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Colonial Contracts
Marriage, Rape, and Consent in *Malcolm's Katie*

Isabella Valancy Crawford's 1884 long poem *Malcolm's Katie: A Love Story* is one of the most thoroughly discussed and controversial works of nineteenth-century Canadian literature. Much has been made of the implications of the poem's enigmatic final lines, in which newlywed Katie, prompted by her father's questioning, proclaims that she would not exchange the bounty of a settler wife's life for Eden itself, nor would she trade her new husband for Adam, "*if I knew my mind*" (6.40, emphasis mine)—a conditional statement that D.M.R. Bentley's Introduction to the 1987 edition of the poem suggests could be read either as a superficial gesture of feminine self-deprecation or as "a chilling admission of alienation from her own thoughts, feelings, desires and perceptions, from the constituents of her very identity" (n. pag.). Ceilidh Hart has observed of Crawford scholarship that, "As *Malcolm's Katie* was taken up by critics interested in feminism and issues of gender, there emerged a central question about Katie, and critics oriented their arguments around this question: does Katie have agency or not?" (n. pag.). Certainly many interpreters of the poem's feminist significance have read it for oblique expressions of young Katie's sexuality, agency, and power (Bentley, "Introduction"; Devereux, "Documenting"; Hart; MacDonald; Relke; Tracy); these expressions often become the critical focal point for an understanding of the poem as feminist in both intention and implication. I would like to propose, however, that the feminist urgency of *Malcolm's Katie* lies precisely in its relentless depiction of Katie's "absent mindedness" (Bentley, "Introduction") and Crawford's suggestive portrayal of the consequences of Katie's lack of consciousness for the regulation of her

body, its affects, and its reproductive potential within colonial culture. In this light, the poem's closing phrase has the potential to signify rote feminine self-deprecation as a profound gesture of alienation through which Katie's identity as a settler wife is iteratively performed and formed. This paper therefore seeks to reorient Hart's question, exploring not so much whether or not Katie has any agency, but attending instead to how her agency is epistemically and ideologically constrained within historical conditions. To do so, I offer a reading that situates the question of Katie's agency in cultural contexts related to marriage, sexual consent, and property law that that define a settler wife's role and indeed, regulate feminine desire itself during the colonial period. In these contexts, the contracts—both literal and figurative—to which a settler wife's assent is assumed to be freely given or withheld are, the poem intimates, at the same time foundational to colonial culture and utterly compromised. What might it mean, Crawford's poem indirectly asks, for a woman to say "I do"—or "I don't"—if she does not know her mind? And if Katie does not know her own mind in accepting Max's proposal and acceding to the role of settler wife and mother, we must consider how this influences our understanding of her position at the heart of the iconic colonial family featured in the poem's ostensibly idyllic closing tableau. Indeed, I argue, finally, that in this tableau we find signs of Crawford's much darker satirical representation of the outcomes of the co-optation of feminine desire and the shadow cast on the colonial family and its future prospects.

While *Malcolm's Katie* is subtitled "a love story," it is clearly a poem that self-consciously places the abstractions of romantic desire within a distinctly materialist settler society in which love was subject to a carefully constrained process that conventionally culminated in the formalized legal and economic contract of marriage. In his book on courtship, love, and marriage in nineteenth-century English Canada, historian Peter Ward observes that when Victorian Canadian couples courted, "they negotiated a property transaction which would affect their economic lives as long as their marriage lasted. The bargain they struck conformed to clearly prescribed rules about the differing property rights possessed by each spouse" (38).[1] At the time of Crawford's writing, the nature of this agreement was the subject of both public debate and re-conceptualization within the law. According to the common law concept of marital unity, when they married, a man and woman became one person under the law, and as the popular saying had it, "the husband was that person" (qtd. in Ward 38); a woman's person, property, and legal authority were absorbed by her spouse. Thus the married woman's role as citizen in the

developing nation was activated through her transmission of her father's legacy and her submission to her husband's legal agency. As the *Upper Canadian Law Journal* put it in 1856, "The natural rights of man and woman are, it must be admitted, equal; entering the married state, the woman surrenders most of them; in the possession of civil rights before, they merge in her husband; in the eye of the law she may be said to cease to exist" (qtd. in Ward 40). This is what Rosemary Hennessy and Rajeswari Mohan in their article on British literature contemporary with the Married Women's Property Act of 1882 would call a mobilization of "the ultimate patriarchal privilege," which both controls women as property, and denies them access to property and even to ownership of their own desires, since it also denies them access to sexual consent as they make the transition from daughter to wife (470). Hennessy and Mohan indicate that the Married Women's Property Act was part of a larger discussion in which a woman's position in relation to property rights was beginning to be understood differently during the late nineteenth century: the social and legal debates that comprised this dispute "simultaneously constituted and managed a crisis in woman's social position brought on by changes across the social formation which made visible woman's contradictory social status, spanning positions as property and property owner. Legal reforms addressed this crisis by giving women control over their property; but by doing so in terms of male protection, the law kept in place woman's position as a non-rational other" (470). Legal historians such as Constance Backhouse and Lori Chambers make a similar argument in the Canadian context in the late nineteenth century, in which reforms in Chancery from the 1850s onward and married women's property acts of the 1880s were intended to better protect women from the coercion and cruelty of their husbands, since women were perceived as "weak and liable to be imposed upon" (Holmested qtd. in Chambers 4). As Backhouse observes, these statutes were produced by conflicting goals, motivated as they were on the one hand by a paternalistic desire to protect women from negligent, violent or irresponsible husbands and on the other by an increasingly egalitarian sensibility regarding property ("Property Law" 241).[2] "[S]uch changes did not emancipate women," Chambers indicates, "but transferred male responsibility for dependent, weak members of the family unit—women and children—from the husband and father to the state" (24).[3]

Malcolm's Katie enters into this contested climate regarding women's questionable status as consenting (or dissenting) subjects of governance, positioning the terms of the debate in the significant thematic context of

colonial development in which women's vulnerability and compliance actually served the vested interests of the settler-invader state. That women were as much property themselves as active agents in negotiating the contract of marriage (with its attendant transfer of material goods and property) is made evident in *Malcolm's Katie*, from its title to its final lines, which work to situate the narrative of the poem in the transitional space of Katie's shift from the possession of an established patriarch to that of an incipient one. Through Katie a transfer of wealth will occur, wealth that she both conveys (her father's real estate) and constitutes: in marriage she will move from being her father's "chiefest treasure" to being Max's lawful wife (3.216). As Bentley perceives, Katie's value derives "from her various positions as dutiful daughter, adoring wife and fertile mother in a patriarchal system whose continuity and genealogy she assures" ("Introduction"). Katie's diminutive body is, further, the focal point of a "narrative of national inheritance" in which the love plot is deeply implicated in "the mercantile enterprise of colonialism" (Libin 83, 93).

Historian Anna Davin has indicated that the notion of marriage and motherhood as a duty "began to circulate with increased intensity after the 1870s when population became the Empire's most pressing issue" due to expansionist anxiety that there would be insufficient British settlers to fill, and thus lay claim to the "empty spaces" of the empire (10), a circumstance in which the empty space of the womb and colonial geography become, not just analogies for one another, but dual vehicles through which colonial expansion and productivity might be advanced. This is the very historical moment when concerns about women's claims to agency and property ownership were also, increasingly, the cause of public concern. Backhouse points out that "it is generally assumed that the organized women's movement did not appear in Canada until 1876" ("Property Law" 233). However, she credits Mary Jane Mossman with demonstrating that public discussion of women's surrender of basic rights in the act of marriage in the Upper Canadian context dates as far back as between 1852 and 1857, when a group of women petitioned the Legislative Assembly, claiming that by the act of marriage a woman was "instantly deprived of all civil rights," while her property and earnings were placed in the "absolute power" of her husband (excerpts from petitions qtd. in Backhouse "Property Law" 233). Katie, then, is not just the potential recipient of her father's property, and is not simply property herself, but as a daughter, wife, and childbearing woman, she is the agent of territorial claim and inheritance through which the acquisition of colonial land is justified, naturalized, and perpetuated on behalf of the developing nation.

It is thus clearly significant to the notion of Katie's "value" that the initial romantic transaction between Katie and Max is sealed by a monetary token, when, in the opening lines of the poem, Max gives Katie "A silver ring that he had beaten out / From that same sacred coin—first well-priz'd wage / For boyish labour, kept thro' many years" (1.2-4). This is a symbol of his love, no doubt, but also a gift as surety of Katie's commitment and fidelity during his extended absence, in addition to acting as a "pledge redeemable in cash and property as soon as Max has hacked his fortune out of the wilderness," as Robert Alan Burns puts it ("Crawford and Gounod" 8). From the poem's initial informal ceremony of engagement, then, Crawford conjoins Max and Katie's romantic relationship to the work of settlement and its material rewards; the poem's two generic foci, the masculine settler epic and the feminine domestic idyll, are mutually implicated in this act.[4] As Mary Joy MacDonald asserts, Max, "with his ring made from money, is enclosing Katie in his future—and in the economic vision that will subsume and centre on her" (n. pag.).

Malcolm's "outspreading circles of increasing gold" (1.111)—the developed lands and commerce that constitute his prosperity—are thus echoed in the figure of Max's silver ring, and "the ring that he had beaten out" resonates even more disturbingly in the violent "ringing blow[s]" of the settler-hero's axe, through which, Max tell us, "Cities and palaces shall grow!" (4.43) through the progressive development of the nation. As John Ower puts it in his Freudian reading of the poem, the axe becomes "a sort of metonymic extension of [Max] Gordon's virility. The phallic connotations of his 'tool' are used by Crawford to indicate that, as a pioneer, he is dedicated to a 'labour of love'" (36). Or perhaps something more sinister, since if, as Cecily Devereux affirms, "colonization is an erotic act here, a performance of sexual power" ("Search" 289), it is even more specifically a performance of masculinity that legitimizes its coercive and often violent domestication of colonial space as part of the nation-building project by forcing the submission and even requiring the assent of its desired objects. "We build up nations—this my axe and I!" (4.56), crows Max over the devastated landscape he has made fertile for agriculture by imposing slash-and-burn methods. This act of domination is, arguably, extendible at least in figurative terms to the ways the material and sexual possession of women's bodies as marital property, through which their fertility is recruited and mobilized for the national project, takes place. Thus the ideology of masculine entitlement and claim permeates the representation of the settler's relationship with both a

feminized landscape and a female object of desire; the homely language of cultivation and courtship in the poem is in constant danger of slipping into the language of forcible possession, coercion, and violence. Diana Relke, for example, observes that Crawford depicts Katie's enterprising settler father and male kinsfolk "as dragging the ripping beak of the plough through the knotted soil (1.77)—a particularly violent image of rape when constructed by a woman aware of the way she is identified with nature" (164). As Chaim David Mazoff mildly puts it, "Nature [here] is not wooed" (111), though, as we shall see, by the end of the poem, nature and Katie are represented as acquiescing voluntarily to the colonist's romantic dominion. Read for its critical dimension, *Malcolm's Katie* thus allows careful readers a glimpse into the ways in which the rhetoric of courtship and colonialism work in concert to subordinate notions of feminine desire and sexual integrity to the enforcement of women's roles both as property and as guarantee of domestic claim, hereditary continuity, and genetic "purity" in settler society.[5]

Despite her "queenly" role in her father's household (3.33), one does not have to look too deeply into the poem to appreciate the ways in which Crawford constructs Katie as an object of disputed material exchange between men, in a manner that borders on social satire. In an obvious parallel to the poem's condensed history of colonial development in which the "lab'rer with train'd muscles" looks to "the familiar soil" and proclaims it "*Mine own*" (2.225, 228, 229), Katie's competing suitors, Max and Alfred, meet in a clearing in the wilderness and engage in a testosterone-charged battle—first verbal, then dangerously close to axe murder—over their entitlement to the absent Katie. When Max discovers that his beloved is also claimed by Alfred, he reacts like a spoiled toddler squabbling over a toy: "'Your Kate,' he said; 'your Kate!' / 'Yes, mine, while holds her mind that way, my Kate' / . . . 'Your Kate! your Kate! your Kate!—hark, how the woods / Mock at your lie with all their woody tongues. / O, silence, ye false echoes! Not his Kate / But mine" (4.174-75, 187-90). If, as some critics have considered (Bentley, "Introduction"; Burns; Hart; Mazoff), the main stimulus for Max's love is the economics of pioneering activities, then there is not much beyond rhetoric to separate the claims of Alfred the "wrong suitor" from Max, the "right" one.[6]

Unless, perhaps, it is Katie's own wishes that distinguish the two men's claims, since, as Alfred says (willfully misrepresenting Katie's position), she is his "while holds her mind that way." So, what *does* Katie want? Or, to put it another way, what space does this "materialist and capitalist erotics" (Devereux, "Search" 289) allow for feminine desire? Katie is initially reluctant

to press Max's suit when her father expresses his longing for a son, for "she had too much / Of the firm will of Malcolm in her soul / To think of shaking that deep-rooted rock" (3.47-49). While they seem to emphasize Katie's resolve, these lines attribute her will to her father (in a geological image notably associating it with the stability of land), even as they assert her reticence in expressing her hopes. Romantic conventions make it clear that Katie is "meant" for Max, but her own expressions of desire and resistance are, like this one, remarkably equivocal. Katie declares that, in addition to an axe and some undeveloped backwoods land, Max owns "Katie's heart" (1.116), but even that conventional assertion of affection is immediately undermined by her lover, who supplements the girl's own statement with "'Or that same bud that will be Katie's heart, / Against the time your deep, dim woods are clear'd" (1.124-25), suggesting that she is not yet mature enough to mindfully pledge her own love. Max might here be seen as unwittingly referring to the legal and ethical concept of consent to a contract, an exercise of judgment that is available only to an adult individual who is capable of both knowing and acting rationally on his or her own desires, a role for which Katie, presumably, is intellectually unqualified if she does not know her mind. By his use of the possessive pronoun, Max hints that Katie's desire, like wilderness land, must itself be cleared and occupied in order for his claim to be legitimate, a disturbing idea, given the brutal sexualized descriptions of clearance by Max himself that follow.

One place critics have turned for signs of Katie's expression of her own submerged desire is the undeniable genital symbolism of the "Lily Song" she performs in Part III of the poem for Max, who has departed to prove himself a worthy pioneer. She sings:

> Thou dost desire,
> With all thy trembling heart of sinless fire,
> But to be fill'd
> With dew distill'd
> From clear, fond skies that in their gloom
> Hold, floating high, thy sister moon.
> Pale chalice of a sweet perfume,
> Whiter-breasted than a dove—
> To thee the dew is—love! (3.189-97)

Hart calls this lyric "a vehicle for Katie's self-expression, her expression of sexual desire for Max," and Bentley more carefully argues that it obliquely registers "A powerfully sensual awareness of female sexuality" ("Introduction"). These readings, however, give too little weight to the fact

that both the song's authorship and its metaphorical import are attributed to Max: it is "a lily-song *Max had made* / That spoke of lilies—always meaning Kate" (3.173-74, emphasis added). The song, then, is not the expression of Katie's yearning—or if it is, Katie is not represented as the author of her own desire. Instead, the song is a rhetorical projection through which *Max's* desire is transferred to Katie and then embodied, rehearsed, and realized by her in her recital of the song, even in Max's absence.

Similarly, in the opening scene of courting in *Malcolm's Katie*, Max asks Katie to contemplate her reflection in the lily pond, and anticipates her response to his leave-taking by ventriloquizing her voice: "That sixteen-summer'd heart of yours may say: / 'I but was budding, and I did not know / 'My core was crimson and my perfume sweet; / 'I did not know how choice a thing I am . . .'" (1.26-29). This speech highlights Katie's lack of self-knowledge, since in its formulation she does not even know that she does not know her innermost desires. It also implies that while she may be a "choice thing" for Max, she is not fully competent to be a *choosing* thing herself. In *Malcolm's Katie*, the figure of the lily evokes Katie's erotic longing, but ultimately points to the ways in which that desire is in fact less expressed *by* the love lyric than it is a discursive construct *of* it: in a sense, Max woos Katie by putting words in her mouth, repeatedly telling her—and then having her repeat back to him—how much she wants him.

Crawford certainly seems to set up Katie's rendition of Max's yonic "Lily Song" as a site of masculine desire: the audience for her performance in the wilderness amphitheatre is the patently phallic logs (see Bentley, "Introduction"), which also function as a symbol of patriarchal property and colonial development, conflating the masculine erotic and economic desire that arguably underwrite Katie's recital in the first place. The logs, in fact, are "signed" with the initials of Katie's father in an acknowledgement of what Mark Libin characterizes as the inheritance narrative's depiction of "both the virgin female and the virgin wilderness [as] successfully bequeathed from Malcolm Graham to the rightful heir, who bears the same initials": Max Gordon (82). No sooner does Katie finish singing her song than her body is symbolically surrendered to this economy when the logs rear up and claim her: "the rich man's chiefest treasure sank / Under his wooden wealth" (3.216-17). Katie's body here almost literally becomes grist for the patriarchal mill.

The image of the lily occurs in a similar but even more obviously satirical context in an earlier Crawford poem, "A Wooing" (1880), in which the male speaker also likens his lover to a lily, and the "dusky leaves" of the water

lily (54) folding themselves around the flower are compared to "the walls of this my mansion" (57) which he holds out as an incentive to marriage. Having initially offered a floral metaphor of violets growing "In the woodland's dim recesses" for his love's blue eyes (8), the speaker at first seems to locate himself in proximity to her in the idyllic forest environment "In the dim and lone recesses / Of a bank" (11-12). The "bank," however, turns out to be a financial institution where his bonds (another pun in which the ties of affection are also commodities) and coupons are deposited. The suitor's offer of a marital home proposes the transfer of his beloved from her position as "Daughter of the House of Jackson" to a structure he has acquired through foreclosure and which is chock full of modern material accoutrements (48-52). The walls of this mansion, he ominously promises, "would close about my lily" if she accepted him, imposing both spatial and economic (fore) closure on her body within the terms of the marital relationship (53-58). Crawford here mocks avaricious motives for marriage and also, as we shall see shortly, overtly places the legitimacy of a young woman's consent to marriage—her ability to say "I do" or "I don't" in response to the suitor's offer—in question. Though the setting of "A Wooing" is clearly more urban and modern than the later poem, viewing the two in juxtaposition illuminates the ways in which Crawford presents love, not as freely given, but as mortgaged to the teeth in a coercive mercantile/domestic infrastructure.

When Katie finally announces her rejection of the alternative or "wrong" suitor in saying "Nay" to the dishonorable Alfred, she does so in terms that once again suggest her compromised competence: Katie's supposedly resolute psyche is said to "shield" her against the imposition of Alfred's will, but her mind is likened to "a table di'mond" inscribed "thro' all its clear depths [with] Max's name" (3.265-69), a phrase that elides the meaning of a "tablet" for writing and the "table" or flat reflective surface of a gem, hinting that Katie's resistance is an expression that reflects both Max's will and Max's claims on her, certified by his authorizing signature.[7] This is in effect a materialization of the concept of marital unity such that the weight of Max's signature would override the symbolically more egalitarian entwined initials of the courtship ring with which the poem opens. The initials would seem at first to represent "the companionate ideal of mutual love and respect" of evolving nineteenth-century liberalism,[8] but the image is here countered by the legal resonances of Max's graphically represented claim on Katie's affections and person, which of course are not unlike the brands Malcolm burns into his logs as a sign of ownership. Indeed, the reference to the

diamond is itself revealing, since at the time the poem was composed, the African gem trade was opening up following the discovery of a rich source of diamonds in the Cape Colony in 1867, a context that aligns Katie with the products of a burgeoning colonial gem trade, in which the stones were first "mined" and then traded as commodities.

By the time Max returns and Alfred is finally vanquished in Part Six, Katie's voice is reduced to a submissive verbal echo of Max's triumphant claim: "'There lies the false, fair devil, O my Kate, / 'Who would have parted us, but could not, Kate!' / 'But could not, Max,' said Katie" (6.164-66). Katie's verbal echo is reminiscent of the woman's self-depreciating refrains in the poem "A Wooing," repeated phrases that clearly substitute for any actual expression of her will. Confronted with her suitor's request, "May I woo thee? May I wed thee?" (17, 41, 59) the woman first answers, "I do not know," (18) then "I am not sure," (42) then "Let me ask my heart" (60). She finally, presumably, looks inward and finds, not her heart's desire, but paternal authority, after which reflection she resolves the suitor's questions by fully deferring to her father's wishes: "Ask Papa," she says inconclusively. In all but the last instance, the woman's lack of both independent will and the capacity to express such a will is ridiculed by Crawford's insertion of the voice of a parrot, which mindlessly mimics her words, as if to confirm that the beloved herself is merely a parrot for patriarchal discourse. The poem's deflating final line affirms the socially pervasive nature of such deference: "'They all do it,' said the parrot" (80).

Similarly, the co-opting of consent in *Malcolm's Katie* is further demonstrated by the amount of yea-ing and nay-ing by men that takes place over Katie's inert body. So, while her father, wakened in the middle of the night by concern for his daughter's choice of suitor, claims that he will leave the decision about whether to accept Alfred up to Katie herself—"'Kate shall say him "Nay" or say him "Yea" / At her own will'" (3.87-88)—as Bentley observes, he seems prepared, if necessary "to exercise the Victorian father's right to forbid his daughter to marry an unsuitable man" ("Introduction"): "'Nay, nay: she shall not wed him—rest in peace'" (3.77). Alfred, however, is clearly not a man to take no for an answer, especially when it is offered in non-verbal terms, as Katie's initial unwillingness is: "Katie said him 'Nay,' / In all the maiden, speechless, gentle ways / A woman has" (3.88-90); that is, she does not actually *say* "nay" at all. In wordplay that deliberately confuses the bodily eye with its homophone, the "aye" of acceptance, Alfred admits that that his love of wealth overrides any preferences Katie might have,

verbally expressed or not: "So, Katie, tho' your blue eyes say me 'Nay,' / My pangs of love for gold must needs be fed / And shall be Katie if I know my mind" (3.149). At the very moment when he self-consciously overrides Katie's consent, he also speaks the line echoed by Katie in the final words of the poem. Hart astutely reads this verbal resonance as signalling the potential contamination of Katie's intentions with Alfred's dishonesty in her final speech, raising "potential questions about Katie's own honesty and the integrity of her language." They also obviously call attention to the way Katie parrots the words and desires of the men in her life. Even in a moment when she seems to recognize this lack of self-assertion in the poem's final line, Katie performs that very lack.

Alfred's speech also lays the ground for his subsequent deliberate misreading of the reflection of his own inflamed desire in Katie's gaze. Later in the poem, Katie, fearing (based on Alfred's lies) that Max has abandoned her and feeling the weight of her debt to Alfred for rescuing her from the logs, pleads, "O, Alfred!—saver of my little life— / Look in my eyes and read them honestly" (6.56-57). Alfred candidly replies that he can see there only the reflection of his own desire: "O simple child! what may the forest flames / See in the woodland ponds but their own fires?" (6.58-59). Just as Max ventriloquizes his longing through Katie's voice in the "Lily Song," Alfred, gazing into her eyes, finds only the likeness of his own desire legible there: in her eyes he determinedly reads only "ayes." One might well ask, then, in a world where a woman's ability to consent or refuse consent is so thoroughly conceded that "ayes" can say "nay," how can yes mean yes and no really mean no?

In other words, the poem seems to ask, when a woman's ability to consent to marriage or sex is co-opted, where her body circulates and is contested as a piece of property, what, really, is the difference between the contract of marriage, the crime of rape, and the scene of imperial conquest? This might seem to be putting the case in rather hyperbolic terms, but the slippages in *Malcolm's Katie* between the language of seduction and dominance suggest that Crawford is offering a form of commentary by hinting at just such a sliding scale. Crawford's numerous critics have paid remarkably little attention to Robin Mathews' early interpretation of the climactic moments of the poem as setting the stage for a rape,[9] but it is an important reading because it allows us to see the scene not just as a narrative turning point or site of philosophical conversion,[10] but also as a moment at which the vulnerability of Katie's sexual integrity produced by her lack of (self-) consciousness and desire is most dramatically performed.

In this scene, the devious Alfred convinces Katie that Max has been killed while working in the backwoods. Katie, true to her pedigree as a Victorian sentimental heroine, promptly falls faint upon the moss at Alfred's feet. "'Now will I show I love you, Kate . . . / And give you gift of love; you shall not wake / To feel the arrow, feather-deep, within / Your constant heart,'" Alfred proclaims (6.89-92), using what Ower would call the metaphor of the "penetrating weapon" (33) to describe the imposition of his will. Mathews argues that in Alfred's speech he uses an "involved image" that conveys his intention to take sexual advantage of Katie "in her insensate state":

> The black porch with its fringe of poppies waits,
> A propylaeum hospitably wide,
> No lictors with their fasces at its jaws,
> Its floor as kindly to my fire-veined feet
> As to thy silver-lilied, sinless ones! (6.104-08)

"'A propylaeum,'" Mathews explains, "is a vestibule or entrance to a temple" while "'lictors' are attendants who punish offenders at the order of officials," and "fasces" is a bundle of rods or sticks with an axe blade protruding from the top that was carried before a Roman magistrate as a symbol of authority. According to Mathews, Alfred is thus saying in a poetically round-about way that he will sexually take (or rape) Katie while she has let down her guard, so to speak, both because she is unconscious and since there is no Max with an axe there to punish or prevent him.

Katie's unconscious state and her consequent exposure to Alfred's advances thus make necessary Max's heroic intervention and that he cements his role as her future husband, though, as we have seen, Crawford's depiction of Katie's so-called protector has already implicated him in tropes of violent sexual mastery. Backhouse's analysis of rape law in Ontario sees the later nineteenth century as a transitional period in the understanding of the nature of that crime. So, while at the beginning of the century rape was viewed only as a crime against male property and a potential interference with a woman's reproductive function within the domestic economy, as the century progressed, the crime was increasingly represented in addition as a violation of a woman's sexual integrity, although her "autonomy" was neither characterized by agency nor was it self-regulated: "the predominant thrust of late nineteenth-century rape law was paternalistic. Seen as vulnerable, corruptible, and most important, passionless, women required protection from the evil designs of male sexual predators" (236). But what if the paternalistic protectors are revealed as themselves part of a culture

in which women's sexual subjection is a constitutive element? *Malcolm's Katie* shows such conceptions at work in Crawford's 1880s representation of its earlier colonial moment, in its demonizing of the threat to exclusive masculine property rights over women in the villainous person of Alfred, in its recognition of Katie's passionless "sexual integrity" only insofar as it is accommodated to the patriarchal structure of the colonial family.

Indeed, as soon as Max intervenes on her behalf after Alfred's attempt on her virtue, Katie utterly subjects herself to Max's will: in the moments following Max's rescue of Katie, he must decide whether to save the rogue from drowning, and when he looks to Katie for guidance, she can only counsel, "'Do as you will, my Max. I would not keep / You back with one light-falling finger-tip!'" casting herself "upon / The mosses at his feet" (6.135-38), much as she had done with Alfred only moments before, when she "fell along the mosses at his feet" (6.87). Katie's speech both defers to Max's judgment and hints at a wife's bodily submission to her husband's sexual urges (as in, "do *with me* as you will, Max"). In literal legal terms, of course, husbands were immune from any charges of rape, because the will of wives was not recognized as separate from that of their husbands: legal precedent "stated that a husband could not be guilty of rape committed upon his lawful wife, 'for by their mutual matrimonial consent and contract the wife hath given up herself in this kind unto her husband, which she cannot retract'" (Backhouse, "Rape Law" 234). As Backhouse avers, this "codification of spousal immunity at the end of the century stands out as a striking illustration that property notions remained firmly embedded in the law of rape" (236). Katie in this case has already subsumed her will to Max, in effect as a precondition for their marriage.[11]

Marriage, then, was defined by a woman's freely given consent to yield consent forever, and this is just one of the elements that vaguely trouble *Malcolm's Katie*'s closing scene of supposed marital bliss. Like the scene of Alfred's assault, it takes place in a threshold setting, on a porch.[12] And in it, Katie offers a contorted analogy between the "wild woods and plains" of the wilderness and "bounteous mothers" "with their ashes mellow[ing] the earth, / That she may yield her increase willingly" (7.32-35). Katie seems to articulate what might be seen as the integrative ecological vision of co-operation Relke attributes to her, but Katie's language on closer analysis reminds readers of the violence at the heart of this vision and the ways in which feminine submission is implicated in that violence. This passage indeed might be read as an extension of the dynamics of the "Lily Song" as a

scene in which the feminized land itself appears conveniently to surrender to its expropriation for colonial interests and even accede to its own conquest. Indeed, at this moment, in Katie's ecological language, the rape and violent domination of the landscape, so vividly described in the passages in which Max burns and clears the land for his homestead, is rhetorically restaged as a seduction in which the land actually seems to invite its own domination in an act of willing self-sacrifice in the interests of fertility: the wilderness offers itself up in a gesture of immolation that is the condition for future growth and reproduction. Imagery earlier in the poem establishes "flames" as reflecting, not female passion, but masculine desire.

Libin examines references to hybridity and miscegenation in *Malcolm's Katie* as a manifestation of what Robert Young calls "colonial desire" (qtd. in Libin 81). However, Libin argues that in the end this is "a poem about seamless and successful inheritance, and the land itself is presented as a similarly uncontested bequest" (82). The baby boy at the heart of the Gordon family, Libin argues, "guarantees that a patriarchal link of inheritance will be continued for at least one more generation, and the bountiful land, the 'rich, fresh fields' will pass without contest from Malcolm to Max to Max's new son, Alfred" (Libin 81-82). But if we are to read connotations of rape in the climactic scene of Alfred's assault, then it becomes possible to consider that moment as a symbolic *interruption* of the continuous line of inheritance and succession to which Libin alludes. The presence of a baby named Alfred by Max and Katie ostensibly as "the seal of pardon" for a villain who has recognized and recanted the errors of his ways (7.7-10) may certainly be part of an integrative narrative of Christian forgiveness. However, given even the possibility of reading the adult Alfred's attack as a rape, the name may also be taken as a feature undermining the poem's final integrative vision. Readers might be forgiven for momentarily taking "Alfred" as a patronymic, a hint that the baby's parentage is not as "honest" or pure as we might be led to believe. And it may be more than prurient speculation to consider the possibility that Alfred is, either literally or in a more figurative sense, the baby's "natural" father. If this is the case, then the child's role as an emblem of national progress is, to say the least, placed in question. At one point, when Max lies injured and close to death at his feet, pinned by a tree in a random backwoods accident, Alfred even insultingly proposes that it might be better if Max were culled from the colonial gene pool, since the "good" suitor is not virile enough to ensure the line of succession in a natural world governed, not by Christian compassion and righteousness, but by an amoral Darwinian

struggle for survival: Alfred tells Max that "earth's children should not call / Such as thee father—let them ever be / Father'd by rogues and villains, fit to cope / With the foul dragon Chance" (4.263-66).[13] As Kate Higginson writes, "Rape has long been used allegorically to figure threats to the national body; during the late nineteenth century the condition of the new Canadian Dominion was frequently represented in visual and print media by a young, besieged woman." For Higginson, the allegorical Miss Canada, "an emblem of possessable national land . . . reiterates a set of conventions explicating feminine vulnerability, paternal protection, and heterosexual desire" (35). Crawford's poem might be read as taking this argument a radical step further, hinting that rape is in a certain sense less a metaphor for the violation of the national body, than it is actually *constitutive of* that national body. In this alternative reading of the allegorical tableau that concludes the poem, *Malcolm's Katie* hints at the prospect of a contaminated genealogy of colonialism. In so doing, Crawford signals the violence and materialism that taints this idealized settler family and the scene of colonial occupation itself.

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NOTES

1 Through inheritance, of course, the consequences of that transaction extended well beyond the life of the marriage.

2 Backhouse demonstrates that these egalitarian impulses were effectively reversed in judges' application of the law: "the hierarchical family the judges idealized required that married women be rigorously restricted from exercising control over their property. The autonomy that full married women's property rights would have given Canadian wives was an appalling prospect to nineteenth-century judges" ("Property Law" 242).

3 As we shall see, there were similar developments in the legal codifications of rape at the same time, through which the crime was making a transition from "conceptions of property to paternalism" (Backhouse, "Rape Law" 236).

4 See Waterson on the Tennysonian domestic idyll and Mathews on the epic of nation-building.

5 See Mark Libin's essay for a discussion of the racial implications of Crawford's narrative of inheritance.

6 For example, Burns offers that "Alfred is no more greedy than Max, only more straightforward about coveting Malcolm's wealth." In fact the two men are in some ways presented as doubles: for example, Alfred's speech on the mortality of love echoes Max's "Lily Song," and by Part Four they both have a red mark on their temple.
7 Alfred expands on the trope when he states that he would not normally claim the love of a woman whose heart is otherwise committed: "One cares not much," he says, "to place against the wheel / A diamond lacking flame" (3.103-04). In so doing, he also conveys Katie's presumed lack of passion, since, as a jewelry trade website puts it, "the bigger the table, the greater the brilliance . . . and the less the fire" (Tradeshop).
8 As Chambers observes, this ideal "was not incompatible with the belief that wives should not only esteem their husbands, but also willingly—and completely—submit to their will" (24).
9 Mathews refers to the event as a "seduction," perhaps actually demonstrating the slippage in his own choice of words: the event can hardly be an act of persuasion, since Katie is unconscious. This would not even legally be a "seduction" in the terms of Crawford's time since at sixteen, Katie is technically over the age of consent, though she remains childlike.
10 In 1978, David S. West offered a counter-reading in which he interpreted this portion of the poem as a staging of Alfred's philosophical justification for attempting to take his own life and Katie's.
11 Bentley recognizes this effect even earlier in the poem, when he perceives that Katie's steadfast assertion that Max "is as true as I am" (6.70) "is less a simile than a statement of identity" ("Introduction").
12 I am grateful to Kristen Warder for this observation.
13 I am indebted to Kristen Warder for drawing my attention to these lines. Bentley's notes on the poem interestingly suggest an allusion here to Shakespeare's *King Lear* (I.ii), Edmund's meditation on nature, begetting, and bastardy—and, I would add, Edmund's appropriation of property outside the legitimate line of inheritance.

WORKS CITED

Backhouse, Constance B. "Married Women's Property Law in Nineteenth-Century Canada." *Law and History Review* 6 (1988): 211-57. Print.

—. "Nineteenth-Century Canadian Rape Law 1800-92." *Essays in the History of Canadian Law*. Vol. 2. Ed. David Flaherty. Toronto: U of Toronto P, 1983. 200-47. Print.

Bentley, D.M.R. "Introduction." *Malcolm's Katie: A Love Story*. London: Canadian Poetry, 1987. n. pag. Web. 11 Nov. 2011.

—. "Sizing Up the Women in *Malcolm's Katie* and *The Story of an Affinity*." *Studies in Canadian Literature* 14.2 (1989): 48-62. *Érudit*. Web. 11 Nov. 2011.

Burns, Robert Alan. "Crawford and Gounod: Ambiguity and Irony in *Malcolm's Katie*." *Canadian Poetry: Studies, Documents, Reviews* 15 (1984): 1-30. Print.

—. "Isabella Valancy Crawford (1850-87)." *ECW's Biographical Guide to Canadian Poets.* Ed. Robert Lecker, Jack David, and Ellen Quigley. Toronto: ECW, 1993. 39-44. Print.

Chambers, Lori. *Married Women and Property Law in Victorian Ontario.* Toronto: U of Toronto P, 1997. Print.

Crawford, Isabella Valancy. *Malcolm's Katie: A Love Story*. 1884. London: Canadian Poetry, 1987. Print.

—. "A Wooing." 1880. *Hidden Rooms: Early Canadian Women Poets*. Ed. Wanda Campbell. London: Canadian Poetry, 2000. 110-13. Print.

Davin, Anna. "Imperialism and Motherhood." *History Workshop Journal* 5 (1978): 9-65. Web. 11 Nov. 2011.

Devereux, Cecily. "Documenting His/story; Engendering Myth: Re-reading *Malcolm's Katie*." *Canadian Poetry: Studies, Documents, Reviews* 41 (1997): 85-101. Print.

—. "The Search for a Livable Past: Frye, Crawford, and the Healing Link." *ReCalling Early Canada: Reading the Political in Literary and Cultural Production*. Ed. Jennifer Blair, Daniel Coleman, Kate Higginson, and Lorraine York. Edmonton: U of Alberta P, 2005. 281-300. Print.

Hart, Ceilidh. "Exploring the Competing Narratives of Isabella Valancy Crawford's *Malcolm's Katie*." *Studies in Canadian Literature* 31.2 (2006): n. pag. Web. 11 Nov. 2011.

Hennessy, Rosemary, and Rajeswari Mohan. "The Construction of Woman in Three Popular Texts of Empire: Towards a Critique of Materialist Feminism." *Colonial Discourse and Post-Colonial Theory: A Reader.* Ed. Patrick Williams and Laura Chrisman. New York: Columbia UP, 1994. 462-79. Print.

Higginson, Kate. "Feminine Vulnerability, (neo)Colonial Captivities, and Rape Scares: Theresa Gowanlock, Theresa Delaney and Jessica Lynch." *ReCalling Early Canada: Reading the Political in Literary and Cultural Production*. Ed. Jennifer Blair, Daniel Coleman, Kate Higginson, and Lorraine York. Edmonton: U of Alberta P, 2005. 35-72. Print.

Libin, Mark. "Ambivalent Inheritance and Colonial Desire in Isabella Valancy Crawford's *Malcolm's Katie*." *Canadian Poetry* 63 (2008): 81-98. Print.

MacDonald, Mary Joy. "Inglorious Battles: People and Power in Crawford's *Malcolm's Katie*." *Canadian Poetry* 23 (1988): n. pag. Web. 11 Nov. 2011.

Mathews, Robin. "*Malcolm's Katie*: Love, Wealth and Nation Building." *Studies in Canadian Literature* 2.1 (1977): n. pag. Web. 11 Nov. 2011.

Mazoff, C. D. [Chaim David]. *Anxious Allegiances: Legitimizing Identity in the Early Canadian Long Poem*. Montreal: McGill-Queen's UP, 1998. Print.

Ower, John. "Crawford and the Penetrating Weapon." Tierney 33-47.

Relke, Diana M.A. *Greenwor(l)ds: Ecocritical Readings of Canadian Women's Poetry*. Calgary: U of Calgary P, 1999. Print.

Tierney, Frank M., ed. *The Crawford Symposium*. Ottawa: U of Ottawa P, 1977. Print.

Tracy, Collett. "Gender and Irony in Isabella Valancy Crawford's *Malcolm's Katie*." *Literature of Region and Nation*. Ed. Winnifred M. Bogaards. St. John: SSHRCC with University of New Brunswick in St. John, 1998. 114-28. Print.

Tradeshop Fine Jewelers. "Grading a Diamond's Table." n.d. Web. 11 Nov. 2011.

Ward, Peter. *Courtship, Love, and Marriage in Nineteenth-Century English Canada*. Montreal: McGill-Queen's UP, 1990. Print.

Waterson, Elizabeth. "Crawford, Tennyson and the Domestic Idyll." Tierney 61-78.

West, David S. "*Malcolm's Katie*: Alfred as Nihilist Not Rapist." *Studies in Canadian Literature* 3.1 (1978): n. pag. Web. 11 Nov. 2011.