

Revenge Tragedy Revisited: Women and Law in Nina Raine's *Consent**

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Abstract

'Revenge' has been a common theme in Western drama, the primary examples of which are found in well-known Ancient Greek plays and Renaissance revenge tragedies, in which one major thematic quality of revenge is its affinity with the themes of 'justice' and 'law'. In these revenge tragedies, protagonists generally have to seek their rights in a prejudiced legal system represented and controlled by a biased authority. Mirroring the inefficacy of legal mechanisms in such well-known plays, Nina Raine's *Consent* (2017) portrays three women who struggle against a gender-biased legal system with their methods in their search for justice. While two of these women are educated with distinguished careers, the other one is from the working class, and the play implies that the present legal system is prejudiced against women regardless of their class. The article argues that the play can be read as a contemporary revenge tragedy with a feminist outlook, in which the female characters suffocated within a patriarchal legal construction try to attain justice on their own, portraying women's permanent confinement within legal discourse both in real life and in dramatic representations.

Keywords: revenge tragedy, justice, law, Nina Raine, *Consent*

İNTİKAM TRAJEDİSİ GERİ DÖNÜYOR: NINA RAINE'İN *CONSENT* OYUNUNDA KADINLAR VE HUKUK

Öz

'İntikam', Batı tiyatrosunda ilk örnekleri Antik Yunan trajedilerinde ve Rönesans intikam trajelerinde görülen yaygın bir temadır. İntikam trajedisinin (revenge tragedy) göze çarpan bir özelliği 'adalet' ve 'hukuk' konuları ile ilişkili olmasıdır. Bu oyunlarda ana karakterler genellikle önyargılı bir otoritenin temsil ve kontrol ettiği, taraflı bir hukuk sistemi içerisinde kendi haklarını aramak zorunda kalırlar. Nina Raine'in *Consent* (*Rıza*) (2017) oyunu bu oyunlarda görülen hukuki aksaklıkları yansıtır ve adalete erişme yolunda cinsiyet temelli mekanizmalar tarafından engellenen üç kadının kendi yöntemleriyle adalet arayışını konu edinir. Söz konusu karakterlerden ikisi eğitimli ve kariyer sahibi iken, diğeri işçi sınıfının bir üyesidir ve oyun mevcut hukuk sisteminin sınıf ayrımı yapmaksızın tüm kadınlara karşı ayrımcı bir yapıda olduğunu ima eder. Bu makale, oyunun ataerkil bir hukuk sistemi içerisinde hareket edemeyen kadın karakterlerin kendi başlarına adalete erişme çabasını ele alması bakımından, feminist bir perspektifi yansıtan çağdaş bir intikam trajedisi olarak

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okunabileceğini; bunun yanı sıra gerçek hayatta ve dramatik temsillerde kadınların hukuki yapı içerisindeki süregelen sıkışmışlıklarını ortaya koyduğu fikrini ele alır.

Anahtar Kelimeler: intikam trajedisi, adalet, hukuk, Nina Raine, *Consent*

INTRODUCTION

Revenge' is a familiar motif in Western drama traditionally associated with tragedy. Its well-known examples are found in Ancient Greek plays like Aeschylus's *Oresteia* (*Agamemnon, Libation Bearers, Eumenides*) (BC 458) and Euripides's *Medea* (BC 431), which display certain characters' wearisome journeys to justice. Later, Seneca's (BC 4-AC 65) bloody, violent tragedies, which have unique conventions such as the inclusion of ghosts, were translated into English, inspiring some playwrights like Thomas Kyd (1558-1594), William Shakespeare (1564-1616), John Marston (1576-1634) and Thomas Middleton (1580-1627) to produce prominent examples of revenge tragedy like *The Spanish Tragedy* (1582-1592), *Hamlet* (1599-1601), *Antonio's Revenge* (1602) and *The Revenger's Tragedy* (1606) respectively in the sixteenth and seventeenth centuries. Although it is generally agreed revenge tragedy disappeared from the English stage in the seventeenth century, it seems to have been 'revisited' by Nina Raine (1975-), a celebrated English playwright, who employs both formal and thematic elements of the genre to highlight how patriarchy may block women in their search for their rights with its gender-biased legal operations. Choosing such an 'outdated' genre to highlight contemporary women's problems with the system of law, it can be remarked that Nina Raine suggests throughout history women have not gained enough rights in their search for equality. Further investigation of the genre of revenge tragedy within the British dramatic canon will be carried out in the next section to contextualize Raine's work better.

Consent, which premiered at The National Theatre in April 2017, is essentially about women's persistent, troublesome relationship with the law. The play features two young, upper-middle-class couples, Rachel and Jake and Kitty and Edward, who are friends. Except Kitty, who works in the publishing industry but is currently on maternity leave, the others are lawyers handling cases of various crimes such as murder and sexual offences. As the play proceeds, it is revealed that both Rachel and Kitty are betrayed by their husbands. They have to overcome their marital problems with their methods since they are aware that in a fight for divorce and custody, their husbands will have the upper hand in the existing legal order, which operates to consolidate patriarchy's oppression on women. In the end, Rachel and Kitty 'consent' to maintaining their marriage. It is suggested that due to the lack of an impartially functioning legal system in cases of divorce, they achieve 'justice' in their ways. However, Gayle, a working-class rape victim, who appears as an embodiment of the wronged



Nina Raine

protagonists of Renaissance revenge tragedies, rejects compromising with the patriarchal system, which denies her the right to access law. When she finally loses her hope for justice, she commits suicide (Raine, 2017). Focusing on these three women's efforts to struggle with a legal structure which functions to legitimize male domination over women, this article claims Nina Raine's *Consent* can be read as a contemporary revenge tragedy within a feminist framework in which the female characters crushed by a patriarchal legal order try to reach justice on their own, showcasing women's long-standing disadvantageous status before law both in real life and drama.

For the analysis of the play, the concepts of 'consent' and 'hegemony' are significant within various contexts. Along with thinking of 'consent' as a concept related to sexuality, it is also possible to consider it in more political terms linked with 'hegemony', as used in Marxist thinking, specifically developed by Antonio Gramsci. Hegemony, which suggests the domination of certain ideas shaping the ways how public and private spheres function and relate to each other, also means that power is constituted through 'consent' rather than force because the subordinate group does not want to forsake the privileges procured through their consent, making it possible for the hegemonic power to maintain its efficiency. As Edward S. Herman and Noam Chomsky clarify, mass media, the function of which is "to inculcate individuals with the values, beliefs, and codes of behaviour that will integrate them into the institutional structures of the larger society" (1988, p. 1), plays a vital role in the construction of such consent by keeping "dissent and inconvenient information [...] within bounds and at the margins" so that they do not "interfere unduly with the domination of the official agenda" (p. xii). In the analysis of the play, 'consent' will be dealt with both in its narrower framework, which suggests assent to have sexual intercourse in marriage and its larger political context, which indicates a patriarchal society deriving its power from women's own voluntary subjugation to men in social life.

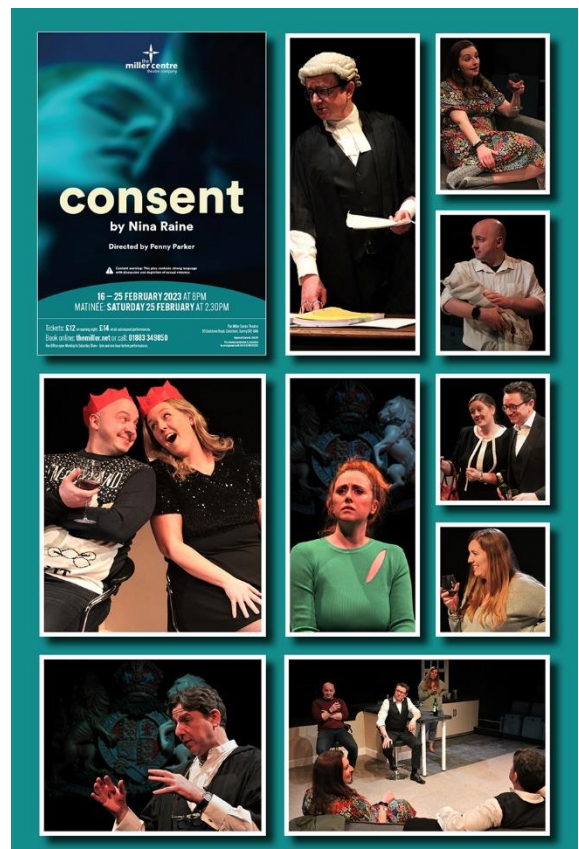
REVENGE, JUSTICE AND LAW IN ENGLISH DRAMA

'Revenge' has generally been defined by scholars as a common instinct and human practice exerted when exposed to unexpected ruthlessness. It is a response, or, to put it bluntly, a kind of punishment people resort to when they need to attain justice for themselves using their methods. As Janet Clare puts it, "the impulse to revenge is a primitive drive to retribution" (2007, p. 1), and as a response to unfairness, exerting revenge has been a universal human practice (Clare, 2007, p. 1). Clare's explanations denote that the desire for revenge stems from the wish to correct and make up for an undeserved atrocity against one's own self. As Michael E. McCullough adds, each neurologically sound person has the biological hardware to experience the desire for revenge; thus, such a desire is highly normal (2008, p. xvii). As such statements reveal, in contrast with what is often assumed, revenge is an undeniable, common characteristic of human beings. It comes out when people are vulnerable to some unfairness from an outside source and want to repair their sense of being.

As a cultural and social phenomenon, revenge has been an innate component of Western societies (Simkin, 2001, p. 16), so much so that Stevie Simkin underlines that when issues of justice are discussed within this culture, the issue of revenge naturally becomes a part of the discussion. Anthropologists and historians have emphasized its substantial role in the lives of primitive

communities (Simkin, 2001, p. 1), most remarkably as a part of the notion of ‘justice’. Regarding the relation between the concepts of ‘revenge’ and ‘justice’ in early societies, Fredson Bowers states that among primitive communities, an act of violence was not thought to be a crime but a mere personal injury; thus, in such societies, the revenge for such an injury was an indication of consciousness of justice (1940, p. 3). Since private revenge was the only way to compensate for a personal injury, Francis Bacon declared revenge was “a kind of wild justice” in early societies (qtd. in Bowers, 1940, p. 3). Considering these explanations, it can be argued that in primaeval societies which did not have regular, written legal systems in a modern sense, ‘revenge’ was a way of providing justice for the aggrieved, and this ancient, close link between revenge and justice is what constitutes the essential feature of English revenge tragedy (see Ünlü Çimen, 2023, pp. 44-46).

When we think of English revenge tragedies, bloodshed, poison, corpses, and segmented bodies generally come to mind (Pollard, 2010, p. 58). According to Tanya Pollard, the major reason for the emergence of such gory, startling plays was simply the revival of classical plays by humanist scholars with new translations and publications, which began in the 1490s and continued through the sixteenth century, generating interest in such long-dead genres (2010, p. 63). As several examples from the period showcase, the basic component of these plays is a set of actions triggered by the desire for revenge, and the motivating action is generally the murder of a relative or a beloved, rape, incest or adultery (Griswold, 1986, p. 59). For instance, in *The Spanish Tragedy*, Hieronimo kills Balthazar and Lorenzo, who mercilessly murdered his son Horatio in a battle (Kyd, 2002) while in *Titus Andronicus* (1594), Shakespeare’s gruesome tragedy, the Roman general Titus Andronicus sacrifices Tamora’s eldest son for his own sons who died at war and the Goth queen vows revenge on him. Her two sons rape and mutilate Lavinia, Titus’s daughter, and Titus sends his son to raise an army against the Goths. Before killing Tamora, he kills her sons and serves them up to her. Titus is killed by Saturninus, who takes Tamora as his wife, and Titus’s son Lucius avenges his father’s death (Shakespeare, 2008c). In *Hamlet*, Hamlet kills his uncle Claudius to take the revenge of his father whom Claudius killed to marry the queen and become the new king (Shakespeare, 2008a). In *Antonio’s Revenge*, Antonio kills Piero Sforza because he poisoned his father Andrugio, who had married Maria, the woman Piero Sforza, too, had loved (Marston, 1978), whereas Vindici seeks revenge for his beloved Gloriana, slaughtered by the Duke for refusing to sleep with him years ago in *The Revenger’s Tragedy* (Middleton, 1988).



In such plays, the process of taking vengeance is prolonged (Griswold, 1986, p. 59) and it becomes quite burdensome for the 'revengers' to reach their purposes through legal ways, which causes them to turn to their own techniques to provide justice. Because the avengers think of themselves as profoundly wronged and meet some obstacles on the way to personal justice, they devise a plan to achieve their purposes (Griswold, 1986, p. 62). Regarding the avengers' struggles to attain fairness, it must be emphasized that in their search for justice, the victims are not merely complainants of their personal enigma because the deadlock in which they find themselves usually results from an underlying social and political corruption (Ünlü Çimen, 2023, p. 45). As Linda Woodbridge puts it clearly, "[r]evengers find something deeply wrong with society, far beyond one villain's evil" (2010, p. 19). For instance, in *The Spanish Tragedy*, the king's reluctance to listen to Hieronimo signals his wish to protect the upper-class members of the court who had taken part in the murder of Horatio, showcasing his favouritism as a legal authority (see Ünlü Çimen, 2023, pp. 48-49) whereas in *Hamlet* Claudius's murder of his brother for his personal ambition can be considered as an indication of the deterioration in the system of succession in England at the time.

Although revenge, justice and law are intermingled in the revenge tragedies of the Renaissance, as demonstrated by the relevant examples cited above, the parallelisms between law and theatre have not been enlightened enough in the existing scholarship. First, the law is performative (Read, 2016, p. 3) since it is a domain in which something happens (p. 12), which underlines its similarity to theatrical performance. After all, a lawyer aims to make up persuasive narratives out of certain facts like a dramatist who tries to create compelling plays (Dunne, 2016, p. 9) to convince his readers/audience of the reality of the situations his play portrays. Sartre said in an interview with Kenneth Tynan in 1961 that "[t]he law is theatre", "[...] for at the roots of theatre is not merely a religious ceremony, there is also eloquence" (qtd. in Mukherji, 2006, p. 1), which underlines the rhetorical essence of law like the dramatic works of Ancient Greece and the Renaissance. In addition, in the Renaissance, the theatre-as-court metaphor, which referred to the judicial structure of drama or the theatricality of the trials, was commonly used (Mukherji, 2006, p. 1). For instance, in his commendatory verses to *The Faithful Shepherdess* (1610), Francis Beaumont defines the Blackfriars theatre as a court "where a thousand men in judgement sit" (qtd. in Mukherji, 2006, p. 1). Besides, as Subha Mukherji reminds, major dramatists of the period like Kyd, Marlowe, Shakespeare, Jonson and Webster often left their plays to the judgement, even 'sentence', of their audience (2006, p. 1) to reach a final decision as to the success of the performance. Furthermore, as she also underlines, some of the dramatists of the time studied law at the Inns of Court, like Francis Beaumont, who was the son of a judge and attended the Inner Temple Inn, and students of law and lawyers were often among the audience (Mukherji, 2006, pp. 2-3). Interestingly, the Blackfriars¹ was next to the Middle Temple² and the Inns themselves were used as areas of theatrical performance. For example, *Twelfth Night* was performed at the Middle Temple on Candlemas Day³ in 1602. As

¹ Two theatres located on the site of a thirteenth-century Dominican priory (Blackfriars) in London were known as Blackfriars Theatre in the Renaissance.

² The Middle Temple is one of the four Inns of the Court in England.

³ Candlemas is a Christian feast day which commemorates Jesus's presentation at the Temple by Mary and Joseph.

such examples demonstrate, it can be safely argued that the professions of law and theatre were closely engaged in London city life of the period (Mukherji, 2006, p. 3).

Taking such analogies between law and theatre into consideration, as Marlena Tronicke remarks, "Plays that are set in a courtroom, or that, alternatively, dramatize major aspects of court proceedings, are well-suited for the stage" (Tronicke, 2021, p. 135). In a way which confirms this suggestion, from the Renaissance up to the twenty-first century, it is possible to find many plays displaying the suitability of the stage for performances of plays, enacting different components of legal processes like crime, criminals, lawyers, juries and punishments. For example, in a well-known scene in Shakespeare's *Merchant of Venice* (1598), the clever Portia, disguised as a lawyer, finds some gaps in the contract between Antonio and Shylock and with her effective defence at court, she manages to save Antonio's life (Shakespeare, 2008b). In Philip Massinger's *The Roman Actor* (1626), Paris, a known actor accused of satirizing the state officials, is summoned to the court where he makes a speech in honour of theatre (Massinger, 1978) (see Ünlü Çimen, 2023, pp. 81-99) while *The Fatal Dowry* (1632) by Massinger and Nathan Field portrays Charolais's struggles within the legal process to provide a proper burial for his late father who was sent to prison for his debts (Massinger and Field, 1969). In the eighteenth century, George Lillo's *The London Merchant* (1731) pictures a young apprentice, George Barnwell's adventures with a prostitute, at the end of which he robs and murders his uncle and is sent to prison (Lillo, 1906). In the early twentieth century, John Galsworthy's *Justice* (1910) concerns the tragic story of William Falder, a clerk at a law firm, who forges a cheque to elope with his married lover Ruth to save her from her torturing marriage. As his forgery is found out, Falder is put on trial and is sent to prison. After being released, he still does not feel free and commits suicide (Galsworthy, 1914). While the play seems to show the usual working of the legal system for a culprit, the playwright aims to invite the readers to question the reasons which lead the poor and the helpless to commit crimes and the severe implementations of the legal system. John Mortimer's comedy *The Dock Brief* (1958) is about Herbert Fowle, who cannot stand living with his wife, who is always happy and laughing. As his plans to get rid of his wife fail, he finally kills her and confesses his crime. Fowle is defended by Morgenhall, a lawyer who has not taken any cases for years, yet he is reprieved as the defence is found too poor (Mortimer, 1958).

A late twentieth-century play, Sarah Daniels's *Neptune* (1986), portrays a mother's struggle to get custody of her daughter in a legal system which puts her in a disadvantageous position against her ex-husband because of her sexual identity (Daniels, 1991). David Hare's *Murmuring Judges* (1991) is about Gerard McKinnon, a young Irish worker who is imprisoned for he becomes a minor accomplice in a robbery to support his family (Hare, 1993). The play is an attack on Britain's legal system. A later play, *The Colour of Justice* (1999) by Richard Norton-Taylor, concerns a real event, the murder of a black young man, Stephen Lawrence, in a racist attack in 1993. It displays the period of the public inquiry about his murder (Norton-Taylor, 1999). Australian-British playwright Suzie Miller's *Prima Facie* (2019) bears striking similarities to Raine's *Consent* in that its main character, Tessa Ensler, is a defence barrister who works to secure freedom for men charged with sexual assault and rape. Yet, when she is raped by a colleague and struggles to have him punished, she faces the bitter reality that in cases of rape, law operates to protect men rather than the victims (Miller, 2022).

Components of the legal system, such as crime and justice, can also be seen in the works of black British playwrights like Roy Williams and Debbie Tucker Green. For instance, while in *Fallout* (2003), Williams displays the racial prejudices which associate black people with various crimes like violence, drug addiction, robbery and human marketing (Çakırtaş, 2020, p. 96) and rejects such biased thinking (p. 107), Tucker Green in *Ear for Eye* (2021) reveals the racist essence of the American legal system (p. 171). Compared to these examples, which involve different components of law, *Consent* includes more elements regarding justice and law because its main characters are lawyers handling cases on varied issues, whose roles within the legal system seem to change due to the charges directed at them by their spouses.

CONSENT AS CONTEMPORARY REVENGE TRAGEDY

Consent is a multi-layered play “designed to provoke, to shock, to trouble audiences” (Andes, 2019, p. 390) through its engagement with a wide range of topics like “sex, adultery, infidelity, rape, abortion, desire, irresponsibility, self-absorption, and consent” (Andes, 2019, p. 391). It is “an intricately constructed philosophical drama that does for love, law and language” (Trueman, 2017). The play opens in the sitting room of Kitty and Edward with half-opened cardboard boxes around since the couple has just moved in. As the stage direction informs, the ghost of Gayle appears dressed in black at the back of the room, and after surveying the room indifferently, she disappears (Raine, 2017, p. 11). The play begins with an eerie scene in which the ghost reminds such familiar theatrical figures as the ghost of Andrea in *The Spanish Tragedy* or the ghost of the king in *Hamlet* who wait for justice to be ensured. With such a reference to this well-known element of revenge tragedy, it is foreshadowed that the play will somehow deal with the issues of revenge and justice.

The first scene takes place in a domestic atmosphere in which Rachel and Jake have come to visit their friends to see their newborn baby, Leo. Following some initial quotidian talk regarding birth, babies, children and christening, the conversation shifts to the recent cases the lawyers are handling, like murder and rape (Raine, 2017, pp. 11-16). From the initial moments of the play, “[w]e watch the characters turn their living rooms into courtrooms” (Haynes, 2018) and as Marlina Tronicke remarks, the play “explore[s] the similarities between theater and legal proceedings” (2021, p. 135) with its characters who have professions in the law business and discuss serious legal issues on the stage.

Scene Two moves from the relatively restful ambiance of the first scene since Gayle is nervously waiting for Tim, a prosecuting barrister, to negotiate over her rape case. Gayle assumes Tim is on her side; however, he explains he is a lawyer for the crown, and his responsibility is to present the case against Mr. Taylor, the rapist. With huge disappointment, Gayle realizes she does not have a lawyer to defend her while Mr. Taylor has one. To her shock, Tim reveals the defence case states that she ‘consented’ to have sex with Mr. Taylor (Raine, 2017, p. 22), and he is indifferent to the information she provides about the rape as he says: “I’m sorry I should have made this clear, this can’t be the start of a conversation between us, I simply have to give you that information, I can’t give you advice on how to -” (Raine, 2017, p. 23). Gayle wants to tell him something more, which she could not include in her statement because of her fear of Mr. Taylor, yet Tim stops her: “But you *cannot* tell me things you haven’t said in your statement. Not to me, not now. Because you

will make me a witness. And then I won't be able to prosecute the case" (Raine, 2017, p. 24). Due to Tim's nonchalant attitude to Gayle, the scene is rather disturbing as it forces the readers/audience to question male domination in the legal arena and offers an "exceedingly uncomfortable portrait of a systemic lack of empathy toward victims of sexual assault and rape" (Andes, 2019, p. 390).

The male lawyers in the play do not merely lack empathy for victims of rape but they also have a general assumption that women are prone to mania, which becomes apparent when Zara, an actress who is rehearsing for the role of Medea, joins them and the conversation gains a theatrical content, in which the demarcation between law and theatre becomes less discernible. On Tim's comment that female characters in Ancient Greek plays are "insufferable", Zara intervenes "- what if one of them takes revenge?" (Raine, 2017, p. 27). Her rhetorical question and Edward's mocking statement that there is a Medea Complex in law, which he defines as "Premeditated calculation rather than insanity" (Raine, 2017, p. 27), are overt references to *Medea* as a revenge tragedy. Tim delivers a shallow generalization on Ancient Greek tragedies as he remarks, "the golden rule for any Greek play is, an unbonked woman goes bonkers" (Raine, 2017, p. 28) and, like Edward, evinces his depreciating attitude to women, which associates them with madness and frenzy. Throughout the play, male characters' frequent references to female madness can be thought of as a reverberation of entrenched cultural and social norms which constantly degrade women. As Elaine Showalter puts forth, in England, through the nineteenth century, it was believed that women were more vulnerable to madness than men and experienced it in their ways (1987, p. 7) and the patriarchal society did not fail to come up with different diagnoses like "anorexia, hysteria and neurasthenia" (1987, p. 137) to keep the tale of female madness alive. For instance, in a letter to the New York Times in 1910, Bryant Lazelle, a traditionalist, stated that the suffragette 'movement' was merely a "species of modern hysteria" (qtd. in Williams, 2012, p. 146). In Tim's case, he implicitly refers to the female figures of Ancient Greek drama who transgressed the gender norms of their times like Clytemnestra, Electra and Medea. Zara's response "I only murder my children because I know it's what'll hurt Jason most" (Raine, 2017, p. 29), is a direct reference to Medea's well-known story in which she kills her own children to take revenge on her husband who marries another woman after removing her from her family and homeland, pointing to the destructiveness of female revenge as a tool of establishing justice in case of a personal injury in a society which ignored women. The reference to this ancient play is also a foreshadowing of the following dilemma in which female characters will soon find themselves.

In a way echoing Medea's revenge on Jason, Rachel wants to get custody of the children when she finds out Jake's betrayal. While for Jake, his infidelity was good for their marriage as "[i]t kept it alive", Rachel is hurt and states she "want[s] to hurt him" (Raine, 2017, p. 50). Within the course of the play, it becomes clear that she did not prefer to proceed with a divorce but instead had a sexual intercourse with one of Jake's friends to punish him. Jake's comment, "In fact, it *healed* us. It sort of felt fair. An eye for an eye, a tooth for a tooth" (Raine, 2017, p. 92) depicts Rachel's act as a primitive form of revenge which people resorted to when modern concepts of law and justice did not emerge yet. Rachel's decision to take revenge on her husband rather than divorcing and getting custody of her children might be explained through her awareness of the patriarchal formation of

law. It is possible to state that as a lawyer, she knows she will have little chance against her husband in a fight for divorce and custody, and that is why she takes revenge in a rather personal way to punish Jake and repair her own sense of self. Similarly reflecting Rachel's revenge on Jake, after finding some text messages in Edward's phone with other women and realizing his infidelity, Kitty has an affair with Tim to make Edward experience the same betrayal. She bluntly says: "I wanted to do it to get my own back, didn't I? I wanted to see if I could, isn't that right. I can do it too, Ed" (Raine, 2017, p. 87). Although Kitty does not work in the legal arena, she is, too, conscious of the legal system which functions as a tool of silencing, counteracting, and forcing women to 'consent' to the patriarchal system in the end.

Women's obstruction within the legal process is evident in the examination scene where Edward asks Gayle frustrating questions, like whether she invited Mr. Taylor to bed. Although Gayle insists Mr. Taylor was still in her apartment after the rape, he asks him why she did not say anything to her brother Gary when he called her in the morning (Raine, 2017, pp. 39-41). He also reminds her she saw her psychiatrist earlier that week, who reported to the jury that "she was her usual self" (Raine, 2017, p. 44). "Being quite sad and fed up about her life" (Raine, 2017, p. 44). Referring to the psychiatrist's poor assessment of her mental well-being, Edward tries to weaken Gayle's self-confidence and will to defend herself efficiently. In order to acquit his client, he tries to manipulate the process of the case by convincing Gayle that she 'consented' to having sexual intercourse with Mr. Taylor. In this way, he aims to maintain patriarchal hegemony in the legal arena. Moreover, he asks her if she might be a paranoid person who has imagined the rape or a hypervigilant, a person who is overtly alert to any kinds of outside threats (Raine, 2017, p. 44). With such implications of a bad mental state, like Tim, Edward recalls the myth of female madness, which was fostered by the proponents of patriarchal discourse throughout centuries. As Joan Busfield delivers, with Enlightenment in the eighteenth century, objectivity, rationality and progress, which are regarded as the features of modernity, were associated with men, and by the twentieth century, the association of the male with reason and the female with intuitions and emotions became a rooted formulation (Busfield, 1996, p. 107). Edward's raising the issue of madness against Kitty can be seen as an extension of this traditional view, which associated women with weak mental states, irrationality and uncontrolled emotions.

The disadvantageous position of women within the legal system, as well as the theatricality of law, become much visible in Scene Six, where Tim and Edward meet Zara in a cafe to give her some information for the legal drama she is preparing. Regarding the process of defence, Edward comments: "Basically, it's a fight"/ "Between two opposing narratives" (Raine, 2017, p. 50) and underlines the lack of objectivity in lawyers' defences. He further adds: "There are a lot of chaotic facts and you want to pick your way through and convince the jury of *one* simple line" (Raine, 2017, p. 50), through which he puts forth that the litigation process is all about manipulation of information and convincing the jury of the 'reality' of a certain point of view. Zara's remark, "Like I see things from my character's point of view" (Raine, 2017, p. 51), highlights the analogy between law and theatre, emphasizing the subjectivity of both fields. Their revelations regarding the result of Gayle's case further underline the relation between law and theatrical performance:

Edward: Look, what can I say! My rapist just performed a lot better than your victim.

Tim: Probably because he'd had a lot of practice! She'd only been raped the once (Raine, 2017, p. 52).

These expressions disclose that a good 'performance' at the trial, which influences the jury, is what determines the final judgement of the court. In Gayle's case, Mr. Taylor is acquitted thanks to his lawyer who 'performs' effectively and manipulates the jury's decision, which becomes apparent in Scene Nine when Gayle comes to Edward's home to call him to account and finds out Tim is there, too. She mutters: "You're *both* here?" "So you're *mates*?" (Raine, 2017, p. 77). She asks both men why she was not allowed to say at the trial that Mr. Taylor beat up her friend and, along with breaking her thigh, he was on bail for this (Raine, 2017, p. 78). In addition, she wonders why her mental situation was brought up at the trial. On Edward's explanation she was disadvantageous for taking therapy (Raine, 2017, p. 79), Gayle clarifies the reason for her taking therapy was she and her sister were raped ten years ago (Raine, 2017, p. 81).

In the Second Act, the Medea story becomes more relevant to the play as Kitty and Edward fight for custody. In the act, "when one partner accuses the other of using their child as a weapon, we are clearly meant to think of the catastrophic revenge Medea takes on Jason when she weaponises their sons to injure him" (Haynes, 2018). Edward threatens to take Leo if Kitty leaves him (93), which justifies Kitty's lack of trust in the operation of law. Upon Edward's revealing they had sex before Kitty left home, Rachel asks him: "Did you ask her consent?" (Raine, 2017, p. 94). Edward's reply, "Oh for God's sake, of course not! She's...my..." (Raine, 2017, p. 94), indicates he regards Kitty as a belonging he can use as he wants, which in a way incites the readers/audience to think more on the meaning of 'consent'. As Manon Garcia says, "Consent is a key term of contemporary feminist discourse because it is implicitly understood as referring to women's sexual consent, especially in their relations with men" (Garcia, 2023, p. 12), yet she adds, "we don't actually have a clear understanding of consent" (Garcia, 2023, p. 2). In the context of Kitty and Edward's marriage, it is possible to think Edward assumes marriage is a protective space for Kitty, which provides her with the social and economic benefits a woman may need in a patriarchal society, a situation which consolidates male hegemony. Moreover, it can be argued that he regards marriage as a woman's pre-given consent to anything her husband may wish to do, and thus, it is unthinkable for him to ask for Kitty's consent to sex.

Edward's abuse of Kitty's body can also be analysed with references to Carole Pateman's *The Sexual Contract* (1988) where she underlines that 'contract theory'⁴ still consolidates patriarchy through contractual submission, which involves an unbalanced power relation between parts. According to Pateman: "contract is the means through which modern patriarchy is constituted" (1988, p. 2). In such a patriarchal society created through the contract, "masculinity provides the paradigm for sexuality and masculinity means sexual mastery" where the 'individual' is a man making use of a woman's body (Pateman, 1988, p. 185). In the case of Edward, it is possible to comment that his relationship with Kitty is a contractual submission in which he sees himself as the

⁴ Contract theory is a study of legal agreements between people and organizations.

sexual master over his wife's body without her consent. Rather than supporting his friend's attitude, Jake speaks from a legal perspective:

Jake: that's the law. Let me sum up. You knew she didn't want to. She said she was leaving you. She said she was in love with Tim. And then you have sex with her.

Without her consent. It's classic case of marital rape. (Raine, 2017, p. 95)



Charged with marital rape, Edward states Kitty hacked into his phone, which is a crime, and if she uses 'the rape' against him, he will use this, and her violent attitude after the rape, against her. Furthermore, he implies Kitty is suffering from a postpartum depression and raises the issue of female madness against his wife (Raine, 2017, p. 96). Across history, women's so-called inclination toward madness has been attributed to their reproductive organs which were believed to influence both their bodily and psychological well-being (Ussher, 2011, p.18), and birth and the process following it have been parts of this discussion. Postnatal depression, which can be defined as the new mother's medical condition of excessive anxiety over motherhood, signifies "a false dichotomy between a 'normal' state of mental health and a supposedly 'pathological' one, premised on the assumption that 'normal' motherhood is by definition a happy and

'depression'-free experience" (Mauthner, 1993, p. 351). Most of the time, it "comes to be viewed as a pathological condition rooted in deficiencies pertaining to the individual mother, rather than as the product of a complex interplay of individual, interpersonal, and sociocultural factors" (Mauthner, 2010, p. 463). However, it is generally ignored that "[r]elationships with partners, family, friends, and health professionals [are] equally important" (Mauthner, 2010, p. 474) for the mother's adaptation to her new situation. In addition, it is usually the mothers rather than the fathers who are held responsible for childcare, and this burden as well as the mothers' worries about their sufficiency for their babies have been depressing for many women (Mauthner, 2010, 471). Taking such explanations into consideration, Kitty might be living through a difficult time in trying to adapt herself to her new role as a mother. It must also be remembered that she has temporarily left her job to care for her baby, which may be another factor influencing her well-being. In addition, Edward is not considerate to her in this new process as he claims she has hormonal and emotional problems and is not apt to take care of the baby. In the face of such charges, Kitty meets Laura, a lawyer, to get some professional support in her struggle for custody and discloses that Edward wants the sole custody of Leo on the grounds of her mental disorder, about which he is preparing a sixty-page document (Raine, 2017, p. 97).

During her conversation with Laura, Edward appears and blames Kitty for leaving Leo with an unqualified babysitter when she goes to meet Tim. Kitty explains to Laura they started to grow apart from each other after a complainant from his case, who was raped, committed suicide, and

exposes Gayle's death (Raine, 2017, p. 98). Thus, it comes to light that Gayle, "a woman who puts the legal system on trial for its failure to secure a conviction against the man who [...] raped her" (Aston, 2020, p. 50), kills herself for not being taken seriously by legal authorities. Gayle's helplessness reverberates in Kitty's loneliness when Laura is uncooperative for her because she openly declares they cannot use rape in the case as it is not a crime against the child and adds although Kitty may sue Edward for it, it will look like tat and tit since she did not report it immediately (Raine, 2017, p. 99). After such statements, Laura comments: "The divorce system doesn't give much of a feeling of justice being done. /That's why people take justice into their own hands" (Raine, 2017, p. 100). Laura's expression is significant because it summarizes the course of women's problematic relationship with the law in the play: Since they are ignored by the legal system in cases of divorce and custody, they tend to find their own ways to come through the hardships and inequities they come across in the legal process.

Since both Rachel and Kitty are aware that in such a patriarchal legal system they do not have much chance against their husbands to divorce and get their children's custody, they resort to personal ways of establishing justice for themselves, which turns out to be 'an eye for an eye, a tooth for a tooth' kind of equity. Gayle, on the other hand, "whose world [the other characters] barely try to understand" (Saville, 2018), chooses to die rather than further struggle against a patriarchal legal system operating to protect the privileges of men, which shows the role of 'class' in the ways Rachel, Kitty and Gayle choose to position themselves in relation to patriarchy. As Rachel and Kitty are from a privileged class, they 'consent' to maintaining their marriage, which might be considered a source of protection and economic comfort. Gayle, however, "just wants justice. Maybe even revenge. Like a Fury from an ancient Greek tragedy, her anguish is a ragged howl from the night, a pitiless cry of pain and rage" (Sierz, 2017). Since she is sure there is no chance for her to prove herself right, she gives up her efforts to have Mr. Taylor punished and kills herself.

At the end of the play, Kitty confronts Zara about her relationship with Tim. She ends her relation with him and Zara and Tim go on with their relationship. The final scene is similar to the first one, as there are boxes around and sheets over the furniture in Kitty and Edward's flat. Edward tells Kitty she has reached her purpose since he understands her now and begs forgiveness on his knees. Kitty does not say anything but "stands, hesitating" (Raine, 2017, p. 117), and, thus, although it is not clearly stated that she has forgiven her husband, it is implied she will go on her marriage. Gayle's ghost, which also haunted Tim's home, caused him to see a psychic and move to another flat, appears again at the back of the room and watches them, still waiting for her revenge to be taken. All in all, it can be commented that the play "echoes liberal feminism's long-standing concern with equality before the law [as it] puts the UK's legal system on trial for its failure to achieve justice for women in rape cases" (Aston, 2020, p. 33) and reveals "equality before the law cannot be achieved unless the patriarchalism structured through the judicial system is transformed" (Aston, 2020, p. 108).

Rape, abuse and sexual assault, which *Consent* essentially deals with, have been widespread crimes against women though it has rarely been spoken about until recently. On 15 October 2017,

about six months after the first production of the play, a post on Twitter by Alyssa Milano⁵ invited all victims of sexual abuse to share their experiences. “Suggested by a friend: ‘If all the women who have been sexually harassed or assaulted wrote ‘Me too.’ as a status, we might give people a sense of the magnitude of the problem”, she wrote and added a ‘Me too’ above her post (2017) (Twitter). Within hours, tens of thousands of people replied to her tweet and Facebook reported that there had been more than twelve million reactions connected to ‘#Me too’ in twenty-four hours (Brittain, 2024). “#MeToo has helped increase awareness and visibility of a pervasive societal problem, while amplifying the voices of those who have been injured” (Williams, Singh and Mezey, 2019, p. 377). The movement revealed the large amount of sexual abuse across the world, and in its first year, many men in high positions lost their jobs after being publicly accused of misconduct. It also gave rise to discussions of gender equity at work and incited some legal changes to be made in order to expedite women’s actions when they are exposed to sexual violence. For instance, “Some U.S. states have since abolished statutes of limitations for reporting sexual crimes and banned nondisclosure agreements⁶ (NDAs) that aimed to keep misconduct allegations from the public’s view” (Brittain, 2024). Therefore, when *Consent* appeared again on the stage in 2018, people were “even more fraught with public tension surrounding the issue of consent in sexual relations” (Andes, 2019, p. 391).

CONCLUSION

In conclusion, Nina Raine’s *Consent* pictures three women’s fight with a biased legal system which blocks them on their way to justice. Kitty and Rachel, who are from a privileged class with economic security, react to their husbands’ infidelity by betraying them because they know that their search for equity will be a very long journey with much difficulty and counterattacks from their husbands in a system that favours their husbands’ words over their lived experiences. This is one of the reasons the play can be read as a contemporary revenge tragedy since in the twenty-first century they cannot escape punishment if they kill someone for revenge. Though the way people take revenge and deal with injustice naturally changes in contemporary times, what remains the same is that the revengers cannot do much to alter the ongoing legal and social system, which are based on patriarchal principles. It is due to this awareness that Gayle, the only working class character in the play, kills herself in the end, which is another point enabling the play to be analysed as a contemporary revenge tragedy because she becomes an epitome of the oppressed revengers in Renaissance tragedies who cannot do anything against the present social system.

Since Gayle cannot get her attacker punished within the existing legal order, her ghost haunts Tim who turned her adrift at the beginning of her case. Although it causes Tim to take psychological support, it does not cause much change in his life as he makes up with Zara and goes on with his relationship. The ghost appears in Kitty and Edward’s home like the ghosts in Renaissance revenge tragedies who appear on the stage watching justice being ensured. However, her revenge is still not

⁵ Although Milano’s tweet is mostly known as the beginning of the Me Too movement, it was, in fact, Tarana Burke, a community activist, who coined the term more than a decade earlier. As a child, Burke was sexually assaulted, and she worked with young survivors to help other victims to see that they were not alone. Due to her huge efforts before the hashtag went viral, she is accepted as the founder of the movement (Brittain, 2024).

⁶ Nondisclosure agreements, also known as secrecy agreements, are legal contracts which aim to protect confidential information.

taken, and justice is not achieved for her because Rachel makes up with Jake, and the play implies Kitty will compromise with Edward in spite of the rape. These two women's consent to compromising with their husbands is, indeed, a reconciliation with patriarchal hegemony, which both represses them and provides them with social and economic means. Such consent is what makes the maintenance of patriarchy possible, causing Gayle, who refuses to consent to the present legal system, to kill herself. Drawing attention to the prevalence of rape in the society, it is possible to conclude that the play suggests women should act in solidarity and raise their voices when they are exposed to such violence, which can be possible if they learn not to 'consent' to patriarchy's disregard of them within the legal arena.

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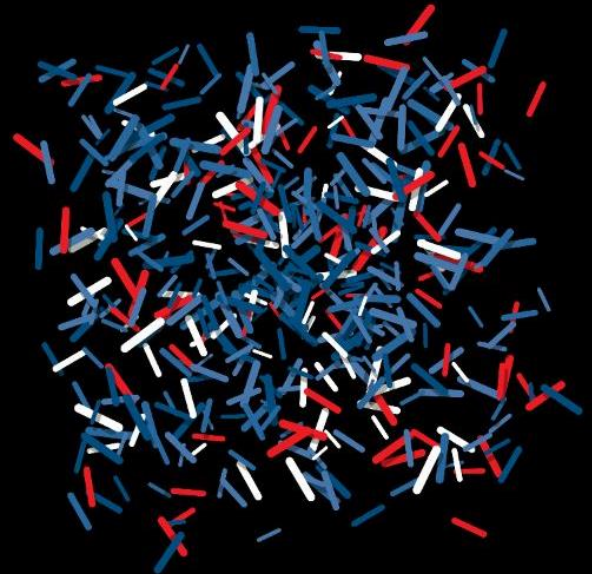


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