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# the devaluation of consent in *the rape of lucrece*

*Anisa Call*

Scholarly work on the enduring problem of rape has traditionally placed the blame of perpetuation on the flaws inherent in patriarchal systems. Some scholars have pointed to the constructed gender hierarchies of patriarchy as fertile grounds for rape to flourish (Pallotti 218). Scholars often read Shakespeare's *The Rape of Lucrece* this way, with an emphasis on how Tarquin's construction of Lucrece's femininity—as whole and inaccessible—is what motivates his rape (Quay 7). Other scholarship suggests that gaps in sex crime laws are responsible for the repetition of rape (Decker and Baroni 1167). This argument highlights the lack of legislative contrast between *The Rape of Lucrece's* setting in ancient Rome, the monarchical republic of Shakespeare's day, and even the modern United States. Other scholars claim that disproportionate representation in patriarchal systems could be culpable for making rape immortal (Lake 266). Reading *The Rape of Lucrece* through this lens suggests that the switch to a slightly altered form of patriarchy in republicanism is insufficient to crush the real cause of rape. Each of these traditional arguments finds sufficient backing for a compelling case in *The Rape of Lucrece*.

The consideration of all these arguments, however, coupled with a careful analysis of the poem itself necessitates arguing for a larger cause of rape: the devaluation of consent in patriarchal systems, on both a sexual and a political level. In Shakespeare's time, political consent was an ostensibly progressive concept nevertheless riddled with shortcomings. Growing emphasis on "government by consent" seemed negligible in the face of disproportionate representation; how could a system claim to value consent when only the powerful had a voice? (Lake 273). Literature by Shakespeare's contemporaries explores sexual consent, presenting female agency as both limited and necessary. Male anxiety shaped this kind of narrowly bound consent, depicted by authors like Thomas Heywood and Thomas Middleton, which actually fostered greater female subordination rather than autonomy (Detmer-Goebel 156). Today, the well-intentioned hyper focus on consent in rape cases has actually led to a submersion of agency beneath context or structure; victims' choices are labeled irrelevant or worthless when compared to factors of situation and the aggressors' agency (Munro 420). And if the Harvey Weinstein allegations have taught us anything, it is that contemporary America still undervalues consent. Some scholarship has even claimed that our society valorizes non-consent (Oliver 4).

With alarming repetition across centuries, sexual and political consent have been limited, undermined, or generally devalued. In Shakespeare's poem, Lucretia's interactions with her two servants—one female and one male—serve to expose the paradox of consent: that a servant's consent is not explicitly valued, yet the very power of his or her master is dependent upon such consent. This paradox is applicable across patriarchal systems including monarchy and, ironically, republicanism. In a republic, free-born-slave or male-female dynamics take the place of the master-servant relationship portrayed by Lucretia and her servants. I will argue that this paradox of consent is the basis for the devaluation of consent in *The Rape of Lucrece*, and by extension in republicanism; and that this devaluation results in the gender hierarchies, gaps in sex crime laws, and disproportionate representation that perpetuate rape.

The poem's first significant interaction between Lucretia and her maid justifies the devaluation of female consent by constructing gender hierarchies that portray femininity as irrational, helpless, and in need of protection. The poem's description of the maid's empathy and its effect on Lucretia utilizes imagery of overwhelming forces of nature to characterize female

reactions and underscore their helplessness. For example, the poem compares the maid's tears to "swelling drops" of morning dew, triggered by "those faire suns set in her mistress' sky' who in a salt-waved ocean, quench their light" (1228–31). In a similar description, the poem equates women with "ivory conduits coral cisterns filling" (1234). These images highlight the overwhelming quality of the natural elements; things are filling, swelling, and being quenched, as if beyond the control of the women. As Shakespeare points out, the maid's emotions have no basis in reason as there is "no cause but company of her drops' spilling" (1236). The poem even ventures so far as to claim that the "gentle sex" are prone to emotion devoid of logic to the point of self-inflicted violence—"they drown their eyes or break their hearts"—which becomes a haunting foreshadower of Lucretia's suicide (1239). The insinuation present in this snapshot is that women, when left to their own nature without male guidance, are incapable of overcoming emotionality with rationality. This construction of femininity is consistent with other 16th century literature like Middleton's *Women Beware Women*, which declares that women are not "rationally equipped to respond to ethical dilemmas" (Detmer Goebel 153). Such a conclusion justifies "protectionists" who use an over-inclusive definition of "vulnerability" to push paternalistic agendas. These agendas are grounded on initiatives designed to empower the vulnerable, such as educational posters about how consuming alcohol increases vulnerability. Yet these programs can actually reduce individual safety and options by increasing marginalization through victim-blaming and offering support only to those who conform to "less transgressive gendered lives" by dressing, socializing, and behaving in the prescribed way the majority protectionist group approves of (Munro 428). Ultimately, the construction of the maid's femininity in *The Rape of Lucrece* as irrational and helpless shifts the value of consent's balance away from autonomy and toward protection. This shift moralizes maintaining gender hierarchies as male duty while ignoring how such hierarchies also contribute to rape, as in the case of Lucretia.

As the interaction between mistress and female servant progresses, *The Rape of Lucrece* further validates the devaluation of female consent by suggesting that women are merely the product of their context. The poem presents a stark image of men with marble minds and women with minds of wax, which implies that women's minds are malleable, "formed as marble will" (1241). Much like a marble seal forms an impression in wax, so women's minds are impressed or determined "in them by force" which

force is unequivocally male and inextricably tied to sexual force (1243). The theory that emerges from this image is that women are what is done to them. Although the application of such a theory is well-intentioned in leveling the playing field for victims in modern rape trials, an overemphasis on concepts like “exploitation” and “vulnerability” relating to context can actually undermine the value of the victim’s consent (Munro 420). Believing that women are the products of their context dismisses the importance of their own agency, thereby creating a second kind of victimization on the underbelly of “justice.” The poem expands this dangerous idea of women as products by absolving them of any guilt while also absolving them of their will: “No man inveigh against the withered flower, But chide rough winter that the flower hath killed” (1254–55). While this line clearly places the burden of blame on the aggressor, it also surreptitiously portrays the woman as an inanimate object, insignificant in size compared to the male force of nature and incapable of making any choices to combat his force. The final image the poem leaves to support the idea that women are the products of their context, is that of the lord-tenant relationship: “those proud lords, to blame, make weak-made women tenants to their shame” (1259–60). In such a feudal system, women as the tenants would have been little more than property to their lords, with lives shaped in large part by the will of these men. The danger in these lines is the synchronous absolution and devaluation of consent through the subversion of agency to structure. Although scholars may argue for the implementation of non-coercion and non-deception legislation to close the gaps in sex crime laws that perpetuate rape, it is troubling that these proposals invariably find their roots in the argument for context over consent (Decker and Baroni 1167). *The Rape of Lucrece* makes connections between metaphorical images and the devalued state of female consent under a patriarchy that says women are not only incapable of rationality on their own, but are actually incapable of being their own, free from impression by their male context. These connections suggest that scholars who advocate for verbal consent laws strike more efficiently at the issue of victim justice by prizing agency over contextual elements that drown out the victim’s voice. In combating the traditional paradox of consent, verbal consent laws allow for a clear understanding and prioritization of agency that reverses the paternalistic mistakes of contextual legislation.

*The Rape of Lucrece* then zeros in on the paradox of consent by presenting Lucretia with limited agency that is nonetheless necessary for her to support

her husband, and by extension the very patriarchy that devalues her consent. Lucretia has authority over her maid, derived from the patriarchal structure of Collatine's household. Though she may weep and share her grief with the maid, in time she reasserts her superiority over the girl when she suddenly speaks rationally: "If tears could help, mine own would do me good" (1274). This pattern of the rational mistress chastising her servant repeats when the emotional maid "request(s) to know your heaviness" and Lucretia emphatically replies, "O, peace!" as if to command the maid to calm herself down, and then presents her logic: "If it should be told, the repetition cannot make it less" (1283–85). It is significant that of the two women it is Lucretia, despite being the actual victim of the crime, who is capable of rational thought in this moment. Yet this rationality, which the poem juxtaposes against the maid's emotionality to highlight its masculine connotation, is all Lucretia is capable of in reaction to her rape.

In early modern rape stories, rape victims never enacted their own revenge; the few stories with heroines who tried, as in John Fletcher's *Bonduca*, characterized these women as dishonorable (Detmer-Goebel 149). Rather, these stories limited the victim's options or agency to support of her husband through actively resisting the rape even after it happened to keep it from turning into adultery. Lucretia fears "shame that might ensue, by that her death" or rape "to do her husband wrong;" and it is "by this" fear that she musters an incomprehensible strength to be rational in a moment of utter despair (1263–64; 68). She realizes that if she reveals her story to the wrong person at the wrong time, it may bring deeper shame to her husband and herself. Thus, her despondent assertion that it is torture "when more is felt than one hath power to tell" emerges not as a traumatic inability to speak, but a repressed desire to do so in the face of shame (1287–88). So she uses her acutely limited agency to sacrifice her needs for Collatine and choose rationality, by refusing to share her plight with the maid and instead sending for her kinsman to do what she cannot: seek revenge against Tarquin. This interaction provides an example of a woman whose agency is clearly limited to a few options, but is in the same moment necessary for her husband's support. This is the first instance in which the poem grapples with the paradox of consent, by showing how Lucretia's inferior consent is simultaneously limited or unvalued and necessary for her husband to maintain power. Such a paradox could not exist without the gender constructions previously discussed which depict women as "sexual, dangerous, irrational" and the product of

context (Pallotti 218). This uneven footing between man and woman is what creates the paradox of consent in the case of marriage, but other disparate power relations can produce the paradox as well.

*The Rape of Lucrece* uses the interaction between Lucretia and her male servant to show how this paradox of consent leads to its devaluation in a mistress-servant dynamic. When the male servant, a messenger, comes before Lucretia to collect her letter, he is “blushing on her with steadfast eye” which signifies his admiration for and unshakable loyalty to her as his mistress (1339). Lucretia, however, “thought he blushed to see her shame,” which fills her with mistrust and even greater shame (1344). Thus they stand at an impasse, as “her earnest eye did make him more amazed,” or terrified, and “the more she thought he spied in her some blemish” (1365–58). Regardless of the noble intentions on both sides of this interaction—in his case, loyalty, in hers, redemption—the servant and Lucretia trap each other in a cycle of pain by inciting growing shame and terror respectively. Lucretia has a limited measure of authority over this boy by virtue of her place in Collatine’s household, which indicates she should not need his consent to govern his actions. Even so, he gives it silently but fully, submitting to her authority with “true-respect” and as a “pattern of the worn-out age,” indicating his antique sense of chivalry and service (1347–50). Yet his silence keeps Lucretia frozen; he “talk[ed] in deeds” and “laid no words to gage” which “kindled duty kindled her mistrust (1348–52). Simply because the boy does not verbally consent to her command, Lucretia’s confidence and efficacy as mistress crumbles in a striking illustration of the paradox of consent. Although as mistress she should not technically value the servant’s consent, she clearly cannot maintain her power without it.

Faced with this same paradox on a grander political scale, radicals in Shakespeare’s time proposed a surprising solution: government fundamentally based on the consent of the governed. Such an idea doubtless seemed counter-intuitive to those in political power who wished to stay there. Yet these progressive “crown-in-parliament” advocates argued that the people, by virtue of them first choosing a king, were actually the fundamental creators of the kingdom. In theory, “just as voices of consent at the first produced a political head out of the political body, so now the political body could repeat the trick again, producing a new head for itself out of its own political materials” (Lake 273). The idea was that if the governed were the source of the government’s original power, then creating a political system

that valued their consent would actually protect the powerful. In application, however, valuing consent was easier said than done because the proposed “tempered republicanism” relied on flawed, disproportionate representation. This representative system allowed only gave voice to the powerful, while shutting out minorities and those on the fringes of society. Once again and under the guise of improvement, the political system was rapidly devaluing consent. This same devaluation continues in modern republics like the United States, where an ever-widening gap between representation and the governed reveals a disturbing lack of concern about consent. Given such clear apathy, we cannot feign surprise at the perpetuation of rape in the United States, or even at scholarly assertions that non-consent has become openly valorized or celebrated in our society (Oliver 20). Think of the *Access Hollywood* tape released in 2017, which captured now President Trump bragging about his sexual assault conquests in graphic detail, including his attitude towards seeking consent: “I don’t even wait” (Fahrenthold 4). Against this modern socio-political backdrop, the perennial relevance of Lucretia’s interaction with her male servant becomes unsurprising considering what it reveals about devaluation through the paradox of consent.

Some scholarship might suggest that Lucretia’s reaction to the impasse with her male servant is not about consent at all, but purely about their sexual dynamics given that a man just raped her. This track could cite that “she thought he blushed as knowing Tarquin’s lust” or because he understands and perhaps even shares it (1354). Such a reading suggests that Lucretia, as the victim of traumatic sexual assault by a male, faces a confrontation with this male servant soon after her trauma, which reduces her to shame and fear of further violence simply because of his gender. Yet soon after, Lucretia speaks most eloquently to her husband, kinsmen, and all the “other company” of men Collatine rushes home with (1584). If general distrust of men were the issue in her interaction with the servant, she should not have been able to inspire a whole group of them to “plight your honourable faiths to me” and “be suddenly revenged on my foe” (1683–90). Rather, it is the paradox of consent that plays a key in both of these interactions between Lucretia and men. When she speaks to her avengers, she manages to extract a promise that as “knights, by their oaths” who “should right poor ladies’ harms,” they will “chase injustice with revengeful arms” (1693–94). No disparate power structure exists to complicate the issue of consent here; these “knights” and “fair lords” have free-volition and an ability to consent that is valuable in

Ancient Rome. But in the case of Lucretia's servant, his silence highlights the mistress's dependency upon his consent; its absence incapacitates her. Thus, *The Rape of Lucrece* exposes the destructive effect the paradox of consent can have on those in power, which elucidates why those powerful individuals consistently devalue consent.

This devaluation through the paradox of consent was certainly inherent in the power structures of monarchical rule, found both in Tarquin's corrupted kingship and Elizabeth's early modern court. Yet ironically, the system of government put in place by those who overthrow Tarquin and the same system proposed by Elizabethan radicals, is republicanism, which itself depends on hierarchies that engender the paradox of consent. Therefore, it is erroneous to read *The Rape of Lucrece* as a political commentary advocating republicanism as the solution to tyrannical behaviors like rape. Indeed, it is erroneous to suppose rape is a tyrannical behavior at all, rather than a societal product perpetuated by the devaluation of consent in monarchies and republics alike. Because those in power wish to decrease their dependency on their lessers' consent by devaluing it, gender hierarchies proliferate, gaps in sex crime laws widen, and disproportionate representation runs unchecked in a horrific cycle that reproduces rape. It is this trifecta born from the devaluation of consent that forces us to relive, repeat, and retell *The Rape of Lucrece* in versions from ancient Rome to Weinstein's Hollywood.

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