Also see: Weller, Barry. “Identity Dis-Figured: ‘A Midsummer Night’s Dream.’” *The Kenyon Review*, vol. 7, no. 3, 1985, pp. 66–78.

<sup>2</sup> When Lysander notes that Demetrius is a “spotted and inconstant man,” Theseus replies: “I must confess that I have heard so much / And with Demetrius thought to have spoke thereof” (1.1.110, 111-112).

authority, and thus on pervasive gender inequalities, I am not convinced that the text supports the idea that the Athenian legal system must embody sexual violence. As Herman notes:

While we are not privy to the exact wording of the ‘ancient privilege of Athens,’ I think we can safely assume that the ‘true intent’ (Coke, *Reports* I:80) of this privilege is not to kill, but to enforce daughterly obedience to paternal authority. Theseus’s job is to ‘make such construction as shall suppress the mischief, and advance the remedy’ (Coke, *Reports* I:80), the reasonableness of the demand put upon the daughter unfortunately not being a relevant factor. (15-16)

Indeed, we do not know the exact wording of the privilege Egeus invokes. While I hesitate to make any assumptions regarding “true intent,” the words of the text offer some clarification regarding Athenian law. Egeus says:

I beg the ancient privilege of Athens  
As she is mine, I may dispose of her,  
Which shall be either to this gentleman  
Or to her death, according to our law  
Immediately provided in that case. (1.1.41-45)

As stated here, the ancient privilege refers to Egeus’s ownership of Hermia and his subsequent right to dispose of her. The demand, as Herman notes, is secondary and up to the father. This elucidation does not make Hermia’s situation much better, but it does, at least as far as this law is concerned, challenge the idea that a particularly *sexual* violence is built into the Athenian legal system. Indeed, to accede to that view is to accept that women have absolutely no power to contest the conditions of patriarchal oppression.

Similarly, while Theseus begins the play alluding to sexual violence, I am not certain that he repeats this act in his interaction with Hermia. Rather, his various examples of why Hermia should submit to her father's will can be taken as his justification for the violence he knows he is about to impose. Cover writes: "Interpretations in law also constitute justifications for violence which has already occurred or which is about to occur. When interpreters have finished their work, they frequently leave behind victims whose lives have been torn apart by these organized, social practices of violence" (1601). Theseus, in order to affirm Egeus's request for the ancient privilege, must provide an explanation for the law's application and enforcement. As Athens does appear to be founded on a patriarchal system, it is logical that he would draw on this discourse to justify his decision.

But of course, Theseus has yet to render a decision. Before he does, Hermia is given the chance to speak and she uses the opportunity to ask a question of her own:

I do entreat your grace to pardon me.  
I know not by what power I am made bold,  
Nor how it may concern my modesty  
In such a presence here to plead my thoughts,  
But I beseech your grace that I may know  
The worst that may befall me in this case  
If I refuse to wed Demetrius. (1.1.58-64)

Hermia may not be in a court of law, but she is in a space where, as a woman, she is not expected to play an active role. Despite this, however, Hermia chooses not to accept her father's interpretation of the ancient privilege as fact, and she summons the courage to ask for clarification. Recognizing she is in a male dominated space, Hermia begins her statement with a

request for pardon. She also acknowledges that her actions are bold, and ascribes her ability to proceed with them to an unknown force.<sup>3</sup> In this way, she can, if only rhetorically, excuse herself. She goes on to recognize that her speech, in the company of so many men, may affect their perception of her modesty. However, in using the word “but,” she indicates that this concern for how her boldness will come across or the possible taint on her modesty is outweighed by the importance of the question she is about to ask. With her life on the line, Hermia must know if death is really the only alternative to marrying Demetrius.

The importance of Hermia’s question cannot be overstated. In challenging the authority of her father by seeking Theseus’s interpretation, Hermia provides Theseus with the space to employ *aequitas*. As Herman notes:

one finds a keen awareness that the rigor of law sometimes needed to be softened by a form of *aequitas*, or equity. As Aristotle writes in the *Rhetoric*, equity is ‘justice that goes beyond the written law’ (1.13.13), and by the Elizabethan period, it was understood that legal interpretation covered a very wide range of options. (12)

Had Hermia simply accepted Egeus’s word and chosen to agree or refuse to marry Demetrius, Theseus may not have had the opportunity to offer a third option. He would have had to enforce

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<sup>3</sup> This statement contrasts interestingly with Demetrius’s later statement to Theseus regarding his feelings for Hermia:

But, my good lord, I wot not by what power—  
But by some power it is – my love to Hermia,  
Melted as the snow, seems to me now.... (4.1.161-163)

Both Demetrius and Hermia understand that a power guides their feelings and actions, respectively, but where Demetrius is unaware of the source, it is unlikely that Hermia’s statement is more than a rhetorical strategy. Additionally, both characters are expressing their disinterest in one another, but while Hermia knows she must tread carefully, Demetrius’s incapacitated state does not allow him to recognize the potential danger he is in. At the time he confesses his feelings to Theseus, Egeus is still insisting that Hermia marry Demetrius and Theseus could punish all of the lovers for their perceived transgressions.



the privilege as it was written and allow Egeus to “dispose of [Hermia]...either to [Demetrius] / Or to her death, according to [their] law” (1.1.42-44). Instead, Theseus uses this moment to do “as much as he can ‘to temper and mitigate the rigour of the law’” (Herman 16). He adds the option for Hermia “to abjure / For ever the society of men” (1.1.65-66). Not only does this third option give Hermia the ability to escape death, but it provides her with the ability to take control of her body’s commodification by taking it out of circulation completely.

While he has given her this third option that saves her from physical death, Theseus’s warning to Hermia makes clear that he does not view a celibate life as very much of a life:

Therefore, fair Hermia, question your desires.  
Know of your youth, examine well your blood,  
Whether, if you yield not to your father’s choice,  
You can endure the livery of a nun,  
For aye to be in shady cloister mew’d,  
To live a barren sister all your life,  
Chanting faint hymns to the cold fruitless moon,  
Thrice blessed they that master so their blood  
To undergo such maiden pilgrimage;  
But earthlier happy is the rose distilled  
Than that which, withering on the virgin thorn,  
Grows, lives, and dies in single blessedness. (1.1.70-78)

Just as Junior Brother reminds his judges that “flesh and blood” fueled his desire and drove him to lust, Theseus draws Hermia’s attention to the fact that she is a young woman with desires and passion. Her “blood” will have to be tempered forever. His words suggest that the life of a nun is

akin to that of a prisoner. Hermia will “for aye” be encaged and that fate is something to be “endure[d].”<sup>4</sup> The words he uses to emphasize that she will never bear children—“barren,” “cold,” “fruitless”—convey a sense of emptiness and loneliness. He does not mention the women who will share her solitude and form a community. His one attempt at a positive comment—“thrice blessed they that *master so their blood*”—focuses on the hard work it requires to “master” one’s desires rather than what might be gained from life-long celibacy. And he immediately undoes any positive aspiration when he likens virgins to “withering” flowers and says that other “roses” are happier for having been “distilled” by their sexual contact with men. By the end of his short monologue, the third option seems little better than the other two as Theseus’s concluding lines suggests that Hermia would be happier “distilled” by Demetrius than withering on the virgin thorn.

Fortunately, Theseus does not ultimately make Hermia’s decision and, regardless of his opinion, he has presented her with an additional option—an option Hermia does not hesitate to choose. Not only does her choice take away her father’s power to dispose of her as he saw fit, but the language she uses rejects Theseus’s portrayal of a life of celibacy as a living death. She takes this moment to assert that Theseus has provided her with an opportunity to be an active agent in her life. Rather than live as a prisoner, she will experience more freedom as a nun than she did as her father’s daughter. She tells Theseus:

So will I grow, so live, so die, my lord,

Ere I will yield my virgin patent up

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<sup>4</sup> The *Norton Shakespeare* edition glosses “mewed” as “caged in” (338). Shakespeare, William. *A Midsummer Night’s Dream*. Edited by Stephen Greenblatt et al., Third edition, W. W. Norton & Company, 1997.

Unto his lordship whose unwished yoke

My soul consents not to give sovereignty. (1.1.79-82)

When she says “So will I grow, so live, so die,” Hermia speaks for her past, present, and future. While the sentence can be read as “I have grown up as a virgin, I live as a virgin now, and I will die as one,” the construction suggests that the emphasis should be on “will.” Appropriating for herself ultimate power when her father refused to give her even the slightest, Hermia suggests that through her will she has grown and lived as a virgin, and through her will she will die as one. The rest of her words are chosen just as carefully. In using the word “patent,” Hermia invokes the idea of rights and she will not yield hers to others. Her final clause begins with “my soul consents not.” The “my” makes clear that whatever it is she will talk about in this sentence, it will be hers. In an exchange in which her father said “as she is mine, I may dispose of her,” for Hermia to declare that she is the possessor of her own soul is an important assertion. Her next two words, “soul consents,” indicate that her decision is not merely an intellectual acknowledgement that she should have control over who she marries—though that would be sufficient—nor is she making an arbitrary choice. While her father can give no reason for why he prefers Demetrius and simply reiterates the laws of Athens, Hermia makes her case personal. She chooses Lysander because she loves him and she chooses a nunnery over Demetrius because that is what her very core, the part of her which may very well outlive her body, consents to. The word “consent” is crucial here, and she “consents not to give sovereignty” to her father. In obtaining the option to commit herself to a nunnery, then, Hermia is able to secure sole authority over her body and its sexual function.<sup>5</sup>

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<sup>5</sup> In interpreting the ancient privilege in such a way that permits Hermia to enter a nunnery—rather than choose between death and the sexual violence marriage to Demetrius would impose—Theseus, whether he intends to or not, creates a loophole in the Athenian legal system

Hermia's success in contesting the terms of patriarchal authority is reminiscent of the Duchess's participation in the trial that begins *The Revenger's Tragedy*. The Duchess's goal is certainly not as lofty and her tactics are not as mild as Hermia's. Hermia enters Theseus's palace hoping to find an alternative to the options her father sets out for her: death or rape disguised as marriage. In the courtroom scene that opens *The Revenger's Tragedy*, the Duchess is attempting to secure a pardon for her son, who is guilty of raping a woman. Despite the differences in their goals and their positions in life—a daughter versus a mother, a Duke's subject versus a Duke's wife—both women are subordinates. And yet they both find a way to use their position as subordinate feminine subjects to disrupt these male dominated spaces and successfully accomplish their goals.

The Duchess will not, as Hermia does, “entreat [any] grace to pardon” her, but she does initially attempt to affect her son's proceedings by emphasizing her femininity and subordinate status (Shakespeare, *Midsummer* 1.1.58). She kneels before the Duke, saying “My gracious lord, I pray be merciful... Temper his fault with pity” (Middleton, *The Revenger's Tragedy*, 1.2.21, 26). And when this does not work, she tries to invoke sympathy: “No pity yet? Must I rise fruitless then? / A wonder in a woman!” (1.2.21, 26, 37-38). Here she calls attention to the fact that she is a woman and, in saying “fruitless,” she reminds her husband that she is also a mother. More, the word “fruitless” indicates a lack of children which foreshadows the result of her husband's failure to save her son. When these words fail, however, the Duchess changes tactic. Emphasizing her femininity is only one of her strategies. Hermia rejects Theseus's legal

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that allows women to remove their bodies from the sexual economy of Athens patriarchy. While Theseus cannot and does not undo the sexual violence he committed against Hippolyta, his act of giving Hermia the opportunity to enter an all-female community is an affirmative step towards fulfilling his vow to “wed [Hippolyta] in another key” (1.1.18).

interpretive act, but the Duchess works within the bounds of Cover's view that "legal interpretive acts signal and occasion the imposition of violence upon others" (1601). Rather than allow a legal interpretive act to occur, she prevents the judges in her son's trial from speaking:

First Judge: This be the sentence—

Duchess: O keep't upon your tongue: let it not slip...

First Judge: Tomorrow early—

Duchess: Pray be abed, my lord.

First Judge: Your grace much wrongs yourself...

Let that offender—

Duchess: Live and be in health. (1.2.67, 77-78, 80)

The Duchess not only intrudes on a male space, but she talks over the men in that space. This tactic works: it gives the Duke enough time to change his mind about not interfering in his stepson's trial. He bids the judges to hold their judgment and the Duchess accomplishes her goal of preventing her son's execution.

Both of these scenes showcase the violence that can be imposed by speech, particularly legal speech, against women. Hermia and the Duchess provide key examples of how female agency can be used to combat this violence. They employ different methods—one actively disrupts speech acts and the other rejects the violence they impose—but they both, in some way, refuse to retreat from male spaces. Instead, they embrace their femininity and use the disorder its presence can cause in these male dominated spaces to their advantage. The ancient privilege of Athens was invoked by Egeus and would have been enforced by Theseus, completely excluding women from the process, but in securing a third option, Hermia participates in the Athenian legal system. Further, in rejecting Theseus's interpretation, she imposes her own meaning on his

interpretive act and, in the process, redefines the nunnery as a space of female empowerment, rather than one of imprisonment. Through strategic use of her femininity and the power of her speech, the Duchess exercises female agency in the courtroom and, ultimately provides not just an example of female participation in the play's justice system, but of the potential that such participation has.

The potential of the Duchess's participation, in the justice system and throughout the rest of the play, is at the center of my project. In my first chapter, I analyzed the Duchess and her manipulation of the male characters around her. I argued that, just as she employs her femininity in the courtroom to negate the violence of the judges' legal speech, she uses her sexuality as a weapon. Recognizing this allows me to argue that violence is gendered. Her use of cuckoldry to harm her husband, in particular, shows that not only is violence gendered, but that certain acts of violence are exclusive to women. It follows, then, that some harm is exclusive to men. The Duchess, when she kills the Duke in his forehead, performs a specifically feminine act of violence, inflicting a unique harm: "That wound is deepest, though it never bleed" (1.2.108). It is the Duchess's "understanding of and acquiescence in a heterosocial schematic" that allows her to do this (Schwarz 118).

In addition to asking whether violence is gendered for early moderns, my project is concerned with the consequences for performing acts considered aberrant for one's gender, facilitated acts of violence, and how facilitation might affect the possibility for transgressive behavior. An examination of the two oppositely-gendered facilitator-instrument pairs in *The Maid's Tragedy* allowed me to outline what an act of facilitated violence is and the key elements of the facilitator and instrument roles. The facilitator-instrument relationship is mutually dependent and the power balance is inherently unstable. A facilitator orchestrates the act, but

also takes on a passive role as their instrument will ultimately enact their plan. The instrument, then, is under the control of a facilitator at the same time that they are an active agent. The balance between controlling and being controlled is tenuous and a successful facilitator must be able to impose their will on their instrument. One facilitator in *The Maid's Tragedy*, Melantius, succeeded in doing this. As a result, his sister followed his direction and murdered her lover, the king. In doing so, she also committed an act of transgressive violence. The idea of a woman performing the heinous crime of murder by dagger was incomprehensible. Because the presence of a male facilitator gave characters the means to avoid the anxiety provoked by a female murderer, blame ultimately was assigned to the “appropriate” gender. As a successful facilitator must completely overtake their instrument’s will, this blame—at least in the case of Evadne and Melantius—may not be misplaced.

The final two chapters of my dissertation turned towards present-day issues regarding sexual assault, consent, and agency. I argue that early modern scholarship has overlooked the elements of coercion present in Shakespeare’s *Venus and Adonis* and that Venus’s treatment of Adonis is not comedic, but instead demonstrates sexual aggression. More, I assert that the inversion of the expected gender roles in the poem is the reason Adonis’s assault has been overlooked for so long. Drawing on examples from the #MeToo movement and borrowing a concept from the social sciences, “stereotypical sexual victimization paradigm,” I use the poem to discuss the common misconception that perpetrators of sexual assault are male and their victims female.

I hone in on consent and agency in my final chapter, looking specifically at how consent and agency function in cases of incapacitation in Shakespeare’s *A Midsummer Night's Dream*, asking how this text could be used to address the high prevalence of incapacitated and drug-

facilitated rape on college campuses. Facilitated violence emerges in this chapter as well as I argued that, with the aid of the magical flower, Oberon facilitates the rape of Bottom and the future rape—by way of his marriage to Helena—of Demetrius. Similar to my analysis of *Venus and Adonis*, I address another rape myth: the idea that rape necessarily involves physical violence or force of some kind. I focus on U.S. law regarding sexual assault and rape as, sadly, many states still, to some extent, include force in their rape statutes, looking in particular at a case in which a man's conviction was overturned because his victim was unconscious and the courts determined that no force was needed to overcome her will. I argue that 1) U.S. sexual violence law needs to cease focusing on force and 2) our court system should think of will as something to be exercised, rather than something that needs to be overcome. This would allow the legal system to view incapacitation as a state in which a victim is unable to exercise their will.

Each of these chapters is dedicated to using the past to better understand contemporary discourses of sexual agency, consent, coercion, and violence. In broadening the discourse of violence to include a more capacious range of acts, my dissertation helps us to rethink the gendering of violence, both in the past and in the present. In addition, it argues that individuals, including but not exclusively women, can participate meaningfully in changing the conditions in which violence is allowed to flourish.



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