

## The Image of Law in Stephen R. Donaldson's "Reave the Just": Agency, Blame, and Sexual Assault

### Abstract

Stephen R. Donaldson is a major modern writer of speculative fiction for whom the issue of sexed violence, including rape, plays an important role. This article examines "Reave the Just," the keynote story in his award-winning collection *Reave the Just and Other Tales*, as a gateway into how Donaldson examines sexed violence in his long-form fiction. While the story reflects a strong feminist commitment to gender equality and individual agency, I argue that Donaldson's liberal individualist conception of the law, which retains wide contemporary cultural and juridical support, has also become problematized through recent radical and postmodern feminist discussions on victim blaming. After assessing the strengths and weaknesses of the liberal position articulated by "Reave," I suggest that Donaldson's story helps revive a link between agency and victimization—first advanced by second wave feminists—that, by the time of the story's composition in the 1990s, had generally lost feminist support.

Keywords: Stephen R. Donaldson, fantasy, gender violence, rape law, feminism, liberalism, agency, victim blaming

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## Introduction

Since the late 1970s, genre fantasy has become an enduring and vastly popular literary form—even more so after new audiences discovered the genre through the film and television adaptations for J. R. R. Tolkien’s *The Lord of the Rings* (2001–2003), J. K. Rowling’s *Harry Potter* books (2001–2011), and George R. R. Martin’s *A Song of Ice and Fire* (2011–2019). In the latter case especially, however, Martin’s impact has been problematic. Although strong and compelling female characters range throughout his series, Martin’s tendency to use sexual violence as a plot device, amplified by his adaptation by HBO, has raised fresh concerns about popular narratives that seem to exploit toxic masculinity, rape culture, patriarchy, and violence toward women.<sup>1</sup> In this context, the work of speculative fiction writer Stephen R. Donaldson becomes increasingly important. As a feminist author, Donaldson rarely follows Martin in using rape or sexual assault merely as plot devices or as indications of male monstrosity. Instead, spurred by a fierce admiration for French existential thought, Donaldson’s work consistently examines sexed violence in conjunction with his deep fascination with personal autonomy: its values, its ethics, and its problems. In other words, Donaldson uses sexual violence—not to mention more fantastic violations of free will such as possession (*The Second Chronicles of Thomas Covenant*) or zone implants (the *Gap* sequence)—as a way to reveal how violence and power can affect an individual’s life, whether that individual is perpetrator or victim. Seen in this light, few fellow writers—and especially few *male* writers—have matched Donaldson’s career in trying to come to terms with the reality of rape and related crimes.

In this context, a short story like “Reave the Just,” which headlines the collection that won Donaldson a World Fantasy Award in 2000, functions as a meaningful gateway into his more extended treatments of sexed violence—and, oddly enough, this story also comprises one of Donaldson’s few forays into positive law. As often as he invokes the concept of law in the three *Chronicles of Thomas Covenant*, Donaldson almost always means archetypal laws of human existence: the Law of Death, for instance. The Lords of Revelstone rarely exercise any juridical function. When a character named Trell initiates an aborted Ritual of Desecration, for example, a type of nuclear holocaust, the wise High Lord Mhoram foregoes a criminal penalty, deeming the torment of Trell’s conscience punishment enough. In “Reave the Just,” however, the eponymous Reave serves as both an officer of the court, a concrete character, and as a Platonic ideal of justice. In both cases, the brand of justice conveyed is specifically liberal. Donaldson has often been linked to liberal humanism, which assumes a rational and autonomous subject capable of almost unlimited free will;<sup>2</sup> accordingly, classical liberal touchstones like freedom, fairness, choice, and the sanctity of individual rights all inform Donaldson’s handling of feminist equality and the law. Autonomy and self-determination are two driving factors in his work, and Donaldson’s entire career, in fact, might be viewed as exploring how different people in different situations can live in good faith with the responsibility of being human. In “Reave the Just,” liberal feminist and legal theory comes together, and the story deftly captures several liberal intuitions on what, exactly, constitutes the crime of sexual violence.

For Donaldson, this crime centers on *consent*: the individual may either refuse or agree to intercourse. As Rebecca Whisnant explains, liberal feminists typically view rape as a “gender-neutral assault on individual autonomy,” and rape differs only in degree—not kind—from other “forms of assault and/or illegitimate appropriation.”<sup>3</sup> Although Donaldson generally genders rape in the sense that it is a crime committed by men against (almost always) women, he also typically defends gender-neutral accounts of sexual violence in interviews. For example, Donaldson prefers “thematically universal” topics that concern the “damaged and the maimed,

the violated and the bereft,” and he considers sexual assault as one egregious form of damage among many possible.<sup>4</sup> Nonetheless, over the last several decades, the liberal position has been fiercely critiqued by several different branches of theorists. Radical feminists, postmodern feminists, and critical race theorists in particular have challenged liberalism’s emphasis on the rational centered subject, arguing that discriminatory power structures (such as patriarchy) or social and discursive factors drastically complicate how easily responsibility can be ascribed to individual decisions. Focusing on perpetrators of sexual assault only, for example, can overlook the systematic factors that create sexual violence—the cultural attitudes and assumptions, in other words, that shape not only the law but also how police, prosecutors, judges, juries, and even victims themselves view the crime. Emphasizing personal responsibility, too, can inadvertently lead to *victim blaming*—the idea that, somehow, assault survivors bear a partial responsibility for their victimization. As a story, “Reave the Just” exemplifies the strengths as well as the weaknesses of the liberal position. While asserting the dignity and power of men and women in equal measure, it also shows an almost constitutional blindness toward the complications about responsibility that can arise.

### The Feminist Commitment in “Reave”

Ever since Donaldson began his career in the late 1970s, his fiction has engaged the forefront of second wave feminist theorizing about sexual assault. As shown in previous scholarship, the *Chronicles of Thomas Covenant the Unbeliever* views sexual assault as a crime of consent rather than as a property crime; it challenges rape’s alleged rarity; and it re-configures rape as a crime of power rather than as a crime of sexual desire.<sup>5</sup> Speaking to a commitment to gender equality and female empowerment, too, seventeen of Donaldson’s novels feature a female character either as the lead protagonist or as an equal co-protagonist with a male character.<sup>6</sup> This same egalitarianism continues with “Reave the Just,” and its two main characters, Jillet and Huchette, help Donaldson undercut the classic damsel-in-distress formula common to fairy tales. In the story, the widow Huchette has been imprisoned in her own home by the monstrous Kelven Divestulata, a sexual and emotional domestic violence abuser. Huchette’s would-be male rescuer, however, an “amiable fool” named Jillet, falls far short of anything heroic.<sup>7</sup> When he brazenly confronts Divestulata, claiming kinship with the legendary Reave the Just (whom he has never actually met), Jillet is contemptuously defeated, imprisoned, and tortured, leaving Huchette as poorly off as when the tale began.

It is at this point that the legendary Reave appears, and a reader might be forgiven for expecting Reave to assume the hero’s mantle Jillet failed to adorn. Yet Reave rescues no one. First he confronts the weakened and semi-conscious Jillet, whom he harshly tells to rescue himself. Then Reave appears to Huchette held captive in her bedroom. Astonishingly, Reave tells her much the same thing. In fact, Reave asks Huchette *why* she has not rescued herself, and her explanation—or perhaps excuse—is illuminating. “Because I am a woman!” Huchette protests.

“I am helpless. I have no strength of arm, no skill with weapons, no knowledge of the world, no friends. [Divestulata] has made himself master of everything which might once have aided me. It would be a simpler matter for me to tear apart these walls than to defend myself against him.”<sup>8</sup>

Although this answer, given Huchette's circumstances, seems fair enough, Reave—a figure known for “harsh decisions and extreme actions”<sup>9</sup>—chooses severity over compassion. Yet his exhortations that Huchette rescue herself apparently do the trick. The widow flees her bedroom, goes to Jillet held in the cellar (left unlocked by Reave), and she helps the battered youth escape. Donaldson thus neatly inverts the familiar fairy tale formula. The original purported hero, Jillet, becomes the person rescued, and the original damsel-in-distress, Huchette, becomes the heroic rescuer. Donaldson's story, though, does not merely *reverse* these classic gender roles. Instead, it asserts an essential equality. After days and weeks of abuse, neither Jillet nor Huchette possess the physical strength by themselves to kill someone like Divestulata—when they join together, however, he falls. Huchette and Jillet thereby *both* become the rescuers as well as the rescued. Individual sex makes no difference.

Donaldson also ties “Reave” to second wave feminist activism. Unlike most fairy tales, there is no marriage to end the story. Despite the self-awareness that Jillet eventually achieves, neither male heroism nor male bravado (much less his original hopes of alchemy) can “win” a damsel's affections, and Huchette herself lacks any heart for matrimony after her terrors and traumas. Instead, she gives meaning to her suffering under Divestulata by converting her manor house into a “kind of nunnery, where lost or damaged women could go for succor, and no one else was welcome.”<sup>10</sup> Thus, in one stroke, Huchette instantiates a battered women's shelter and a rape crisis center—the two greatest institutional successes of second wave feminism. In one sense, her nunnery reflects the changes, arguably problematic ones, in the second-generation mission of these institutions. In the 1970s, rape crisis centers and battered women's shelters were democratic grassroots organizations founded on a shared sense of female victimization, and they had used this shared sense of victimization to help engage the social problem of sexual violence. By the 1990s, however, these institutions had become “state-funded liberal agencies promoting self-help and personal healing.”<sup>11</sup> For early political radicalism, in other words, these institutions began to substitute an individualistic rhetoric of self-care. Certainly, the idea of succoring victims—rather than consciousness raising or overhauling society—is a key component of Huchette's nunnery, and this accords well with the general tenor of Donaldson's other work, which typically highlights individual agency over mass activism.

Still, even if Huchette's nunnery is non-political, it nonetheless conveys a grassroots form of social engagement markedly different from how other feminists in the fantasy genre managed to convey their feminism up to and throughout the 1990s. Unlike science fiction or even weird fiction, which are both highly compatible with anti-essentialist thinking, critics have traditionally seen genre fantasy as a conservative genre because of its strong association with essentialism and natural categories of being.<sup>12</sup> This situation has therefore tended to limit the types of feminist consciousness available to feminist authors of fantasy. They generally resort to a vision of *female exceptionalism* where, according to Jane Tolmie in a study of such fiction, patriarchy serves as a type of “female adventure.” Gender-based structures of oppression such as rape, abduction, and forced marriage provide the “external criteria that define extraordinary women.”<sup>13</sup> Perhaps the genre's closest analogue to Huchette's nunnery is Marion Zimmer Bradley's Free Amazons of Darkover, a separatist women's group that offers sanctuary to women from Darkover's brutally patriarchal and feudal culture, but otherwise female exceptionalism is the general rule in genre fantasy. Its heroines display their exceptional natures through the skilled use of (male) violence, Machiavellian political skill, or in exploiting female sexuality for personal advancement. Female exceptionalism holds especially true for sword-and-sorcery fiction, a subgenre that Tolmie does not cover. Since the 1970s, this subgenre has attracted a large presence from female fantasy

authors, most notably Jessica Amanda Salmonson's award-winning anthology *Amazons!* (1979) and the popular *Sword and Sorceress* anthology series launched by Bradley in 1984. Through 2019, this series now extends to 34 volumes.<sup>14</sup>

Yet the heroines portrayed by these feminist authors generally *overcome* patriarchy—they never overturn it. Their interest remains in “individual woman rising above a system that keeps her down—triumphing over it, reversing expectations—rather than in cultural revolution or innovation, and oppressive structures continue to provide the basis for representation.”<sup>15</sup> Donaldson's non-political Huchette, too, partly follows this model. After all, she starts no revolutions. Still, Huchette is refreshingly average—*not* exceptional at all. In a genre dominated by fast-moving plots and high-stakes conflicts, her sheer ordinariness comes as something of a relief. There is nothing particularly feisty, stubborn, special, sharp-tongued, or unique about her personality, and this seems like the strongest liberal feminist touchstone in “Reave.” Ordinariness, in this instance, is equality. In contrast to Morn Hyland and Linden Avery, the two most prominent Donaldsonian heroines, Huchette's low-key grassroots activism, her nunnery, does not require mountain-moving levels of personal agency. When she finds a way to give meaning to her experiences, she does so in a way democratically available to anyone regardless gender or life station. She works *within* the system to effect positive, incremental change. So long as human beings resist helplessness and despair, Donaldson seems to suggest, living in good faith with humanity's existential responsibility for choice, the social and political consequences will be good. In this sense, Huchette becomes one of genre fantasy's very few activist-heroines.

### **The Liberal Individualist Image of Law in “Reave”**

The liberal slant given by Donaldson to his feminism finds itself mirrored in his image of the law. According to Susan D. Carle, the liberal individualist approach

asserts the primacy of the individual in social and political analysis. In its political theory form, liberal individualism views the individual as the primary possessor of rights. Individualism also has an epistemological aspect, which draws from René Descartes and other philosophers in the Western tradition to posit the individual mind exists separate from and prior to its natural and social surroundings.<sup>16</sup>

Methodologically, liberal individualism also understands “collective behavior as the outcome of individual choices”<sup>17</sup>—an especially apt observation for “Reave,” as will soon become apparent. In the context of Donaldson's general body of work, a rights-based liberal vision of the law coheres well with the anti-utilitarian tenor of his fiction. In the *Gap* sequence, for example, Donaldson portrays his most idealistic hero, Morn Hyland, as frequently refusing to compromise the fundamental right of other people to make their own decisions, regardless of pragmatic considerations or self-cost, and Warden Dios's various recourses to utilitarian compromise are a source of great personal pain for which he eventually holds himself accountable. In like measure, within the *Chronicles*, the peoples of the Land—a utopian fantasy world—require only minimal formal government because, guided by communitarian ideals of service, they fully respect each other's freedoms and rights to self-determination, knowing that their individual autonomy will be well employed.

On this score, Reave the Just follows suit, personifying nothing less (as his name suggests) than the principle of justice itself. This principle is inherently right, a fundamental and unremitting moral imperative, and here Donaldson achieves for his title character a strikingly original conceptualization. Although the Western tradition has had several previous personifications of justice, Reave, unlike the Greek goddess Dike or Lady Justice, bears no iconography at all: he simply *is*. According to Donaldson, Reave appears “*clearer* than any of his surroundings, better focused, as though he improved the vision of those who looked at him.”<sup>18</sup> He requires no blindfold to ensure objectivity, no scales to signify judgment, no sword to represent the authority to punish. Instead, his powerful clarity of presence, which evokes Plato’s allegory of the cave wherein philosophers turn their gaze from the shadows to the pure realm of Ideas, calls forth an immutable and universal standard by which human society can regulate and manage its affairs. Yet, at the same time, Reave is also a *real* person within the story—a legendary yet concrete individual viewed askance for his “wild” decisions and “unremitting” actions.<sup>19</sup> In regards to positive law, this double presence grants Reave an unusual liminal status. As an allegorical figure *outside* the law, Reave can withstand the vicissitudes of history, cultural difference, or the political implications of individual court cases. As someone operating *within* the law, though, Reave function as a real—though unelected and unappointed—officer of the court. He seeks to instantiate real justice within the world, and this raises a question about the source and character of Reave’s authority. How, after all, does the realm of Platonic ideas, including justice, interact with the human social world?

Donaldson’s answer seems to revolve around *reputation*: the high repute in which justice in particular is held. When Jillet first woos Huchette, he does so by claiming kinship with Reave the Just, whom he has never met. This increases his self-confidence and boldness, heightening his social stature because, while the people of Forebridge *believe* those claims, however hollow, they hold true. The same applies for Reave himself. Indeed, within the narrative, readers *hear* what is said about Reave long before he ever physically appears; it is the rumor of Jillet’s claimed kinship, in fact, that first lures Reave to Forebridge. Nonetheless, beyond the weightiness of Reave’s “reputation for harsh decisions and extreme actions,” Reave has little power or legal authority in himself.<sup>20</sup> On one hand, his reputation seems to suggest Reave is some kind of superhero, an evocation of the American monomyth as described by John Shelton Lawrence and Robert Jewett: a lonely, selfless, and sexless savior emerges to rescue a community from a threat that normal institutions failed to defeat; and, after a “decisive victory restores the community to its paradisiacal condition,” the “superhero then recedes into obscurity.”<sup>21</sup> And this American monomyth certainly applies to something like *The King’s Justice*, a conventional monomyth narrative by Donaldson where the ensorcelled man Black, who invokes Old West lawmen by constantly tipping his hand to his hat, rescues Settle’s Crossways from a magical threat well beyond its capacity to handle.<sup>22</sup>

As far as superheroes go, though, Reave will probably not soon join the Marvel Cinematic Universe. He is remarkably dull. In fact, Reave does nothing for almost the entire story. As mentioned, he refuses to rescue Jillet and Huchette. Even more unusually, during his final confrontation with Kelven Divestulata, Reave is a model of stoic impassivity:

Blow after blow [Divestulata] rained upon Reave’s head: blow after blow he drove into Reave’s body. . . . He did not fight back; he made no effort to ward Kelven away. In moments, his face became a bleeding mass; his ribs cracked; his heart must surely have faltered.

But he did not fall.<sup>23</sup>

On one level, of course, this steadfastness allegorizes the unassailability of justice by evil. Whatever else, the law abides. Yet that steadfastness also demonstrates how little “Justice” as a Platonic ideal can accomplish on its own. Reave does not stop Divestulata himself, and perhaps he cannot. Instead, such responsibility falls to people like Huchette and Jillet. If we are to have justice, we must depend on the helpless widows and amiable fools of the world—the normal everyday folk enchanted by tales in praise of justice’s virtues. By extension, social and governmental institutions show curiously little power in themselves throughout “Reave.” Their effectiveness, much like Reave’s effectiveness, depends on the individual men and women who, driven by moral principles and regardless of life station, remain determined to see justice instantiated in their societies. Social institutions up to and including the law, in other words, are nothing more than the aggregate social ideals of individual members of society. Reave himself seems to reinforce this viewpoint when he claims himself “bound to any man who claims me willingly.”<sup>24</sup> When *all* people—not just a subset of officials or officers—voluntarily claim Reave as their own, Donaldson seems to suggest, only then Justice will prevail. And indeed, the idea of Jillet’s wonder at his kinship with the legendary Reave closes out the story.

Justice therefore exists as a Platonic ideal, and it enjoys a powerful reputation; but, if justice can only manifest when individual people embrace it, then Donaldson’s liberalism necessarily entails high levels of personal responsibility. One cannot decry one’s weakness or gender, as Huchette does, nor can Jillet hide behind his own foolishness. The problems that arise from failing to meet such an impossibly exacting burden of responsibility, in fact, might be considered the driving concern of Donaldson’s fiction. Although he seems to realize, like many existentialists, that he imposes an unreachable ideal, freedom means embracing the paradox and accepting that ideal nonetheless. Even if the world is too messy for perfect justice to be achieved, we must always—willingly—choose to make the attempt. Still, over the last several decades, this kind of liberal-individualist vision has come under fierce criticism by postmodern scholarship. Such a vision, it is argued, consistently fails to come to terms with the limitations imposed by issues of discourse, power, and oppression, and these issues become even more acute in traumatic situations involving rape and sexual assault. As deftly as Donaldson fuses a liberal feminist viewpoint together with a liberal individualist image of the law in “Reave,” my next section lays out the troubling stakes involved in his liberal vision. Specifically, I highlight two major objections. First there is the impersonal and merciless character of Reave himself, whose cold inflexibility risks perpetuating the dehumanizing process sexual assault survivors must endure from the criminal justice system. Second, and more troubling, are the intimations of victim blaming that arise from Reave’s implacable demands that Huchette exert personal agency.

### **ABSTRACTION, BLAME, AND AGENCY**

By the time “Reave the Just” was published during the 1990s, first in a 1992 anthology and again in *Reave the Just and Other Tales* (1999), feminist activists had spent the last two decades fighting the systematic blaming of sexual assault victims in the American criminal justice system. Only in 1987, for example, did the United States pass its first date rape bill making a victim’s previous acquaintance with an attacker inadmissible in sexual assault trials. Likewise, not until 1991 did the Supreme Court uphold Michigan’s rape shield law, which made a victim’s prior sexual history inadmissible, and marital rape was declared illegal in all 50 states

only by 1993. One year later, Congress passed the Violence Against Women Act (VAWA), and this legislation strengthened protections against domestic violence and sexual assault, gave funding to rape crisis centers and battered women's shelters, and added training so that law enforcement officials might better handle situations involving sexed violence. Alongside these legal advances, too, came many changes in feminist theorizing about rape and related crimes. Radical and postmodern feminists led the charge here, and many of them targeted basic liberal assumptions. Among the radical feminists, the best known example probably comes from the anti-pornography campaigns of Catharine A. MacKinnon and Andrea Dworkin. In particular, they targeted the liberal assumption that pornography is only (and should be only) a matter of personal choice, something protected under free speech. Its very existence, they argued, promoted rape culture and violence against women; hence, they challenged the public-private distinction at the heart of many versions of liberalism. Postmodern feminists, on the other hand, attacked liberal theory's presumption of a centered autonomous subject. Building off Foucault, they argued that the "individual" subject is, in fact, structured and shaped by power and discourse. The rhetoric of personal responsibility, on this view, indicates a profoundly conservative position that hinders a deeper structural change to our ways of thinking and speaking.

This is the cultural content into which Donaldson wades with "Reave the Just," and Reave's stern coldness toward a sexual assault survivor raises red flags that his similar sternness toward Jillet does not. Under a liberal view, his impartiality could be interpreted as guaranteeing equality. All individuals bear their rights equally, no matter their particular circumstances, and a cold impartiality thus ensures that legal judgments are driven by reason alone rather than illegitimate appeals to *pathos* that might create undue partiality. "I am Reave the Just," the title character proclaims, "and I do not regard who is offended."<sup>25</sup> By focusing on the abstractly held rights of each individual, however, which disdains the particular for the universal, the liberal view seeks, according to Ann J. Cahill, to avoid the "paralyzing relevance of the specificity of each victim's experiences." The violence of rape lies in the violation of a victim's *embodied subjectivity*, their experience of themselves as a bodily subject, rather than in a violation of abstractly held rights, and Cahill blames the failure of liberal consent theory on its "simultaneous assumption of gender neutrality and its distinctly gendered application."<sup>26</sup> The universalism of liberal theory, too, by eliminating the specificity of individual experience, can also be viewed as a form of silencing. It denies a voice to sexual assault victims at a time when, as Alcoff and Gray have argued, survivor speech has the power to disrupt the "maintenance and reproduction of dominant discourses as well as to curtail their sphere of influence."<sup>27</sup> Although Reave the Just *hears* Huchette, he does not truly listen. Her trauma, horror, and fear are not matters of concern for him. His coldness and his distance, his stern implacability, therefore risks victimizing Huchette a second time—this time through his role as a manifestation of the legal system.

Perhaps realizing how harsh Reave might seem to readers, Donaldson does make a few mild attempts to "soften" Reave. He paints Reave's voice as "kind and quiet"; and, from another story in *Reave the Just and Other Tales*, the unnamed Reave is filled with "compassion" and forgives Sher Urmeny for a moment of moral weakness.<sup>28</sup> Yet Sher Urmeny *does* triumph over weakness in the end, no less than Huchette and Jillet do, and this raises a troubling question: what happens to people unable to meet Reave's (and thus Donaldson's) intransigent demands for personal autonomy? Must they mutely learn to bear with injustice? Donaldson would obviously answer no, but the system of justice represented by Reave, no matter how kind and quiet his voice, seems to have little toleration or sympathy for basic human fallibility. Even more



pointedly, Sher Urmeny—a male merchant—never suffers anything close to the months-long traumas endured by Huchette. Indeed, what makes Reave’s general harshness so striking is how pervasive and obvious the crimes against Huchette have been. When Reave first meets her, her nightdress hangs in “tatters,” and her “lips and breasts were red with the pressure of Kelven’s admiration.”<sup>29</sup> And Reave seems painfully oblivious to the immense differential in power between himself, an officer of the court, engaging a traumatized, semi-clad victim of abuse in a conversation about individual responsibility. Yet Reave has no interest in such matters, which would taint with particularity the abstraction he represents. Instead, he seems to believe victims of crime—including survivors of sexed violence—must stoically negotiate a justice system that impassively excludes their concrete individual experience.

Perhaps one might defend Reave’s brand of justice by arguing that it performs a different social function than, say, trauma counseling or qualified medical care. Reave’s allegiance to cold impartiality, under this view, might be considered a necessary precondition *for* justice; certainly, his inflexibility toward personal responsibility resonates widely throughout the Donaldson canon, which frequently features protagonists (Morn Hyland, Linden Avery, etc.) who, in their desire to do the right thing, often brutally discount the personal consequences. Still, despite Donaldson’s clear feminist commitments, his story boldly proclaims the necessity of living in good faith with free will at a time when systematic victim blaming had become entrenched within the liberal juridical framework. As Lynne Henderson writes, American rape law by the early 1990s had manifested a “cultural story of heterosexuality” that reflected “an unspoken ‘rule’ of male innocence and female guilt in law,” and this led to legal situations where men are not considered “morally responsible for their heterosexual conduct, while females are morally responsible both for their conduct and for the conduct of males.”<sup>30</sup> This cultural story necessitated that rape shield laws and date rape bills be passed, but Donaldson, whose fiction always focuses on how *individuals* react to events, consistently fails to address how such individualism might wind up implicitly supporting sexist norms and assumptions that systematically harm the survivors of sexual assault.

This contentious juridical history in American rape law is not entirely unknown to Donaldson. For instance, a character in *The Man Who Killed His Brother* references “how ugly a rape trial can get” for the victim.<sup>31</sup> And Reave’s conversation with Huchette never descends to the level of how she might have provoked her attacker, what she was wearing, why she was in area X in the first place, etc. Still, the questions Reave *does* ask of Huchette extend logically from Donaldson’s existential worldview. When Huchette begs for succor, Reave states not just once but twice, “Why have you not helped yourself?”<sup>32</sup> In one sense, Donaldson’s title character is simply reminding Huchette that she has choices. After all, under an existential and liberal standpoint, free will is a basic and universal condition of selfhood. Yet Carine M. Mardorossian succinctly articulates the dangers of this brand of thinking when she challenges the seemingly uncontroversial rhetoric of rape prevention. For Mardorossian, placing the “responsibility to deter rape on women without a guarantee of success merely shifts the ground on which victims blame themselves and get blamed.”<sup>33</sup> Although Donaldson carefully avoids any hint of accusation in Reave’s line of questioning, such questions still carry troubling connotations when coming from an officer of the court. Self-blame already tends to be part of the survival experience, and insensitive police officers or hospital personnel can easily “accentuate these feelings of responsibility for being the victim of a sexual crime.”<sup>34</sup> Here, Reave personifies callousness as much as he personifies Justice.

Overall, Reave permits no leeway for “choiceless choices,” those situations that oftentimes confront survivors of sexed violence, especially domestic abuse, who face decisions curtailed by fear, economic constraints, or other factors. Even feminists who like Donaldson sympathize with existential thought often draw the line at ascribing strong responsibility to rape victims. Returning to the idea of rape prevention, for instance, Bonnie Burstow argues that no one is invincible; victims often “become immobilized during terror and, although this may well be something [the survivor] wants to work on, it is hardly blameworthy.”<sup>35</sup> Needless to say, the widow Huchette lives with a continuous sense of terror. Unfortunately, the great responsibility lain at Huchette’s feet by Reave permeates Donaldson’s other fiction as well. At the end of the *Gap* sequence, Donaldson has Morn Hyland—a survivor of extreme emotional and sexual abuse—voluntarily take full personal responsibility for the survival choices she has had to make, including the “lies she’d used to manipulate Nick Succorso [one of her abusers].”<sup>36</sup> Perhaps even more egregiously, the rapist-protagonist of the first *Chronicles* comes to a problematic epiphany at the trilogy’s end. As Covenant tells his companions, “All of you made decisions for yourselves. Lena made her own decision when she tried to save me from punishment—after I raped her.”<sup>37</sup> In other words, although Covenant holds himself deeply accountable for his deeds, he also denies any responsibility is owed for other people’s decisions. Individual choices belong solely to those who make them. This viewpoint survives in the liberal vision of law presented by “Reave.”

Certainly, many people sympathetic to the robust personal autonomy advanced by “Reave,” including Donaldson himself, would wish to separate their position from genuine victim blaming. Still, Reave’s conversation with Huchette raises issues well beyond his impersonal callousness and harshness. The following short passage really needs quotation in full:

Again, Reave shrugged. “Still he is a rapist—and likely a murderer. And I see that you are not bruised. Madam, why do you not resist him? Why do you not cut his throat while he sleeps? Why do you not cut your own, if his touch is so loathsome to you?”<sup>38</sup>

These three questions all raise a host of problems, none of them victim friendly. The first question about physical resistance probably has the best grounding in feminist activism—in 1985, for example, Pauline Bart and Patricia H. O’Brien published *Stopping Rape: Successful Survival Strategies*, a minor classic arguing that active methods of resistance might sometimes prevent sexual assault. What initially struck the antirape movement as positive about these findings is how they “debunked the idea that female passivity is the best mode of coping” with imminent assault.<sup>39</sup> At the same time, however, as Joanna Bourke explains, these feminist self-defense initiatives were taking place within a “hostile ideological environment” that, in general, saw responsibility for social problems shifting away from the “state toward a neo-liberal and conservative emphasis on individual risk management”; this point of view thus tended to emphasize female victimization rather than “cultures of male aggression.”<sup>40</sup> Reave’s question, though, also raises the troubling specter of physical resistance requirements in rape law. These requirements assumed that, if the victim does not resist, or resist strongly enough to create evidence of resistance, then the intercourse was probably consensual.<sup>41</sup>

Reave’s second question—“Why do you not cut [Divestulata’s] throat?”—is also more complicated than he imagines. In domestic violence situations where women have murdered men, for example, numerous studies have “documented the extraordinary violence experienced by battered women killers at the hands of their partners.”<sup>42</sup> American courtrooms, however, have

not consistently exculpated these battered women killers. This means that, even if Huchette *had* managed to kill Divestulata—itself hardly a physically or psychologically easy task—then she might have made herself vulnerable to criminal prosecution.<sup>43</sup> Reave’s last question, finally, which concerns suicide, can be seen as ludicrous or horrifying, depending on one’s viewpoint. The theme of suicide, of course, resonates throughout the *Chronicles of Thomas Covenant the Unbeliever*, and at least one critic has seen the trilogy as granting Thomas Covenant the strength and courage, despite existence’s absurdity, to “reject suicide” as a solution.<sup>44</sup> Yet the first *Chronicles*, an existential passion play, bears almost no relevance to “Reave the Just.” Instead, a closer analogue to Reave’s offhand remark about suicide can be found in the patriarchal old Roman myth of Lucretia, who chose suicide over the alleged dishonor of surviving rape. Although nothing in Donaldson links female “virtue” to chastity, his short story seems dangerously inattentive to how the vestiges of such thinking continue to inform segments of contemporary culture. The option of suicide, in any event, seems like one of those choiceless choices for which Reave has no patience.

In the end, Donaldson has written a short story that, while brilliantly conveying many liberal tenets about human equality and the nature of law, also effectively erases the specificity of Huchette’s suffering and trauma in the name of abstractly held rights and a de-personalizing appeal to personal autonomy. In the process, “Reave” also inadvertently manages to perpetuate several harmful cultural discourses, historically problematic for victims, about rape and domestic violence. Since Donaldson is a politically progressive writer, these connotations are almost certainly unintentional, yet they extend logically from a liberalism that focuses so lavishly on individual autonomy. The defeat of Divestulata, really, requires nothing more than a little gumption, some get-up-and-go, on the part of Jillet and Huchette. With mainstream feminism growing increasingly “radical in how it challenges patriarchal social and sexual assumptions,”<sup>45</sup> however, it has increasingly sought to challenge the *systematic* factors—patriarchy, discourse, cultural assumptions and rape myths, etc.—that help create people like Kelven Divestulata in the first place.<sup>46</sup> Yet the primacy of the individual in “Reave” seems to trump such radical kinds of reform. All is considered well, apparently, once Reave states “before the magistrates that I heard the Divestulata’s confession,” but the authorities never address the underhanded *yet legal* chicanery by which Divestulata first acquires mastery of Huchette’s inheritance, property, and person.<sup>47</sup> Ripe for exploitation, these legal loopholes continue to exist. As such, Donaldson’s single-minded focus on intrepid individualism, on people who overcome personal limitations and adverse situations, highlights a traditional weak spot in liberal theory: the occasional necessity for wide-scale social, legal, and cultural reform, not to mention how discourses of personal responsibility have sometimes been appropriated by those who would blame, however partially, survivors of sexed violence.

### **DONALDSON AND GENRE FANTASY**

All told, Donaldson’s “Reave the Just” tightly conveys a liberal theory of law and feminism, strengths and weaknesses alike. On one hand, a truly gender-neutral account of human equality emerges from the story; a tremendous respect and dignity for the individual; and an empowerment of the individual for creating a just society in which law prevails. On the other hand, the story pays little heed to the many criticisms of liberalism, especially concerning rape law and domestic violence, produced by radical and postmodern feminists. Still, in a recent collection of essays on literary rape narratives, the editors have emphasized the importance of

“rape narratives that refuse voyeurism and exploitation.”<sup>48</sup> My hope has been to explain how the issues that arise with “Reave,” unlike better known fantasy texts such as Martin’s *A Song of Ice and Fire*, have less to do with voyeuristic or exploitative *representations* of sexed violence than they do with Donaldson’s specifically liberal vision of law, justice, and feminist equality. In this last section, I wish to offer some reflections on what a story like “Reave,” serving as a gateway into sexed violence within Donaldson’s more complex long-form fiction, can mean for genre fantasy.

Some of this potential has been discussed already. Huchette, for example, is one of those rare fantasy heroines who transforms her traumatic experiences as a woman into a grassroots non-state-sponsored form of social activism. Though not politically radical, she works within the current system to promote incremental change. Yet we may also read “Reave” as a liberal intervention on modern debates over personal responsibility. Even if we accept that Reave poorly handles a situation that involves a victim of sexual assault, advocates of poststructuralist theory can sometimes swing too far in denying agency to individuals. This can happen for entirely understandable reasons, as Sharon Lamb explains—some feminists, struggling against the culture’s absurd assignments of blame to victims, can go too “far in the other direction, thereby denying victims *any* responsibility for their behavior and for their reactions to their abuse.”<sup>49</sup> In contrast, since many victims *do* express feelings of possible choice before, during, and after assault, Lamb believes a modified liberal view resists an “all or nothingness, black and white” approach to personal responsibility, and she thus avoids suggesting that responsibility is a zero-sum mathematical equation where one side is diminished if the other is enhanced.<sup>50</sup> Similarly Kathryn Abrams, working in a revised liberal tradition, argues for a form of *partial agency* that juxtaposes “women’s capacity for self-direction and resistance, on the one hand, with often-internalized patriarchal constraint, on the other.” As she observes, current law

tends most frequently to assume a simplified version of the liberal subject: a subject capable of uncompromised agentic self-determination, to whom legal authorities ascribe full responsibility for actions taken, and on whose behalf they are generally reluctant to intervene.<sup>51</sup>

While Donaldson himself does tend to assume “uncompromised agentic self-determination,” his short story can function as a vehicle to help readers test their intuitions on issues relating to blame, responsibility, and agency.<sup>52</sup>

One last factor contributes to Donaldson’s quality feminist impact on genre fantasy. On one hand, certainly, “Reave” plays into a certain set of literary rape myths still common by mid-1990s, especially in fantasy: the monstrous rapist, the extreme violence of rape, the opposition between passivity (often associated with victims) and agency (often associated with non-victims). Huchette also falls into the stereotypical representation of the so-called “pure” victim, a person “innocent, blameless, and free of problems (before the abuse).”<sup>53</sup> Correspondingly, Huchette is portrayed as helpless, weak, non-sexual, frightened, and suffering almost paralyzing trauma from her survival experiences. Unfortunately, such popular images have tended to make rape trials even more complicated for rape survivors. The believability of survivors’ rape narratives in the courtroom, as Frances Ferguson notes, has often been tied to perceptions of their helplessness:

Were a woman to become powerful, she would lose the weakness that is the very condition of the strength of her testimony. That is, her very lack of power guarantees her truthfulness; her not counting makes her words count.<sup>54</sup>

In courtrooms, helplessness can be marked by any number of psychological stresses, many of them “visible” or quantifiable: depression, suicidal tendencies, anxiety, phobias, addictions, eating disorders, intimacy issues, self-esteem, and others. Any or all of these factors can make a rape narrative more or less believable to juries. Yet no single mold fits all, and no two survivors ever react quite the same way to an assault experience. Avowing one’s agency as a rape survivor, however, can endanger the believability of one’s narrative by creating a dissonance with the accepted cultural and juridical markers of believability.

Yet, even though Donaldson encodes Huchette as “pure” victim, his story also subverts the equation of helplessness with victimization. Huchette displays neither female exceptionalism nor mountain-moving levels of agency. In her nunnery that combines a battered women’s shelter with a rape crisis center, the second wave’s two greatest institutional successes, Huchette re-empowers the status of *victim* that, during the second wave, had formed a powerful form of political solidarity. By the mid-1990s, the “victim” identity had largely given way to the “survivor” identity in sexual assault situations (for obvious reasons), but a story like Donaldson’s reasserts the old bond. Victimization does not preclude political empowerment—and, under Donaldson, it certainly does not mean *helplessness*. In fact, Huchette’s coding as “pure” victim can be read as strategic; it helps readers recognize Huchette *as* a victim while, simultaneously, showing a victim as asserting their fundamental powers of human agency. So whatever the theoretical and juridical limitations that can befall the liberal individualist image of law—and the debate is ongoing—“Reave the Just” nevertheless performs important feminist work for genre fantasy. It articulates many of the driving intuitions of liberal consent theory, and it promotes a pan-theoretical activist potential on matters of sexed violence. Sharon Stockton has claimed, rightly, that we should pay attention to how representations of “rape, even when explicitly condemnatory of the rapist and sympathetic toward the victim, can nonetheless quite easily serve to reinforce the patriarchal status quo.”<sup>55</sup> With Donaldson, such diligence does not preclude our recognition of the usefulness of theories that may, from the perspective of certain intellectual paradigms, have problematic features.

- <sup>1</sup>. For a strong recent discussion of Martin’s problematic use of sexual violence, see Sylwia Borowska-Szerszun, “Representation of Rape in George R. R. Martin’s *A Song of Ice and Fire* and Robin Hobb’s *Liveship Traders*,” *Extrapolation* 60, no. 1 (2019): 1-23.
- <sup>2</sup>. For example, Emily Alder recognizes that Donaldson’s “liberal humanism” comes into conflict with “posthuman identities,” and Rosemary Jackson, a Marxist critic, disparages writers like Donaldson whose alleged “blind faith in ‘eternal’ moral values” reflects an “outworn liberal humanism.” Technically, there exists some philosophical tension between the human subjects posited by liberal and existential humanism; Sartre, for one, denies a universal human nature, which liberalism accepts. But Donaldson, a novelist rather than a philosopher, often makes somewhat inconsistent essentialist appeals to “What Makes Us Human” (the title of one of his short stories), and variations on the phrase also appear frequently in interviews and in Donaldson’s long essay, *Epic Fantasy in the Modern World: A Few Observations*. W. A. Senior has also identified Donaldson’s most recognizable character, Thomas Covenant, as an “intellectual hero” marked by his “rationality,” thereby enforcing his compatibility with rational liberal selfhood. Alder, “Ruined Skin: Gothic Genetics and Human Identity in Stephen R. Donaldson’s *Gap Cycle*,” *Gothic Science Fiction: 1980–2010*, ed. Sara Wasson and Emily Alder (Liverpool: Liverpool University Press, 2011): 116; Jackson, *Fantasy: The Literature of Subversion* (London: Methuen, 1981), 155; and Senior, *Stephen R. Donaldson’s Chronicles of Thomas Covenant: Variations on the Fantasy Tradition* (Kent, OH: Kent State University Press, 1995), 47.
- <sup>3</sup>. Rebecca Whisnant, “Feminist Perspectives on Rape,” *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta. Fall 2017 edition, <https://plato.stanford.edu/archives/fall2017/entries/feminism-rape>.
- <sup>4</sup>. Stephen R. Donaldson, “Gradual Interview,” *Stephen R. Donaldson: The Official Website*, June 16, 2009, [www.stephenrdonaldson.com](http://www.stephenrdonaldson.com).
- <sup>5</sup>. Dennis Wilson Wise, “‘Violations as Profound as any Rape’: Feminism and Sexed Violence in Stephen R. Donaldson,” *Extrapolation* 60, no. 2 (2019): 135–6.
- <sup>6</sup>. Despite the series title, *The Last Chronicles of Thomas Covenant* (4 books) is focalized through Linden Avery, and *Mordant’s Needs* (2 books) employs Terisa Morgan as its dominant viewpoint character. In the *Gap* sequence, Morn Hyland grounds the final four books. In the *Second Chronicles*, Linden shares equal time with Covenant, and Donaldson’s mystery novels (four total) share time between Ginny Fistoulari and Mick Axbrewder. Egalitarian thinking also pervades the Land, the utopian fantasy world for all three *Chronicles*. There is no formal sexual divisions of labor, and the Loesraat accepts anyone for training regardless of gender. Similarly, there are no gender restrictions on military service—a significantly progressive stance considering that *Lord Foul’s Bane* was first published in 1977. Amorine rises to the rank of Hiltmark (or second-in-command of the military), and Osondrea and Elena both become High Lords, the Land’s highest political office.
- <sup>7</sup>. Stephen R. Donaldson, *Reave the Just and Other Tales* (New York: Bantam, 2000), 5.
- <sup>8</sup>. *Ibid.*, 40-1.
- <sup>9</sup>. *Ibid.*, 35.
- <sup>10</sup>. *Ibid.*, 50.
- <sup>11</sup>. Carine M. Mardorossian, “Toward a New Feminist Theory of Rape,” *Signs: Journal of Women in Culture and Society* 27, no. 3 (2002): 771.
- <sup>12</sup>. In unfavorably contrasting fantasy with science fiction, for example, Fredric Jameson argues that “fantasy remains generically wedded to nature and to the organism; and in that effacing of boundaries at work in current ideas of the posthuman, the tug of war between organism and machine increasingly inclines to the preponderance of the latter, in genetic engineering and in the promotion of biology over physics as the prototypical science” (64). Jameson also disparages fantasy for its non-historicized ontological certainties of good and evil. In a similar vein, Donna J. Haraway’s “A Manifesto for Cyborgs” is a classic feminist essay linking science fiction with anti-essentialist thinking. Jameson, *Archaeologies of Knowledge: The Desire Called Utopia and Other Science Fictions* (Verso, 2005), 62; and Haraway, “A Manifesto for Cyborgs: Science, Technology, and Socialist Feminism in the 1980s,” in *The Norton Anthology of Theory and Criticism*, ed. Vincent B. Leitch (New York: Norton, 2001), 2269–99.
- <sup>13</sup>. Jane Tolmie, “Medievalism and the Fantasy Heroine,” *Journal of Gender Studies* 15, no. 2 (2006): 155, doi: 10.1080/09589230600720042.
- <sup>14</sup>. Bradley’s inspiration for this series came partly from the legacy established by C. L. Moore’s half-dozen Jirel of Joiry stories, published originally in *Weird Tales* during the 1930s. Other anthologists have followed Bradley’s success. For example, the *Chicks in Chainmail* series (1995-2015) edited by Esther Friesner reached six books in total.
- <sup>15</sup>. Tolmie, “Medievalism and the Fantasy Heroine,” 147.
- <sup>16</sup>. Susan D. Carle, “Theorizing Agency,” *American University Law Review* 55, no. 2 (2005), 318.
- <sup>17</sup>. *Ibid.*, 319.
- <sup>18</sup>. Donaldson, *Reave the Just*, 34, emphasis original.
- <sup>19</sup>. *Ibid.*, 6.
- <sup>20</sup>. *Ibid.*, 35.
- <sup>21</sup>. John Shelton Lawrence and Robert Jewett, *The Myth of the American Superhero* (Grand Rapids, MI: William B. Eerdmans Publishing, 2002), 6.

- <sup>22</sup>. Contrary to the title, *The King's Justice* has little to do with legal justice. Although Black is an instrument of the unnamed King, the King—like the Fisher King from legend—fulfills a cosmological rather than a juridical function. Namely, he must balance (with the help of people like Black) the four elemental energies in the world: bright, dark, wind, and sunlight. By the novella's final paragraphs, Black acquires the additional function of helping people who have been damaged in some way. Neither of these functions, however, deal with actual law. As Black observes early in the tale, "The King's Justice is not what that priest [Father Tenderson] thinks it is." Donaldson, *The King's Justice: Two Novellas* (New York: G. P. Putnam's Sons, 2015), 19.
- <sup>23</sup>. Donaldson, *Reave the Just*, 47.
- <sup>24</sup>. *Ibid.*, 39–40.
- <sup>25</sup>. *Ibid.*, 42.
- <sup>26</sup>. Ann J. Cahill, *Rethinking Rape* (Ithaca, NY: Cornell University Press, 2001), 110, 174.
- <sup>27</sup>. Linda Alcoff and Laura Gray, "Survivor Discourse: Transgression or Recuperation?," *Signs* 18, no. 2 (1993), 270, [www.jstor.org/stable/3174976](http://www.jstor.org/stable/3174976).
- <sup>28</sup>. Donaldson, *Reave the Just*, 35, 478.
- <sup>29</sup>. *Ibid.*, 40.
- <sup>30</sup>. Lynne Henderson, "Rape and Responsibility," *Law and Philosophy* 11, no. 1/2 (1992): 130-1, [www.jstor.org/stable/3504906](http://www.jstor.org/stable/3504906).
- <sup>31</sup>. Stephen R. Donaldson, *The Reed Stephens Novels* (London: Orion, 2001), 50.
- <sup>32</sup>. Donaldson, *Reave the Just*, 41, 42.
- <sup>33</sup>. Carine M. Mardorossian, review of *Rape on the Public Agenda* by Maria Bevacqua, *Rethinking Rape* by Ann J. Cahill, and *New Versions of Victims* by Sharon Lamb, *Signs* 29, no. 1 (2003): 268, [www.jstor.org/stable/10.1086/375670](http://www.jstor.org/stable/10.1086/375670). According to Mardorossian, feminist scholars, with the best of intentions, have often asked "women to change their relationship to codes of femininity as a way of deterring rape." In the process, though, "anti-rape scholars and critics have inadvertently contributed to anchoring masculinity's hold on an unambiguous form of agency." As such, she calls for radically re-understanding our ready cultural association of masculinity with agency and femininity with passivity. Mardorossian, *Framing the Rape Victim: Gender and Agency Reconsidered* (New Brunswick, NJ: Rutgers University Press, 2014), 13.
- <sup>34</sup>. Elizabeth R. Purdy, "Prosecution." *Encyclopedia of Rape*, ed. Merrill D. Smith (Westport, CT: Greenwood, 2004), 159.
- <sup>35</sup>. Bonnie Burstow, *Radical Feminist Therapy: Working in the Context of Violence* (Thousand Oaks, CA: Sage, 1992), 177.
- <sup>36</sup>. Stephen R. Donaldson, *This Day All Gods Die* (New York: Bantam, 1997), 683.
- <sup>37</sup>. Stephen R. Donaldson, *The Power that Preserves* (New York: Del Rey, 1977), 306.
- <sup>38</sup>. Donaldson, *Reave the Just*, 41.
- <sup>39</sup>. Janice Haaken, "'Toward a New Feminist Theory of Rape': The Seductions of Theory," *Signs* 27, no. 3 (2002): 787, doi: 10.1086/337936.
- <sup>40</sup>. Joanna Bourke, *Rape: A History from 1860 to the Present* (London: Virago, 2007), 434.
- <sup>41</sup>. Not until 1982 would New York become the first state to eliminate this physical resistance requirement.
- <sup>42</sup>. Adrian Howe, *Sex, Violence, and Crime: Foucault and the "Man" Question* (New York: Routledge, 2008), 124.
- <sup>43</sup>. Typically for Donaldson, Reave's question about Huchette committing violence also bypasses the issue of race. In domestic violence situations, for example, women of color have a greater likelihood of being charged as mutual combatants; or, as Meghan Condon states, "Minority women are more likely to be arrested than white women, and when they are arrested, they are charged with more serious crimes than white women." Condon, "Bruise of a Different Color: The Possibilities of Restorative Justice for Minority Victims of Domestic Violence," *Georgetown Journal on Poverty Law & Policy* 22, no. 2 (2010), 492.
- <sup>44</sup>. Benjamin Laskar, "Suicide and the Absurd: The Influence of Jean-Paul Sartre's and Albert Camus's Existentialism on Stephen R. Donaldson's *The Chronicles of Thomas Covenant the Unbeliever*," *Journal of the Fantastic in the Arts* 14, no. 4 (2004): 410–1.
- <sup>45</sup>. Whisnant, "Feminist Perspectives on Rape."
- <sup>46</sup>. Left out of my account is the monstrosity of Divestulata himself, whom Donaldson heavy-handedly describes as reminiscent of the "flames of Satan and Hell." As many feminists like Lenise Prater have pointed out, the monstrous rapist trope too often presents the rapist as someone "outside the social order"; rape itself becomes an irrational and evil act committed by irrational and evil people, not "something that activists can deconstruct, protest, or change." Although this criticism holds true enough for some of Donaldson's short fiction, including "Reave," his long-form fiction works diligently to avoid reducing rapists like Covenant and Thermopye to monstrous Others. Donaldson, *Reave the Just*, 23; and Prater, "Monstrous Fantasies: Reinforcing Rape Culture in Fiona McIntosh's Fantasy Novels," *Hecate* 39, no. 1 (2013), 166.
- <sup>47</sup>. Donaldson, *Reave the Just*, 49.
- <sup>48</sup>. Sorcha Gunne and Zoë Brigley Thompson, "Introduction: Feminism without Borders: The Potentials and Pitfalls of Rethorizing Rape," in *Feminism, Literature, and Rape Narratives: Violence and Violation*, ed. Gunne and Thompson (New York: Routledge, 2010), 3.

<sup>49</sup>. Sharon Lamb, *The Trouble with Blame: Victims, Perpetrators, and Responsibility* (Cambridge: Harvard University Press, 1996), 7, emphasis added.

<sup>50</sup>. Sharon Lamb, "Constructing the Victim: Popular Images and Lasting Labels," in *New Versions of Victims: Feminists Struggle with the Concept*, ed. Sharon Lamb (New York: New York University Press, 1999), 12. Carine M. Mardorossian, a postmodern feminist, has criticized Lamb's position, arguing that women's self-reports of feelings of choice are always culturally and discursively mediated. This means that they frame their self-reports in the only language, however problematic, available to them. Along race critical lines, Mark C. Jerng makes a similarly postmodern argument in regards to popular fantasy literature. In particular, Jerng challenges counterfactual reasoning in law courts, or the view that if *x* had not happened, then *y* would not have happened. In terms of ascertaining personal motivation and therefore guilt, counterfactuals are an important legal tool, but they also tend to "produce a race-neutral stance that relegates the perception of race . . . to the background." That is to say, because racism is deeply embedded in our institutional and discursive reality, race is *always* a factor for Jerng. Counterfactual reasoning simply obscures that embeddedness under positivistic thinking. Although Mardorossian would substitute *rape culture* or *toxic masculinity* for "racism," she is offering a similar critique of Lamb (and thus of the liberal position). Mardorossian, "Toward a New Feminist Theory of Rape," 745; and Jerng, *Racial Worldmaking: The Power of Popular Fiction*, (New York: Fordham UP, 2018), 5.

<sup>51</sup>. Kathryn Abrams, "Sex Wars Redux: Agency and Coercion in Feminist Legal Theory," *Columbia Law Review* 95, no. 2 (1995), 346, 352, [www.jstor.org/stable/112323](http://www.jstor.org/stable/112323).

<sup>52</sup>. For instance, in contentious contemporary discussions on affirmative consent, an initiative originally developed to reduce sexual assault on college campuses, proponents demand that intercourse must be explicitly agreed upon by both parties. The old feminist slogan, "no means no," fails to cover areas where consent had not yet been fully determined, or cases in which a potential victim is frozen in the face of imminent assault. In critiquing affirmative consent, however, novelist Zoë Heller argues that to "exempt women from the responsibility of stating their own sexual wishes without prompting," thereby displacing responsibility entirely onto the male, comes "dangerously close to infantilizing women." Donaldson has never himself publicly commented on the subject, but the view of agency in "Reave the Just" would seem to support Heller's position. Heller, "Rape on Campus," *The New York Review of Books*, February 5, 2015, [www.nybooks.com/articles/2015/02/05/rape-campus/](http://www.nybooks.com/articles/2015/02/05/rape-campus/).

<sup>53</sup>. Lamb, "Constructing," 121.

<sup>54</sup>. Frances Ferguson, "Rape and the Rise of the Novel," in "Misogyny, Misandry, and Misanthropy," special issue, *Representations* 20 (1987): 97, [www.jstor.org/stable/2928503](http://www.jstor.org/stable/2928503).

<sup>55</sup>. Sharon Stockton, *The Economics of Fantasy: Rape in Twentieth-Century Literature* (Columbus: Ohio State University Press, 2006), 182.