

Rape and Power in Eighteenth-Century London, England

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In London, England, rape was a prevalent crime throughout society in the mid-eighteenth century. During this time, rape was defined as "...unlawful and carnal knowledge of a woman, by force, and against her will," (Olsson, 2013). Though both men and women can be raped, this paper will specifically look at men who committed the crime against women and young girls. Men were able to commit rape by exerting their power over the women and young girls, whether by using physical strength, weapons, threats, or with the help of the severely lacking criminal justice system.

The society in which these people lived played a significant factor in why men were able to commit these crimes, and that's mainly because the hierarchy of London, England, in the eighteenth century placed men at the top. Women were already disadvantaged because men and women were looked at through different eyes. The idea of a strong, independent, working woman that we know today was certainly not the case. Men were thought to be the stronger sex and were more prone to violence, while women were thought to be controlled by their emotions like passion and lust. Because men were expected to be violent, the idea of them committing rape was not far off for this society and happened often. Young women who were looking for work would optimistically move to the city in hopes of finding a domestic job but would also be warned of what could come with the job. According to the historian Antony Simpson, "Domestic servants were regarded almost as natural targets for sexual exploitation. "Intelligence offices," or employment agencies for domestics, were actively used by pimps intent on recruiting by persuasion or intimidation. Country girls moving to the Metropolis were warned, in jest or earnest, of the possible sexual demands of life in domestic service" (Simpson, 2004). This is problematic and shows the way society viewed rape in that, instead of ensuring these men would not rape the young girls, they would warn the young girls that a rape could very possibly occur.

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It also shows that they lived in a society that valued girls that could be purchased specifically for sex, which could possibly ease the number of rapes that happened to common girls, though prostitutes could also be raped. As shown in figure one, many rapes were mainly occurring in densely populated areas, especially in the city where these girls would be looking to find work.



(Figure 1.)

According to the Historian Edward Shorter, “Tales are common of such men as the drunken husband who grabbed his wife in the third trimester of pregnancy, threw her down on the floor and had sex with her twice, lying on top of her for around an hour. She felt at the time “a great pain,” and gave birth later to a still-born child” (Shorter, 1977). Unfortunately, examples of rape and violence like this were not uncommon and typically ended with unfortunate outcomes for the victim. In this case, the man became so violent with his wife that she lost the child she was carrying.

Along with these ideas, men were expected to be the workers and breadwinners of the family, while women were expected to stay home to take care of the children and do housework. In the case of a woman working outside of the home, they were generally underpaid and utilized fewer skills than the work of men. Women who were working were placed in jobs like being a maid, a midwife, or a caretaker, which would still leave them in the position of working in a home. The society that they lived in very clearly set the women up for failure, as also discussed by the Historian Edward Shorter, "We have, then, not only such a huge restless mass of sexually frustrated men, but a social system which maximizes male domination over females at every level" (Shorter, 1977). While these ideas seem wildly sexist and off base today, they were basic principles that people in eighteenth-century London, England, held on to and believed. These beliefs and circumstances would be just the beginning of why men could successfully exert their power over women.

There were many reasons why a man would want to rape a woman. As previously discussed, a common idea of the time was that men were prone to being more violent, which would cause them to lash out sexually. It also has to be taken into consideration that even though this was a time when sex before marriage was frowned upon, more than enough men were looking to get pleasures elsewhere, like with a prostitute. On the other side, it is possible that a married couple would abstain from sex because they've reached the desired amount of children so the man would be looking for sex elsewhere. Around this time, a considerable concern for people would be sexually transmitted diseases, as they could enfeeble and possibly even kill you.

For this reason, men had an interest in having sex with virgins, as they would not be carrying any diseases. In one case, a man committed rape against an eighteen-year-old girl and

gave an interesting response when asked if he knew she was a virgin: "I will not venture to say she was, or was not I thought there was something of a little venereal complaint" (Old Bailey, 2018). While the man chooses not to say if he knows if she was a virgin or not, he is quick to say that he did not see anything of "venereal complaint," which could be considered suspicious under the circumstances. Whether the man realizes it or not, taking a girl's virginity is essentially taking claim of her sexual life in the future and would have left a profound metaphorical mark on her forever. By taking a girl's virginity, a man has essentially exerted power over her sexual life forever. Unfortunately, because being a virgin was so desired by these men, it would also happen that a lot of the victims of these crimes were very young. In one case, a man had been accused of committing a rape on a six-year-old girl and possibly giving her a venereal disease. (Old Bailey, 2018). The child knew the criminal because they lived next door and stated that she was not afraid when she was alone with him. The child also said she wasn't entirely sure what happened; she just knew she had been hurt. However, the parents did show great concern and felt guilty for not being there for their daughter when she was being sexually abused. A 16-year-old man was accused of raping a four-year-old girl in another case. (Old Bailey, 2018). The small child knew the rapist because he was the apprentice of the family, which would explain why the child did not feel threatened at the time of the incident. The family was only made aware of the rape when the child could not use the bathroom and was complaining about some pain in her groin. These instances should not be considered coincidences. In these cases and others, the man was able to commit the crime because the victim was so young. Additionally, in both cases, the victim was familiar with the rapist and therefore did not feel threatened in their presence. The rapist would be able to overpower the child physically and mentally, making it extremely easy to get what he wanted. So here, we can see men exerting their power over young women in multiple ways.

Additionally, the girls were way too young to know what was going on and could not consent to what was happening to them. If a man mentally overpowers the victim, he would already have the upper hand, and he knows this. It should also be taken into account that these girls would be small, making it very easy for the men to forcefully rape them even if they resisted, ending very sadly for the victim.

There should also be the question of how men are committing the crimes. More often than not, there are threats and multiple people involved. Threats would be an effective way for men to get what they want because it would ensure the result. A threat could come in many forms, including but not limited to weapons, words, physical violence, and instilling fear into the victim. In this case, the victim is home alone at night, and the rapist came along to ask if she had any pots to borrow, and then the attack began. "...he shut the door, and came and tore me about in the kitchen from one place to another; he forced me upon a chair by clapping his knee upon my belly; he confined both my hands behind me, and then got his ends of me; that is, he was concerned with me" (Old Bailey, 2018). This is an excellent example of how a man can use physical harm to exert power over a woman. In this case, the man harmed his victim to the point where she was incapacitated, and he was able to take advantage of her. In another case, a man threatened to take a woman's life while holding her with a knife. The woman stated that she did all she could to get the man off of her, but he would not stop. Additionally, she said she did all that she could to make noise, but the rapist was able to do more to ensure that no one would hear her. Not only was the woman put into a position where she was threatened with a knife, but the man was able to put her in a position where she was unable to get help. After the incident, the victim was able to tell her husband what happened, to which the rapist sent men to the house to intimidate her. "I told him I would acquaint my husband with it as soon as I came home; which I

did. Mr. Clark sent three gentlemen, and after that two gentlemen to me: they asked me, if I would make this affair up?" (Old Bailey, 2018): This can be seen as another way the rapist would exert his power over the victim by using his friends to intimidate her. It would be more likely that if the victim was scared, she would not go to the authorities, and the rapist would have a greater chance of not being charged for his crimes. In another similar case, the rapist uses threats of death to subdue the victim. It should be noted that, before the crime was committed, the two rapists got the teenage girl extremely drunk before taking her to a secluded place. This is interesting to note because the rapists were able to get the upper hand on the victim in multiple ways. The victim was relatively young (sixteen), there were two rapists, and she was drunk, which would be more than enough for the men to exert their power over her and do what they intended to do. "...that then Harrison took out a knife, and cut her stays down; then stripped her naked to her stockings and cap; and gave her many blows to her body; that she begged very hard for her life, and they told her if she was not quiet they would not spare that..." (Old Bailey, 2018). The threats affected the young girl because she did not say she was raped when arriving home, only that she was ill-used. After the victim was examined, it was also determined that the rapists also took away the young girl's virginity during the incident, presumably doing further damage to the girl than had already been done.

The most important factor in rapists being able to exert their power over the women they were attacking was the broken legal system at the time: "While the English tradition acknowledged a woman's ability and right to choose, it also made the offense very difficult to prove" (Conley, 1986). Though it did not take much work to get a case to trial, it did take a lot of work to get a conviction. It's no secret that the legal system sometimes works against the victim, and unfortunately, that remains true for cases of rape. "In eighteenth century England, the

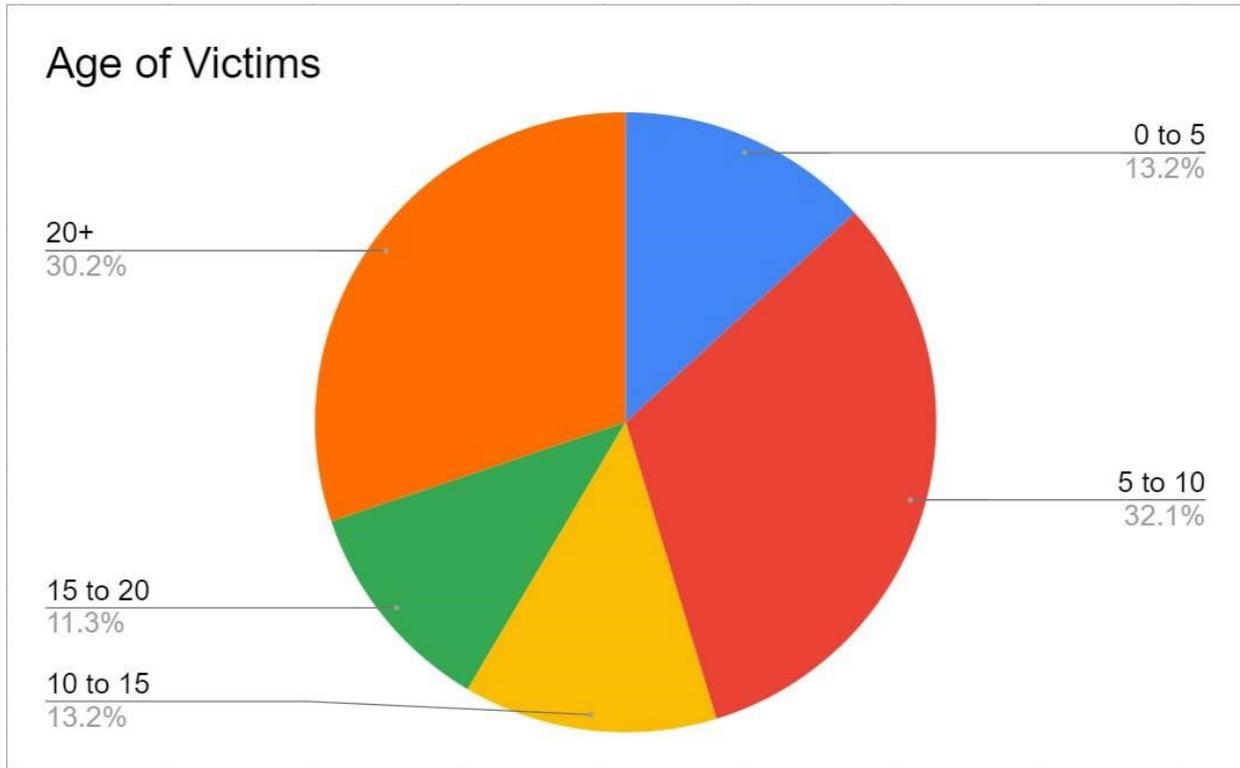
government was in the hands of a small group of men with enormous economic and political power" (Hay, 1980). It would be much easier for a small group of men to be in cahoots with each other and use the legal system to their advantage rather than to get justice for any victims. If the government were in the hands of only a few men (who would be rich white men), it would make it very easy for the justice system to accept bribes from people accused of crimes or their families. There could even be a situation where the people within the justice system know the rapist and want to make sure they don't end up in jail--or worse. These instances would lead to no justice for the victim, leaving the rapist to get off with no charges. Evidence of possible corruption within the legal system can be seen in the following case, where a prosecutor did not show up for trial. "The prosecutor did not appear. Acquitted." Though there was not much information about the case, knowing that it was not heard simply because the prosecutor did not show up shows that getting justice for the victims was difficult due to things that could be easily fixed. Additionally, if men were the only people in charge of the legal system, it would be less likely for them to believe a woman because of how men viewed women in the eighteenth century. These instances are not uncommon. As stated by Historiann Carolyn Conley, "Only twenty-one percent of men accused of rape actually stood trial for that offense... Magistrates frequently dismissed charges despite the presence of medical evidence, or reduced the charges and heard rape cases as common assaults" (Conley, 1986). Rape also had a legal definition that could exclude some cases from ever being brought to justice. If a woman did not resist "enough," in accordance with the law (pushing back, yelling, etc..) that would be an easy way for the rapist to not be charged with his crimes. Though this is unfair, if a woman could not prove that she fought back against her rapist, it could not be considered against her will. One way a man could easily get off from his crimes, or get a lesser sentence, would be to present character witnesses.

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In this situation, the rapist would gather up friends and family who would attest to the man's good character, essentially clearing his name from committing a crime. The following quote comes from a previously discussed case but properly shows how a rapist could use his character witnesses to be excused for his crimes. "William Allen , who had known the prisoner 20 years; Joseph Stoaks , 14; Mr. Lakehorn, who had his son in-law apprentice, and had known him many years; Mr. Anderson, 11; William Warren , 20; and Martin Long about six years; all gave him the character of an honest, industrious, well-behaved man. Acquitted." (Old Bailey, 2018). It would be beneficial for people to obtain character witnesses, especially if they knew it would help acquit them of their crime or lighten their sentence. An additional barrier to convicting the rapists of their crime would be evidence, or the lack thereof. A medical doctor could examine a victim directly after the incident or weeks later, depending on when it was reported, and find no evidence that a rape occurred. Historian Carolyn Conley found ample evidence of this, "...more often, the magistrates were clearly overstepping their authority. In 1859, the Ashford Magistrates heard a case in which a sixteen year old transient girl had been assaulted on a public road. A surgeon testified as to marks of violence that the victim had been a virgin before the attack. The accused, a waggoner, had scratch marks on his face, and witnesses had to pull him off the victim. Nevertheless, the magistrate found him guilty of only common assault" (Conley, 1986). Even with sufficient evidence, the magistrate still found a way to rule against the victim. In the next case, a child between the ages of 5 and 6 was raped by an older man, who was acquitted because the doctor who examined the child did not show up to the court hearing: "The Surgeon that had inspected the child did not appear, nor any one else that had inspected her; and the child being too young to be examined, the prisoner was acquitted" (Old Bailey, 2018). This case shows the illogical thinking of the legal system; the child was too young to be examined by someone in the

courtroom (which would help her get justice against her rapist) but was not too young to be raped (and they were willing to let him get off with no charges.) Lastly, another interesting phenomenon I saw in the cases was that the legal system relied on small children to prove that their rape had happened: "The child was examined, but not upon oath; the account she gave was short of proving the fact. Acquitted." (Old Bailey, 2018). This is problematic and takes the side of the rapist. In many instances, the child was too young to know what was going on, and only knew they were being hurt. In the previously stated case, the child was only eight years old and most likely did not know what was happening at the time of the rape, and unfortunately, the legal system would take the side of the rapist when instances like that occurred. If the legal system was on the side of the rapist in most instances, it only further helps rapists exert power over their victims.

Admittedly, some men did not know that what they were doing would constitute the exertion of power over women. As stated before, some men were just sexually frustrated and were not aware of their need to exert power over women. While these ideas are valid, there are many reasons why they are wrong. First, regardless of if a man knew he was exerting his power over a woman by raping her or not, it was still his power over her that allowed him to do it. If the societal perceptions of women were that they were weaker and dumber, a man already had the idea that he could outsmart a woman to do what he pleased. In addition to this, men were raping much younger girls and women than midrange/older women, presumably because they knew smaller and younger girls would not be able to fight back. As shown in figure 2, the age in which most victims were being raped was between the ages of 5 and 10, which is when they would be at their most vulnerable. The men knew that they would be able to overpower the young girls at this age, and that's why we see such a large group of victims in this age range.



(Figure 2)

According to the Historian Edward Shorter, the idea of raping a young female for one's personal gain was prominent throughout the society "Finally, there were employers, master craftsmen, landholding peasants, and local seigneurs who were vastly tempted by the prospect of sex with a young servant girl and who could maneuver their targets into vulnerable situations," (Shorter 1977). The malicious intent behind the men's ideas and the evidence that rapists tend to go for younger females are sufficient to show that men knew how to exert their power over women to rape them, even if that isn't what they thought they were doing directly.

Women were at a disadvantage in eighteenth-century London, England, when taking control of their own sexual lives. Around each corner, there could be a man who had the intention of taking what he wanted, and raping them. Whether it was the society they lived in, the broken legal system that aided them, or the various loopholes that could be found to get out of a

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rape conviction, one thing remained clear through every case--men were exerting their power over women to get what they wanted. Regardless of if the men knew that they were using this power against women, they lived in a time and place when exerting this power against them did not have to come with thought; it could just simply happen.

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