The representation of rape in Sir Philip Sidney's Arcadias

Angela Denise Bullard

Follow this and additional works at: https://scholarworks.lib.csusb.edu/etd-project

Part of the English Language and Literature Commons, and the Feminist, Gender, and Sexuality Studies Commons

Recommended Citation
https://scholarworks.lib.csusb.edu/etd-project/2826

This Thesis is brought to you for free and open access by the John M. Pfau Library at CSUSB ScholarWorks. It has been accepted for inclusion in Theses Digitization Project by an authorized administrator of CSUSB ScholarWorks. For more information, please contact scholarworks@csusb.edu.
THE REPRESENTATION OF RAPE IN SIR PHILIP SIDNEY'S ARCADIAS

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirement for the Degree
Master of Arts
in
English Composition

by
Angela Denise Bullard
March 2005
THE REPRESENTATION OF RAPE IN SIR PHILIP SIDNEY'S

ARCADIAS

A Thesis
Presented to the
Faculty of
California State University,
San Bernardino

by
Angela Denise Bullard
March 2005

Approved by:

Renée Pigeon, Chair, English

Bruce Golden

Jacqueline Rhodes

Date
3/15/05
ABSTRACT

This thesis examines the complex and conflicting arguments surrounding the crime of rape in Early Modern England and how the important literary texts, Sir Philip Sidney’s Arcadias, explore this issue of rape. Of the three Arcadia texts that exist today, the 1580 Arcadia, also known as the Old Arcadia, has received the most scrutiny on this subject, whereas the latter and more influential texts, the 1590 and the conflated 1593 edition of the Arcadia, have been largely ignored.

Some theorists argue that Sidney’s Old Arcadia reinforces the period’s systematic use of sexual violence toward women through its use of violent rhetoric and ambiguous treatment of rape and seduction. However true it may be that the Old Arcadia employs the violent rhetoric conventional to many literary texts of that period, the Old Arcadia’s treatment of rape allows for a variety of interpretations, including a critique of the legal system that murkyly defined rape. In contrast, the 1590 and the 1593 conflated edition of the Arcadia clearly distinguish between rape and seduction, and offer a systematic critique of the system that sanctioned sexual violence toward women, giving credence to Christine Rose’s argument that a
representation of rape by a male author does not guarantee an approval of rape.
ACKNOWLEDGEMENTS

I would first like to express my deep gratitude to Renée Pigeon, my primary reader and mentor. She has provided me with much needed encouragement and support, for which I will always be indebted to her. I would also like to acknowledge Bruce Golden and Jackie Rhodes, both of whom encouraged my interest in a relatively recent area of scholarship.

In addition, I would like to extend my love and appreciation to my devoted husband, children, and parents, without whom I could not have written this thesis.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>iii</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENTS</td>
<td>v</td>
</tr>
<tr>
<td>CHAPTER ONE: INVESTIGATING RAPE IN WESTERN CULTURE</td>
<td></td>
</tr>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>History of Rape in Western Culture</td>
<td>3</td>
</tr>
<tr>
<td>Sir Philip Sidney's Arcadias</td>
<td>25</td>
</tr>
<tr>
<td>CHAPTER TWO: SEDUCTION, MARRIAGE, AND RAPE IN THE OLD ARCADIA</td>
<td>32</td>
</tr>
<tr>
<td>CHAPTER THREE: &quot;IS IT THE STYLE OF A CAPTIVE TO WRITE 'OUR WILL AND PLEASURE?'&quot;: RAPE IN SIDNEY'S NEW ARCADIA</td>
<td>61</td>
</tr>
<tr>
<td>WORKS CITED</td>
<td>92</td>
</tr>
<tr>
<td>WORKS CONSULTED</td>
<td>96</td>
</tr>
</tbody>
</table>
CHAPTER ONE
INVESTIGATING RAPE IN WESTERN CULTURE

Introduction

Susan Brownmiller's groundbreaking book, Against Our Wills: Men, Women and Rape, was the first major endeavor to locate a history of rape and violence toward women in Western culture. Since then feminists have begun to examine rape in both literary and nonliterary texts, analyzing how these texts construct cultural knowledge about rape and the underlying ideology that inform these constructs. Numerous studies have concluded that rape representations have served to circumscribe rape into the patriarchal culture, thereby legitimating male dominance and the silencing of women through the centuries.

The underlying assumptions many of these studies presuppose is that representations of rape by a male author unavoidably served to uphold the prevailing dominant ideology that subjugated women. Recently, though, Christine Rose has argued, "Representation of an act of rape by a male author does not constitute valorization of that act or of patriarchal ideology, but may, in fact, offer the possibility of subversion or critique" (35). And
as Constance Jordan demonstrates in her book Renaissance Feminism, a clear feminist trend emerged in Italy as early as the fifteenth century resulting in the proliferation of dissident dialogues written by men and women of that time, many of which challenged the traditional depictions of women. Her analysis confirms the notion that feminist ideas were neither new nor foreign to Early Modern thought. It should not be too surprising that rape laws underwent significant changes during the Early Modern period. Such changes in the law, argue many scholars including Nazife Bashar and Barbara Baines, assisted in making women more autonomous in the eyes of the law, even if only in theory.

According to this more recent examination of textual representations of rape, authors who have throughout the years been shown to have "pro-women" representations of women in their texts, may now be shown to have "pro-women" representations of rape as well. In this thesis, I will argue Sir Philip Sidney's portrayal of rape in his 1590 and 1593 Arcadia romances presents the possibility of critically assessing the contemporaneous Renaissance attitudes and ideas surrounding rape. But in order to provide a fuller understanding of the underlying cultural beliefs and assumptions that informed Early Modern
constructs of rape, I will first turn my attention to the laws that defined rape.

**History of Rape in Western Culture**

In ancient Greece, there was little difference between rape and seduction. In his article "Rape, Adultery and the Protection of Bloodlines in Classical Athens," Daniel Ogden argues that rape and adultery were treated as the same under the law since both threatened the purity of the bloodline. However, regardless of whether a woman had been raped or seduced, both she and her offender were considered "polluted" and received apt punishment. In fact, because adultery usually meant that the affair had taken place over a longer period of time, thus allowing the seducer to gain a foothold into the husband's household, seduction was believed to be a graver offense than rape. As Ogden writes, "[A]n adulterer acted in secret, with the wife's co-operation and over a protracted period," and as a result, "Adulterers not only foisted bastards on other men, but also undermined the status of those who were genuinely legitimate" (9-10).

Like Greek and Hebrew law, early Roman law treated women as the property of their husbands, fathers, or
guardians and defined raptus, from which we acquire our modern word rape, as the forcible seizure of any property from its rightful owner--including the seizure of women. However, originally only abduction, not forcible coition, was necessary to the charge of raptus.

The first major modification to the rape law arose in the fourth century under Constantine. In addition to making raptus a felony punishable by the perpetrator’s loss of life, Constantine also made it possible for the victim to lose her dowry and other inherited rights if it could be proven that she did not do everything in her power to ward off the perpetrator. However, forced coition was still not required for the charge of raptus. Annulling all prior rape legislation in the sixth century, Constantine’s successor, Justinian, rewrote the laws to include forced coition in the definition of raptus in conjunction with the abduction of women. Additionally, in an effort to thwart illicit elopements, Justinian outlawed the option granted the victim to marry her rapist—a practice that English law would wrestle with anon (Virtue).

Corinne Saunders and Stephen P. Pistono believe that the Anglo-Saxon laws on rape clearly defined rape as separate from abduction. Based on this and other data,
Saunders concludes that women had more individual rights before the Norman Conquest. However, as J. A. Brundage points out, later medieval English laws on raptus reflected Roman law under Justinian more than they reflected Anglo-Saxon law as evidenced by the Decretum written by Gratian, the foremost legal authority of medieval, canon law. Like Roman law under Justinian, the Decretum circa 1140, included abduction and forced coition as necessary elements to the crime of raptus (in addition to the required evidence that force had been used and that there had been no prior consent to the arrangement on the part of the alleged victim).

So it is not surprising that the Westminster Statutes issued under Edward I in 1275 and 1285, veered away from the Anglo-Saxon laws and coupled the crime of rape with the crime of abduction. Historian E. W. Ives writes, "English law did not initially distinguish between such abduction for gain and the offense of rape, sexual assault" (23). Another historian, J. B. Post, argues that the Statutes of Westminster effectively "turned the law of rape into a law of elopement and abduction" (160). Most scholars support Post's and Ives's observation and quickly point out that the statutes situate abduction and forced coition together,
making them practically indistinguishable from one another (Basher, Baines, Frye, Catty, Robertson, Rose, Pistono).

Up until 1275, rape in England had traditionally been tried as a felony punishable by loss of members or life. For the first time, the Statute of Westminster I made the crime of ravishment a trespass--punishable by two years imprisonment and/or a fine. (The Westminster II later overturned this decision, however.)

In addition to positioning rape and abduction side by side, the Westminster I allowed the King and the legal guardians of the victim to prosecute for rape if the victim failed to prosecute the offender herself within forty days. Under this statute, married women were also allowed to prosecute for rape; however, Henry de Bratton (commonly known as Bracton), the foremost legal authority of that age, wrote that the punishment meted out to the perpetrator should depend on the victim's status (i.e. whether she is married, widowed, unmarried, virgin, or not a virgin).

Due to the apparent inadequacy and ambiguity of the Westminster I, the Westminster II was issued ten years later. In an effort to impede further illicit elopements, this reworking focused on the king's and guardian's rights to bring an appeal of rape against the alleged rapist, for
it was suspected that false allegations of rape were exploited by the victim and/or the alleged perpetrator in order to compel the victim's parents to accept an unfavorable marriage. Post writes that these "accusations of rape [were] often used as a procedure for invoking family shame at illicit defloration, and it is arguable that some couples used the procedure to offset family objections to socially disparaging matches" (153). By putting the right to appeal in the hands of the woman's guardians and in the hands of the king, according to Post, the woman's consent was disregarded:

"[T]he wishes of others — technically the Crown, but, by extension, family — were allowed to override her own [wishes] despite her nominal status as victim, and the time-honoured concord by marriage was removed." (Post 158)

The family could decide to prosecute for rape if the woman failed to prosecute, thus discouraging young couples from eloping as a way to force their parents' consent to an unfavorable match.

Coerced marriages were no insignificant matter. Wealthy families depended on lucrative marriage matches for their children in order to expand their wealth and power
and could be easily devastated by a forced marriage alignment, which may well trigger an array of problems. According to Deborah Burke, a successful ravishment meant "a loss of liquid assets to the interloper, a loss of expected assets and alliances from an advantageous match for the ravished daughter, and a lessening of the likelihood of subsequent lucrative matches for the other children of the family" (Burke 765). Burke adds: "A great deal of symbolic and real capital depended upon the chastity of women" (765). Considering this, it’s no wonder why the law strove to prevent the possibility of profit through the feigned ravishment of women. In spite of this, it is crucial to note that most scholars believe that abduction and/or rape for the purpose of securing a marriage was the exception rather than the norm, and detracted from the more serious issue (by today’s standards) of forced coition.

The numerous acts and statutes that followed the Westminster I and II support the theory that the law was more concerned with protecting family bloodlines and family fortunes than with the woman’s state of being. One such act issued under Richard II; the Act of 1382, declared the forfeiture of the victim’s dower and inheritance if she had
consented "after" to the ravishment. E. W. Ives speculates that the "Act agaynst the taking awaye of women" issued during Henry VII's reign in 1487, might have been passed as a result of a notorious scandal involving the abduction of a prosperous heiress (30-31) and had nothing to do with defending the victims' interests. These acts added little, if anything, to the rape laws and by and large were written to reaffirm and extend the authority of the Westminster Statutes in an effort to protect family legacies. Nazife Bashar notes of the three more notable statutes on rape at this time that "the statutes of 1285, 1382, and 1487 were all directed at the protection of the property of the wealthy" (31).

In addition, many of the subsequent laws passed during the 1500's added to the existing confusion encasing the rape laws, and sometimes several acts came into direct conflict with one another. One law issued under Mary Tudor made sexual relations with any minor sixteen years or under illegal regardless of whether the girl agreed, for it was believed that a girl under the "age of consent" was not old enough to assent to sexual relations. It was, therefore, illegal for anyone to have sex with a child under this age of consent. A problem emerged because prior to this ruling
the age of consent had been set at twelve years of age. And, if this were not enough, Elizabeth I later declared that a girl under the age of ten could not give her consent. These modifications simply added to the existing confusion and gave rise to courtroom debates on the age at which a girl could give her consent (Burks).

In the face of this continuing confusion, two important statutes emerged during the Early Modern period: the statutes of 1555 and 1597. Bashar argues these statutes treated rape and abduction independently of one another and "had the indirect effect of establishing rape and abduction as separate offenses"; consequently, the law began to see women as individuals rather than the property of men--theoretically at least (41).

Despite what may seem like an obsession with the laws of ravishment during these few centuries, there is overwhelming evidence that incidences of rape were gravely under-reported and when rape was reported, convictions were rare. Moreover, the passage of the 1555 and 1597 statutes did little, if anything, to change the status of rape. Much like before, a good number of cases were dismissed on trivial technicalities, while the small number of offenders who were convicted usually escaped the death penalty.
paying a small fine instead. Only a handful of convictions are known to us that resulted in the loss of life and/or members, the punishment warranted by the law.

Scholars Baines, Saunders, and others have established the issue of consent to be of utmost importance in Early Modern courts of law in England. Baines writes, “Then, as now, the heart of the matter is the concept of consent” (1). Yet the issue of consent back then, like today, wasn’t as easy as a “yes” or “no.” That consent was important can be heeded in the language of the Westminster II:

If a man from henceforth doe ravish any woman . . . where she did not consent, neither before nor after, he shall have judgement of life and of member. And likewise where a man ravisheth a woman [. . .] with force (although shee consent afterward) he shall have such a judgement as before is said. (emphasis added, qtd. in Greenstadt 314)

Lambard, a legal theorist of that day, discussing the language of the Westminster statutes, writes, “And lastly commeth the rauishing of any woman against her will, where she neither consenteth before, nor after: & the rauishing
of her by force, though she consented after: which was ordained to be a felony" (qtd. in Baines 8). Amy Greenstadt goes on to argue the phrasing "consent afterward" signaled the possibility that the woman agreed to a marriage after having been abducted, while consent "before" signaled the parents' approval of the marriage. But whether this phrasing had this or some other possibility in mind, the virtual idea of consent "before" or "after" substantiated the possibility that a woman could initially refuse and then later consent to the act of rape.

The issue of consent was further complicated by the fact that women did not completely own themselves. Under the law women were both beings who could defy the law, their parents, and the property of men. This was not a new concept; women were the property of men in Western culture from ancient times through the Early Modern period. The quality of this property was determined by their chastity: sexual abstinence before marriage and fidelity within marriage. Prior to the Early Modern period and, to some extent, throughout the Early Modern period, women were commodities that men could use for trade in exchange for settlement of wars and negotiations of peace. Anthropologist Gayle Rubin describes this system as one
where women are the “means of exchange”; she writes that in this “social system, men are the beneficiaries of a social organization in which women are the means of exchange; women do not own themselves to give themselves away” (qtd. in Rose 280). In order for this exchange to work and for bloodlines and fortunes to be secured, women must agree to the cultural conventions that govern their behavior. Chastity ensured women a sanctioned place in society as a mother and wife. After quoting Castiglione’s assertion, “If chastity be lost, there is nothing left prayseworthy in a woman,” Susan Frye comments, “Chastity was so central a term in describing the masculinist control of women’s behavior that by the end of the sixteenth century the social institute of marriage was said to have rested on it” (357). Chastity was, then, the making or breaking of marriages and family alliances. A woman who was unchaste lost her value. What Brownmiller writes concerning the ancient Hebrews can still be said more than a thousand years later about Early Modern England: “[W]hat a father sold to a perspective bridegroom or his family was title to his daughter’s unruptured hymen” (Brownmiller 10). This was not unique to Jewish culture, however. English law made it clear that there was a difference between the rape
of a virgin and the rape of non-virgin, the former being the graver offense. Baines writes:

The quality of the damaged goods [the raped women] determines the punishment, and virginity, signified by the hymen, is a "member" that literally "embodies" chastity, thus rendering a moral virtue visible in the body and thereby defining the value of the woman. (Baines 2)

Therefore the notion that rape was a crime against the woman's guardian who "owned" her, rather than against the woman herself, would seem like a logical deduction. Readers should keep in mind that women at this time were not invested with free agency; they were agents protected and possessed by men: husbands, fathers, and other male caregivers. Constance Jordan writes:

The exchange between men of women and property, and, to a degree, of women as property, was predicated on the value of the woman as a vessel that would generate legitimate children and so perpetuate the family of the man who was legally and morally responsible for her and her maintenance, and not that of some other man. (29-30)
A woman’s chastity, then, played a key role in the protection of family fortunes and bloodlines.

As evident from the enactment of Westminster I and II, the laws on rape shifted their focus away from the violent crime of forced coition to the disgraceful defloration of affluent women and the consequence to their families. This shift in focus did nothing to help ameliorate the widespread suspicion of women and their possible consent to the rape, rather it underscored the role women might play in the alleged rape, as well as called attention to a woman’s will as it could depart from her parents’ or guardians’ wills. However, we can see this shift becoming increasingly crucial as demonstrated by the added laws designed to punish women who were thought to have complied in their ravishment. Yet even though this shift in the law emphasized women’s complicity in the charge of rape, women were still not held equally accountable under the law:

English law had two contradictory responses to women. On the one hand, as we have seen, it attempted to hold them ever more closely accountable for their actions. Simultaneously, however, it viewed them as incapable of managing their own affairs. For the most part, women were
not treated as autonomous individuals in the eyes of the law. [...] While a woman could be brought to trial for committing a crime, she could not bring a suit against another on her own behalf. Furthermore, the law tended to see women as having sufficient moral deficiencies that made them more susceptible to error and more likely to commit crimes than men whose moral sensibilities were more highly developed. (Burks 767)

So on the one hand, women must be liable for their complicity in the rape if in fact they consorted with the offenders. On the other hand, women were not capable of making prudent decisions for themselves, which is why a male protector in the form of a husband, father or other guardian, had custody over them; by this means they are able to safeguard women from other men. This created a dilemma in Early Modern courts of laws:

The law's desire to have it both ways—as a crime against property and as a crime against the person—reveals a crisis in the Early Modern construction of a woman's subjectivity: she is both property or passive object and a person
invested with agency, with the will and discernment that defines consent. (Baines 1)

This “crisis in the Early Modern construction of a woman’s subjectivity,” as Baines puts it, is part of a long history of conflicting ideas about the nature of women—a history which finds it way into the legal theory of that day. At the center of the Early Modern understanding of women is situated the basic misogynistic notion that women were naturally inferior to men. Numerous and often conflicting ideas about the nature of women were described by the scientific, religious and philosophical institutions, all of which were controlled by, and composed of, men. So likewise, jurisprudence mirrored men’s own interests and beliefs pertaining to rape.

Many arguments relating to the varied issues surrounding a woman’s nature in the Middle Ages up to the Early Modern period depended on the misogynistic notion that women were inferior to men biologically, spiritually, and morally. In Renaissance Feminism, Jordan elucidates the divergent discourses underlying the central assumption that women were naturally subordinate to men. As Jordan points out, these views on women were constantly challenged
and, like the legal theory on rape, the views on women made significant headway in the Early Modern period.

Several religious beliefs expounded by the Church aided the proposal that women were by nature subordinate to men. One such belief was the hierarchy of creation: "an order in nature of nature, instituted not fortuitously but providentially, and therefore not subject to alteration by human beings" (Jordan 21). Genesis 2 and 3 were generally quoted and used to prove this hierarchy. In this account man was given charge over all the animals, but God saw that it was not good for man to be alone. Therefore, God created woman to be his "helpmate." However, the Pauline gospels make it clear that in the creation story, man was created "first" and therefore, the husband should be the "head" of his wife "like Christ is head of the Church."

Included in the Genesis account is the fall at which time God tells Eve: "Your desire shall be for your husband, and he shall rule over you" (Genesis 3:16b). In spite of this, Paul also makes it clear in the New Testament that women are solely responsible for their own salvation and are spiritual equals to men. Jordan writes:

A woman therefore acquires a twofold sense of her identity and worth as a human being. As one who
possesses an immortal soul, she is the equal of man and susceptible to the same salvation and damnation; as one who lives in this world, she is always his inferior and his subordinate. (22-23)

Yet, as several scholars have noted, the idea that women were spiritually equal to men did not go undisputed and certainly did not lead to equality in the public sector. In fact, many made use of the hierarchy to claim that men are closer to God than women are to God.

During the Middle Ages, it was argued by many Catholic Church fathers that the celibate life was superior to that of the married life, quoting a passage in I Corinthians as evidence for this belief, “An unmarried man is concerned about the Lord’s affairs—how he can please the Lord. But a married man is concerned about the affairs of the world—how he can please his wife—and his interests are divided” (I Corinthians 7:32). Simply stated, an unmarried man could fully devote himself to God’s work; whereas, a woman was a potentially divisive constituent who turned man’s interest from God to herself. Furthermore, many agreed with the influential religious teacher St. Jerome “that women [were] responsible for the world’s evil” (Jordan 26).
Women were not only lower than men in the hierarchy of creation, but were also biologically and morally weaker than men. According to the Bible, women were the “weaker vessels” (I Peter 3:7). However, “weaker vessels” does not necessarily render into much more than perhaps women are physically weaker to some degree than are men. Jordan contends that “[m]uch of the rationale for interpretations of female physical weakness as an index of moral weakness comes from popular readings of Aristotle on the biology of animals” (Jordan 30). Aristotle claimed women were “mutilated” men: “females are weaker and colder in nature, and we must look upon the female character as being a sort of natural deficiency” (31-2). Whereas men are, “the first efficient or moving cause to which belong the definition and the form [. . .] and as such the male is ‘better and more divine in nature’ than the female” (31).

This and other Aristotelian philosophy regained popularity in the Middle Age, and once adopted into the church these beliefs became virtually incontrovertible: “Theoretically distinct—divine law recorded in Scripture, natural law in philosophy, especially that of Aristotle—the two kinds of law merged in thinking that justified existing social and political practices” (Jordan 65). This “natural
law" viewed women as deceptive, dishonest, disloyal, and more likely to commit falsities. Deborah Burks and Baines argue Early Modern beliefs regarding women's duplicity made it practically impossible in the eyes of the law for women to completely withhold their consent. One popular theory claimed that although a woman might mentally reject the rape, her body (as a body further away from God and closer to that of an animal, and one which is morally deficient) must in some way enjoy the act of intercourse—even if forced upon her—and this enjoyment nullified the women's initial refusal. Baines writes:

The hierarchical association, man is to soul as woman is to body, aligns the man with rational will and woman with carnal pleasure. It is then a very short step to assume that the carnal pleasure that defines a woman, that makes her always ready for coitus, easily overrides the will to resist, and thus to believe that sexual intercourse is always, in some sense, consensual for the woman. (8)

Proof of this connection between enjoyment and consent is found in the widely advocated theory that if a woman
conceived, she must also have consented to sexual intercourse.

This Galenic hypothesis espoused that in order for a woman to become pregnant, she must achieve orgasm—a sign of pleasure, thus consent—in order for her egg to be released. The Lawes Resolutions claims, “If at the time of rape supposed, the woman conceive childe, there is no rape; for none can conceive without consent” (qtd. in Baines 6). During the Medieval and Early Modern period, it was believed that a woman could not become pregnant without an orgasm, the pinnacle of sexually pleasure. The “pleasure” then that a woman experienced when raped “constituted a form of ‘consent after’ that nullified any claims she might make that she had been violated” (Greenstadt 315).

Although this theory began to be rebutted during the Early Modern period, it was still used in the courts of law to prove consent. Burks points to Michael Dalton, a magistrate of the time who, “based his legal test on the assumption that if a woman conceives, she must have experienced pleasure in the act of intercourse, which in turn signifies that she consented to the act, if not beforehand, then by virtue of having enjoyed it” (777). However, testimonial from women who became pregnant after
being raped indicated the contrary; a distinction needed to be made. So, while it was believed that a woman could at first deny that she wanted to have sex, if she conceived she must have consented sometime while the act was taking place, even if only with her “flesh” (Baines 7).

No wonder the law was overwhelmingly concerned with whether a woman had consented “before or after” to the ravishment. So along with agreeing to elope, one way a woman could consent “after” was for her to physically enjoy the act of rape, thus bringing culpability upon her own person. So despite newfound evidence to the contrary, the Galenic theory was still widely used to prove consent to rape, whether or not the victim refused with her mind. This theory becomes even more complicated if we consider the generally held belief that all women were believed to be “weak in the flesh,” which made it even more difficult for a woman to deny that she did not consent. And, ironically, she is held culpable for this “weakness.”

All of these factors created an obstacle in the prosecution and conviction of a perpetrator of rape, leading many experts to account for the extremely low prosecution and conviction rates by claiming consent was at the very heart of the issue of rape. Additionally,
scholars J.A. Brundage and Barbara Hanawalt have revealed that a number of women sought compensation for rape under different headings, almost certainly hoping to see better results.

These assumptions about women's inferiority began to undergo intense scrutiny during the Early Modern period, resulting in a wealth of literature that responded to these misogynists' arguments, leading us to believe that much of the thinking on the subject of woman and their natural inferiority to men did not go entirely unchallenged. The onset of Protestantism brought with it the rejection of much of the dogma long held by the Catholic Church. Monasticism was also spurned: solitary life was unnatural and led to corruption. This helped ameliorate the sentiment that married life was somehow deficient compared to the celibate life. As a result, women began to be seen as companions to their husbands and not simply vessels for procreation. Some scholars propose that this helped change women's status from that of an inferior to that of an equal. This sentiment may have influenced the later rape laws, which began to see women as autonomous.
Sir Philip Sidney's Arcadias

Hailed by critics of Early Modern literature as one of the most influential and important prose romances of its time, Sir Philip Sidney's Arcadias were written in the late sixteenth century at the height of the confusion on rape laws. The first out of three editions of the Arcadia was completed in 1580 and has come to be designated Old Arcadia. Soon after its reception, the Old Arcadia disappeared from the scene and was only recovered at the beginning of the twentieth century. Shortly after Sidney's death, his revised 1590 Arcadia, known as the New Arcadia, reached print unfinished in the middle of a sentence. The revised Arcadia was considered by Sidney's contemporaries to be a more serious and scholarly endeavor than the Old Arcadia, prompting Fulke Greville to remark that it was the "fitter" rendition for print. As such, several significant changes had been made to the rape accounts and the plot structure in the revised Arcadia written almost ten years after the Old Arcadia. His sister, the Countess of Pembroke, appended Books 3-5 of the Old Arcadia onto the end of the amended 1590 New Arcadia, bridging the old and new texts and altering Sidney's original version. This new
version is known as the conflated 1593 edition of *The Countess of Pembroke's Arcadia*.

Of the three *Arcadias* in existence today, the *Old Arcadia* has received the most scrutiny on the subject of rape while the later and more influential editions, which made significant changes to the rape accounts, have been almost completely ignored by scholars. This is despite evidence confirmed of late by scholars claiming the Countess's changes to the rape account in the 1593 conflated version were a part of Sidney's intentions from the outset, only he did not live long enough to complete them. So in accordance with his initial intentions for the revised edition, his sister made the alterations herself to the later rape account (the original account was recorded in Book 4 of the *Old Arcadia*) in the 1593 conflated version of *The Countess of Pembroke's Arcadia*.

In all three editions of the *Arcadia*, the young princes Musidorus and Pyrocles fall in love with two Arcadian princesses, Pamela and Philoclea, respectively, who are living in the countryside under the rule of Basilius, their father and the Duke of Arcadia. (However, Pamela is living in another house under the guardianship of Dametas, a very foolish and cowardly man.) In order to
gain entrance into the stronghold and woo the princess Philoclea, Pyrocles disguises himself as an Amazon princess (Cleophila in the Old Arcadia and Zel mane in the revised Arcadia). Musidorus, at first contemptuous of his cousin's sudden love, falls in love himself with the princess Pamela and masquerades as the shepherd Dorus.

While dressed as an Amazon, Pyrocles woos the princess Philoclea. To his surprise and trepidation, Pyrocles quite by accident gains the adoration and ardor of Philoclea's father and mother. This very bizarre love triangle, or perhaps square, ends with Philoclea's and Pyrocles's promise to wed each other. Likewise, Pyrocles's cousin Musidorus, dressed as the shepherd Dorus, wins the heart of Pamela, and they agree to elope to Thessalia.

Interrupting the plot of the Old Arcadia, the New Arcadia adds a development in which the princesses and the disguised Pyrocles are abducted and imprisoned by the princesses' evil aunt Cecropia. Cecropia's son Amphialus is shocked when he learns of his mother's hand in the abduction of his cousins, the princesses. Although appalled, Amphialus hopes that he can win Philoclea's love by staging a tournament where he can show off his combat abilities. While Amphialus is busy conducting his
tournament, Cecropia pressures the princesses to marry her son, Amphialus. After the princesses' refusal, Cecropia begins to torture the princesses, but to no avail. Eventually Cecropia dies and Amphialus is rushed out of the castle on the brink of death, at which time Amphialus's misogynistic and buffoonish friends take over and threaten to rape the princesses and the disguised Pyrocles. The New Arcadia comes to a halt mid-sentence in the middle of a skirmish between Pyrocles and Anaxius. The 1593 conflated edition continues the story at the castle and returns the princes and princesses safely into Basilius's care. At this point, Book III of the Old Arcadia with the Countess's modifications recommences.

In Book III of the Old Arcadia, Musidorus and Pamela elope. On their way, they stop to rest and Pamela falls asleep. Here in the Old Arcadia, Musidorus attempts to rape Pamela as she is sleeping. However, the attempted rape is omitted in the 1593 conflated edition of the Arcadia. In either case, the villains capture the couple unawares and return the couple to Arcadia where Musidorus is apprehended and charged with ravishment.

Tricking both Gynecia and Basilius into an assignation at his dwelling (they only meet each other), Pyrocles slips
into Philoclea's chamber. At this point in the *Old Arcadia*, Pyrocles and Philoclea proceed to engage in sexual intercourse; however, in the revised composite version, they innocently lie next to each other. Meanwhile, Gynecia and Basilius also engage in sexual intercourse, Basilius all the while believing Gynecia to be the Amazon Zelmane/Cleophila¹ (Pyrocles). Enraged with Basilius's comments on how two women can be so different, Gynecia reveals herself to Basilius, who then repents and drinks a Gynecia's special potion originally intended for Pyrocles. After drinking this strange draught, Basilius collapses in a deep sleep feigning death. At the discovery of Basilius's "death," Philanax looks for a culprit and finds Pamela missing and Philoclea in bed with Pyrocles. At this, Philanax assumes that the princes must somehow be responsible for Basilius's death. Both princes are apprehended and charged with ravishment and put on trial for Basilius's death.

In order to save Philoclea from any possible punishment, Pyrocles claims at the trial he forced

¹Pyrocles names himself Cleophila in the *Old Arcadia* and Zelmane in both the 1590 and 1593 conflated edition of the *Arcadia*. Throughout the three texts, Sidney will switch from female to male pronouns when referring to Pyrocles.
Philoclea to have sexual relations with him. Musidorus is also put on trial for ravishment for the abduction of Pamela (his actual rape attempt remains secret in the Old Arcadia). By a strange twist of fate, Pyrocles's father (Musidorus's uncle), Euarchus, stands in as judge over the trial—yet their identities remain unknown to each other until the end of the trial, at which point in time Euarchus finds them guilty of ravishment and sentences them to death. Miraculously, Basilius wakes up and pardons everyone involved and the princes and princesses marry, thus concluding the romance.

In the second chapter of this thesis, I shall examine the argument that the Old Arcadia unwittingly supports the period's systematic use of sexual violence toward women (1) by its use of violent rhetoric and (2) through its obscuring of rape and seduction. In rebuttal, I shall suggest the possibility that the Old Arcadia contains both a condemnation and an obscuring of rape. But I conclude that neither conjecture is absolutely certain. Chapter Three of my thesis will explore how the 1590 Arcadia and the alterations made to the 1593 conflated edition of the Arcadia meticulously discriminate between rape and
As many scholars have established, rape and seduction were virtually indistinguishable from one another in Early Modern tales of rape. The distinction was blurred further by the Westminster I and II statutes which did not differentiate between elopement and actual rape. Medieval and Early Modern literary representations of rape tended to reflect this obscuring of rape and seduction. Barbara Baines notes, “The reluctance of the legal system to contend with rape is surely related to literary representations that so authorize sexual violence as to make rape virtually indistinguishable from or an integral part of love-making” (9).

This inability to distinguish between rape and seduction can be discerned not simply in works of fiction and in the world of romances, but also in Early Modern treatises of the marriage night, which were practically identical to contemporary descriptions of rape. Greenstadt argues that, like ravishment, “marital defloration was often described as an act of theft” (315). In one
instance, an Early Modern author claimed the husband’s obligation on the marriage night was “to rob his spouse of her maidenhood” (qtd. in Greenstadt 315). This violent rhetoric did not escape Sidney’s Arcadian escapades of love, seduction, and rape.

In romances, love frequently possesses the power to steal away a person’s reason. In this way, a man or woman does not have a choice “whether loving I shall live or die” (17). (And, in fact, toward the end of the Old Arcadia, Pyrocles must indeed face the possibility of dying as a result of his love for Philoclea.) Evelyn Birge Vitz observes, “[T]he medieval period focused on a narrow set of essentially violent metaphors for the process of falling in love” (11). She categorizes these metaphors into five groups, which she labels “attack,” “prison,” “illness,” “madness,” and “potions” (11):

[L]ove was most often conceived of as a violent experience which happened to you—entered or penetrated you, took possession of you, corrupted your reason and imprisoned you, male and female against your will: you did not choose to be in love. (11)
Likewise, all the characters in the *Old Arcadia*, males and females alike, use warring and violent rhetoric to describe love, even Duke Basilius in his effort to woo Cleophila asserts, "You have overthrown me, and in my bondage consists my glory" (114).

Both princes describe their love using violent language. Pyrocles "finding himself prisoner before he had leisure to arm himself" (12) recalls for his friend Musidorus the fated day he first glimpsed "in the gallery of Mantinea the only Philoclea's picture, that beauty did pierce so through mine eyes to my heart that the impression of it all doth not lie but live there" (17). Pyrocles identifies himself as a "prisoner" and "slave" of Philoclea throughout, one to whom "forcibly had love transferred all spirits into the present contemplation of the lovely Philoclea" (38). Upon seeing the princess Pamela's beauty, Pyrocles' cousin Musidorus "had no sooner stricken into his eyes but that he was wounded with more sudden violence of love than ever Pyrocles was" (41). Anne Sussman writes, "For Musidorus and Pyrocles, poetry serves as a means not merely of declaring, but combatively pursuing love" (57).

It is important to recognize that all the characters use a similar language to that of the young princes. The
women also cannot choose whom they love and describe love as a violent seizure of their persons. Gynecia, for instance, describes her love for Pyrocles as a disease, a disease to which she has no choice but to succumb:

Hark, plaintful ghosts! Infernal furies, hark
Unto my woes the hateful heav’ns do send—
The heav’ns conspired to make my vital spark
A wretched wrack, a glass of ruin’s end!

[ . . . ]

Like those sick folks, in whom strange humours flow,
Can taste no sweets, the sour only please;
So to my mind, while passions daily grow,
Whose fiery chains upon his freedom seize,
Joys strangers seem, I cannot bide their show,
Nor brook aught else but well acquainted woe.
Bitter grief tastes me best, pain is my ease,
Sick to the death, still loving my disease. (180–181)

Gynecia later names Pyrocles (masquerading as Cleophila) as the author of her passion for him and describes her love for him as an illness and prison, "O Cleophila, Cleophila [ . . . ] dost thou offer me physic which art my only poison,"
or wilt thou do me service which hast already brought me into eternal slavery?” (94). After Pyrocles turns his attention to Gynecia in order to pacify her and carry on in his disguise, Philoclea loses heart. Pyrocles responds out loud, “Philoclea, hast thou not so much feeling of thine own force as to know no new conqueror can prevail against thy conquests?” (212). In this passage, Pyrocles describes Philoclea as his conqueror, and Gynecia as a rival conqueror—a departure from the traditional rhetoric in which the male ‘attacks’ and ‘conquers’ and the female is submissive and inactive.

Not only is this violent rhetoric conventional in this text, but as Vitz points out, it is conventional to all romances. In spite of this, Sussman comments on this topic, “[T]he pivotal events of Books III and IV of the Old Arcadia, and in particular, Musidorus’s flight with, and attempted rape of, Pamela are the inevitable outcome of this poetic [of sexual violence]” (55). However, the violent rhetoric of “poetics” Sussman is describing is used throughout the text by the entire royal family as well as the princes, yet they don’t all attempt rape. In light of this violent rhetoric describing love, Sussman’s claim that Musidorus’s rhetoric necessarily leads to his attempted
rape of Pamela is too problematic in that it oversimplifies the complexity of rape as it is presented in the Old Arcadia. And while it may be true that the Old Arcadia uses the same violent rhetoric and conventions of many literary texts, we must be careful not to categorize all literary rape representations as sanctioning "sexual violence" and be open to the possibility of a critique of the legal system and its definition and treatment of rape.

However, the Old Arcadia imparts a set of conflicting and overlapping discourses that the reader must weave through, which ultimately do not lead the reader to a unified, coherent understanding of rape or the issues surrounding rape. Bi-Qi Beatrice Lei writes, "Sidney has written a whole variety of discourses into the Arcadia, profeminist and antifeminist alike" (11). Although the possibility for critique of ravishment does present itself in the Old Arcadia, the conflicting discourses and the ambiguity with which the Old Arcadia handles this issue of rape, make it impossible to say with certainty whether or not the text critiques the ambiguous ravishment laws. Still, Sussman and others have overlooked some crucial details suggestive of critique. For one, the clandestine marriages are all but wholly ignored when discussing
Musidorus's attempted rape of Pamela and its audience reception. Second, although quick to point out the literal and figurative silencing of Pamela and Philoclea at the trial scene, scholars have ignored the text's critical assessment of this silencing.

The definition of *ravishment* becomes entangled in a web of confusion as it takes on different meanings within a variety of contexts in the *Old Arcadia*. Catty comments, "The *Old Arcadia* presents five different definitions of 'ravishment' which it both distinguishes and conflates [. . .] All these senses of the word appear in the trial, and all but one (rape itself) are staged" (44). One such definition of *ravishment* is applied to Pamela's and Musidorus's elopement and his ensuing rape attempt. As they steal away to the next seaport, Pamela reminds Musidorus of the promise he made to her:

I have laid in you my estate, my life, my honour, it is now your part to double your former care, and make me see your virtue no less in preserving than in obtaining, and your faith to be a faith as much in freedom as bondage. Tender now your own workmanship, and so govern your love towards me as I may still remain worthy to be loved.
Your promise you remember, which here by the eternal givers of virtue I conjure you to observe. Let me be your own (as I am), but by no unjust conquest. (196-197)

In this passage, Pamela pleads for the preservation of her chastity even though she has consented to the elopement. An "unjust conquest," Pamela argues, would result in her loss of worthiness. Stopping to rest, Musidorus and Pamela exchange "ravishing" songs; after which, Pamela falls asleep. Spying Pamela's beauty as she sleeps, Musidorus quickly forgets his promise:

But each of these [Pamela's features] having a mighty working in his heart, all joined together did so draw his will into the nature of their confederacy that now his promise began to have but a fainting force, [...] overmastered with the fury of delight, having all his senses partial against himself and inclined to his well beloved adversary, he was bent to take the advantage of the weakness of the watch, and see whether at the season he could win the bulwark before timely help could come. (201-202)
While allowing his passion to overcome his better judgment, Musidorus is suddenly interrupted by brigands and cannot complete his devious undertaking due to his “weakness of the watch.” Accordingly, Musidorus finds himself without a weapon to defend Pamela and himself, resulting in their immediate capture.

In contrast with Musidorus, Pyrocles and Philoclea are caught in bed together after having consensual intercourse:

[Dametas] went hard to the bedside of these unfortunate lovers, who at that time, being not much before the break of day—whether it were they were so divinely surprised to bring their faults to open punishment; or that the too high degree of their joys had overthrown the wakeful use of their senses; or that their souls, lifted up with extremity of love after mutual satisfaction, had left their bodies dearly joined to unite themselves together so much more freely as they were freer of that earthly prison; or whatsoever other causes may be imagined of it—but so it was that they were as then possessed with mutual sleep. (272-273)
Typical of the conflicting rhetoric abounding in the Old and New Arcadia, the narrator leaves the interpretation of the couple’s act to the reader. Thus, while simultaneously disapproving of the union, the narrator obviously sympathizes with, and makes allowances for, the couple.

We also read in this passage that in order to protect Philoclea from any punishment that might accrue onto her due to her consent to the act, Pyrocles fabricates a story in which he rapes Philoclea—a story, as Catty points out, that is contradictory. At the trial, Pyrocles proclaims, "Whatsoever hath been done hath been my violence, which notwithstanding could not prevail against her chastity. But whatsoever hath been informed, was my force" (380).

In the last book of the Old Arcadia, Pyrocles and Musidorus are charged with and ultimately found guilty of ravishment. What is of interest is the fact that no rape has been committed: the reader is only too aware that Pyrocles and Philoclea have had consensual intercourse, and Pamela has fully consented to elope with Musidorus. However, in Arcadia whether or not the woman gave her consent was not necessary to charge the princes with ravishment. In the course of the trial, Judge Euarchus announces:
He [Musidorus] persuaded the princess Pamela to fly her country, and accompanied her in it—without all question a ravishment no less than the other; for, although he ravished her not from herself, yet he ravished her from him that owed her, which was her father. This kind is chastised by the loss of the head, as a most execrable theft. (406)

This is just the kind of elopement the Westminster I and II tried to thwart. Stephen Pistono asserts, "The Statute of Westminster of 1285 aided wealthy families in preventing daughters from eloping with undesirable suitors or later agreeing to marry a person who had forcibly abducted them" (Rape in Medieval Europe 41). The woman’s volition, Pamela’s in this case, is irrelevant, and her father the Duke’s (presumed) will overrides her own. Consistent with the laws of Arcadia, she belongs to her father and the state from whom Musidorus stole her, as Euarchus details:

And if our laws have it so in the private persons, much more forcible are they to be in princes’ children, where one steals as it were the whole state and well being of the children,
tied by the secret of a long use to be governed by none but the next of that blood. (406)

So not only did Musidorus steal Pamela away from her father, but, as future queen of Arcadia, he stole her from her country as well.

However, the attempted rape of Pamela is complicated by the couple’s vows of marriage. In Early Modern England, there were two kinds of marriage contracts, per verba de presenti and per verba de futuro. De presenti contracts were marriage vows that legitimated a marriage from that time forward, while de futuro contracts were an agreement to marry at some point in the future. Many times certain conditions had to be fulfilled before a de futuro contract could be made de presenti. However, there is some debate as to whether a witness was needed or whether merely the consent of the couple accompanied by sexual intercourse created a legal binding. According to Nancy Virtue, in an Early Modern England where Protestantism was quickly supplanting Catholic traditions and practices, canon law was constantly running up against common law, which did not always decree these marriages binding (89).

One such promise to marry appears in Book II when Pyrocles, concealed as the Amazon Cleopha, reveals his
true identity to Philoclea (who is relieved that he is not a woman after all). At this point, the narrator writes: "There, with many such embracings as it seemed their souls desired to meet and their hearts to kiss as their mouths did, they passed the promise of marriage" (122). We later read of Pamela’s and Musidorus’s promise to marry after “he had invested her in the duchy of Thessalia” with the added promise that he would "offer no force unto her” until that time (172). Later we hear from Pamela herself, “I have yielded to be your wife; stay then till the time that I may rightly be so. Let no other defiled name burden my heart” (197).

Investigating this issue of clandestine marriages and marriage contracts in Early Modern England and its continual conciliation between canon and common law, Stephanie Chamberlain observes, “[T]he fact that no formal agreement existed between a couple did not necessarily constitute a legal impediment to the marriage’s validity” (119). According to Chamberlain, a formulaic statement was not necessary for a marriage to be regarded as legally binding under the law. In fact, the only real necessity for validation under canon law was the consent of the man and the woman (Chamberlain 119).
If Chamberlain is correct, then the contract to marry between the princes and princesses can be construed as more momentous than mere betrothals. When viewed in this context, Philoclea’s response to Philanax now seems plausible:

If my blood may wash away the dishonour of Arcadia, spare it not; although through me it hath never been willingly dishonoured. My only suit is you will be a mean for me that, while I am suffered to enjoy this life, I may not be separated from him [Pyrocles] to whom the gods have joined me; and that you determine nothing more cruelly him than you do of me. But if you rightly judge of our virtuous marriage, whereto our innocencies were the solemnities, and the gods themselves the witnesses, then procure we may live together. (303-304)

In this passage, Philoclea regards the marriage vow made between her and Pyrocles as valid. The lack of a witness is remedied by Philolea’s invocation of the gods as witnesses of their marriage.
According to canon law in Early Modern England, Pyrocles’ and Philoclea’s sexual intercourse would have served to fulfill the marriage contract:

It was widely thought acceptable for a couple who had been ‘made sure’ by contract to progress from kissing and fondling, to full sexual intercourse. In the eyes of the [common] law such premarital ‘incontinence’ was fornication, and might be punished if discovered. But a powerful cultural current permitted betrothed couples to risk each other’s chastity in anticipation of matrimony.

(qtd. in Chamberlain 119)

Philoclea and Pyrocles would have been in good company in Early Modern England where private marriage contracts and premarital sex were common occurrences. Yet in cases where rich heiresses (or princesses) with fortunes to protect and property to guard, family rights would certainly have exerted themselves. In this case, Philanax ignores Philoclea’s claim to marriage, which by law would have exonerated Pyrocles from being charged with rape. As stated previously, this is because according to Early Modern law a husband could not be brought to trial for rape for the
reason that when a person entered into marriage all sexual
rights of one’s body were given to the spouse:

If the couple were legally married to each other,
then consent to intercourse had already been
given and a wife could not refuse to have
relations with her husband (or the husband from
the wife, for that matter) simply because he took
her away from home and was forceful in his
approach. (Brundage 70)

The question then becomes whether these clandestine
marriages would, or could, have been viewed as legal
marriages by an Early Modern audience.

Having been caught and turned over to Philanax, Pamela
insists on being freed. She “stoutly demanded Philanax
what authority then they had to lay hands of her person,
who being the undoubted heir was then the lawful princess
of that dukedom” (319):

Philanax answered: ‘Her grace knew the ancient
laws of Arcadia bare she was to have no sway of
government till she came to one and twenty years
of age, or were married.’

47
'And married I am,' replied the wise princess, 'therefore I demand your due allegiance.'

'The gods forbid', said Philanax, 'Arcadia should be a dowry of such marriages.' Besides he told her, all the estates of her country were ill satisfied touching her father's death. (emphasis added 319)

In addition to Pamela's admission that she is indeed married, she is declared "wise" by the narrator. However, in the final scene these clandestine marriages remain unacknowledged by Philanax, Euarchus, and even the princes, emphasizing their marginal status under Arcadian law. Nonetheless, marriage is discussed by Pyrocles, Philoclea, and Pamela as well as Euarchus. Philoclea writes in her letter:

My lords, what you will determine of me is to me uncertain, but what I have determined of myself I am most certain of; which is no longer to enjoy my life than I may enjoy him for husband whom the gods for my highest glory have bestowed upon me. (395-396)
To the audience to whom her letter is directed in the story, it would be unclear whether Philoclea is merely relating a future wish or trying to expose her marriage which has already been secured without authorization. Yet she was fully aware that to expose her marriage would be equal to her giving consent. (Remember she and Pyrocles had agreed, in order to save her person, he would claim he raped her.) However, the letter of Philoclea's sister Pamela is less vague as she writes, "He [Musidorus] is a prince worthy to be my husband, and so is he my husband by me worthily chosen" (397).

At the trial, Euarchus argues against marriage as a possible resolution to the ravishment and rape, an argument perhaps of interest to an Early Modern educated audience who were struggling with the issue of ravishment, elopement, and clandestine marriages. Euarchus states publicly to the crowd at the trial:

The marriage perchance might be fit for them, but very unfit were it to the state to allow a pattern of such procurations of marriage. And thus much do they both allege. Further goes he that went with the princess Pamela, and requireth the benefit of a counsellor, who hath place of
free persuasion, and the reasonable excuse of a servant, that did but wait of his mistress. Without all question, as counsellors have great cause to take heed how they advise anything directly opposite to the form of that present government, especially when they do it simply without public allowance, so yet is this case much more apparent; since neither she was an effectual princess, her father being then alive, and though he had been dead, she not come to the years of authority, nor he her servant in such manner to obey her, but by his own preferment first belonging to Dametas, and then to the duke, and therefore, if not by Arcadia laws, yet by household orders, bound to have done nothing without his agreement. (407)

In the passage above, Euarchus clearly declares Pamela as belonging to her father and the state, as well as to Basilius’s chosen protector Dametas. In addition, the cynicism displayed by the Westminster is echoed in Euarchus’s speech when he denies perpetrators the option of marrying the victims, thereby hindering the use of rape as a means to procure an undesirable marriage.
Regardless, Musidorus does attempt to have sexual relations with Pamela without her consent. Right before she utters, "I have yielded to be your wife," Pamela makes her wishes clear:

Your promise you remember, which here by the eternal givers of virtue I conjure you to observe. Let me be your own (as I am), but by no unjust conquest. Let not your joys, which ought ever to last, be stained in our own consciences.

(197)

The promise to which she is referring was reiterated to Pyrocles by Musidorus himself in the third book: "[H]e [Musidorus] had concluded with her the stealing away to the next seaport, under vehement oath to offer no force unto her till he had invested her in the duchy of Thessalia" (172). The narrator tells us Musidorus broke his promise to Pamela, his due punishment manifested by the sudden appearance of rebels:

And now he [Musidorus] began to make his approaches when (to the just punishment of his broken promise, and most unfortunate bar of his long-pursued and almost-achieved desires) there came by a dozen clownish villains. (202)
However, it is uncertain whether or not this narrated statement is a clear condemnation or an excuse of Musidorus’s errant attempt. The complexity lies in deciding whether Early Modern readers truly believed they were married, and whether, in light of this marriage, Musidorus’s attempted rape and elopement would have been judged acceptable, or at least differently. The narrator is ambivalent in this matter as he describes the attempted rape as a lesser “peril” and “danger” than that of the arrival of the brigands: “But a greater peril preserved her from the less, and the coming of enemies defended her from the violence of a friend” (306). The narrator seems to be condemning the rape attempt on the one hand, while proposing that the rape attempt is just the working of natural male hormones on the other.

Indeed, there are different possible ways Early Modern readers could situate Pamela’s attempted rape. If Pamela were indeed married through a de presenti marriage contract, then rape was out of the question, having effectively given her consent when she agreed to marriage. If this was the case, Musidorus merely broke a promise and would have been well in his rights as Pamela’s husband to have sexual relations with her. On the other hand, some
Early Modern readers would have argued that the *ravishment*, regardless of whether or not forced coition had occurred, should be punished despite the woman's will, in order to protect family estates and legacies. The final interpretation is that they entered into a *de futuro* contract. This marriage contract was entered into with the expectation that the couple would marry in the future after certain provisions had been met. In Musidorus's report to Pyrocles, Musidorus and Pamela had agreed to not consummate their marriage (a symbol of the completion of marriage) until she was endowed with the "duchy of Thessalia" (172). Any sexual relations between them, according to Chamberlain, would have changed a *de futuro* contract into a *de presenti* contract, making the marriage valid from that point: "if the parties do lie together before the condition (though honest and appertaining to marriage) be performed, then the contract for time [*de futuro*] is without further controversy sure and certain" (qtd. in Chamberlain 119).

Had the rape been successful, this consummation would have immediately rendered their *de futuro* contract into a *de presenti* contract. So although Pamela did consent to elope, the *ravishment* could have been construed as "consent after."
Yet, Pamela’s decision to marry was ignored. By putting the appeal to rape in the hands of parents and the king, the Westminster I and II effectively silenced women’s voices in two ways: first, the rape victim became the property of men under the law, and second, pleading *ravishment* after an elopement was no longer an avenue women could use to choose their own marriage partners. Brundage comments concerning early canon law:

> [T]he decretist commentators were concerned to ensure that the girl’s consent to marriage was freely given and also came to see marriage subsequent to abduction as a means by which girls might be allowed to marry men of whom their parents disapproved. Hence marriage subsequent to a technical rape might ironically allow a woman greater freedom of choice in her marriage than she could otherwise enjoy. (74)

The Early Modern English courts of law were conscious of the possibility that women could employ the charge of *ravishment* in order to choose their own suitor against their parents’ will (although this was extremely rare) and, as a result, Westminster I and II sought to combat this loophole in the law.
Pamela and Philoclea chose to wed Musidorus and Pyrocles, respectively, without their father’s permission. Yet, not only are the princesses not given a chance to testify and are absent from the trial, but their letters to Philanax stating their volition are disregarded, symbolic of this silencing of women. "Philanax, like a watchful adversary, curiously marked all that he [Pyrocles] said, saving that in the beginning he was interrupted by two letters were brought him from the princess Pamela and the lady Philoclea" (395). After opening the princesses' letters, Philanax pays little attention to the letters:

[S]eeing to what they [the letters] tended by the first words, was so far from publishing them (whereby he feared, in Euarchus' just mind, either the princesses might be endangered or the prisoners preserved, of which choice he knew not which to think the worst) that he would not himself read over, doubting his own heart might be mollified, so bent upon revenge. Therefore suppressing them, he lent a spiteful ear to Pyrocles. (398)

Pamela's and Philoclea's wills are of no consequence to the trial and the charge of ravishment, and their marriage
contracts are also of no consequence. Like Westminster and later statutes emphasize, the family and king had rights over women, even in rape where women were only valued as property of men.

Yet the narrator doesn't seem to approve Philanax's actions, adding that he was "so bent upon revenge" (398). In fact, the narrator seems to "uphold a version of rape and marriage law that would privilege women's individual rights of consent," a version which overtly "elicit[s] his [Sidney's] readers' sympathy for his unfortunate heroes and heroines" (Greenstadt 320).

How a reader views the trial and its outcome will largely determine how s/he situates rape and ravishment in the Old Arcadia. In other words, if Euarchus is seen as the supreme and all-knowing authority, then his ideology and judgments are absolute and transcendent. Lei argues, "Euarchus stands for pure, almost unpolluted, masculinity; hence he is the protopatriarch and good ruler, as his name de-notes" (7). From this viewpoint, Euarchus is right to condemn the princes, to horrible deaths for ravishment, and his statement regarding the right of the state to prevent clandestine marriages and the upholding of the princesses as property belonging to their father (and Dametas as the
father's chosen position of authority over Pamela), is indisputably fair and just.

Not all scholars agree with Lei’s stance on the characterization of Euarchus, however. Deborah Shuger notes that although Euarchus is a "wise, impartial, and experienced judge of men," he still ends up "misread[ing] both the deeds and moral character of the princes" (9). She continues, "His failure to understand what really happened insinuates a skepticism about the ability of human reason - and hence of human justice - to discern truth from rumor, distortion, and insinuation" (9). Hence, Euarchus is not the all-knowing, transcendent authority, but rather he is prone to error and mistakes. Thus, despite Euarchus’s speeches, the reader experiences the trial from a more knowing position, a position that is able to sympathize with the princes and princesses. This position also allows the reader to review and critique the flawed jurisprudence that silences the princesses and refuses to acknowledge their marriages, thereby resulting in condemnation of the princes to death.

Despite what I see as a critical view of the law to disperse true justice in ravishment cases and, as pointed out by the text, the obvious irony of the law to silence
women in *ravishment* cases, Musidorus’s attempt to rape Pamela is inconsistently portrayed. As Greenstadt comments, Pamela is portrayed as too rash and seems to be held *partly* responsible for Musidorus’s rape attempt due to her "weakness of the watch" (202). As pointed out earlier, Musidorus’s attempted rape might have been perceived in a completely different light than we view it today due to the entanglement of the marriage contract and the claim that they were indeed married. Regardless, Pamela’s wish to not have sexual intercourse until she received the duchy of Thessalia is not honored and her voice is silenced once again.

The conclusion of the *Old Arcadia* is abruptly and miraculously finished in less than two pages, and as such it provides no tangible answers to the issues of the debates so hotly argued at the trial. This miraculous conclusion opens in Basilius’s *deux ex machine* "resurrection." After Basilius revives and is made aware of the events leading up to, and including, the trial, his reaction is nondescript. The most we read about Basilius’s response to his daughters’ *ravishments* and the sentencing to death of the princes and his wife is as follows:
At length, remembering the oracle, which now indeed was accomplished [. . .] considering all had fallen out by the highest providence, and withal weighing in all these matters his [Basilius’s] own fault had been the greatest, the first thing he did was with all honourable pomp to send for Gynecia [. . .] to recount before all the people the excellent virtue was in her. (416)

Later we read how Basilius still loves Pyrocles, only now with a more “virtuous” love than before. Instantaneously, everyone is pardoned: Euarchus, Philanax, the princes, Gynecia, and the princesses, and the young couples are married. All conflicts are miraculously resolved and strangely unresolved in this “everyone wins” conclusion.

However one reads the ravishment and rape attempt, it is crucial to note that the Old Arcadia does employ various discourses within the text itself, despite the fact that arguments can, and have been made, that shed light on different areas of the ravishment and rape. It is impossible to say with certainty what Sidney had in mind, causing me to disagree with Sussman’s conclusion that “Sidney presents the conjoined experience of sexual and poetic attack as sublimely ‘sweet’” (66). Rather, I would
conclude that it is "sublimely" vague—with room for argument on all sides. On the one hand, the *Old Arcadia* seems to advocate the free choice of women to choose their marriage partners and to condemn the courts in *ravishment* cases when the woman is silenced. On the other hand, Musidorus's attempted rape, whether within his rights or not, silenced Pamela's voice to choose for herself when to have sexual relations.
CHAPTER THREE

"IS IT THE STYLE OF A CAPTIVE TO WRITE 'OUR WILL AND PLEASURE'": RAPE IN SIDNEY'S NEW ARCADIA

Scholars have paid little attention to the changes Sidney made to the treatment of rape in the 1590 and 1593 editions of the Arcadia and how this treatment affects the overall reading of the appended ending in the conflated edition. Yet in these later versions, rape is portrayed differently than in most literary accounts of rape, including the Old Arcadia. These texts clearly refuse to venerate or excuse rape like so many other romances. Moreover, they clearly express disapproval of the act of rape and any character showing forbearance with rape. In spite of this, Jocelyn Catty concludes her analysis of the New Arcadia by arguing:

The New Arcadia […] while associating the view that a woman's 'no' means 'yes' with specific evil characters, still gives weight to the rhetorical topoi of the power of beauty and the power of chastity: ideas which we know to be involved in placing the responsibility for rape with the victim. (54)
involved in placing the responsibility for rape with the victim. (54)

While I agree that the "rhetorical topoi of the power of beauty and the power of chastity" is explored in the New Arcadia, I will argue that this "rhetorical topoi" does not in this instance place blame onto the victims of rape. In fact, these topoi clearly do the opposite: the Arcadian princesses and other rape victims are unquestionably blameless—the blame residing on the attackers. Thus, the New Arcadia clearly distinguishes between rape and seduction.

Of the numerous changes and additions made to the New Arcadia, the most significant changes to the construction of rape are: the addition of the characters of Cecropia and Amphialus, the deletion of Musidorus's attempted rape of Pamela, the removal of the bed-scene between Pyrocles and Philoclea, and Pyrocles's rescue of Dido from Pamphilus. Throughout the New Arcadia, rape is only associated with those persons who are clearly scoundrels and whose crimes against women do not go unpunished, "The characters who attempt rape here are either outright villains [...] or must themselves be distanced from the idea of rape" (Catty 51).
In addition to providing the reader with a unique account of rape that so clearly denounces the rape of women (even women with questionable reputations), the account of Pyrocles's rescue of Dido from rape helps set the stage from which all later rape accounts can be judged. In this account, Pyrocles happens upon a group of women torturing an unknown gentleman, who is later identified as Pamphilus. At Pyrocles's arrival, all the women except one, Dido, run away and abandon their efforts. Dido defends her actions to Pyrocles by explaining how Pamphilus treated each of the women unkindly and made them jealous of each other:

The cunning of his flattery, the readiness of his tears, the infiniteness of his vows were but the weakest threads of his net. But the stirring our own passions, and by the entrance of them to make himself lord of our forces--there lay his cunning, making us now jealous, now envious; now, proud of what we had. (238)

Some time after delivering Dido from Pamphilus's approaching entourage to what Dido thought was safe place, Pyrocles witnesses Pamphilus, with his assembly of men, dragging and beating Dido. Before Pamphilus and the other men rape and kill Dido, Pyrocles rescues her a second time.
and delivers her to her father's castle. This account clearly establishes Pyrocles as a defender and protector of women from rape and other atrocities—a delineation that is not so clear in the Old Arcadia. In the New Arcadia, Pyrocles saves not only Dido, but also Philoclea and Pamela from being raped, and he himself (concealed as the Amazon princess Zelmane) is also confronted with the threat of rape.

In her book Images of Rape, Diane Wolfthal notes the "dominant trend has been to glorify [the rapist]" in representations of rape in the medieval and Early Modern periods (2). However, in the New Arcadia the attempted rape of Dido is not erotically portrayed nor erotically motivated (mirroring our present day theory that rape is committed out of a need for power and domination), and this account plainly cannot be confused with seduction. Furthermore, Pamphilus, the perpetrator of the attempted rape, is not exalted in any way, nor can Pamphilus's attempted act of rape be seen as valiant or bold. Perhaps most important, Pamphilus is clearly depicted as reprehensible in this account—despite his "noble birth" (237).
Most intriguing, and comical, about the Dido and Pamphilus incident is Pyrocles’s repetitive emphasis on Pamphilus’s “unmanliness.” (Remember that Pyrocles is disguised as the Amazon princess Zelmane when he is relating this event to Philoclea.) Apart from the glaring irony of Pyrocles’s charge of Pamphilus’s unmanliness, Pyrocles’s character, although disguised as a woman, stands in stark contrast to Pamphilus’s character. Pyrocles notes he first stumbled upon Dido and Pamphilus when he heard a cry. This cry “made [Pyrocles] well assured by the greatness of the cry it was the voice of a man, though it were a very unmanlike voice so to cry” (236). Upon his arrival to the scene, Pyrocles finds Pamphilus bound with garters while being tortured by Dido and the eight other women he duped. Dido also accuses Pamphilus of being “unmanlike” (238). In fact, “un-manning” Pamphilus with garters and other punishments was Dido’s and the other women’s aim, claiming that he was “a man in nothing but in deceiving women” (237). Moreover, Pyrocles notes that after Pamphilus captured Dido, he was “following her with most unmanlike cruelty” (236).

It is significant that Pyrocles and Dido both call Pamphilus, an attempted perpetrator of a rape—a rape which
would have been realized had Pyrocles not prevented it—and a deceiver of women, "unmanly" in that Pamphilus is unmistakably characterized as a loathsome and detestable individual who, because of his horrid treatment of women, is not worthy enough to be called a "man." Consequently, he is femininely characterized as "inconstant," and "changeable" (239). In contrast to Pamphilus, Pyrocles is upheld as the exemplar of manliness—he protects and defends women like Dido rather than exploits and swindles them.

Pyrocles further acquaints the reader with Pamphilus's rotten character as he describes Pamphilus's unfaithfulness and injury toward Dido and the eight other women who were with her, "for his heart [. . .] wholly delighted in deceiving" (238). Dido describes Pamphilus as a liar with "a poisonous adder" who "thought the fresh colors of his beauty were painted in nothing so well as in the ruins of his lovers" (239). She adds:

The cunning of his flattery, the readiness of his tears, the infiniteness of his vows, were but among the weakest threads of his net. But the stirring our own passions, and by the entrance of them to make himself lord of our forces, there
lay his master's part of the cunning, making us
now jealous, now envious, now proud of what we
had, desirous of more. (238)

Pamphilus is unmistakably repugnant. Pyrocles, one of
the two heroes of the Arcadia, does not question Dido's
narrative, and after Pamphilus threatens to kill Dido at
their initial meeting, Pyrocles vows to "spend [his] utmost
force in the protecting of the lady" (241).

Upon their second meeting, Pyrocles discovers an angry
and vengeful Pamphilus "beating [Dido] with wands he had in
his hand, she crying for sense of pain or hope of succor"
(242). At this point, Pyrocles asks his opponent Anaxius
if they could "defer combat till another day" (242) so that
he could help Dido once again. On Anaxius's refusal,
Pyrocles jumps on his horse and rides away nonetheless,
promising to fight Anaxius later. Upon which, Anaxius
accuses Pyrocles of cowardly running away from the fight.
Pyrocles responds, "But the lady's misery overbalanced my
reputation, so that after her I went" (243). Pyrocles
clearly views delivering Dido from Pamphilus as more
important than his own reputation—no small trifle. Once
again, the hero Pyrocles illustrates the importance of
protecting women.
When Pyrocles finally catches up to Pamphilus and his entourage at the "old, ill-favored castle," he observes Pamphilus and his party beginning to disrobe Dido and "perform their unknightly errand" (243). Subsequently, Pyrocles kills the "injurious wretches, most of whom carried news to the other world that amongst men secret wrongs are not always left unpunished" (243). Meanwhile, the gutless Pamphilus runs away, deserting his friends. It is only after Dido recovers herself that she is able to retell the incident. She informs Pyrocles that Pamphilus and his party were planning "in cruel and shameful manner to kill her in the sight of her own father" (emphasis added 243).

Yet, Dido is not the typical victim of most Early Modern romances; she is not the innocent, chaste victim of rape. Dido speaks openly to Pyrocles about her questionable reputation and her father Chremes. Nevertheless, Pyrocles rightly fulfills his duty to protect Dido to the best of his ability notwithstanding her questionable reputation.

In Pyrocles's recollection of the incidents described above, the blame for this attack against Dido lies foremost on Pamphilus, and then on Chremes. This is not necessarily
the case in many accounts where women are often depicted as somehow responsible for the attack upon their person. Edmund Spenser's Faerie Queene is a good example. In Book Six of the Faerie Queene, Serena wanders off in the forest to collect flowers to make a wreath for her hair when the Blattant Beast spies and abducts her. Serena is described as having "Wandred about the fields, as liking led / Her wauering lust after her wandring sight /* Without suspect of ill or daungers hidden dread" (23. 28-29, 31). The Blattant Beast ran into the woods "to haue spoyled her" (25.3). So although Serena is eventually saved, she is also partially to blame for the Blattant Beast's attack—Serena should have been more watchful and cautious, thereby avoiding any possibility of an attack.

This is also true in the Old Arcadia: Pamela's "weakness of the watch" is partially blamed for Musidorus's attempted rape of her (202). Unfortunately, in the Early Modern period, like today, many felt women were to blame for their rape. The anonymous Early Modern author of The Lawes Resolutions of Womens Rights (1632) writes, "'[A] carelesse liberty in behauior' in a woman can become 'an infallible argument of sensuality, whereby some men haue been imboldened to offer force, because they thought it was
expected” (qtd. in Baines 4). This quote seems to place the responsibility onto women to make sure men do not misinterpret them.

Pyrocles also lays partial blame on Dido’s father for Dido’s behavior and the ensuing consequences of her behavior. Dido’s father Chremes, a miser, is more concerned about his finances than the care of his daughter. Although Chremes was known throughout his country for his great wealth, he:

had driven [Dido] to put herself with a great lady of that country, by which occasion she had stumbled upon such mischance as were little for the honour either of her or her family—*but so wise had he shown himself therein as, while he found his daughter maintained without his cost, he was content to be deaf to any noise of infamy, which, though it had wronged her much more than she deserved, yet she could not deny, but she was driven thereby to receive more than decent favours. (244)

Pyrocles accuses Chremes of abandoning his responsibility to prevent his daughter from associating with wicked men like Pamphilus, as well as forgetting his
duty to oversee her “education”—an education that should have taught her to be wary of men like Pamphilus. After the assault on Dido, Chremes hesitated to open his doors to Pyrocles and his own daughter:

[A]t length a willingness rather than a joy to receive his daughter (whom he had so lately seen so near death), and an opinion rather brought into his head by course because he heard himself called a father, rather than any kindness that he found in his own heart, made him take us in.

(244-245)

With so evil a father, who can blame Dido for her poor choice of suitors?

It is fitting that his obsession with money is what ultimately leads Chremes to his untimely death. Pyrocles observes, "[Y]et above all things loving money, for money’s own sake determined to betray me" (246). Even after saving his daughter, Chremes betrays Pyrocles for the bounty by leading him into an ambush. Luckily, Musidorus and the king of Iberia come to Pyrocles’s rescue. Furious at the plan to ambush Pyrocles, the king of Iberia hangs Chremes and cuts off the captain’s (organizer of the ambush) head. As Chremes is about to be hanged, Pyrocles notes that:
[N]either the death of his daughter—who, alas, the poor gentlewoman! was by chance slain among his clowns, while she [. . .] sought to hold them from me—nor yet his own shameful end, was so much in his mouth as he was led to his execution as the loss of his goods and the burning of his house. (248)

Not only is Chremes partially at fault for Dido’s earlier bad fortune with Pamphilus, but he is completely at fault for her death, (she was admirably slain trying to protect Pyrocles).

Pyrocles’s character is further enhanced in another way: Pyrocles no longer sleeps with Philoclea as in the Old Arcadia. In this edition, Philoclea and Pyrocles lie together, refraining from sexual intercourse. This serves to further elevate Pyrocles’s character and gain reader sympathy for him. Throughout, Pyrocles’s characterization has clearly been redefined and his heroism intensified.

Pyrocles’s cousin Musidorus is analogously characterized as more heroic in the New Arcadia. Even his moderate misogynistic tendencies (due to his maturing character) have been suppressed for the most part, despite his opening argument blaming love as “a passion, and the

72
basest and fruitlessest of all passions" (71). Continuing in his tirade against Pyrocles’s love for Philoclea, Musidorus informs his cousin, now dressed as an Amazon princess, that the “effeminate love of a woman doth so womanize a man” (72). As in the Old Arcadia, Musidorus swiftly changes his tune after catching his first glimpse of Pamela. Yet in contrast to the Old Arcadia, after the princesses are abducted, Musidorus changes into the “Black Knight,” who battles to free the princesses and Pyrocles (masquerading as Zelmane and so locked up with the princesses). Through their exploits, both cousins have proven themselves and their worth prior to their arrival in Arcadia, thereby bolstering Pyrocles’s and Musidorus’s appeal as heroic and virtuous.

The most notable change to the New Arcadia is the addition of Cecropia and her son Amphialus. In Book III, Pamela, Philoclea, and Pyrocles (disguised as Zelmane) are abducted by the princesses’ aunt, Cecropia, in order to force one of the princesses to marry Amphialus, who would then inherit the throne of Arcadia. Amphialus, in love with Philoclea, is completely ignorant of his mother’s plan:
He was utterly ignorant of all his mother’s wicked devices—to which he would never have consented being like a rose out of a briar, an excellent son of an evil mother—and now, when he heard of this [the abduction], was as much amazed as if he had seen the sun fall to the earth. (317)

After Amphialus confronts Cecropia about the abduction, Cecropia then reveals her and her deceased husband’s long since deserted plan to usurp the throne of Arcadia. Despite this and other shocking revelations, Amphialus uses the princesses’ abduction to his own advantage, hoping to win the princess Philoclea’s love by holding a tournament where he can flaunt his physical prowess in combat. After Amphialus repeatedly fails to win over Philoclea, Cecropia takes matters into her own hands by attempting to persuade the princesses to marry Amphialus (she doesn’t discriminate between the two). When her attempts likewise fail, she begins to torment and eventually torture them, going so far as to stage each sisters’ death for the other to witness. Given her nature, it is not startling that Cecropia, Arcadia’s most wicked
villain, is also the spokesperson of antifeminist rhetoric espousing rape.

In the New Arcadia, Cecropia outlines the various conventional misogynistic beliefs about rape that were still prominent in the Early Modern period. As the narrator keenly observes, she is the "evil mother" of "an excellent son" (317). Bi-Qi Beatrice Lei writes, "Not surprisingly, Cecropia is the most eloquent of Arcadian misogynists" (9). However, Cecropia's avocation of rape in the New Arcadia is intensely significant. Rose agrees commenting, "[I]t makes a difference when the words of misogyny are spoken by a woman character aping male discourse" (35). Philoclea and Pamela, the heroines, who are eventually tortured by Cecropia, reiterate this sentiment in a vehement rebuttal to Cecropia's speech denying the existence of God—a true transgression to an Early Modern audience. Pamela responds, "Peace, wicked woman! Peace! Unworthy to breathe, that doest not acknowledge the breathgiver," and a few lines later she adds, "[T]hough I speak to you without any hope of fruit in so rotten a heart" (359). Not only is Cecropia truly evil, but it seems that she is beyond any hope of redemption.
Cecropia’s vileness is unmitigated in the text and explicitly stated by the narrator and main characters. Accordingly, her speech to Amphialus setting out to condone, as well as to encourage, rape would have been seen by the reading audience, given the speaker and the circumstances, as tarnished. Yet Cecropia’s position was neither unfamiliar nor new to Sidney’s contemporaries. So what, if anything, can be inferred from Cecropia’s tirade reiterating the conventional notion of rape in the New Arcadia? By employing a wicked figure like Cecropia to set forth many conventional notions of rape in her speech, the New Arcadia challenges these notions and the prevailing assumptions that informed the laws on rape. When these notions of rape are vocalized by the debased Cecropia, they become offensive and, at the very least, suspect.

Cecropia begins and ends her oration encouraging her son Amphialus to rape Philoclea by appealing to his sense of manhood. She enjoins, “[M]y Amphialus, know thyself a man; and show thyself a man—and believe me, upon my word, a woman is a woman” (403). According to Cecropia, a man should take what he desires. Amphialus’s fear to offend the poor Philoclea, who is imprisoned within their castle, is obviously not a concern to Cecropia. Baines notes that
in the Early Modern period, “the woman’s will was relatively irrelevant” (3). Certainly, Philoclea’s “will” is “irrelevant” to Cecropia.

What is more, Cecropia questions how Amphialus can know for sure whether he will offend Philoclea: “‘Tush, tush, son!’ said Cecropia, ‘If you say you love, but withal you fear, you fear lest you should offend. Offend! And how know you that you should offend?’” (402). Many contemporary pamphlets of the day suggested that rape was desired and that even though a woman might initially refuse, she could later change her mind after the rape, thereby giving her consent “after.” As Baines points out in her article, according to The Law Resolutions of Womens Rights, many thought that rape was more of a shock than a lasting horrific experience—“a greater astonishment than damage” (qtd. in Baines 6). Consequently, many proposed the woman could actually “be flattered and forgive” the perpetrator who risked being prosecuted for his crime, and many believed that “[t]hough they apply force, that force is pleasing” (qtd. in Baines 5-6). Cecropia offers an example from classical mythology for this view:

[S]o easily had she [Iöle] pardoned the ravisher that she could not but delight in those weapons
of ravishing. But above all, mark Helen, daughter to Jupiter, who could never brook her mannerly-wooing Menelaus, but disdained his humbleness and loathed his softness. But so well she could like the force of enforcing Paris that for him she could abide what might be abidden. [And after Menelaus recovers Helen by force she] ever after loved him for violence. (402)

Sidney was obviously familiar with the representation of rape in Greek and Roman literature and the current discourse on rape, neither of which see rape as an act of violence against women. In addition, these Greek and Roman representations supported the view that a woman, like the Greek figure of Helen, could consent to a rape that she initially detested by enjoying the actual act of sex "after" the rape had already begun.

Cecropia’s later invocation reiterates these popularly held views by questioning whether a woman really means "no" to sexual advances. She responds:

I could laugh heartily to see that yet you are ignorant that 'no' is no negative in a woman's mouth. My son, believe me—a woman speaking of women: a lover's modesty among us is much more
praised than liked—or if we like it, so well that, for marring of his modesty, he shall never proceed further! (402)

Cecropia does not discriminate between seduction and rape. Consequently, according to Arcadia's most evil villain, a woman's initial "no" could really mean, "yes."

Early Modern scholars comment that there was little distinction made between seduction, rape and defloration in the late Middle Ages, and the distinctions between them continued to be uncertain, at best; in the Early Modern period. As we see in Cecropia's speech, a woman's "no" is ambiguous and, therefore, of no account. Cecropia asks Amphius:

Do you think Theseus should ever have gotten Antiope with sighing and crossing his arms? He ravished her—and ravished her that was an Amazon and therefore had gotten a habit of stoutness above the nature of a woman. But having ravished her, he got a child of her—and I say no more, but that, they say, is not gotten without consent of both sides. (402)

This last line is a convincing sign of Sidney's challenge to the conventional notions of rape. Cecropia's
remarks resoundingly echo the English lawmakers, lawyers, and politicians who continue to insist that rape, despite ample evidence to the contrary, cannot beget a child. Obviously, it is only a matter of time before a fertile woman will become pregnant, regardless of whether she consented or not. However, this creates a dilemma: What about all the pregnant women who claimed they were raped? This theory sustained the belief that a woman could change her mind and thereby consent to the rape after the rape began. It also gave courts the legal "proof" they needed to drop the charges.

Noticeably absent at the end of Cecropia's long-winded speech is Amphialus's reaction. Chapter Eighteen begins, "Amphialus was about to answer her, when a gentleman of his made him understand that there was a messenger come" (403). However indeterminate this omission may be, it is significant that Amphialus doesn't answer his mother's oration, nor does he mention any possibility of rape in any other place in the New Arcadia, and he certainly had ample

---

2 In Women, Men, and Society, Claire M. Renzetti and Daniel J. Curran mention an incident that occurred in North Carolina 1995, where a "state representative stated at a hearing that a 'real' rape victim cannot get pregnant
opportunity. One clue to Amphialus’s possible response can be heard right before Cecropia urges him to rape Philoclea as he utters:

Mother, O mother! Lust may well be a tyrant, but true love, where it is indeed, it is a servant [ . . . ] Did ever man’s eye look through love upon the majesty of virtue shining through beauty, but that he became—as it well became him—a captive? And is it the style of a captive to write, ‘Our will and pleasure?’ (401-402)

The cousins’ rival, Amphialus, acknowledges the need to attain Philoclea’s love and approval. Catty writes, “[E]ven the anti-hero Amphialus is not allowed to condone rape, and must be distanced from such an impulse by the introduction of an evil female character” (51). What is more, he never once entertains the idea of rape nor does he compel the princesses to succumb to his desires, either marriage or forced coition.

The final scene that looks at rape in the New Arcadia takes place following the death of Cecropia and Amphialus’s rescue out of the castle. At this point, Anaxius takes

because during a ‘real’ rape, the woman’s ‘juices don’t flow, the body functions don’t work” (264)
control of the castle and its people, maintaining the front against Basilius. Fascinating in this final section is the way Sidney characterizes the would-be rapists Anaxius and his brothers (by association), while depicting the woman’s point of view. This episode questions the notion of woman as property, confirms a woman’s “no” to mean “no,” and, most importantly, shows how men can mistakenly accept Cecropia’s argument that “‘no’ is no negative in a woman’s mouth” (402).

From the moment Anaxius is introduced in the New Arcadia, he is typified as a belligerent, egocentric, and misogynistic man who lacks compassion and refinement. Yet, he is indeed a great fighter who can hold his own against the hero Pyrocles in combat. When Amphialus asks the newly arrived Anaxius if he would like to meet his locked up trophy, Philoclea, Anaxius comically replies:

[Dear friend Amphialus, though I am none of those that love to speak of themselves, I never came yet in the company of ladies but that they fell in love with me. And I, that in my heart.

3 The brothers of Anaxius are only to be seen with Anaxius, and they are virtually inseparable. Most scholars don’t even mention the brothers’ names, and generally refer to them as Anaxius’s brothers.
scorn them as peevish, paltry sex, not worthy to communicate with my virtues, would not do you the wrong, since, as I hear, you do debase yourself so much as to affect them. (391)

Anaxius and his brothers are without doubt characterized as ridiculous, caricatures more comic than sober. Yet no matter how exaggerated these misogynistic buffoons may be, the attitude of Anaxius and his brothers demonstrates the real presence of a particular anti-women viewpoint that was very much alive and well in the Early Modern period.

We might question why Anaxius was there helping Amphialus if he felt that Amphialus was "debasing" himself. The answer is not complex. Anaxius loves wars and battles. Amphialus, desirous to impress his guests, and particularly Philoclea, requests that music be played, to which Anaxius responds that he prefers the "neighing of horses, the sound of trumpets, and the cries of yielding persons" to the resonance of music (emphasis added 393). Anaxius is a character obsessed with conquest and dominion.

However, Anaxius’s attitude toward the princesses suddenly changes when he goes to fetch them "with full intention to kill the sisters with his own hands, and send
their heads for tokens to their father” (452). At this point, he is astounded with Pamela’s beauty and splendor, seeing that she “strake his eyes with such a counterbuff unto his pride” (452). There seems to be a different kind of war happening here. After Pyrocles’s long-winded challenge, Anaxius responds to Pamela’s unvoiced defiance with, “And as for you, minion, [. . .] yield but gently to my will, and you shall not only live, but live so happily” (454). Pamela is asked to “surrender” herself to the commander in charge, Anaxius. Pamela retorts, “Proud beast, [. . .] I had rather have thee--and think thee fitter--to be my hangman than my husband” (454).

After Pamela’s refusal, Anaxius leaves fuming. His brothers, however, stay behind and threaten violence to Philoclea and Pyrocles (still disguised as the lovely Zelmane) if they do not submit to their desires. The narrator tells us that the eldest brother, Lycurgus, who liked Philoclea, “thought she was to be overcome” though she “yielded not” (455). While pursuing Zelmane, the youngest brother is reported as “the forwardest in offering indeed dishonourable violence” (455).

The narrator makes it clear that Lycurgus wrongly distorts Philoclea’s rejection and intends to use
licentious violence toward Philoclea. He, like Cecropia articulates, assumes that a woman’s “no” is only a tactic in the game of love. However, the reader recognizes Philoclea is already betrothed to Pyrocles, and that her reaction of “humbleness and shamefastness” (which Lycurgus interprets as a desire to be subdued), is consistent with her characterization. In Book I, Philoclea is described as “so bashful as though her excellencies had stolen into her before she was aware, so humble that she will put all pride out of countenance” (17). Yet, according to the legal theorists of that day, it was the woman’s responsibility to make sure a man did not misconstrue her behavior (misconstruing a woman’s behavior was not hard to do considering the many false notions that were held regarding women’s “ever-changing” desires). However, the text locates the fault within Lycurgus. After Pyrocles spies Lycurgus’s behavior, he “had eye to his behaviour, and set in [his] memory upon the score of revenge” (455).

In order to purchase some time, Pyrocles convinces Pamela and Philoclea to agree to play along with the seduction. He asks them to “avoid the mischiefs of proud outrage,” and that they would “only so far suit their behavior to their estates as they might win time” (455).
Pamela responds that she and her sister would rather die while they “have done or suffered nothing which might make our soul ashamed at the parture from these bodies” (456). After Pyrocles was finally able to persuade them to follow along, Pamela told Anaxius that if her father consented to their marriage, she would not refuse him. Anaxius agreed because in his arrogance “so little doubted he to win Basilius” (457).

Although plainly a negotiation between men over the marriage of Pamela, Sidney is careful to add that Pamela could refuse to marry Anaxius even if her father did agree. This is confirmed by Pamela’s consent to marry Musidorus and elope with him without her father’s consent. But in order to prolong the time, she tells Anaxius that she will do what her father directs.

When these “negotiations” for marriage fail, Anaxius decides to take Pamela by force, “[H]e resolved now to dally no longer in delays, but to make violence his orator, since he had found persuasions had gotten nothing but answers” (458). Since he could not seduce Pamela, Anaxius resolves to rape her. However, after Zoilus tries to assault Pyrocles (mistaken for the Amazon princess, Zelname), Pyrocles attacks the three brothers and sends
them to “Proserpina, an angry goddess against ravishers” (461). As Zelmane and Anaxius battle before Anaxius’ death, Pyrocles says to him that it is fitting that Anaxius be “punished by the weak sex which thou most contemnest” (465).

Thus we see that rape is not an act to be imitated or praised. Anaxius, Lycurgus, and Zoilus are clearly reprehensible characters who use rape as a means to procure Pamela, Philoclea, and Pyrocles disguised as Zelmane, for themselves. But women are not “procured.” Philoclea has freely promised herself in marriage to the hero Pyrocles, and Pamela has set her heart upon Pyrocles’s cousin, Musidorus. It is important to notice that in every instance of attempted rape, rape is not portrayed as erotic or stimulating, and unquestionably none of these misogynistic characters are “worthy of imitation in our own lives” (qtd. in Wolfthal 2).

Perhaps the second greatest change to the 1593 conflated edition of the Arcadia, is the deletion of the attempted rape of Pamela by Musidorus from the Old Arcadia. As discussed in Chapter 1, Sidney left off mid-sentence in the middle of Book III in the revised edition. From this point in the text, Sir William Alexander added a section
bridging the revised portion of the *Arcadia* together with the last part of the original 1580 *Arcadia*—with the added adjustments to the original *Arcadia* carried out by the Countess. Scholars by and large agree that this and other changes made by the Countess of Pembroke were consistent with Sidney's plan. In her assessment of rape and ravishment in the *Arcadia*, Catty supports this view, "Some critics have attributed it [the revisions] entirely to Mary Sidney using her gender as a pretext for attributing the revision to prudishness. It has been established, however, that these revisions were Philip Sidney's" (45). Catty specifically argues concerning the deletion of the attempted rape and the deletion of the bed scene involving Philoclea and Pyrocles: "That these changes are authentic is suggested by the alteration of the wild animal scene in the first book," which foreshadowed the attempted rape (45, 51). However, the final trial scene remains virtually unchanged.

By delineating the princes as more heroic and chivalrous—through the removing of the attempted rape of Pamela and the modification to the bed scene in which Philoclea and Pyrocles now lie together in bed innocently, and through the princes' blatant display of valor,
discussed in Book II through the retrospective narration of their earlier adventures—the trial seems more unjust and the charges more outlandish. The audience is ever more likely than before to side with the princes whose adventures and great heroism before arriving in Arcadia clearly show them to be great men, great men who do not condone rape or any kind of violence toward women. Yet the blameless princes are mistakenly charged with ravishment. Catty writes, “Sidney’s definition of heroism has clearly altered since the Old Arcadia” (51). No longer can the reader waver on the fact that Musidorus attempted to rape Pamela or that Pyrocles and Philoclea had illicit pre-marital sexual relations. Their names are vindicated and, without even a mere hint of imperfection to their person, they are unjustly accused.

The princes’ newborn innocence has many implications for the readings of the trial’s proceedings and outcome. For one, Philanax’s arguments against the princes become more callous and baseless. Furthermore, Euarchus’s judgment is even more unmerited and unjust, and the law’s ability to condemn wrongdoers has clearly failed with the resulting death sentences of Musidorus and Pyrocles. Consequently, the New Arcadia points out the laws’
loopholes in ravishment cases, and criticizes the constraints the laws place on the choosing of one’s own marriage partners.

In the New Arcadia the princesses’ will is the controlling factor in what counts as consent. Anaxius and Musidorus (both in love with Pamela) and Lycurgus, Amphialus, and Pyrocles, (all in love with Philoclea) may give credence to the princesses’ “power of beauty and chastity,” yet they all respond in different ways to this “topoi” and are judged by the text accordingly: Anaxius and his brothers’ are killed, while Amphialus is mortally wounded, and the cousins eventually marry the princesses. How each man reacts to the princesses’ beauty is foreshadowed in their beliefs about women. Anaxius’ misogynistic beliefs result in his attempted rape of Pamela. Amphialus’s beliefs are accurate, and, for that reason, he never attempts to rape Philoclea. At the same time, he does nothing to help the princesses’ plight and in the end is mortally wounded. The cousins, who won the princesses’ esteem and gained their consent, fight for their protection and end up marrying the princesses. Never are the princesses blamed for the attacks of Anaxius and his brothers upon their persons, nor does their chastity
magically protect them (although it is understood that Providence is always in control). Fittingly, the New Arcadia demonstrates, like Amphialus insinuates to Cecropia, "[I]t is [not] the style of a captive to write 'Our will and pleasure.'"
WORKS CITED


Burks, Deborah G. “'I’ll Want My Will Else': The *Changeling* and Women’s Complicity with Their Rapists.” *ELH* 62 (1995): 759-90.


Chamberlain, Stephanie. “Defrocking Ecclesiastical Authority: *Measure for Measure* and the Struggle for


WORKS CONSULTED

Arieti, James A. "Rape and Livy's View of Roman History."

Cadden, Joan. Meanings of Sexual Difference in the Middle Ages: Medicine, Science, and Culture. Cambridge:


378-407.


<http://muse.jhu.edu/journals/studies_in_english_literature/v042/42.1grossberg.html>


Saunders, Corinne. "Classical Paradigms of Rape in the Middle Ages." Rape in Antiquity: Sexual Violence in

Shuger, Debora. "Castigating Livy: The Rape of Lucrece and the Old Arcadia." Renaissance Quaterly 526
