

Tess of the d'Urbervilles: The Modern Date Rape Case Study

Ashley Gedraitis

Wake Forest University

Faculty Mentor:

Melissa Jenkins

Department of English

Wake Forest University

Rape: although a dirty four-letter word in most cultures, unspoken outside of courtrooms and hospitals, many people still maintain a cogent idea of what it is—what it means “to rape” and “to be raped,” what it means to be the aggressor and to be the victim. From the infamous rape of Lucrece to the plague of date rapes on college campuses today, the legal definition of rape has been written and rewritten and its societal definition continuously altered and refined. Because of the capricious nature of rape’s definition, it becomes difficult to pinpoint rape in historical contexts; literature is no exception. From the beginning of its publication process, Thomas Hardy’s Victorian classic *Tess of the d’Urbervilles* functions as the perfect example of rape’s complexity. “The Chase scene,” the marked moment of the main character’s fall, has been scrutinized for any evidence of rape. Yet the question remains: was Tess Durbeyville raped?

By assessing the text of Tess’s rape in conversation with the legal writings and court cases of the nineteenth century, William Davis, Jr. argues that The Chase scene in *Tess of the d’Urbervilles* was indeed criminal rape. The legal definition of rape in nineteenth-century England was “the offence of having an unlawful and carnal knowledge of a woman by force, and against her will” (Davis 223). A further examination of the law would yield the following disclaimer: “to constitute rape, it is not necessary that the connection with the woman should be had against her will; it is sufficient if it is without her consent” (Davis 223). Strikingly similar to various legal definitions of rape today, under English law, Tess’s rape was an actual criminal act. While the text does not include her protests, it is also absent of her consent. Because Tess was obviously asleep at the time when consent was needed, she physically could not give consent,

tantamount to rape. However, despite the scene's clear alignment with rape's definition, Hardy's readers still debate Tess's role in *The Chase*. In fact, this rape pattern continues to soundly manifest itself in several of Hardy's revisions to the original edition, which further echo his own opinion on Tess's rape. These revisions, once affirming Tess's pure state, were removed to appease Hardy's readers, who were unreceptive to Tess's original depiction of purity even after her rape. The existence of the rape law, coupled with Hardy's forced revisions, gesture to a culture that similarly viewed rape as a dirty word, and thus, a dirty act. It appears to have been easier to write Tess off as yet another Victorian fallen woman.

Acclaimed Hardy biographer Michael Millgate asserts that the call for the revisions "constituted a rude reminder of [Hardy's] dependence" on his audience and their own views (Millgate 281). Millgate continues to observe that it "seems extraordinary that Hardy's awareness of the contemporary cultural climate should not have made him more attentive" to this discrepancy in his original text (Millgate 281). While many like Millgate speculate over Hardy's disregard for his audience and for the literary marketplace, it becomes dually important to note that, despite his "cultural awareness," Hardy originally adhered to his own belief that Tess remained pure. Thus, if Hardy—the puppet master of *The Chase* scene—maintained that Tess was a pure woman, she did not concede to any sexual acts. As author Jane Thomas observes, "Hardy's writings display antagonism towards the necessity of particular codes of social morality" (Thomas 23). Nevertheless, Hardy bowed to public and editorial pressure by acquiescing to "social morality," possibly indicating reservation in his own character construction. Like his own character of Angel, Hardy too "was yet the slave to custom and conventionality," even within his own novel (Hardy 208). This call for revision denotes the contemporary cultural interpretation of rape: regardless of her consent, the rape victim still descends into immorality and impurity.

Yet by examining "The Chase" as a current case study of rape victims, one can draw precise parallels between Alec's sadistic pursuit and violation of Tess and current theory on sexual aggression and date rape. Proving that the institution of rape has remained unvaried for at least a century, these parallel constructions can also silence those who argue that Tess may have played a willing role in her own fall. Through the lens of an objective case study, Hardy's current audience can now clearly discern that Alec not only raped Tess, but they can also pinpoint the exact causal moments leading up to *The Chase*. Together with the call for revisions,

readers can begin to realize the truly problematic nature of *Tess of the d'Urbervilles* as a “feminist text.”

Interestingly, in Western culture today, Tess's rape would not simply be thought of as rape, but also as incest. Even while Alec counterfeits his connection to Tess and the d'Urbervilles, his rape of Tess would at least be deemed “emotional incest,” usually considered to be rape by a step-parent or a good family friend—an individual to whom the victim felt a close, emotional attachment (Toufexis et al 57). However, because historically marriage and procreation were accepted between kinsmen—if not encouraged—Alec's act would be construed as date rape, not incest. When applying Tess's rape to modern rape theory, particularly theory on date rape, one can begin to draw many intersections between current rape models and Tess's own rape, set over a century ago.

In modern theory, a common precursor to sexual aggression includes sexual harassment. While, in the United Kingdom, “sexual harassment constitutes any unwelcome behaviour of a sexual nature,” it is further defined by the U.S. Supreme Court as “any sexually oriented speech or behavior that makes it more difficult for one gender than the other to perform in the work environment” (“Sexual Harassment at Work,” Bargh et al. 256). This analysis will use the more detailed definition set by the United States, which directs the law's jurisdiction specifically to the workplace; while the United Kingdom's definition is very similar, it is more broadly articulated. Thus, most modern rape theory also utilizes the United States' definition. Because Tess works for Alec's mother tending her fowls, all conversations and transactions taking place between Tess and Alec would take place in context of “the work environment.” While some theorists may maintain that considering Alec to be Tess's employer stretches the text too far, several remarks made later in the text refer to Alec's authority over her in the workplace. First, as Tess reflects on her current employer—a cruel farmer—she decides that “to have as a master this man of stone, who would have cuffed her if he had dared, was almost a relief, after her former experience [with Alec]” (Hardy 250). Referring to her former experience with Alec in an analogy of her masters and current job position, this statement reveals that the text itself argues for Alec's role as her master and employer. However, even if this example cannot sway current readers, for the purposes of rape theory, it is most important that Alec and Tess at least perceive Alec to be her employer. This understanding is communicated in the statement made by Alec to Tess near the end of the novel: “Remember, my lady, I was your master once; I will be your

master again” (Hardy 261). When dealing with theories on sexual harassment, the veritable relationship is not as important as the perceived authority in the understood relationship. Although some may still contend that Alec was not her employer, both Alec and Tess acknowledge the relationship, forcing Tess to react accordingly.

In addition, sexual harassment consists of two general forms, the first being *quid pro quo*. To constitute *quid pro quo*, “the woman is coerced into having sex with her supervisor or coworker under the threat of job-related reprisals” (Bargh et al. 256). As the son of her matron, Alec would likewise be considered an employer of Tess. After Tess rejects a kiss from Alec, he threatens, “you shall be made sorry for [your refusal]...Unless, that is, you agree willingly to let me do it again” (Hardy 41). While some may argue that demanding a kiss is very different from coercing sex, one must account for the increasing laxity in sexual norms; it is permissible to ascertain that a kiss to the devout Victorian woman may be comparable to sexual acts to the average 21st century woman. As Foucault argues the repression of sex in the Victorian era, a kiss is really the only sign of affection rooted in sexual desire a man was socially allowed to show a woman (Foucault 3). Thus, the stolen kiss functions as the ultimate disregard of a woman’s conceding to sexual access; today’s equivalent to this disregard would be forced sex. Regardless, Alec threatens Tess, purporting her regret of the incident unless she grants him this minimal sexual access. Also, as her employer, his threats dually carry a tacit job security undertone.

Moreover, sexual harassment can include the existence of a “hostile environment,” where “female employees are subjected to repeated offensive and denigrating sexual comments and behavior” (Bargh et al. 256). For example, when Alec calls her a “young witch” and an “artful hussy,” Tess becomes very disconcerted; in the work environment, distress is considered an impeding factor on job performance (Hardy 40-41). Furthermore, literally in her place of work—the fowl house—Alec exacerbates his harassment, saying “there was never before such a beautiful thing in nature or art as you look, ‘cousin’ Tess” (Hardy 45). While masked as a compliment, many physical accolades are considered to be explicitly inappropriate in the work environment. Not only does he breach the separation of public and private realms with a gesture toward romance in the workplace, but he also aims to further fluster Tess, again inhibiting her job performance. Through his enjoyment for a kiss, defamation of her reputation through pejorative sexual terms, and his unsolicited flattery in the workplace, Alec’s behavior perfectly fits into the sexual harassment paradigm.

Another important aspect leading up to sexual aggression is grooming. Sexual aggressors do not immediately begin their abuse; rather, they begin to desensitize the victim through smaller acts—testing the limits while simultaneously desensitizing the victim to their increasing advances. One researcher describes it as the process when the victim is “befriended by a would-be abuser in an attempt to gain... confidence and trust, enabling them to get the [victim] to acquiesce to abusive activity (Craven et al 288). Once the aggressor realizes that he can obtain what he desires as long as he continues to push the victim persistently, he is conditioned to become more aggressive and violating to the victim. He observes that with constant pressure, he can get his victim to acquiesce. Prior to threatening Tess, Alec had somewhat civilly requested a kiss from his ‘cousin.’ Taken aback, Tess initially agrees to the request, saying “Oh, I don’t know—very well; I don’t mind” (Hardy 40). While she throws up a handkerchief between his kiss and her cheek, she still initially granted him this sexual access. From the very beginning of their acquaintance, Alec detects a malleability in Tess’s person, conditioning him to recognize that with increased force and persistence, he can obtain what he wants. Through his persistence, Alec grooms Tess for further sexual advances. In response to Alec’s grooming, Tess teaches Alec that he can gain sexual favors through violence and coercion—two methods used with rape.

In addition, Tess’s manipulability of character reveals itself in the opening lines of Chapter XXVII, when the narrator asserts that “[Tess’s refusal to Angel’s proposal], though unexpected, did not permanently daunt Clare” (Hardy 136). Now two separate men have commented and acted on Tess’s yielding personality. Because both are conditioned to remain steadfast in their different pursuits of her, the reader can reason that Tess’s reactions to grooming and her subsequent conditioning of both men are not coincidental—they are stagnant constructions of her character. However, as this atrophied will is solidified in her character, the reader must assume it to be a product of parenting, home environment, or most importantly, society, still rendering her faultless for the rape. As author Jane Thomas asserts, “Hardy recognized women’s physical, mental, and emotional susceptibility to convention” (Thomas 48). Because she is not aware of her conditioning and simply adheres to the “angel in the house” convention of being agreeable and accommodating, society and its expectations of women become partially accountable—not Tess.

Yet as Alec attempts to entice Tess romantically and sexually, Alec’s act of aggression becomes aligned with today’s conception of date rape. Hardy himself defines the act of dating as

“the country custom of unreserved comradeship out-of-doors” (Hardy 151). Although only Alec acts “unreservedly,” Tess is compelled to spend time with Alec and appease him due to his status as her employer, still generally conforming to Hardy’s own definition of dating; thus, by meeting Hardy’s definition of “courtship” and the nineteenth-century definition of “rape,” The Chase scene indeed becomes date rape. The existence of rape in the 19th century, not to mention its denotative meaning, is validated through the OED definition: “To ravish, commit rape on (a woman),” cited in both 1861 and 1885. The OED thus confirms the ahistorical conception of rape from the nineteenth century to current theory.

Again, there are various precursors to the actual act. For example, in a recent college study on self-identified date rapists, “every case of rape followed a fairly intense bout of sex play” (Kanin 237). In the novel, at the neighborhood dance, “the movement grew more passionate...the panting shapes spun onwards” (Hardy 49). As Kaye asserts in *The Flirt’s Tragedy*, “it is through the rituals of dance that Hardy’s characters locate the symbolic distillation of flirtatious desires” (Kaye 144). Although Tess does not necessarily participate in this sensualized dancing, she is still present for the scene itself, as is Alec, who witnesses her there in this sexualized context. Her presence at a dance, to a sexual aggressor already primed for the act, can easily position her as a “flirt.” While no sexual foreplay had actually taken place, Alec’s ability to associate Tess with this sexual scene provides him with enough heightened arousal to justify this connection. This scene, focusing on the corporeal, arguably provides Alec with a physical, more aggressive motivation for that particular evening; he unconsciously connects Tess with the sensual movement.

Consequently, the town of Trantridge too emits a general immoral tone. At the beginning of Chapter X, the narrator describes its defining characteristics:

Every village has its idiosyncrasy, its constitution, often its own code of morality. The levity of some of the younger women in and about Trantridge was marked, and was perhaps symptomatic of the choice spirit which ruled The Slopes in the vicinity. The place had also a more abiding defect; it drank hard. (Hardy 46)

Again, a heightened sexualized environment provides an ideal context for Alec to be conditioned for sexual aggression; he receives encouragement not only from Tess but from “some of the younger women” about the town as well. This description, arguing that Trantridge condones or even encourages loose behavior, reveals important information about Alec’s character. He has

lived in a place where sexual dissipation and drinking are not only common but normal; of course, he is bound to adopt some of these attitudes. Interestingly, later in the novel, Angel comments on the morality of small towns versus larger cities. When Tess suggests that they can stay together because several women her mother knew were able to overcome similar situations, Angel retorts, “Different societies different manners. You almost make me say you are an unapprehending peasant woman, who have never been initiated into the proportions of social things” (Hardy 182). Coupled with the above passage on Trantridge, Hardy infers that not only are these smaller rural towns more prone to both immoral activity and the acceptance of said activity, but these environments are what conditioned Alec’s behavior for his pursuit of Tess and the night of *The Chase*.

Moreover, in many instances of sexual coercion, there is a power imbalance in place, favoring the aggressor (Murnen et al 279). This power imbalance helps to engage vulnerable victims, playing on their weaknesses, framing the aggressor as a necessary figure. In Tess’s rape, Alec benefits from two distinct power imbalances, the first being her emotional vulnerability. Upon recognizing they are lost in the woods, tears slowly began to creep down Tess’s cheeks, and eventually she “wept outright” (Hardy 57). Tears and affliction feed into vulnerability and the want of a protector, a position which Alec immediately retains. An even more significant power imbalance derives from Tess’s exhaustion:

She was inexpressively weary. She had risen at five o’clock every morning of that week, had been on foot the whole of each day, and on this evening had, in addition, walked the three miles to Chaseborough, waited three hours for her neighbors without eating or drinking, her impatience to start them preventing either; she had then walked a mile of the way home, and had undergone the excitement of the quarrel till, with slow progress of their steed, it was now nearly one o’clock. (Hardy 54)

Similar to sleep, alcohol—a reoccurring factor in date rape—provides a drugged, alternative consciousness, causing another power imbalance. These similarities between alcohol and sleep are reaffirmed by Tess’s thought process after Angel’s sleepwalking episode. She cannot reveal the events of the past night to him, asserting “it was too much like laughing at a man when sober for his erratic deeds during intoxication” (Hardy 197). With this statement, Tess further illustrates the congruence between an alcoholic stupor and an exhausted state. Thus, the tired

victim is not in full possession of her faculties, rendering her situationally inferior to her aggressor. Like alcohol, sleep left Tess drifting in and out of an alert state, with little agency to effectively defend herself.

More importantly, Hardy continues this narration: “Only once, however, was she overcome by actual drowsiness... In that moment of oblivion she sank her head gently against [Alec]” (Hardy 54). This action—though remote and slight—acts as further training for Alec. Not only does he realize her drowsiness and subsequent physical vulnerability, but he observes that in this drowsy state, he becomes appealing to Tess. Through placing her head on his shoulder, Tess gestures that she desires his help and protection. He reads this gesture as the key to unlocking Tess’s sexual acquiescence. Furthermore, Alec’s grooming continues when he asks Tess if he may “treat [her] as a lover” (Hardy 55). Instead of overtly negating him, Tess murmurs, “I don’t know—I wish—how can I say yes or no—when” (Hardy 55). While the conclusion of this sentence may have provided telling insight into her justification for her uncertainty—possibly in quid pro quo, reflecting on how she cannot say yes or no when “[Alec] is [her] employer”—the reader does not need her to even finish the sentence. Tess does not object outright, giving Alec another glimmer of hope. Through her ambiguous answer, Alec discerns that tonight—unlike other nights—may be his chance.

Further into the night at the rape incident itself, the reader can clearly detect a threatening environment developing as nature lends its own endowment to the scene, providing a cosmic power imbalance. With “the webs of vapour which by this time formed veils between the trees,” Tess lay hidden and alone, waiting for Alec to return to her—her safety solely dependent on him now (Hardy 56). “With the setting of the moon the pale light lessened, and Tess became invisible,” allowing herself to become more vulnerable to physical intrusion (Hardy 56). Additionally, when Alec returns to The Chase, “the obscurity was now so great that he could see absolutely nothing but a pale nebulousness at his feet, which represented the white muslin figure he had left upon the dead leaves” (Hardy 57). Nature heavily helps to construct a hostile scene for Tess, providing the ideal milieu for the already-advantaged Alec.

The simple description of Tess as “the white muslin figure” further develops the typical rape scene. One significant characteristic studied sexual aggressors have in common is a candid lack of empathy for the victim (Bushman et al 1029). This lack of empathy can be transcribed in various ways, including the lack of acknowledgement of the victim as a real person—a living,

breathing human being. By describing Tess by the clothes she is wearing and not by her actual person, Hardy situates Alec into a prime sexual aggressor position. He now only views her as a pile of clothes, not a real person, and there is little guilt implicated by violating a pile of clothes.

Possibly the most well-known characteristic of sexual aggression, violence plays some sort of a role in the majority of rape. Through a close reading of the one paragraph where the literal act is mentioned, one can discern from the language that not only is Tess an unwilling participant in the rape but also that the rape was of a very violent nature (Hardy 57). The passage begins by reflecting on Tess's current need for a "guardian angel" to protect her from ensuing harm. Hardy would not call on the soldiers of heaven unless the situation is detrimental to Tess's well-being; moreover, if she had agreed to Alec's sexual solicitations, few would determine the act to be harmful. In a study on child sexual abuse, the researchers found that there was little immediate or long-term harm done to a victim who readily consented (Rind 46). While some may argue that Tess was no longer a child, Hardy makes several gestures toward her youthful, child-like state. Before the rape, he remarks that Tess has "a luxuriance of aspect, a fullness of growth, which made her appear more of a woman than she really was" (Hardy 30). This observation indicates that while Tess may be physically perceived as an adult, she is still very much a child. Interestingly, this adult-like appearance may position her as a more vulnerable rape victim—it is easier to justify sexual acts on a woman than a child. Hardy also notes that after the rape, "almost at a leap Tess thus changed from a simple girl to complex woman" (Hardy 77). While many other factors may contribute to this leap, it can be argued that the rape forced maturity upon Tess much sooner than it would have naturally occurred. Both statements speak to her newfound adulthood post-rape, placing her in congruence with the study that a lack of consent has a greater negative impact and consigning her to a more vulnerable identity as a child before *The Chase*.

In continuation, the "course pattern" traced upon her and "the possibility of retribution lurking in the present catastrophe" further impart an ominous, sadistic tone in the scene (Hardy 57). Finally, the idea that Tess's "mailed ancestors...had dealt the same measure even more ruthlessly towards peasant girls of their time" explicitly infers that the act was both ruthless and indisposed. With these quotes providing the only true context the reader has for the rape itself, one is left to reconstruct the scene as a violent struggle, so harmful she needed her guardian angel.

The environment after The Chase scene—also laced with violent undertones—further presents Tess as a victim and not a participant in her misfortune. As Alec and Tess exchange their good-byes, he demands one last kiss from Tess. Acting out of his grooming, she turns her cheek and remarks, “See how you’ve mastered me!” (Hardy 60). This language of ownership constructs a master-to-servant relationship, rather fitting after Alec has unjustly seized control of Tess’s body and sexuality. After raping her, he now owns part of her; Tess’s comment helps to reveal his jurisdiction over her physical being after The Chase. As this scene continues, Alec comments on her obstinacy and reluctance to kissing him, declaring to Tess, “You don’t give me your mouth and kiss me back. You never willingly do that” (Hardy 61). In this statement, Alec openly admits that Tess has never willingly kissed him. This observation—possibly a clue left for the readers by Hardy himself—can also be applied to other sexual acts. Tess has never “willingly” given Alec her cheek to kiss; why should one ascertain that she willingly gave him her entire body instead?

Tess’s final comment of Chapter XII directly speaks to Alec’s coercion and unjust advances. As she explains to her mother why she returned home, Tess rebukes her mother’s lack of teaching:

Oh mother, my mother! [...] How could I be expected to know? I was a child when I left this house four months ago. Why didn’t you tell me there was danger in men-folk? Why didn’t you warn me? Ladies know what to fend hands against, because they read novels that tell them of these tricks; but I never had the chance o’ learning in that way, and you did not help me. (Hardy 64)

The first striking use of diction surfaces with Tess’s identification as a “child” before she journeyed to Trantridge, inferring that a mere four months later, she is no longer a child but an adult. This accelerated maturity suggests that an event in her stay at Trantridge forced her to let go of her childhood. Furthermore, this event included “danger in men-folk.” If she had willingly consented to Alec, Tess might have chosen the words “seduction” or “temptation” in men, but not danger. Danger again gestures towards Tess’s role as a victim, particularly when applying “these tricks.” Put into the context of The Chase scene, Tess lost her childhood to a dangerous man, full of tricks; this constructed scene does not support the notion of consensual intercourse. Consequently, after Tess reproves her mother’s lack of “warning,” the reader can now confidently infer that Tess was raped. Later in the novel, Alec too comments on Tess’s

ignorance, observing “that it is a shame for parents to bring up their girls in such dangerous ignorance of the gins and nets that the wicked may set for them” (Hardy 247). Not only does he place the responsibility of Tess’s unawareness on her parents and not Tess, Alec also suggests he, “the wicked,” had set a trap for the naïve girl. Exploiting this obvious disadvantage, Alec continues to affirm Tess’s innocence.

Further in the text, Alec’s language exposes more evidence to Tess’s victimization and not participation in The Chase scene. Employing language of “innocence versus guilt,” Alec admits his wrongdoing “to foul [Tess’s] innocent life” (Hardy 247). He later confesses to Tess that he “saw [her] innocent, and [he] deceived [her]” (Hardy 259). Alec goes a step further and assumes responsibility for the situation, stating “the whole blame was mine” (Hardy 247). This dialogue clearly places Tess in the role of a victim; she was not only an innocent life, but Alec deceived her and assumes “the whole blame.” If Tess had consented to Alec’s advances, then Alec could not call her innocent. Furthermore, he attempts to make amends with Tess, remarking, “I owe you something for the past, you know” (Hardy 280). Again, if Tess had been a willing and consensual partner in The Chase, then Alec would owe her nothing. He would not have taken anything which she had not willingly given. However, by maintaining that there is an unsettled debt which he owes her, Alec infers that he stole something from Tess—and she never received appropriate retribution.

However, some will maintain that Tess’s language acts to contradict her innocence, such as when she calls Alec her “seducer.” Yet it can be argued that Tess’s diction can still function within the framework of her rape. While she did not acquiesce to Alec’s sexual advances—she was not even conscious to do so—she still willingly accepted his offer to drive her home, placing herself in the rape environment. Therefore, he “seduces” her into The Chase, not into consensual sexual relations. Additionally, if Hardy must mask her rape for his readers, calling Alec her “rapist” or “aggressor” would blatantly assert her rape; therefore, her violation remains carefully nuanced behind selective language.

Redirecting the focus of the case study through another lens, one can study Tess’s rape by examining the paradigmatic roles which Tess and Alec fulfill in the act. As the rapist, Alec portrays a common characteristic of displacing responsibility for his behavior. He dilutes his own accountability, saying, “I suppose I am a bad fellow—a damn bad fellow. I was born bad, and I have lived bad, and I shall die bad” (Hardy 60). By allocating the responsibility to not his own

nature or actions, but to genetics and birth, Alec distances his person from his actions. In addition to this disconnect, Alec's history also aligns itself with the typical sexual aggressor identity. The majority of men who identified as date-rapists "report[ed] that they had exerted greater efforts on dates with other women [previous to the rape]" (Kanin 237). Similarly, fragments of Alec's sexual past manifest themselves in the confrontation between Car Darch and Tess. Car, obviously referring to her own intimate past with Alec, becomes defensive and jealous, telling Tess "th'st think th' beest everybody, dostn't—because th' beest first favourite with He just now... I'm as good as two of such!" (Hardy 52). Indicating her own sexual knowledge of Alec, Car grants the reader access to her sexual history with Alec; as a result, the reader discovers that Tess is not the first woman Alec has actively pursued. Later in the novel, Alec himself alludes to his extensive sexual past, telling Tess that her rape "was the very worst case [he] ever was concerned in" (Hardy 247). Through Car Darch's rejoinder and Alec's own confession, the reader becomes privy to Alec's increasing sexual resume, further espousing his violation of Tess, "the worst" he has committed.

Furthermore, as the chapter closes with Alec "rescuing" Tess from the angry Car Darch, Car's mother exclaims, "Out of the frying pan into the fire!" (Hardy 53). This statement too supports Alec's promiscuous, possibly even violent history with women. This particular scene molds perfectly two separate findings from a current study: 62% of self-identified rapists reported that they attempt to seduce a new date "most of the time," and they all have had "considerably more heterosexual experience [and] have engaged in a more persistent quest for heterosexual encounters" (Kanin 238). Similar to the date-rapists in this study, Car Darch's outburst and Alec's person revelation reveal his own heightened sexual experience.

Equally important to an examination of the rapist is the assessment of the victim. In the novel, Tess displays the quintessential rape-victim persona. Her first exhibition of post-rape characteristics is in her internalization for most of the blame, which can be detected by her reluctance and obstinacy to explain the incident to Angel, four whole years after the incident. When she finally builds up the courage to confess her past to him, she panics and confesses her lineage instead: "She had not told. At the last moment her courage had failed her" (Hardy 148). When Angel presses her, she simply tells him that she is "not good enough—not worthy enough" (Hardy 137). Furthermore, in her letter to Angel after their separation, Tess writes that "the punishment [he has] measured out to [her] is deserved" (Hardy 264). Yet legally, Tess has done

absolutely nothing wrong. These feelings of inferiority and depravity are societal constructs—not legal sanctions. Unlike the centuries before, rape law in the nineteenth-century functioned as an empowering tool for women, not a death sentence. Women could take men to court on the basis of rape and actually win; they now had rights (Davis 224). However, “working-class women were almost wholly beyond the reach of civil law. With their lack of resources and legal ‘know-how,’ women were effectively outside the scope of the law” (Davis 227). Unfortunately for Tess, her internalized self-blame may be partially derived from her position, in both the gender and socioeconomic hierarchies.

Regardless, by both law and religion, Tess remained a pure being; the guilt she felt was reflexively inflicted and not from external sources. Her internalized self-blame is likewise demonstrated when she fails to report the incident. The narrator purports that when Tess leaves home to work at the dairy, she can look at her great family vaults and reminisce “that the individual innocence of a humble descendant could lapse as silently [as Babylon]” (Hardy 78). Not only does Tess abstain from testifying against her rapist, this statement argues that her silence is premeditated, reflecting on the nature of her silence, not that it is problematic. Her silence is planned and accepted, further illustrating her self-blame.

In addition to blame and report, adjustment patterns can be very telling in an assessment of the rape victim. As aforementioned, Tess utilizes the coping mechanism of self-blame; in a study on rape adjustment, the researchers found that “both behavioral and characterological self-blame were associated with poor adjustment” (Meyer 244). Another pattern Tess demonstrates is remaining in her house and withdrawing from her community, both also associated with poor adjustment (Meyer 244). While some may contend that Tess does leave the house to work in the fields, there she still pulled “her bonnet...so far over her brow that none of her face is disclosed” (Hardy 69). Even while outside, she continues to remain hidden. The narrator also notes that “one reason why she seduces casual attention is that she never courts it,” maintaining that while people notice her, she goes out of her way to eschew others’ consideration (Hardy 69).

Yet after her baby dies—the only hard evidence of the rape—Tess makes a “big life change.” One of the only successful coping patterns found in the study, “big life changes” such as moving or switching jobs have been found to promote healthy adjustment after a rape (Meyer 244). In the novel, Phase the Third opens with, “On a thyme-scented, bird-hatching morning in May, between two and three years after the return from Trantridge—silent reconstructive years

for Tess Durbeyfield—she left her home for the second time” (Hardy 79). Not only does this opening negotiate a new beginning for the protagonist, but its language of “thyme-scented” and “bird-hatching” infer that sunshine lies ahead, as if the novel itself foresees this coping pattern to be effective. Moreover, “big life changes” are one of two strategies reported by Meyer and Taylor to cause less sexual dissatisfaction after rape (244). It is only after Tess makes this life change that she can move on and meet her new romantic interest, Angel. Tess overtly states the consequences of her life changes in her long letter to Angel, claiming that “the past [to Tess] as soon as [she] met [Angel]...was a dead thing altogether,” again illustrating how moving to the dairy helped her to overcome her rape; it became dead to her (Hardy 265). Tess’s life—now rejuvenated—could start anew with Angel. Dually functioning as both a literary device for the form of the novel and a catalyst for the function of Tess as a character, this “big life change” is undeniably necessary to the plot. Although Hardy refuses to ultimately allow Tess true happiness with his character of Angel, he does offer her a temporary opportunity to move on with transitory happiness.

Yet Angel equally presents an interesting pattern found in many individuals’ lives post-trauma. A key turning point for rape theorists happens when Angel divulges his own unscrupulous secret to Tess: “He then told her of that time of his life to which allusion has been made when, tossed about by doubts and difficulties in London, like a cork on the waves, he plunged into eight-and-forty hours’ dissipation with a stranger” (Hardy 177). After this revelation, the reader learns that both Tess and Angel have a socially unaccepted sexual past—pasts of which neither individual was aware. One marriage counselor observes that humans “have a tendency to get into repetitive patterns of relationships” unknowingly, such “as when a woman whose childhood was damaged by her father’s alcoholism finds herself marrying a man who turns out to be an alcoholic” (Scarf 46-47). Similarly, Tess—a female rape victim—finds herself “unconsciously stud[ying]” Angel—a man who potentially brought a similar fall to another woman (Hardy 101). Scarf continues this relationship phenomenon:

So often such similar issues—alcoholism, or the early loss of a parent, or even time spent in an orphanage early in life—pop out on both sides of the [partners’] family tree! We humans must...have powerful ways of knowing about each other and it is this knowledge which draws us, in an inexorable and almost hypnotic

way, to the person who is to become the mate. It is the recognition, somehow, of what is familiar. (Scarf 68)

Not a coincidence, both Angel and Tess “unaffectedly sought each other’s company” (Hardy 151). Indeed, Angel and Tess upheld this unexplainable occurrence: just as the daughter of an alcoholic married an alcoholic, the rape victim fell in love with and married a sexual aggressor.

Furthermore, Tess portrays the bodily disconnect many women who are victims of both physical and sexual abuse experience. In a study on sexual abuse and perception of one’s body, “for [one woman,] her body was the physical entity that signified her outside status. When the sexual abuse occurred, [she] felt she had lost her body” (Thompson 357). Unlike Hester Prynne’s large “A” to denote her isolated status, many women view their physical bodies as indications of their sexual abuse. As Thompson states, “As is true for many women who have been abused, the split that [one participant] described between her body and soul was an attempt to protect herself from the pain she believed her body caused her” (Thompson 357). This bodily disconnect can be traced throughout many rape victims, blaming their body or physical appearance for their selection as targets. In Tess’s case, she too no longer associates a connection between her body and soul, particularly after her pregnancy and birth of her late child, Sorrow: “...Tess had spiritually ceased to recognize the body before [Angel] as hers—allowing it to drift, like a corpse upon a current, in a direction disassociated with its living will” (Hardy 299). As the statement suggests, her body no longer served a purpose once it was violated; her spirit could not even recognize its corresponding physical sanctuary. The act of rape can mutilate and permanently sever the connection between one’s self and one’s body, as Tess’s is nothing more than “a corpse upon a current.”

Interestingly, Hardy initially made Tess’s rape more strongly correlate with date rape in the 1891 publication. In this edition, Alec gives Tess a drink of a cordial from “a druggist’s bottle” which he “held...to her mouth unawares” (Davis 226). The existence of this plot twist implies that Hardy too desired to frame the The Chase scene as a rape; he originally had Alec go to the extent of drugging Tess in order to gain sexual access. Moreover, this addition to the story would have construed Alec’s actions as even more solidly premeditated, rather than a reaction to the moment created by quid pro quo, hostile environment, and grooming. Another revision—the removal of the original subtitle—lends itself to the argument that Tess was a victim of rape and not a participant in consensual intercourse: “In 1891, *Tess of the d’Urbervilles* first appeared with

the subtitle ‘A Pure Woman, Faithfully Presented’ (Heffernan). The text originally, before receiving any criticism from the literary audience, positioned Tess as “a pure woman,” again contending that the scene was not seduction or even consensual – it was rape. This subtitle further elucidates Hardy’s own views on rape; the victim, though losing her chastity, was forced into the act and can still remain pure.

A final revision, involving the length of Tess’s stay after the incident, endorses Tess’s purity. The original text situates her leave of Trantridge the morning after The Chase scene. In the 1891 edition, Hardy states that “it was a Sunday morning in late October, about four months after Tess Durbeyfield’s arrival at Trantridge. The time was not long past daybreak” (145). However, the revised edition states that “it was a Sunday morning in late October, about four months after Tess Durbeyfield’s arrival at Trantridge, and some few weeks subsequent to the night ride in The Chase” (Hardy 58). Positioning Tess in the role of the frightened victim, in the original text she leaves Trantridge directly after her rape. This immediate flight infers that she either felt too threatened or too frightened to stay; she had to remove herself from a dangerous situation. Yet Hardy again concedes to the contemporary public, with the revision delaying Tess’s departure “some few weeks.” Yet this prolonged stay can still be conducive to the argument of her rape. For example, her mother had not taught her the appropriate behavior and protocol and she was thus confused. Correspondingly, Alec comments at a future meeting that Tess “took [herself] from [him] so quickly and resolutely when [she] saw the situation; [she] did not remain at [his] pleasure” (Hardy 253). Possibly, Tess required time to fully comprehend what had happened to her; three weeks later, she finally understood and left. However, the original text’s urgency greater supports her position as a victim and not a willing participant.

With the current information on rape today, the task no longer becomes determining whether The Chase was rape or seduction; rather, the next step would be to analyze Tess’s rape in conversation with rape as a gendered institution. While, arguably, her subsequent murder of Alec avenges her rape, Tess still is equally punished with a similar fate for her self-induced justice. Moreover, Angel’s reaction to Tess illustrates another view of rape through a gendered perspective. After Tess divulges the details of her past, Angel tells her she is “not deceitful...but not the same” (Hardy 182). An incredibly problematic statement coming from a sexual aggressor, Angel cannot view Tess as “the same,” while Tess can and assumedly must accept Angel’s sexual decadence, which, ironically, was of a conscience nature. Angel is described as

“a cork on the waves,” somehow unaccountable for his own actions, while Tess—asleep at the time of her proposed dissipation—receives full blame for her actions.

With this gendered lens, a contemporary feminist audience can perceive why the book’s acceptance after revision can be viewed as problematic. While the Victorian audience would not suffer through overt details attesting to Tess’s purity, they received and even welcomed the text with Hardy’s depictions of a sexual aggression double standard. This tolerance of male-initiated violence can also be explained with modern rape theory. As Emily Martin avers in *Evolution, Gender, and Rape*, Victorian science became heavily dominated by Darwinian theory, particularly with a strong emphasis on inheritance (Martin 364). From an evolutionary psychology standpoint, sexual aggression is an inherited trait in the male gene pool. Those men who successfully “spread their seed” remain represented in the gene pool; hence, the more seeds spread, the more seeds sown. Off that point, sexual aggressors who gain increased sexual access to a large number of women, even through force, are more likely to be widely represented in the gene pool, passing on their own tendencies toward sexual aggression. In other words, sexual aggressors will engage in intercourse with more women and father more children while simultaneously passing on the inclination towards sexual aggression.

By applying Darwinian theory to sexual aggression, male sexual aggression and even the possible consequential violence towards women are natural proclivities for survival. While Darwinian theory does not address a male’s morality, it does address a biological drive towards prodigious procreative acts—without boundaries. Thus, an interpretation of the theory may call for an objective acceptance of male sexual aggression, assuming sexual coercion is a key to survival. Therefore, in a society that so readily accepts evolutionary theory, the blame rests not on the man but on the woman. Women like Tess are somehow supposed to ward off more powerful men as well as biology while also asleep.

An analysis of Tess’s rape in accordance with modern rape theory yields several results. First, Tess’s rape—in the context of Alec’s pursuit of her framed as date rape—perfectly adheres to the modern rape paradigm. With the addition of the cordial, her immediate leave of Trantridge, and Hardy’s original subtitle, the reader can begin to piece together Hardy’s own view of Tess: she remained, as the subtitle clearly states, “a pure woman.” However, because his Victorian audience reacted so negatively to Tess retaining that title, Hardy erased several details that could explicitly attest to Alec’s rape and negate the act as consensual. Furthermore, readers’

acceptance and approval of the text once revised provides today's audience with a view of Victorian rape as a gendered institution. Alec and Angel are excused through an interpretation of evolutionary biology, while Tess is still held accountable for her rape, defined so by the legal system then and now as well as by the author himself. By conforming to his audience, Hardy elucidates the Victorian view on rape as well as his own, functioning in this volatile gendered institution. Poor Tess, the victim of both a crime and an unjust institution, never lived to see her reflection as "a pure woman." Both she and Hardy needed at least a few more years, maybe even a few more decades, for society to catch up.

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