THE ARBITRESS OF PASSION AND OF CONTRACT: ELIZA HAYWOOD

AND THE LEGALITY OF LOVE

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THE ARBITRESS OF PASSION AND OF CONTRACT: ELIZA HAYWOOD AND THE LEGALITY OF LOVE

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DISSERTATION ABSTRACT

THE ARBITRESS OF PASSION AND OF CONTRACT: ELIZA HAYWOOD AND THE LEGALITY OF LOVE

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My dissertation is a cultural studies exploration of how the eighteenth-century British author Eliza Haywood legitimizes women's presence in the legal landscape through illustrations of women's experiences with contract, property, and marital law. Through an interrogation of the nexus of the legal/commercial with the personal, Haywood reveals the gaps in the social and sexual contract, and the contradictions of the patriarchal system are laid bare. I am concerned with the ways that Haywood explores the sexual and social contract and women's position in relation to contract. Through contract, patriarchy is created and maintained, and Haywood often complicates issues of contract and patriarchy by creating characters who occupy positions that are difficult to define. By addressing issues which were foremost in the public mind, Haywood creates timely, important novels which insert

women's voices, women's questions into debates over the Marriage Act, women's separate property, and domestic violence.

Eliza Haywood was an important participant in public sphere hegemonic negotiation about women and in the debates over women's rights within the social contract and within marriage contracts. Haywood sees herself as an author who directly addresses women's issues, and, through her novels, she enters the conversation concerning women's subjectivity, the Marriage Act, and the inadequacies, even outright absences, of the law. Haywood was well aware that there was yet no real solution in the culture for a number of the issues she dramatizes in her novels, but her texts address the emotions and concerns women experienced as they negotiated their world and emphasize the need for real legal representation for women.

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INTRODUCTION

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"Great arbitress of passion!/Satiric precept warms the moral tale,/And causticks burn where the mild balsam fails;/A task reserved for her, to whom 'tis given,/To stand the proxy of vindictive Heaven."[1]

John Richetti, in his book *Popular Fiction Before Richardson*, describes his time sitting in the British Museum reading Eliza Haywood and longing for a cup of coffee and adult conversation.[2] Even though Richetti finds merit in Haywood as a precursor to Richardson, his interest in her writing is clearly not piqued. Many years later, I sat in the British Library reading Haywood and wondering if the rather staid and stodgy librarians knew what they had handed me. I read Haywood's novella *Madam de Villesache* with its graphic descriptions of domestic violence and murder, and I was reminded of when I had first read Haywood. After Mr. Munden seized Betsy's pet squirrel and bashed its head on the hearth in *The History of Miss Betsy Thoughtless,* I had read the rest of the book in a rush, horror and curiosity propelling

[1] James Sterling, "To Mrs. Eliza Haywood on Her Writings," (1732) Reprinted in *Love in Excess*, ed. David Oakleaf (Peterborough, Ontario, Canada: Broadview Press, 2000), 278-279.
[2] John Richetti, *Popular Fiction Before Richardson, Narrative Patterns: 1700-1739* (Oxford: Clarendon Press, 1992), xix.

me to the end. Those moments of shocking violence which punctuate Haywood's writing are the few instances of her anger erupting on the page. Primarily, her critique of the society in which her characters and readers lived is more subtle. Her fabulous shifts in perspective, her placement of women in roles which directly question the values and assumptions of patriarchal society, and her glorious revelations of gaps and holes in the system to which women are subjected are her real techniques for laying bare the contradictions of the social contract.

Since we know so little of the life of Eliza Haywood, although we are learning more,[3] she becomes an empty sign, a site of contention and a gaping hole we as critics and readers fill with our own desires and ideologies. In this sense she is both an Arbitress of our own Passion and the chamber pot that Pope equates her with in the *Dunciad*.[4] But the historical Haywood is not as important as the author Haywood. Although we know barely anything about the historical Haywood's life, we do know that the author Haywood was well aware of the intricacies of the patriarchal and legal systems, and that she repeatedly schooled her readers in matters of contractual and marital law. Haywood herself is a cipher, but she attempted to keep her female readers from accepting roles as ciphers within the British legal system.

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[3] See Christine Blouch's article, "Eliza Haywood and the Romance of Obscurity," *Studies in English Literature* 31 (1991) and her introduction to *The History of Miss Betsy Thoughtless*, as well as Paula R. Backscheider's "The Shadow of an Author: Eliza Haywood," *Eighteenth-Century Fiction* 11.1 (1998). Kathryn King is currently working on a full-length biography of Haywood.

[4] For many years, critics assumed that Pope's scathing portrayal of Haywood, with "cow-like udders and with ox-like eyes," had affected her writing career, discouraging her from publishing novels. In recent years that theory has been debunked; her career as a playwright and journalist continued during the supposedly Pope-induced drought years, and she eventually wrote more bestsellers.

My dissertation is a cultural studies exploration of how Eliza Haywood legitimizes women's presence in the legal landscape through illustrations of women's experiences with contract, property, and marital law. Through pamphlets, broadsheets, novels, and public discussion, early to mid-eighteenth-century British men and women came to terms with new legislation on marriage, and with the implications of contractual monarchy. Haywood used her novels as vehicles for instructing her readers on the shifting rules of contract, and she was joining vigorous public discussions of many issues, including the enforceability of engagements, mothers' rights, marital violence, and economic security for women. The novel was a new space for public discourse, a space in which novelists and readers both participated.[5] Her primarily female, primarily middle-class audience was greatly affected by contracts of all sorts –marriage, wills, inheritance, guardianship – but it is an audience excluded from officially recognized participation in the social contract. In a Lockean contractual government, women are subjects who are free to negotiate marriage contracts, but who are not free to negotiate any other sort of contract. In reality, fathers, brothers, and sometimes mothers negotiated marriage contracts; after marriage, a woman was *feme covert* and therefore legally invisible. In novels, the liminal period women experience between father and husband is expanded and frozen, creating a space to explore a woman's fleeting subjecthood.[6] When

[5] Paula R. Backscheider, "The Novel's Gendered Space," *Revising Women: Eighteenth-Century "Women's Fiction" and Social Engagement* (Baltimore: The Johns Hopkins University Press, 2000), 2-4.

[6] "Courtship is a liminal space – it is between childhood and adulthood, between dependency and responsibility, between autonomy and relationship, and invested with private and public concerns…By seeing courtship as a socially symbolic space, we are reminded that a plurality of authentic public spaces exist at any time, emerging around contested issues or configurations of issues." Backscheider, "The Novel's Gendered Space," 21.

Haywood creates a narrative around this liminal moment, she sometimes celebrates the brief time of freedom, but she often explores the anxieties surrounding such an uncertain space – it can be dangerous to be between contracts. Women must participate in a contractual world, but they must also be recognized legally as participants.

Through an interrogation of the nexus of the legal/commercial with the personal, Haywood reveals the gaps in the social and sexual contract, and the contradictions of the patriarchal system are laid bare. Haywood was a journalist, playwright, essayist, and novelist, but it was in her novels that message and market met to the greatest advantage for herself and for her audience, allowing her to show women how the world as it is works and how it can be negotiated. Paula R. Backscheider points out the advantages of the novel for women writers and readers:

> Born at a time when the culture had used the family as metaphor to discuss its greatest political and religious questions and when it was deeply engaged with renegotiating the nature, rights, and abilities of women, the novel used women as its master signifier…Simultaneously creatures with 'dangerous symbolic mobility' and prisoners of social restraints, they had the potential for subversive revelation and utopian glimmers.[7]

I examine texts, many largely neglected by Haywood critics, which contain more subversive revelations than utopian glimmers, featuring bizarre moments and sites of contention over women's agency. For example, I explore how Haywood

[7] Backscheider, "The Novel's Gendered Space," 29.

interrogates the social contract by creating a female character, Glicera, in *The City Jilt* who assumes the socio-economic subject position "man." This narrative technique enables Haywood to interrogate the new paper credit economy and its potential for personal revenge by allowing her jilted heroine economic and social power. In *The Life of Madam de Villesache*, Haywood uses marital law to emphasize women's liminal position in a contract society. As a *feme sole* and as a *feme covert*, Haywood's heroine, Henrietta, steps outside legal boundaries and negotiates two marriages for herself. Although bigamous, these overdetermined marriages expose gaps in marital law and raise questions about women's agency in sexual and social contracts. The perversity in these texts arises from the contradictions that occur when women assume agency and occupy the positions as subjects that men usually hold. When women act as subjects in a culture which has no method of incorporating female subjectivity, the oversights of the social contract become obvious. The "sex which is not one,"[8] to use Luce Irigaray's phrase, is also the subject that is not one. Haywood's socially symbolic novels explore this contradiction of existence; if women are capable of being subjects for the short moment of creating the marriage contract, then they are capable of being subjects in other areas of the social contract.

Haywood's novels have received a great deal of attention as setting directions for the popular culture romance; however, they have received far less attention as the site of an important contribution to public sphere hegemonic negotiation about women and the social and marriage contracts and about women's legal rights. My interest is not in her text as romances or in the important work we now know

[8] Luce Irigaray, *This Sex Which Is Not One*, trans. Catherine Porter (Ithaca, NY: Cornell University Press, 1985).

romances do in the culture, nor is it in the exploration of the new definitions and possibilities of sexuality so productively explicated in Haywood's work by Catherine Ingrassia, Kathryn King, and Sally O'Driscoll.[9] Haywood's texts are socially symbolic and act as *ideologemes*, "the smallest intelligible unit of the essentially antagonistic collective discourse of social classes."[10]

Haywood was instrumental in developing new forms of fiction, but critics have focused on her role in the development of amatory fiction. Haywood did not write what would come to be known as Harlequin-type romances, but she was instrumental in creating the form that Ros Ballaster and others call amatory fiction. Ballaster explains that Haywood and her precursors, Aphra Behn and Delarivier Manley, wrote fiction that was "distinctly different both from male pornography and the didactic love fiction of other female writers of the period." Penelope Aubin, Elizabeth Singer Rowe, and Jane Barker attempted to separate themselves from Behn, Manley, and Haywood by writing "chaste" love stories which celebrated a moral or religious value. "The early eighteenth-century, then, saw a split between female-authored pious and didactic love fiction, stressing the virtues of chastity or sentimental marriage, and erotic fiction by women, with its voyeuristic attention to the combined pleasures and ravages of seduction." Ballaster says that this erotic

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[9] See Catherine Ingrassia, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," *Lewd and Notorious: Female Transgressions in the Eighteenth-Century*, ed. Katherine Kittredge (Ann Arbor: University of Michigan Press, 2003) ; Kathryn King, "Spying Upon the Conjuror: Haywood, Curiosity, and 'The Novel' in the 1720s," Studies in the Novel 30.2 (1998), 178-193; Sally O'Driscoll, "Outlaw Readings: Beyond Queer Theory," *Signs: Journal of Women in Culture and Society* 22.1 (1996), 30-51. Some of these look at the history of sexuality and the relative power of sexual orientations, and others work in gay-lesbian theory.

[10] Frederic Jameson, *The Political Unconscious: Narrative as Socially Symbolic Act* (Ithaca: Cornell University Press, 1981), 76.

fiction could be a precursor to present day mass-market romances, but this is "only one facet of the complex ideology of their philosophies of love."

> Romantic fiction entails 'a reversal of the common view of history, allowing the usually marginalized female sphere to dominate.' Historical events are deployed as mere proof of the eternal division of the sexes and the eternal power of love to bridge that division. Thus, historical specificity is dissolved, since history itself is generated solely by the unchanging power of love. By dehistorcizing and mythologizing the public sphere, the romantic fiction writer provided the female reader with a sense of feminine power and agency in a world usually closed to her participation.[11]

Through her own participation in various hegemonic negotiations, Haywood allowed her readers to participate in public sphere discussion and to experience a "feminine power and agency."

Srinivas Aravamudan provides interesting commentary on the advent and evolution of the term "romance," especially when placed in the context of an attempt to define the term "novel." He explains that "the term 'novel,' used in the sense of a fiction dealing with familiar and everyday events, in contrast with the idea of romance as distant, idealized, and fantastical, was first used by William Congreve in his preface to Incognita in 1692, but not followed up until Clara Reeve latched on to roughly the same definition

[11] Ros Ballaster, *Seductive Forms: Women's Amatory Fiction from 1684 to 1740* (Oxford: Clarendon Press, 1992), 32-35.

almost a century later in 1785."[12] Writers themselves labeled their works "secret histories" and "lives" rather than either novel or romance. "The novel/romance distinction is much harder to make in terms of any major European national tradition other than the English, where *le roman, der Roman,* or *il romanzo* designates continuously from the past to the present what in English is termed the novel."[13] He chooses to use the definition of Romance provided by the 1670 treatise written by the bishop of Avranches, Abbe Pierre Daniel Huet: basically they are "fictions of amorous exploits written in Prose with artistry, for the pleasure and edification of their readers." Aravamudan says that Huet's approach is a "wide and lateral geography of the genre, imposing a solution for the origin of *Romance* that could very well be characterized as anatopian (or as a spatial displacement) but that is nonetheless refreshing compared to the more frequent resorts to anachronism made by the backward projections and false expectations of novel criticism."[14]

James Grantham Turner echoes this difficult distinction between novel and romance, pointing out that Margaret Anne Doody's proclamation that "Romance and the novel are one" flies "in the face of all those parochial, Anglocentric anachronists who want to separate the terms, indeed to polarize them into self-excluding and self-defining opposites. But seventeenth- and eighteenth-century usage did polarize them at times, particularly when defining genres in terms of their own sexual effect."[15] "An ostensibly

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[12] Srinivas Aravamudan, "Fiction/Translation/Transnation: The Secret History of the Eighteenth-Century Novel," *A Companion to the Eighteenth-Century English Novel and Culture,* eds. Paula R. Backscheider and Catherine Ingrassia (Oxford: Blackwell, 2005), 50.
[13] Aravamudan, 51.
[14] Aravamudan, 52.
[15] Turner, 221. Lawrence Stone points out that between 1690 and 1790 the bastardy rate rose 14% and that "a third of all brides were pregnant on their wedding-day, and over half of all first births were conceived out of wedlock." This explosion of visible sex was one of the factors that led to

rational age longed for a different kind of talk, less mediated by appearances, and a different scene of human life, less inhibited by the presence of a visible stranger. Sexuality provided such a world, and the novel provided the device to make it walk and talk in public."[16] The difference between the terms lies "not in length or probability but in sexual ideology." Jane Barker complained that novels were "debauching the Nation's morals," but that romances exemplified "Heroick Love" and were therefore worthy entertainment.[17]

Both the "romance" and the "novel" were accused at various points in the eighteenth-century of corrupting the morals of their readers and of placing ideas into young, unsuspecting minds and emotions into susceptible hearts. However, this view does not take into account the idea of the resisting reader; Pamela Regis points out, "True, form shapes reading. It creates a certain set of expectations in a reader who is in tune with the form. But because readers are free, form cannot compel the aesthetic, intellectual, or psychological belief in those expectations. Thus, the strongest version of the claim that these books are powerful enough to relegate women to patriarchy and marriage is simply not true."[18] Tania Modleski also argues that romances are revenge fantasies, ways in which women can imagine having the upper hand and bringing a man to his knees. Although the fantasy is potent, romance also retains elements of women's real life situations. Modleski points out that some romances

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the Marriage Act in 1753, and this concern is present in the debate over immorality in novels. Lawrence Stone, *Uncertain Unions: Marriage in England 1660-1753* (Oxford University Press, 1992), 17.

[16] James Grantham Turner, "The Erotics of the Novel," *A Companion to the Eighteenth-Century English Novel and Culture*, eds. Paula R. Backscheider and Catherine Ingrassia (Oxford: Blackwell, 2005), 215.

[17] Turner, 222.

[18] Pamela Regis, *A Natural History of the Romance Novel* (Philadelphia: University of Pennsylvania Press, 2003), 13.

reflect "the double bind imposed upon women in real life: their most important achievement is supposed to be finding a husband; their greatest fault is attempting to do so."[19] In Haywood's time a romance carries the connotation of a French story involving fantasy elements and amourous situations. Romances may explore social issues affecting women, but they do so in a way as to ensure a happy ending. These Haywood novels do not.

Haywood's participation in large cultural discussions through forms of fiction that she was instrumental in developing should merit her inclusion in a circle of originators of the English novel, but Samuel Richardson's status as a Founding Father still eclipses Haywood's contributions. Instead of being second-rate precursors to the great dialogic novel *Clarissa*, as many early critics claimed, Haywood's novels perform the same sort of cultural work as Richardson's. Although John Richetti was instrumental in "rescuing" Haywood from obscurity, he does not value her work beyond its importance as pre-Richardson popular fiction.

> Her real effectiveness as a writer of demonstrably popular fiction lay in her ability to provoke erotic fantasy within the mythology of persecuted female virtue; her real didacticism is of an implicit and pervasive sort, 'dissolved and quite forgot' and therefore effective. Her 'technique' is to evoke a female ethos to which her readers' response is a moral-emotional sympathetic vibration rather than a self-conscious and deliberate assent to moral ideas.[20]

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[19] Tania Modleski, *Loving with a Vengeance: Mass-Produced Fantasies for Women* (Hamdon, Connecticut: Archon Press, 1982), 48.
[20] Richetti, *Popular Fiction Before Richardson*,182.

In this view, Haywood creates "vibrations" rather than real thought. These vibrations are "unreadable except by the serious scholar"[21] and become echoes after the "real" novel, "invented" by Richardson, appears in the 1740s.

Richetti sees Haywood's novels as written for a female audience, but William Warner argues that they are not "instances of women's popular culture: first, their [Behn, Manley, and Haywood's] novels are not cast in the form of an address to a woman reader; second, although the author is sometimes figured as a woman, she is not consistently feminist; and third, there is no evidence that the early modern print market was segmented by gender."[22] Several problems occur with Warner's argument – first, Haywood's novels are often cast in the form of an address to a woman reader, and she often dedicates her novels and novellas to women. Second, what is "consistently feminist"? If by feminist we mean a woman who helps other women negotiate marriage, contracts, and courtship through advice, experience, and hypothetical scenarios, then Haywood is certainly consistently feminist. Third, there is no evidence that the market was not segmented in the way that Warner means. Richardson wrote *Pamela* as a method of teaching young women how to write proper letters, and he routinely sent portions of *Clarissa* to his various female acquaintance in order to get their feedback as he was writing the novel; Haywood's own *The Female Spectator* was the first magazine for women by a woman.[23] Paula R. Backscheider points out that

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[21] Richetti, *Popular Fiction Before Richardson*, 182.
[22] William B. Warner, *Licensing Entertainment: The Elevation of Novel Reading in Britain, 1684-1750* (Berkeley: University of California Press, 1998), 121.
[23] Patricia Meyer Spacks, introduction, *Selections from The Female Spectator* (Oxford: Oxford University Press, 1999), xii.

> It is far too simple to recall that women's writings are more often seen as autobiographical than men's and that the woman's body has been associated with her text. Haywood makes women's bodies an important multi-faceted subject. Moreover, as critics have pointed out, she identifies herself as author, and through various narrative personae, with both female readers and with the oppressed lot of womankind.[24]

Haywood sees herself as an author for women who specifically addresses the problems that women face.

In spite of this, Warner argues that "the novel cannot in fact be gendered."[25] He maintains that the novel is aimed at the general reader – "the general reader does not have a clearly delimited ideological position within the cultural field; the general reader is not a subject with a defining difference of class, race, gender, or sexual preference; and the general reader does not have a specifiable identity, such that a novelist would know in advance how to move him or her."[26] Warner argues that feminist discussion of Haywood and others has actually undermined the importance of early novels.

> But the project of feminist reappropriation has sometimes been guided by political values and conceptual terms that have obscured the actual significance of Behn, Manley, and Haywood in early modern culture. One strand of feminist criticism has considered these three novelists as

[24] Backscheider, "The Shadow of an Author," 87.
[25] Warner, *Licensing Entertainment*, 88.
[26] Warner, *Licensing Entertainment*, 89.

> early instances of "women's writing," in which a female author writes as a woman for other women, reflecting upon, and sometimes contesting, life within patriarchy….A second way of reading novels of amorous intrigue reads backward from the contemporary Harlequin romance, so as to situate them as an early instance of women's popular culture.[27]

By arguing that novels aimed at specific audiences are not literature – which is aimed at the "general reader" – Warner implies that Haywood and her genre fiction are noncanonical popular fictions unworthy of real study.

This perspective is rapidly changing, however, because of the efforts of many feminist and prose fiction critics who have "redeemed" Haywood and demonstrated her significant contribution to the history of the novel. Michael McKeon devotes only two pages of his massive treatise on the development of the novel to Haywood, but what he says is significant: "While progressive writers were content to commend monetary self-interest as a relatively benign passion useful in countervailing the more malevolent ones, Haywood's response was to show the vanity of that distinction, and her insight into the analogous pathologies of exchange value and sexual libertinage was considerable."[28] Rather than sugar coat the reality of the traffic in women, Haywood confronts it and sees the realities of bodies on the market.

John Richetti also falls into this category of redemption-critics with his later writing on Haywood. Now her novels are far from being unreadable; "there also

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[27] Warner, *Licensing Entertainment*, 89-90.
[28] Michael McKeon, *The Origins of the English Novel, 1600-1740* (Baltimore: Johns Hopkins University Press, 1987), 262.

runs a subversive intelligence which offers attentive readers a commentary on sociosexual relationships and which displays a sophisticated self-consciousness about the moral and social relevance of all this fictional extravagance."[29] Although he admires her sociosexual commentary and sophisticated self-consciousness, he maintains that Haywood does not go as far as feminist critics credit her in her self-definition as a woman writer. "Like those suffering heroines, Haywood defines herself as a woman writer not by her mastery of literary language (and all that involves, such as learning and experience of the world) but by her spontaneous, uncultivated ability to imagine passion and its effects."[30] Her ability to imagine love and translate it on the page makes her a woman writer, but Richardson's ability to do the same makes him a father of the novel. "In the world of her novels and in the narrative persona that she sometimes develops, Haywood makes intelligence and verbal ability completely subordinate to rendering the absolute limits of female experience in an emotional sublimity quite beyond words."[31] She is still a good pre-Richardson writer, but not important beyond her ability to evoke an emotional response. If Haywood has advanced in Richetti's assessment and is no longer a mere writer of romances, she is also not quite a novelist.

Feminist critics have validated Haywood as a novelist, but their assessments of her writing are often on a par with Richetti's. Ros Ballaster states, "If Behn and Manley had asserted the will to power of the female writer by marking her difference from the women victims she re-presented to her readers, Haywood presents herself as

[29] John Richetti, *The English Novel in History, 1700-1780* (London: Routledge, 1999), 21.
[30] Richetti, *The English Novel*, 40.
[31] Richetti, *The English Novel*, 40.

a sufferer on a par with her heroines."[32] Again she is a woman writer by virtue of her ability to emote on the page.

> Haywood's romances of the 1720s do locate a form of feminine resistance precisely in the compulsive re-inscription and display of the hysterical female body … the victory of the masculine 'plot' over the female 'form' (the traditional tale of seduction and betrayal) is repeatedly subverted from within by a recurrent female 'counter plot,' which seeks to empower the heroine by allowing her rhetorical control of the 'forms' of love, her own proper body.[33]

Through overdetermination and exaggeration of the female body, Haywood subverts the patriarchal paradigm. While this assessment is certainly an improvement over other critics' dismissal of Haywood's novels as mere romances with no real literary value, it still creates a Haywood who champions passive resistance. Although, as Ballaster points out, the heroines "control the forms of love," in this reading of Haywood, the heroines control little else.

> Haywood's novels then, in the main, present their female readers with a thoroughly melancholy view of the world of heterosexual romance. Male desire is, with rare exceptions, short-lived and end-directed, constituting a series of metonymical displacements of woman for woman in search of an impossible and unattainable satisfaction. Female desire is masochistic, self-destructive and hysterical.[34]

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[32] Ballaster, *Seductive Forms*, 168.
[33] Ballaster, *Seductive Forms*, 169-170.
[34] Ballaster, *Seductive Forms*, 175.

Although nearly every Haywood character is driven by desire, Ballaster overlooks the alternatives presented in most of her novels to heterosexual love and marriage. Haywood routinely offers her characters other choices – motherhood, female friendship, roles as "Lady Bountiful" – and through reading these choices, her female audience became aware of the alternatives. "Unrealistic though Haywood's fictional romance world is, it constantly reinscribes the 'truth' of women's oppression at the hands of men, and seeks to compensate them with the pleasures of fiction."[35] The pleasures of fiction may serve as temporary compensation, but I argue that Haywood's most bizarre and most ambitious novels also offer different realities for women, ones that in the long run serve as more satisfactory compensation. Ballaster, like Richetti, is an early recoverer of Haywood and her assessments have led to more nuanced discussions of Haywood's novels.

Recently, the work of explaining the value of studying Haywood has turned into the work of writing meaningful criticism of Haywood's texts. The collection of essays in *The Passionate Fictions of Eliza Haywood* addresses Haywood's place in the canon through an evaluation of her novels and her techniques. Contributers such as Paula Backscheider, Kirsten Saxton, David Oakleaf, Ros Ballaster, and Toni Bowers assess her early amatory fiction and her later "didactic" fiction, as well as problems in Haywood scholarship. Saxton argues that "rather than assuming that women should have no sexual desires, Haywood creates a space for active, if dangerous, female appetite. It is not the desire per se that does in the Haywoodian heroine, but her lack of awareness of how to negotiate that desire within a heterosexual

[35] Ballaster, *Seductive Forms*, 195.

marketplace."[36] The essays in the collection explore how Haywood recreated narrative paradigms, experimented with form and content, satirized political figures and situations, and became a major figure in the history of the novel. Paula Backscheider's essay suggests that the "Story" of Haywood's mid-century conversion to didactic writing should be replaced with "a story of her agency grounded in two features of early eighteenth-century novelistic activity: experimentation with form and establishment of the form's distinctive participation in hegemonic processes."[37] This collection was the first full-length collection of critical essays dedicated exclusively to Haywood, and it signaled a new stage in Haywood criticism.

Numerous articles on Haywood reinforce her new status as an important figure in the early history of the novel. An encouraging sign is that none of the authors of the later articles feels the need to validate an interest in Haywood; they are now allowed to begin with their readings of her texts rather than with "the Story" of Haywood. Melissa Mowry argues in her article, "Eliza Haywood's Defense of the Body Politic," that Haywood used the genre of political pornography to "offer her own commentary on London's political fortunes in the mid1720s."[38] Another article in this vein suggests that Haywood consistently uses a narrative strategy of creating "environments radiant with the possibility of transgression and provocatively in counterpoint to the author's explicit moral arguments,…'pornographic places' as

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[36] Kirsten T. Saxton, Introduction, *The Passionate Fictions of Eliza Haywood: Essays on Her Life and Work*, eds. Kirsten T. Saxton and Rebecca P. Bocchicchio (Lexington, KY: The University Press of Kentucky, 2000), 4.

[37] Paula R. Backscheider, "The Story of Eliza Haywood's Novels: Caveats and Questions," *The Passionate Fictions of Eliza Haywood: Essays on Her Life and Work*, eds. Kirsten T. Saxton and Rebecca P. Bocchicchio (Lexington, KY: The University Press of Kentucky, 2000), 20.

[38] Melissa Mowry, "Eliza Haywood's Defense of London's Body Politic," *Studies in English Literature* 43.3 (2003): 646.

geophysical counter-narratives to her parables of sexual temptation."[39] Others focus on Haywood's non-pornographic political narratives. Marta Kvande argues that Haywood "claimed a role in public discourse. Though her narrators position themselves as outsiders, they do not seek to place themselves outside the sphere of public and political activity. Rather, they claim that the position of outsider is the only virtuous one and thus the most authoritative stance from which to comment on public issues."[40] The distinction between public and private spheres which began in the eighteenth century is the point of inquiry in Miranda Burgess' evaluation of *The Mercenary Lover*. The novel raises questions "of agency and credit that intersect critically and ironically with early eighteenth-century commentaries on the law and conceptions of consumer and literary exchange….the conjunction of these legal, economic, and literary questions in the written life of early eighteenth-century London – and within Haywood's novel – provided a matrix within which distinctive forms of publicity and privacy emerged and were understood."[41]

In her article, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," Catherine Ingrassia argues that while Haywood has long been the "arbitress of passion," no one has asked of what type of passion she is arbitress. Unlike Jane Austen, Haywood did not offer marriage as an ideal solution.

> Rather her fiction details the consequences of patriarchal culture's sexual ideology and provides female readers with specific strategies for

[39] Alexander Pettit, "Adventures in Pornographic Places: Eliza Haywood's Tea-table and the Decentering of Moral Argument," *Papers on Language and Literature* 38.3 (2002): 244.
[40] Marta Kvande, "The Outsider Narrator in Eliza Haywood's Political Novels," *Studies in English Literature* 43.3 (2003): 626.
[41] Miranda J. Burgess, "Bearing Witness: Law, Labor, and the Gender of Privacy in the 1720s," *Modern Philology* 98.3 (2001): 394.

> succeeding within those narrowly defined parameters. She highlights the dangers to women of investing in the imaginary (or at least illusory) benefits of heterosexual encounters and vividly illustrates the realities of a male dominated society."[42]

Having warned women of the problems with heterosexual love and marriage, Haywood must provide alternatives. "Her new models for female subjectivity resist an ascendant bourgeois ideology and the literary establishment that textually reproduces the traditional model by valorizing marriage, the patriarchal order, and procreation."[43] Ingrassia demonstrates how Haywood creates characters who decide to live with other women, fulfilling their desires for security or love through homosocial and possibly homosexual relationships. "She discursively changes the way women circulate within the sexual economy and suggests that they can create their own currency – textual, sexual, or emotional. She also tries to secure the way her texts circulate within a literary economy, making this representation distinctly commercial. In attempting to naturalize reading as a homosocial, reproductive, and potentially empowering act, Haywood seeks to retain and expand her female audience and inculcate the female practice of reading."[44] When women read they discover other forms of living, other means of validation. Although Ingrassia does not argue that Haywood attempts to expose the contradictions in the social contract and its omission of women, she does argue that "by finding space for other passions

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[42] Catherine Ingrassia, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," *Lewd and Notorious: Female Transgression in the Eighteenth-Century*, ed. Katherine Kittredge (Ann Arbor: University of Michigan Press, 2003), 235.
[43] Ingrassia, "Eliza Haywood, Sapphic Desire," 237.
[44] Ingrassia, "Eliza Haywood, Sapphic Desire," 251.

within her texts, Haywood implicitly suggests that women can find permeable spaces within their lives to explore alternative sexualities and subjectivities."[45]

Todd Parker continues this line of enquiry by examining Haywood's portrayal of male bodies and her technique of feminization. In a discussion of Haywood's novel *Philadore and Placentia*, Parker explores the castration of a character and the possible homosexual feelings of the hero. In this novel, gender roles are up for grabs and the definitions of male and female continually shift. "If Placentia must become like a man to maintain her position in a male/female relationship, if she must 'adopt male-like qualities' to save the relationship because her man is too polite to act like a man, then whatever it is that makes a man most a man (aggression, independence) is also what it takes for a woman to keep her place in the novel's primary heterosexual relationship."[46] What it is that makes a man is continually under review in this text. Haywood features one of her many castrated men in the novel,[47] and the hero, Philadore, feels an attraction toward him that is quickly sublimated into brotherly love. "By castrating him, Haywood effectively removes Bellamont from the realm of sexual desires, and by homogenizing the male body toward a female ideal, Haywood rearticulates sexual difference as a controllable category, one that no longer threatens the generic constraints of the amatory novel."[48] Parker argues that sexual difference as a controllable category becomes a way for Haywood to insert women into the male legal world and expose the

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[45] Ingrassia, "Eliza Haywood, Sapphic Desire," 252.
[46] Todd C. Parker, *Sexing the Text: The Rhetoric of Sexual Difference in British Literature, 1700-1750* (Albany, NY: State University of New York Press, 2000), 121.
[47] Castrated men also appear more than once in *The Fruitless Enquiry* (1727). One man is castrated by a jealous woman when he refuses to sleep with her, and another is castrated by the cousin he had raped.
[48] Parker, *Sexing the Text*, 133.

contradictions therein. "Haywood exposes the gender conventions of her time by shockingly rewriting the male body as a site of helplessness and indifference."[49] Subverting gender expectations allows Haywood to create women who participate in the sexual contract.

My dissertation is concerned with the ways that Haywood explores the sexual and social contract and women's position in relation to contract; therefore, Carole Pateman's *The Sexual Contract* is, of course, fundamental to my argument. Pateman states that

> The original pact is a sexual as well as social contract: it is sexual in the sense of patriarchal—that is, the contract establishes men's political right over women—and also sexual in the sense of establishing orderly access by men to women's bodies…Contract is far from being opposed to patriarchy; contract is the means through which modern patriarchy is constituted.[50]

Through contract, patriarchy is created and maintained. Marriage contracts, for instance, insure a woman's "belonging" to a man by signing over to him her property. She is allowed separate property only in the form of monies given her by her husband. In marriage a woman becomes a *feme covert*, and she is technically unable to negotiate a contract herself. Women are excluded from all forms of contract: "Women are not party to the original contract through which men transform their natural freedom into the security of civil freedom. Women are the subject of the contract. The (sexual) contract is the vehicle through which men

[49] Parker, *Sexing the Text*, 133.
[50] Carole Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988), 2.

transform their natural right over women into the security of civil patriarchal right."[51] Patriarchy is not, as some argue, the power of fathers over children, but the power of men over women. A woman is subjected to patriarchal power before she is a mother. In these texts by Haywood, however, women attempt to seize the "patriarchal" power of men.

Haywood often complicates issues of contract and patriarchy by creating characters who occupy positions that are difficult to define. Characters like Glicera and Henrietta are neither wife nor prostitute, and they are able to expose contradictions in the system by being contradictions themselves. Luce Irigaray's definitions of virgin, mother, and prostitute are helpful for discussing Haywood's characters who defy category. Mothers are "reproductive instruments marked with the name of the father and enclosed in his house," virgins are "pure exchange value," and prostitutes "have value only because they have already been appropriated by a man, and because they serve as the locus of relations – hidden ones – between men."[52] However, several of Haywood's characters defy even these categories. Glicera delivers a stillborn child so she is a mother yet not a mother; she takes on the persona of a prostitute but she never has sex with her "clients." Henrietta is married but bigamously, and it is the sex of her child and her status as a mother that will determine her status as a wife. Irigaray states that "wives, daughters, and sisters have value only in that they serve as the possibility of, and potential benefit in relations among men."[53] For a brief moment Haywood allows her characters to "go

[51] Pateman, *The Sexual Contract*, 6.
[52] Irigaray, *This Sex Which is Not One*, 185-186.
[53] Irigaray, *This Sex Which is Not One*, 172.

to 'market' on their own"[54] and hold value in themselves, but the moment soon passes and each character pays a price for patriarchal presumption.

Haywood's characters frequently operate at the intersections of property, contract, and marital law and her novels reflect the changing aspects of the law. One of the ongoing debates during her career as a writer concerned the relationship between the social contract as envisioned by Locke and the government of the family. Sir Robert Filmer had opened the debate with his *Patriarcha* (1680), which directly related the relationship between the king and his people with a father and his children. He argued that Adam, as the first father, was also the first governor. However, if both men and women are parents, and children are commanded to honor their parents, both father and mother, did mothers translate into governors? When children grow up they are no longer under the control of their parents – at what point does the body of the kingdom "grow up" and no longer obey its head?

John Locke, in his *Two Treatises of Government* (1689), directly refutes Filmer's claims that the head of a government equates the head of a family, but he does keep the family analogous to government. Both Filmer and Locke argue that government and family are analogous, but disagree as to extent.[55] "Both sides agreed that the relation between a king and his subjects was analogous to the contractual relation between husband and wife. The question was whether in the case of a tyrannical

[54] Irigaray, *This Sex Which is Not One*, 196.
[55] Daniella Gobetti points out that Filmer worked on a framework of "assimilation" and Locke on "analogy." *Private and Public: Individuals, Households, and Body Politic in Locke and Hutcheson* (New York: Routledge, 1992).

husband (the king at the political level), the wife (the kingdom) was permitted to rebel and finally divorce."[56]

Mary Astell addresses this question, asking if a governed people who no longer feel they are being represented by their ruler can depose that ruler, why can a woman not leave a man who has broken his contract? If men are subjects simply by being born into a "family," why are women not subjects as well? If government is a contract between king and people, then the family must be contractual as well.

> The family and the polity were absolutely analogical, inasmuch as they were both conceived as hierarchal institutions in which relations of dependence and proper subordination prevailed. Reading both the social contract and the marriage contract as voluntary agreements to live in a pecking order, Englishmen celebrated their equality while reinstituting precedency and subordination everywhere."[57]

In a culture in which marriage is indissoluble, but the government functions on a contract theory, women were quick to see the discrepancies. Locke also leaves little holes in his argument, places where women could insert themselves. In *Two Treatises on Government*, Locke lists those who cannot obtain subjecthood, including on the list "lunatics, idiots, innocents, children, and madmen" but he does not include women.[58] Although women are not specifically included in the contract, they are not specifically excluded either. Haywood explores the relation between women and the

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[56] Roderick Phillips, *Putting Asunder: A History of Divorce in Western Society* (Cambridge: Cambridge University Press, 1988), 166.
[57] Eve Tavor Bannet, *The Domestic Revolution: Enlightenment Feminism and the Novel* (Baltimore: The Johns Hopkins University Press, 2000), 30.
[58] Tavor Bannet, *The Domestic Revolution*, 32.

social contract in her novels, placing women in various positions – as wives, as single subjects, as widows, as criminals, as bigamists, as journalists and spies, as quasi-prostitutes, as philanthropists, as servants and as friends. In each she shows how the social contract works for women and for men, interrogating the discrepancies and demonstrating the need for women to be seen and treated as subjects of a free country.

Changes in the rights of widows illustrate the shift in views of women's subjectivity. In the late seventeenth and early-eighteenth centuries, the traditional right of dower – a widow's inheritance of one-third her husband's estate—was increasingly barred in favor of jointure. During the negotiation of the marriage settlement, an amount of money was determined as the yearly income for the widow. Some women received more money through jointure than dower, but others were shortchanged, and if the jointure contained money in stocks, it was a risky endeavor.[59] Although John Habakkuk argues that "the change from dower to jointure was not intended to 'do down' widows…this was essentially a move to prevent widows exploiting a loophole in the law,"[60] according to Susan Staves, women were often pressured to give up their income in widowhood, either jointure or dower, in order to benefit the family estate. The shift from dower to jointure, while allowing women more freedom through liquid assets than through real estate, often meant that women received less than they would have under the dower system and their incomes were more easily commandeered by heirs. Haywood's novels

[59] Susan Staves, *Married Women's Separate Property in England, 1660-1833* (Cambridge, MA: Harvard University Press, 1990).
[60] John Habukkuk, *Marriage, Debt, and the Estates System: English Landownership, 1650-1950* (Oxford: Clarendon Press, 1994), 86.

demonstrate the delicacy of women's financial positions which are dependent on the settlements that men make for them. These tenuous positions are the reality of women at the mercy of property law, but Haywood often creates heroines who attempt to negotiate their finances for themselves.

During the forty year period encompassed by this study, the anxieties over property law and transmission resulted in the 1753 Hardwicke Marriage Act which attempted to standardize forms of marriage and regulate sexual behavior – providing for a family becomes "the price that men had to pay to purchase sex."[61] Ruth Perry discusses the Marriage Act as the culmination of shifting economic and social values which results in "disinheriting daughters." By the early eighteenth century, the ratio of portion to jointure had risen significantly, raising the "price" of a husband. Strict settlement ensured that the heir received the bulk of an estate and younger sons and daughters received any leftovers. "Discharged from their families by marriage, caught between one system and another, daughters were an early casualty of the effects of capitalism on social relations."[62] Another effect of capitalism on social relations is the Marriage Act – an attempt to regulate sexuality in order to secure property transmission and the undeniable rights of the heir.

Before the Marriage Act, couples married in informal yet contractually binding ways. If a couple promised to love each other, had their vows witnessed and the union consummated, then they were married in law. For marriages involving property, Lawrence Stone points out that there were five steps:

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[61] Eve Tavor Bannet, *The Domestic Revolution*, 104.

[62] Ruth Perry, *Novel Relations: The Transformation of Kinship in English Literature and Culture, 1748-1818* (Cambridge: Cambridge University Press, 2004), 76.

> The first was a written legal contract between the parents concerning the financial arrangements. The second was the spousals (also called a contract), the formal exchange, usually before witnesses, of oral promises. The third step was the public proclamation of banns in church, three times, the purpose of which was to allow claims of pre-contract to be heard…The fourth step was the wedding in church, in which mutual consent was publicly verified, and the union received the formal blessing of the church. The fifth and final step was the sexual consummation.[63]

For the lower and working classes, marriage was usually a more informal process. "Promises made in the future tense constituted mere betrothal rather than marriage, though betrothal could be turned into marriage by the couple indulging subsequently in sexual intercourse."[64] Some marriages were created by the "form of words in the Common-Prayer Book" – the couple promised to give each other "possession of their respective persons," to "appropriate the Person of each to the other during their Lives and not engage in like Intercourse with any body else" and "to live together" promoting "each other's Felicity by all Manner of good Offices."[65] Although a church wedding was preferred, it was not necessary. "Any sort of exchange of promises before witnesses which was followed by cohabitation was regarded in law

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[63] Lawrence Stone, *The Family, Sex and Marriage in England 1500-1800* (New York: Harper & Row, 1977), 31.
[64] R.B. Outhwaite, *Clandestine Marriage in England, 1500-1850* (London: Hambledon Press, 1995), 1-2.
[65] *A Letter to the Public: containing the Substance of what hath been offered in the late Debates upon the Subject of the Act of Parliament, for the better preventing of Clandestine Marriages* (London: Charles Marsh, 1753), 18. There seems to be no mention of a wife's declaration of obedience to her husband.

as a valid marriage."[66] Before 1753, the private act of intercourse created a marriage; after 1754, the public Act of properly conducted church weddings created a marriage.

The Act required that "all Banns of Matrimony shall be published in an audible Manner in the Parish Church, or in some Publick Chapel…upon Three Sundays preceding the Solemnization of Marriage" or that couples attain a special license if they wished to avoid the publishing of banns. Parental consent had to be obtained for any marriage concerning a bride or groom under the age of twenty-one. To avoid "Fleet Street marriages," the ceremony had to take place in a "Church or Publick Chapel, where Banns have usually been published, unless by Special Licence from the Archbishop of Canterbury."[67] Any clergyman who married a couple in violation of the Act "shall be deemed and adjudged to be guilty of Felony, and shall be transported to some of His Majesty's Plantations in America, for the Space of Fourteen Years."[68] Furthermore, marriages must be properly recorded in parish registers on "proper Books of Vellum, or good and durable Paper" and

> in order to preserve the Evidence of Marriages, and to make the Proof thereof more certain and easy, and for the Direction of Ministers in the Celebration of Marriages and registering thereof…all Marriages shall be solemnized in the Presence of Two or more credible Witnesses, besides the Minister who shall celebrate the same; and that immediately after the Celebration of every Marriage, an Entry thereof shall be made in such Register…that the said Marriage was celebrated

[66] Stone, *The Family, Sex, and Marriage*, 31.
[67] Outhwaite, *Clandestine Marriage*, 173-175.
[68] Outhwaite, *Clandestine Marriage*, 176.

> by Banns or by Licence; and if both or either of the Parties married by Licence be under Age, with Consent of the Parents or Guardians, as the Case shall be; and shall be signed by the Minister with his proper Addition, and also by the Parties married, and attested by such Two Witnesses.[69]

While this obsession with documentation is a boon for geneologists, it was a drastic change for the lower classes who were most inured in the informal traditions of marriage. It had economic implications as well; Ruth Perry states that "critics of the Hardwicke Marriage Act complained that the policing of sexuality by the state, the regulation of marriage and legitimate production, was being done to protect the rich and disadvantage the poor."[70] The Hardwicke Bill was called "An Act for the Better Preventing of Clandestine Marriages," but it was primarily concerned with the transmission of property, a predominant concern of the merchant, gentry, and upper classes.[71] "Marriage was being reconfigured in the priorities of kinship because the new economic system rewarded the consolidation and transfer of property across generations."[72] Marriage was a way for cash-strapped landed families to infuse new life into their liquid assets and for wealthy members of the merchant class to marry into titles and land. For families in these classes, the fear of an heiress being

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[69] Outhwaite, *Clandestine Marriage*, 178.
[70] Perry, *Novel Relations*, 35.
[71] Lawrence Stone provides a wonderfully concise explanation of marriage as transmission of property – "On her marriage, the family of the bride paid a cash dowry to the family of the groom, in return for which the latter settled property for the current maintenance of the couple and for a future jointure, which was an annuity for the widow for the rest of her days. By marriage, all the wife's property which had not been previously conveyed to trustees passed to the husband. The latter could do what he liked with the personal estate, including furniture, jewels, and money, and could enjoy the income of any real estate." *Uncertain Union*s, 15.
[72] Perry, *Novel Relations*, 212.

kidnapped and forced into a marriage which threatened the transmission of property became a public concern.

Concerns over clandestine marriage date back to the middle ages, but the public debate increased in the seventeenth-century as bride's portions increased and property rights became more unclear in this type of marriage. Between 1604 and 1629, Parliament debated seven bills concerning bigamy, adultery, fornication, and marriage contracted between infants. Marriage acts were passed in 1653 and 1660, but the two laws were so contradictory that "large numbers of people had departed from the strict dictates of the law, marrying themselves in all sorts of irregular ways." The frequency of irregular marriage led to debates over clandestine marriage in Parliament, with Bills appearing in 1666, 1667, 1670, 1677, 1678, 1679, 1685, 1689, 1690, and 1691. None of these was successful. In 1696, however, an Act was passed which fined clergy one hundred pounds for each irregular marriage performed and "imposed a ten pound penalty on any man marrying without banns, or licence, and five pounds on those sextons and parish clerks assisting in the process, all to be recovered by private court action." Lawrence Stone also points out that "the state became directly concerned in the 1690s, when it tried first to raise money by putting taxes on marriage licences and certificates. It therefore suddenly developed a vested interest in making everyone go through a regular wedding in church."[73] In 1717, Parliament set up a committee to examine the clandestine marriage issue, and in 1719 a bill was brought before the Commons but failed. Bills in 1736 and 1740 also

[73] Lawrence Stone, *Uncertain Unions: Marriage in England 1660-1753* (Oxford: Oxford University Press, 1992), 13.

failed, and they mark the end of the effort for reform of marriage laws until Hardwicke's Act passed in 1753.[74]

So many bills failed in Parliament prior to 1753 because marriage, considered a private act between two persons, seemed to many an act outside of government control and interference. However, as Foucault demonstrates, the eighteenth-century was a time of increased surveillance and authoritative intervention. Bodies were increasingly regulated, and marriage practices had to be standardized in order to regulate sexual behavior more effectively. "To deal with sex, power employs nothing more than a law of prohibition."[75] One phenomenon in particular seemed to epitomize unregulated marital/sexual behavior and to call for prohibition – the Fleet Street Prison wedding chapel. For a fee, anyone wishing a fast, secret wedding could obtain one from the obliging Rev. Alexander Keith. Stephen Parker points out that "the Fleet symbolized the threat to paternal control at a time when that control was both more necessary and more resisted. Even amongst those who would later be called the middle class, whose interests were not so directly threatened, there was an outburst of indignation about the general debasement of marriage."[76] It was rumored, and accepted as fact by many, that the Rev. Keith performed six thousand marriages a year in his chapel.[77] Six thousand clandestine marriages a year does seem to require some sort of government intervention, but R.B. Outhwaite has

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[74] Outhwaite, *Clandestine Marriage*, 9-17.
[75] Michel Foucault, *The History of Sexuality, An Introduction*, trans. Robert Hurley (New York: Vintage Books, 1978), 84.
[76] Stephen Parker, *Informal Marriage, Cohabitation, and the Law, 1750-1989* (London: Macmillan, 1990), 38.
[77] *A Letter to the Public*, 6.

proved that in 1751, Keith performed 1300 marriages, not 6000.[78] However, Lawrence Stone proposes that "the astonishing scale of the clandestine marriage business in London can be estimated by combining the figures of those performed in the Rules of the Fleet with those of the other marriage shops in London. A reasonable guess would be that in the middle of the eighteenth century between 15 and 20 percent of the marriages in all of England were conducted in these clandestine ways."[79] Exaggerated or not these numbers reflect the cultural fears that culminated in the Marriage Act.

Although many instances of clandestine marriage came to the attention of the public and of Parliament, one case in particular ignited the determination for reform that resulted in the 1753 Act. "Late in January 1753 the House of Lords, sitting judicially, heard counsel in a Scottish appeal case in which a marriage of thirty years standing, celebrated legally, was challenged on the grounds of a prior secret contract. The Lords dismissed the appeal of the challenger and went on to order 'That the Judges do prepare and bring in a Bill, for the better preventing of Clandestine Marriages.'"[80] The Bill became the focus of Parliamentary debates. The debates cut across party and class affiliations, and they became more heated than anyone had expected.[81] Speakers argued that the bill was designed to increase the wealth of the great landed families, that it would decrease marriages among the poor, and that the

[78] Outhwaite, *Clandestine Marriage,*106. He also adds that "it is worth remembering that the heyday of the Fleet in the 1730s and 1740s coincided with the metropolis' Gin Age." (63)
[79] Stone, *Uncertain Unions,* 29.
[80] Outhwaite, *Clandestine Marriage,* 76.
[81] Outhwaite, *Clandestine Marriage,* 75.

rate of illegitimate children would increase, as would bigamy.[82] However, the problem with bigamy stemmed from the difficulty in obtaining divorce, not in the forms of marriage. Outhwaite points out that bigamy "was perhaps inescapable in a society that made marriage legally indissoluble. The desertion of wives was one escape hatch in a divorceless society, perhaps made easier by the physical mobility that many people enjoyed."[83] Haywood demonstrates the problems caused by the impossibility of divorce through Henrietta's bigamous marriages and Betsy's and many other women's miserable marriages. When divorce is an impossibility, but so is the desired marriage, what options exist?

In addition to novels, pamphlets and broadsheets which debated the necessity of the Marriage Act. Of course, the Rev. Keith of the Fleet Street Chapel wrote a highly entertaining tirade against the Marriage Act, arguing that hasty marriages among the lower classes are vital for the preservation of the kingdom: "the welfare and prosperity of Britain, was, and always would be, the multitude, the flock and increase of its inhabitants; for let me tell you that one native is far more valuable both to King and government, than ten, yea, I might say twenty, naturalized foreigners, whether they be Germans, or that favorite race of mortals, who are the seed of Jacob."[84] Keith plays on the fears of a culture – xenophobia, standing armies, and anti-Catholic sentiment – as he argues for the growth of the country through the

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[82] Outhwaite, *Clandestine Marriage*, 88-89. It is interesting to note that one speaker argued that in Holland "where banns were essential, this proved no hindrance to the marriages of the poor" (90). Recently, in the Senate debate over an amendment to the U.S. Constitution to ban gay marriage, a senator used statistics from Holland to shore up his position.

[83] Outhwaite, *Clandestine Marriage*, 56.

[84] Rev. Alexander Keith, *Observations on the Act for Preventing Clandestine Marriages* (London: M. Cooper, Paternoster Row, W. Reeve, Fleet Street, and C. Sympson, Bible Warehouse, Chancery Lane, 1753), 4.

increased birthrate of honestly begotten Englishmen and pities the oversight of a restriction on Catholic marriages since "this would be an effective method to put an end to popery and jacobitism in this kingdom, and be a surer and shorter way with them than Daniel de Foe's shortest way with the Dissenters when he proposed to hang the then living ones."[85] Having raised the specter of Jacobite rebellions and Popish plots, he moves to his final point – delaying marriage delays the conception of sailors and soldiers for England. "Moll has agreed with Dick to go to a fair, and spend the whole day with him, they have set out in the morning, and before 11 that night have been married, and in one another's arms before 12, getting a soldier or seaman for their service of their king and country." If the Marriage Act passes, Moll and Dick will have to wait up to three weeks to get married, and Keith argues that they will change their minds if they "were to think or look before they leaped."[86] His dire warning at the end of the pamphlet is a classic scare tactic --

> …hasty and precipitate marriage (falsely and artfully called clandestine) is the very foundation of our present happiness and prosperity, and time, and very short time will show us, that wise and prudent and considerate marriages (there will be so few) among the lower class of people will be the destruction both of our CHURCH and KING; by giving the enemies of Britain an opportunity when they perceive our weakness in numbers of introducing a Popish plot.[87]

[85] Keith, 6.
[86] Keith, 18-19.
[87] Keith, 25.

Keith himself was a prisoner of the Fleet after he was convicted in an ecclesiastical court in 1743, but he continued to run the chapel and marry hundreds of couples a year.[88]

Others were in favor of the Marriage Act because they thought it would solve some real problems. While the situation of "Moll" and "Dick" may be laughable, numerous women's novels and real cases demonstrate the terrible situation of abandoned women who are seduced by men under promise of marriage. The author of *A Letter to the Public* (1753) laments the ease of informal marriage and the problems it can cause.

> Any Person who doth not regard the Honesty of observing a Contract, might readily enter into all the Marriage Covenants, without the least Design of Keeping any one of them, except that which relates to carnal knowledge. And whenever the Disgust of satiated Appetite, or the Prospect of Advantage should prompt him, he might disclaim the Contract with little Risk of being disprov'd; and thus innocent Women would be daily deluded and abandoned to Infamy and Want.[89]

Mary Davys in *The Reform'd Coquette* (1724) depicts women who uphold the marriage covenant for each other when the men refuse to do so. The heroine discovers a hidden marriage contract which validates the claims of her friend on a notable gentleman who has made seduction and abandonment a hobby. Haywood approaches this issue from many angles – *The Invisible Spy* and *The Fruitless Enquiry* contain stories about secret marriages and the ruin it brings on women, but *Madam de*

[88] Outhwaite, *Clandestine Marriage*, 52.
[89] *A Letter to the Public*, 23.

Villesache demonstrates a woman who when faced with "the Prospect of Advantage" promptly disclaims the contract. Henrietta believes her marriage with Clermont is null and void when she has the opportunity to advance herself as the wife of a marquis. The author of *A Letter to the Public* goes on to argue that the Marriage Act would end "Marriage on Demand" by the ruthless kidnappers of heiresses which haunted the public imagination. The author is convinced that the parental consent requirement will help young women, with their "casual, undirected, inconsiderate Inclinations," make better choices and promote general happiness. "I cannot help thinking, that in general young Women under Age will stand full as good a Chance of being happily disposed of, and a much better of avoiding Misery under the Advice of Parents or Guardians, than they would do, if left intirely (sic) to their own Wills."[90] Haywood in *The History of Miss Betsy Thoughtless* (1751) and Frances Sheridan in *Memoirs of Miss Sidney Bidulph* (1761) demonstrate how devastating the advice of parents and guardians can be when women are expected to obey in spite of their own inclinations.

After the passage of the Marriage Act, one notable pamphlet envisions parents literally taking their children to the marriage market. The author proposes "catalogues" of the marriageable men and women to be "sold" at "auction" and suggests holding pens in Smithfield and "certain days fixed whereon they might bring their daughters to market." He/she paints a memorable picture of "several fathers driving up their daughters to market, like so many flocks of geese or

[90] *A Letter to the Public*, 34.

turkies."[91] This pamphlet, although attributed to "Old Bachelor," sounds like it may have been written by a woman – the author states that the Marriage Act was "framed by the weak invention of mere man, (for I don't find that woman, although so material a party, was ever taken into the consultation: the more's the pity; for if she had, I am inclined to think matters would have been better terminated.)"[92] This author proposes that marriage should be a renewable contract, one that works like a lease. The parties at the time of marriage may agree to a term of lease, but "beyond the term of five years, I am of opinion no obligation of this kind should extend; from a profound analysis of the human passions, I have a thorough conviction that this space is the ne plus ultra of both sexes, beyond which they cannot, without a miracle, hold out."[93] If, after the lease is up, the couple wishes to renew, they pay a fine to the government (thus paying off the national debt). The author excludes the American colonies from this scheme because "I think they deserve a rap for their late disobedience to the laws of their mother country; therefore, let them keep their wives."[94] Since each party is free to leave the marriage after the lease is up, the author slyly argues that "parents may carry on the traffic of their children as usual; and they will probably meet with a more ready subjection from them, as they are condemned and sold for a time only."[95] Parental authority is easier to tolerate when the young man or woman knows that he/she has a real choice at a later stage in life.

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[91] *A Scheme to pay off, in a few Years, the National Debt, By a Repeal of the Marriage Act* (London: T. Beckett, 1767).
[92] *A Scheme,* 19-20.
[93] *A Scheme,* 22-23.
[94] *A Scheme,* 25.
[95] 27. This essentially happens for Haywood's Betsy Thoughtless and for Sheridan's Sidney Bidulph – both are married to men chosen by their families and both are widowed early. Betsy,

Lord Hardwicke's Marriage Act was neither as devastating as some would imply nor did it solve all the problems surrounding the formation of marriages. Its consequences for women varied according to social class and situation. The heiress abduction plot did become more difficult to execute, and parental consent before marriage makes sense in most cases. However, women who did not understand the implications of the Act were still seduced under promises of marriage then abandoned. One of the stories in *The Histories of Some of the Penitents in the Magdalen House* involves a woman who agreed to a secret Fleet marriage. She lived with her husband for several years before he revealed to her that their marriage was not valid since she was a minor at the time and had not gotten parental consent; he even has a servant read the provisions of the Act to her to prove it.[96] Women who had believed themselves to be wives found themselves to be whores. Ruth Perry sums up the problems facing many women after the Hardwicke Marriage Act:

> Concerned with legal contracts for the transfer of property rather than social relations between humans, the Hardwicke Marriage Act constructed men's and women's rights as equal despite their biological difference – thus wiping out male responsibility for children which had previously been upheld by ecclesiastical law. Ignoring the very real difference between men and women in social consequences for sexual experience, it put women at risk whenever a contract was challenged. After 1753, if single women pursued traditional sexual practices on the

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consulting no authority figure, chooses to marry her true love Trueworth, but Sidney continues to obey her mother and refuses to marry her true love, Faulkland.

[96] *The Histories of Some of the Penitents in the Magdalen House, as Supposed to be Related to Themselves*, vol. 1 (Dublin: Wilson and Potts, 1760), 88-89.

> basis of traditional values, they might be abandoned as fallen women…One could even say, exaggerating to make the point, that the Hardwicke Act created the need for the Magdalen Hospital for Penitent Prostitutes.[97]

Certainly after 1753 sexual practices had to be modified, and women who did not understand the provisions of the Act were at risk for seduction and abandonment. The Act benefited the upper classes in its regulation of property transmission through a regulation of sexual activity and in the fact that middle and upper class women were more likely to be familiar with the new rules than working and lower class women.

It has been suggested that women had used clandestine marriage to retain their property rights and separate fortunes. If this was a purpose of clandestine marriage, then the Marriage Act effectively ended any women's ability to maintain completely her own property after marriage. However, as Amy Erickson says, "Unfortunately there is no evidence to support the interesting claim that clandestine….marriage was used for the purpose of preserving a woman's economic integrity…How many women took advantage of irregular forms of marriage in the belief that doing so preserved their personal property rights remains unknown."[98] One consequence that is known is the fact that an irregularity discovered after the marriage could be used to dissolve the marriage; "children might be bastardized and

[97] Perry, *Novel Relations*, 278.
[98] Amy Erickson, *Women and Property in Early Modern England* (Routledge: New York, 1993), 146-147.

inheritances overturned as a consequence."[99] After 1753, a man could claim an irregularity in his marriage and walk out on his responsibilities to his wife and children.

Soon after the Marriage Act passed in 1753, attempts to repeal it began. Many opponents argued, as the Rev. Keith had, that the Act prevented the lower classes from marrying and producing useful workers, servants, soldiers, sailors, etc. and others appealed to the hardships placed on clergy who were subject to transportation if convicted of performing an irregular marriage. "There were concerns voiced also about the refusal of the Act to validate marriages that breached the new rules, and about the moral consequences of such refusals. Annulling invalid marriages, said *Gentleman of the Temple*, unfairly punished any children such a match might produce, as well as innocent wives."[100] Attempts were made in 1754, 1765, 1772, and 1781 to repeal or to modify the Act.[101] "Heirs and heiresses could still elope to Scotland, while many people, minors included, contrived to find ways to marry in parishes where they were unknown. But most of these couples were at least marrying in recognized places of worship, with the solemnities being conducted by bona fide clerics and with the events being duly registered." The Marriage Act was not completely successful in its regulation of sexual behavior and property transmission, and a new Marriage Act in 1836 replaced its provisions.

Haywood's novels predate the 1753 Marriage Act, but her stories exemplify the fears in the culture over clandestine marriage. Haywood's pre-Marriage Act

[99] Outhwaite, *Clandestine Marriage*, 144.
[100] Outhwaite, *Clandestine Marriage*, 109.
[101] Outhwaite, *Clandestine Marriage*, 116.

fictions show that the contract between a man and a woman was only as good as the man's willingness to honor it and the enforceability of the contract. The possibilities of bigamous marriages, of wealthy young women forced into marriages, and of hasty marriages formed in moments of passion become plot points in her novels; she engages publicly discussed issues, entertaining and instructing through topics of current debate. Haywood legitimizes passion in her novels, but she always demonstrates that passion must be tempered with reason. Characters who cannot control their passion meet more unfortunate ends than characters who are able to channel their passion into productive marital/maternal love or into charitable activity. Through her discussions of passion and her use of some of the conventions of the French romance, Haywood is inventing the genre we now identify as modern popular culture "romance," but she is also writing about real events happening all around her. The government attempts to regulate sexual behavior through legislation, but Haywood attempts to do so through instructive entertainment, novels which illustrate through fictional landscapes how women can live their lives in the world as it is.

Haywood's concern with the world as it is extended to violence within marriage as well. Although regulation of sexual relations became a legislative concern, marital violence often occurred under the radar, perpetrated, corrected, and punished by private parties. Women who were abused rarely prosecuted their abusers in court; they preferred to appeal to fathers, brothers, and friends for help. A culture that tolerated many forms of violence in general found it hard to ignore violence when it happened to a sister or daughter. On the other hand, women's

violence against men, in cases except murder, was also kept out of public courts but for other reasons. Men were ashamed to admit they were the victims of female violence, and they did not want the assault on their manhood published to the world. If a woman murdered her husband, however, she could be convicted of petty treason and burned at the stake. A certain amount of violence against women was expected; a man who exceeded the limit was subject to censure by friends and family. A man who suffered violence from a woman would be subject to ridicule. A man who murdered his wife would be tried for murder; a woman who murdered her husband would be tried for petty treason.[102] Even in what would seem to be self-defense or manslaughter cases, a woman could be convicted of petty treason (which required premeditation) and be burned at the stake. Beattie cites two cases in which women killed their husbands who they claimed were attacking them – one was convicted of murder and petty treason because neighbors had heard her threaten "to do his business," and the other was convicted even after neighbors heard a fight over the husband's desire to bring another woman into the house.[103]

Many women endured domestic violence and other forms of male tyranny because they had no where to go or to protect their children, a dilemma which continues into the twenty-first century. Some women left their husbands but were forced to return or were financially unable to live on their own. Since divorce was practically impossible, most women had no choice but to stay in abusive marriages. Haywood creates characters who face the problems of domestic violence as well. In

[102] J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986), 100.
[103] Beattie, *Crime and the Courts in England,* 100.

Madam de Villesache, domestic violence occurs once and it results in Henrietta's violent death. Betsy Thoughtless marries a man who revels in his position as domestic tyrant – he violently kills her pet squirrel, verbally abuses her, and he keeps his mistress in their house, undermining their marriage, Betsy's authority in the household, and her health through the threat of a sexually transmitted disease.[104] Numerous stories in *The Fruitless Enquiry* involve violence from husbands and fathers: Anziana's brother and father murder her former lover, and one poor woman falsely accused of adultery is forced to sleep naked outside her front door. Two stories in the collection concern women castrating men, both acts committed in revenge.

Although domestic violence remained a nearly invisible problem, crimes committed by women captured the fascination of the public. Crime by women increased in the eighteenth-century, mainly in London. Women who worked in the city were "more likely to be on their own, more in contact with the wider society, more engaged in the world of work and dependent on wages, and thus more vulnerable to economic fluctuations." Most likely, more women committed property crimes or engaged in prostitution as the century progressed because of an increasing lack of legitimate work. Women's wages "were a fraction of men's. The clothing trades, which employed so many, were overstocked and poorly paid…Many of the other jobs they did in the city were seasonal or subject to huge swings of demand."[105]

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[104] "Accusations of violence in marriage separation cases that came to the church courts on the combined grounds of adultery and cruelty were concerned largely with the transmission of veneral disease from an adulterous husband to his wife." Elizabeth Foyster, *Marital Violence: An English Family History, 1660-1857* (Cambridge: Cambridge University Press, 2005), 36.
[105] Beattie, *Crime and the Courts in England*, 242-243.

The most famous literary female criminal is Moll Flanders, who exemplifies the fluctuation in work available to women. Alternately she tries careers as a maid, a wife, a prostitute, a petty thief, and she is even transported for her crimes. Although none of Haywood's characters achieve the sort of career criminality of Moll Flanders, several do resort to types of crime when faced with economic devastation. Glicera runs an extortion ring as she robs men of their money at cards, and she allows her "clients" to believe she is a prostitute although she never sells her body. Henrietta becomes a bigamist after she weighs her options and realizes that owning up to her clandestine marriage with Clermont will rob her of a comfortable fortune. Helena runs up a massive debt in her husband's name before leaving him. Lady Mellasin becomes involved in shady dealings through her lover, and Miss Forward becomes a prostitute after early sexual encounters leave her undesirable on the marriage market. Crimes by women, especially sexual crimes, can be read as illustrations of the desperate avenues sometimes taken when women are excluded from the social contract and from valid forms, besides marriage, of financial and class advancement.

By addressing issues which were foremost in the public mind, Haywood creates timely, important novels which insert women's voices, women's questions into the debates. How would reforms of marital law affect women? How do wives live with abusive husbands, or, better yet, avoid marrying them in the first place? In a culture that views violence against women as occasionally necessary, how is violence against men perceived and explained? Is a wife ever justified in leaving her husband? Why does the female crime rate rise during the eighteenth-century? These

questions were asked by Haywood's culture as well as by our own. As a prolific novelist, Haywood engages these public debates in timely fashion, creating narratives which answer some questions and spark others.

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The contradictions in the patriarchal system are writ large in Haywood's novella, *The Life of Madam de Villesache* (1727). The first chapter, "Having it Both Ways: The Social Contract, the Sexual Contract, and Bigamous Identities," groups three little-studied texts with perverse depictions of women's attempts to assume agency. Haywood explores the concept of the fallen woman and the critique of marital law illustrated in Henrietta's unfortunate marriage(s). The ending of the novel recognizes the fears of a patriarchal society which visits swift retribution upon women who threaten "the ordered transmission of the patrimony" and become unreadable, fallen. This chapter also includes a discussion of *The Rash Resolve* and *The Fruitless Inquiry*. In *The Fruitless Enquiry* (1727), an unhappy mother searches for one happy woman and discovers, through a series of interpolated tales, that no woman can be happy in the current marital system. Haywood explodes the myth of the happy wife by demonstrating the skeletons in the closet (literally) of numerous couples and exposes the legal protection of women as a fallacy. In Haywood's 1724 novel, *The Rash Resolve; or, the Untimely Discovery*, the nexus of contract, property, and marital law can only be resolved through the heroine giving up her child. These novels explore the concept of motherhood and its relationship to patriarchal power, and each novel includes interesting and alternative sexual relationships which affect each heroine's agency. Although none of these women quite assumes a male subject

position, the limited agency each attains creates weird results, opening questions about women's abilities and attempts to attain agency in a phallocentric system.

In the second chapter, "Carrying on the Law: Financial (In)dependence and the Agents of Revenge," I demonstrate how Haywood explores the nexus of the legal and the commercial in the 1726 novel, *The City Jilt* and the nexus of print and agency in *The Invisible Spy* (1755). In a system in which men usually control each other, Haywood inverts the order and creates women who control men. Through the manipulation of property law, the protagonist of *The City Jilt* is able to avenge herself upon the man who jilted her, and, in an uneasy maneuver, she is able to inhabit the subject position "man." By not identifying the sex of her protagonist in *The Invisible Spy*, Haywood is able to explore female agency and the male subject position without the problems encountered in *The City Jilt*. When a woman is put in the place of a man within the nexus of law, commerce, and love, the contradictions and gaps of each system are revealed and the potential of the new credit economy and the new print culture to become instruments of revenge is laid bare.

In the final chapter, "Subversive Didacticism: The New Method of Advice," I discuss Haywood's most famous novel of her "reformed" period, *The History of Miss Betsy Thoughtless* (1751). Although the novel seems a story of a reformed coquette, Haywood demonstrates the potential and probable breakdown of the current sex-gender system through the breaking of Betsy. By listening to patriarchal and conduct book ideology in the guise of Lady Trusty's advice, Betsy experiences marriage with a man who expects his wife to be an upper servant. Haywood explores the social and sexual contract of marriage and finds it to be wanting. I will also argue that

novels derided as sentimental or inferior imitations of Samuel Richardson's novels are often Haywood's progeny and carrying forth her projects, and I will continue the investigation of law and literature through the example of Frances Sheridan's mid-century novel, *The Memoirs of Miss Sidney Bidulph* (1761).

Sheridan continues Haywood's interrogation of marital law and creates a heroine who complies to the letter of the law and her mother's commands and becomes one of the most unhappy heroines in all of literature. Sheridan, rather than a copycat of Samuel Richardson, is actually a protégé of Haywood, using similar narrative devices and composing her novel around the same question of a woman's rights in and before marriage. Sheridan was not a copy-cat but an experimenter, an author who deliberately chose the sentimental genre not solely for its popularity but for its power in exposing the inherent injustices of a social system that creates passive, docile bodies in its trafficking of men and women. When Frances Sheridan wrote *The Memoirs of Miss Sidney Bidulph* in 1761, marriage law had been changed forever by the 1753 Marriage Act. However, Sheridan set her novel at the beginning of the century, well before the Marriage Act and shifts in inheritance laws. The text, therefore, must be read through a double lens, recognizing the law of the novel's time period and of Sheridan's time period. When Sidney's fiancé, Faulkland, admits he impregnated a girl before he met Sidney, her mother insists that he return to the girl and marry her, legitimizing his child. Sidney's mother insists that Faulkland honor an informal pre-engagement with Miss Burchell. This is a disastrous decision, and Sheridan, with the advantage of knowing the new Marriage Act, can illustrate how

the Act would have prevented Sidney's heartbreak and Faulkland's horrible marriage.

The marital and legal realities of women's lives are evident in Haywood's novels of desire and negotiation. Always aware of her audience, Haywood adapts her technique over time to accommodate new ways of writing and reading, but she continually reinforces the need for women to be aware of their potential places in the law and in the social contract. Her methods include revenge fantasy, magical realism, didacticism, and romance, but within each novel a woman is placed in the nexus of property, marital and inheritance law, and the f(ph)allacies of patriarchy are made clear.

CHAPTER ONE

HAVING IT BOTH WAYS: THE SOCIAL CONTRACT, THE SEXUAL CONTRACT AND BIGAMOUS IDENTITIES

"Let it not be concluded that I wish to invert the order of things."[106]

"One is not born a woman, but rather becomes one."[107]

In the early decades of the eighteenth-century, contract government was new and the place of women within the social contract became an important topic in discussions of social change. If everyone is born a subject, why do women seem excluded from the benefits of subjecthood? Are women indeed subjects? If not, how do women become subjects? How do women retain an identity and agency after marriage and coverture? These questions start to appear in novels of the early eighteenth-century (well before Richardson's *Clarissa* made them commonplace) and Eliza Haywood actively participates in the debate over a woman's place in the economic/social structures of the time. Haywood's 1720s novels explore women's subjectivity by placing female characters in the position of a subject, a role usually occupied by men, within the social contract, and, consequently, in legal and

[106] Mary Wollstonecraft, *A Vindication of the Rights of Woman*, ed. Miriam Brody (New York: Penguin, 1992), 109.
[107] Simone de Beauvoir, *The Second Sex* (New York: Vintage, 1973), 321.

economic systems. Her characters arrange their own marriages, contribute to the keeping of other women, and protect the property rights of children. The novels discussed in this chapter are also among her most bizarre, featuring real skeletons in the closet, avenging patriarchs waving swords, castrated rapists, incest, homoerotic relationships, and bigamous marriages. In a world created anew by contract government, Haywood's characters and scenarios reflect the confusion of the time and raise the stakes of contract theory by forcing women into positions only intended (by the framers of contract theory) to be held by men. The confusions and perversions which follow demonstrate the need for a contract theory that expressly includes women and reflects Haywood's own ambiguity over the notion that women must be like men in order to be subjects.[108]

In each of these texts – *The Life of Madam de Villesache* (1727), *The Rash Resolve* (1724), and *The Fruitless Enquiry* (1727) -- women assume positions within the social and economic hierarchy which are normally held by men. Henrietta negotiates two marriages for herself, Emanuella handles her own economic affairs and personally defends herself against her guardian in front of the king, and Miramillia manages her son's estate. However, all of these novels end in strange ways: Henrietta is killed by one of her husbands, Emanuella gives up her child and her life, and the inset stories within *The Fruitless Enquiry* feature miserable women and castrated husbands. When

[108] In the twentieth-century, liberal humanist feminists argued that women could be just like men, that there was no real difference in the abilities and capacities of each sex. The so-called French feminists dispelled that notion, and argued instead for what Luce Irigiray calls an ethics of difference. Men and women are different, but difference does not equal inferiority. While feminists continue to struggle with these distinctions, the basic humanity and subjecthood of women is not denied in our time, at least not in first-world countries. Haywood, however, has to prove women are capable of being subjects before the question of what roles women play in society and government can even be addressed.

a woman assumes subjectivity, it seems in these texts, the legal and economic systems of society implode and the women suffer the consequences. These novels explore the concept of motherhood and its relationship to patriarchal power, and each novel includes interesting and alternative sexual relationships which affect each heroine's agency. Although none of these women quite assumes the position of subject in the legal/social landscape in the way of a man, the limited agency each attains creates weird results, opening questions about women's abilities and attempts to attain agency in a phallocentric system.

How does a woman attain subjecthood? In a century in which a married woman became a *feme covert*, subsumed by her husband in law, how does she step out from under her husband's protection to become a subject?[109] In the texts explored in this chapter, Haywood focuses on widows who are no longer subject to coverture, on single women who are relatively free to exercise agency, and on a woman who has two husbands, so completely "covered" that she is able to uncover herself. These women avoid the "natural" state of woman – marriage and its implied male protection – for "unnatural" states – divorce and remaining single. By avoiding conventional marital relations, these characters attempt to achieve subjecthood, but their attempts result in perverse revelations and strange conclusions. The oddity of the outcomes of each woman's search lays bare the disparities of a system in which "natural" equals "male."

[109] "By marriage, the husband and wife are one person in law: that is, the very being, or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband; under whose wing, protection, and *cover*, she performs everything." William Blackstone, *Commentaries on Laws of England*, ed. Stanley N. Katz, Vol. 1 On the Rights of Persons (Chicago: University of Chicago, 1979), 430.

The eighteenth-century was a time of concern over what is "natural" – natural law, natural relations between the sexes, natural science**.** The legal historian William Holdsworth explains,

> Men came to think that both the physical laws of the universe, and the laws which governed the human understanding and the conduct of individuals and societies, were all dependent on natural laws discoverable by the human intellect. Consequently, lawyers, political thinkers, and economists used this concept of natural law to advocate reforms in the faulty machinery of law and government which they saw around them.[110]

Holdsworth of course does not question the validity of applying "natural law" to women. However, Judith Butler asks, "Does being female constitute a 'natural fact' or a cultural performance, or is 'naturalness' constituted through discursively constrained performative acts that produce the body through and within the categories of sex?"[111] In terms of the eighteenth-century, naturalness was God-given. Whatever is, is right; whatever works is natural. Subjects are naturally male, and they become subjects through a freely entered contract. **"**The contract theorists held that individuals, i.e., men, are born free and equal to each other and thus no natural relations of subordination and superiority can exist. To be legitimate, such relations must be created through mutual agreement or contract."[112] Men enter contracts for themselves since that is their natural right as subjects, and they create contracts for

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[110] William Holdsworth, *A History of English Law*, vol. 10 (London: Methuen, 1938), 8-9.
[111] Judith Butler, *Gender Trouble* (New York: Routledge, 1990), x.
[112] Carol Pateman, *The Sexual Contract* (Stanford, CA: Stanford University Press, 1988), 82. All subsequent references are to this edition and will appear parenthetically in the text.

women who are naturally not subjects. Women are naturally the weaker sex and need protection from the law because that protection works well for the men who make the law. Debates in Parliament over the Marriage Act in 1753, for example, took the form of chivalrous regard for the virtue of innocent young maids.

This paternalistic attitude reflects the role of women within the social contract. As Butler makes clear,

> The prevailing assumption of the ontological integrity of the subject before the law might be understood as the contemporary trace of the state of nature hypothesis, that foundationalist fable constitutive of the juridical structures of classical liberalism. The performative invocation of a nonhistorical 'before' becomes the foundational premise that guarantees a presocial ontology of persons who freely consent to be governed and, thereby, constitute the legitimacy of the social contract.[113]

The most important foundationalist fables are the patriarchalist view and the social contract constructed by Sir Robert Filmer and John Locke, respectively.

According to the theories of Filmer in *Patriarcha* (1680), every son of England is a subject, was born a subject, and a social contract is nonsense because every new baby born would have to consent to be governed. For Filmer, patriarchy is the only form of government ordained by God. Since Adam was given power over his

[113] Butler, 3.

family, and his family became the commonwealth of mankind, power over the family is equated with power over the state.[114]

> I see not then how the children of Adam, or of any man else, can be free from subjection to their parents. And this subjection of children is the only fountain of all regal authority, by the ordination of God himself. It follows that civil power not only in general is by divine institution, but even the assignment of it specifically to the eldest parent, which quite takes away that new and common distinction which refers only power universal as absolute to God, but power respective in regard of the special form of government to the choice of the people. Nor leaves it any place for such imaginary pactions between kings and their people as many dream of. (7)

Filmer, born in the Armada year of 1588, sees the only viable form of government as divine right monarchy and that form of government is patriarchal – a bit ironic considering the queen on the throne in his childhood. However, the irony can be explained away if we see the use of the term "patriarchal" in the same way as the use of the term "mankind." Judith Butler explains, "The universal person and the masculine gender are conflated, thereby defining women in terms of their sex and extolling men as the bearers of body-transcendent universal personhood."[115] One of Haywood's great cultural works is to question that universal assumption and to make

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[114] Sir Robert Filmer, *Patriarcha and Other Writings,* ed. Johann P. Sommerville (Cambridge: Cambridge University Press, 1991), 16. All subsequent references are to this edition and will be referred to parenthetically within the text.

[115] Butler, *Gender Trouble*, 9.

her readers see how "mankind" as an inclusive term is a f(ph)allacy. Women must be included as women in the social contract.

Filmer goes on to explain how Adam's patriarchal government works in modern times. "But after a few descents, when the true fatherhood itself was extinct and only the right of the father descended to the true heir, then the title of prince or king was more significant to express the power of him who succeeds only to the right of that fatherhood which his ancestors did naturally enjoy" (10). The king becomes the symbolic father of the people, making choices for the good of his kingdom/children. The governed submit to the rule of the king, knowing his decisions are wise and just; Father knows best.

A problem naturally arises here – what if the king is not wise and just? Filmer makes the distinction between a tyrant and a just king, but the differences are minute. A good king is a supreme father:

> As the father over one family, so the king, as father over many families, extends his care to preserve, feed, clothe, instruct and defend the whole commonwealth. His wars, his peace, his courts of justice and all his acts of sovereignity tend to preserve and distribute to every subordinate and inferior father, and to their children, their rights and privileges, so that all the duties of a king are summed up in an universal fatherly care of his people (12).

A good king's benevolence justifies his absolute rule. He serves the people – even his wars are for the good of the people. A tyrant differs only in his intentions. He does not desire the good of his people; instead, he values personal gain and absolute rule

for the love of power.[116] Filmer lists tyrants from antiquity but none from English history; he argues that fatherhood is so natural that tyranny is rare, and he implies that tyranny is impossible in good Englishmen. Those who are unfortunate enough to be under the rule of a tyrant should pray and wait it out – a bit of advice easily extended to women under the rule of a conjugal tyrant.

"There is no tyranny to be compared with the tyranny of a multitude" (31), Filmer states, and the main point of his text is that absolute monarchy is natural and ordained by God, but the social contract is an unnatural invention of men. "Do we not find that in every family the government of one alone is most natural? God did always govern His own people by monarchy only" (23). The most unnatural concept in social contract theory to Filmer is also the most intriguing concept for women. "If it be unnatural for the multitude to choose their governors, or to govern or to partake in the government, what can be thought of that damnable conclusion which is made by too many, that the multitude may correct or depose their prince if need be? Surely the unnaturalness and injustice of this position cannot be sufficiently expressed" (32). If a king, God forbid, can be chosen, he can also be deposed. One hundred years after Filmer's birth, this concept was given full rein during the Glorious Revolution when King James II was removed from the throne in favor of his daughter and son-in-law. Mary Astell, Haywood, and others applied the concept

[116] When Clarissa accuses her brother of assuming the role of a tyrant, she is illustrating Filmer's definition of a man who rules only for the love of power. A natural conclusion is that John Harlowe Jr. is unnaturally usurping his father's position, but Filmer's recommendation for those under a tyrant is prayer and patience, a strategy that does not work for Clarissa.

to marriage and argued that women should be able to choose their husbands and to divorce their husbands if the men did not fulfill their duties.

Although Filmer's theories of government exclude women, John Locke's *Two Treatises of Government* (1689), written in direct refutation of Filmer's patriarchal theory, at least acknowledges women's roles in the family and allows for a glimmer of female subjecthood. Filmer argues that all men are born subjects; Locke's social contract, on the other hand, assumes that subjecthood is formed through consent, not by birth, and therefore is necessary for individuals to exist under the law. Locke rejects Filmer's notion of paternal power

> which seems so to place the power of parents over their children wholly in the father, as if the mother had no share in it: whereas, if we consult reason or revelation, we shall find she hath an equal title. This may give one reason to ask, whether this might be not be more properly called parental power? for whatever obligation nature and the right of generation lays on children, it must certainly bind them equally to both concurrent causes of it.[117]

Although Locke includes both parents as equal partners in the raising of children and in parental power, in a conjugal relationship, the man is the head. Locke states that in a relationship between two people, disagreements will naturally arise, and one must be placed in a governing position to determine the outcome. "The rule should be placed somewhere; it naturally falls to the man's share, as the abler and the

[117] John Locke, *Two Treatises of Government*. Ed. Ian Shapiro (New Haven: Yale University Press, 2003), 123. All subsequent references are to this edition and will be cited parenthetically within the text.

stronger." The first part of this sentence implies the arbitrariness of the placement of power – it must be somewhere – but the second part naturalizes the arbitrary placement by arguing that men are the stronger and the abler (whatever the abler might mean). Both Locke and Filmer incorporate what will become a classic eighteenth-century maneuver; to make it legitimate, make it natural.

Locke's assignment of conjugal power to the husband is not meant to deprive a wife of her rights, however. This rule applies only to "things of their common interest and property" and the woman still is "in the full and free possession of what by contract is her peculiar right, and gives the husband no more power over her life than she has over his" (135). This may work well in theory, but the reality was that a woman's property was often subsumed completely upon marriage so that her property became part of the common interest over which the husband had control. This stipulation of the social contract highlights the need for married women's separate property, a need Haywood is always aware of in her texts. Locke goes on to differentiate himself from Filmer by stating that "the power of the husband being so far from that of an absolute monarch, that the wife has in many cases a liberty to separate from him, where natural right or their contract allows it" (135). Filmer's parallel between monarch and husband implies that both are for life. A king ordained by divine right cannot be dethroned, and by comparison a husband wedded in the sight of God cannot be divorced. Locke's contract theory of government allows for the populace to remove a king who is not fulfilling his duties to the people, and, likewise, presumably allows for the dissolution of the marriage contract when it is not upheld.

The parallel between the government and the family was an uneasy one. Filmer's insistence that fatherhood a kingdom makes is attacked by Locke in the *Two Treatises*. Locke argues that since children grow up and no longer need the protection and guidance of a father, a direct parallel implies that a kingdom will grow up and not need the protection and guidance of its king. When children grow up, "the empire then ceases, and [a father] can from thenceforwards no more dispose of the liberty of his son than that of any other man" (127). The time of fatherhood is short and his power ends when his children gain power of their own. Ruth W. Grant points out that "the purpose of Locke's discussions of paternal power and conjugal society is to demonstrate that a family unit, no matter how large and complex, is not a political society. In very important respects, for Locke, the whole point is that a man's home is *not* his castle."[118] A father is not a king, and a mother is not a queen, but individuals are subjects within a contract, and an individual can be female. "In responding to Filmer, Locke undermines all claims for scriptural, natural, or traditional foundations of political authority. Locke argues emphatically throughout the work that political authority can be grounded only in individual consent. That women can become political subjects and members of the political community in the same manner as men is tolerably clear."[119]

Although it may be "tolerably clear," the inclusion of women in the social contract is problematic as Mary Astell points out in her famous question, "If all Men are

[118] Ruth W. Grant, "John Locke on Women and the Family," *Two Treatises of Government*, ed. Ian Shapiro (New Haven: Yale University Press, 2003), 293.
[119] Grant, "John Locke," 295.

born free, how is it that all Women are born slaves?"[120] Eve Tavor Bannet adds that "in the little society of the family, Locke had made a single man the governor and that governor 'the last Resort, to determine the Affairs of that Society'" but in the kingdom subjects are the last resort because "the people retain the right and power to resist the sentences of governors who abuse their lives, liberty, and property. By making a difference between the family and the state, Locke had limited the power of domestic governors."[121] That was not always the case in practice, of course. Filmer makes an ironic statement when *Patriarcha* is viewed from a woman's perspective. Filmer argues, as the last example of the absurdity of contract government, that

> if the silent acceptation of a governor by part of the people be an argument of their concurring in the election of him, by the same reason the tacit assent of the whole commonwealth may be maintained. From whence it follows that every prince that comes to a crown either by succession, conquest or usurpation, may be said to be elected by the people. Which inference is too ridiculous, for in such cases the people are so far from the liberty of specification that they want even that of contradiction. (21)

As seen in numerous novels about and by women, brides often do not even have the power of saying no. Clarissa cannot specify a choice of groom, or even remain single, when she wants the liberty of contradicting her family's choice; Henrietta becomes a bigamist rather than contradict her father's will, and Anziana is forced into marriage by her father's murder of her lover. Under divine right patriarchy women are stuck with

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[120] Mary Astell, *Reflections upon Marriage* in *The First English Feminist*, ed. Bridget Hill (Aldershot, UK: Gower Publishing, 1986), 76.
[121] Eve Tavor Bannet, *The Domestic Revolution: Enlightenment Feminism and the Novel* (Baltimore: The Johns Hopkins University Press, 2000), 26.

husbands for life; under contract government women lack the right of contradiction. This conundrum becomes novelized by Haywood, Richardson, Mary Davys, and others, and a private wrong becomes a topic of public discourse.

When Mary Astell argues that women should be included in contract law, she is arguing for a formed subjecthood, a loophole for women in the social contract theory. Haywood most obviously exploits the corollary between the social contract and the marriage contract in her mid-century novel *The History of Miss Betsy Thoughtless*, but she is certainly arguing for women's inclusion in the social contract in her 1720s novels as well. The patriarchal construct of Filmer's theories of government do not allow for women to attain subjecthood, but Locke's model does. It is a problematic inclusion because, as Carole Pateman makes clear, the sexual contract predates the social contract, creating issues at the basic level of sexual difference:

> The social contract is a story of freedom; the sexual contract is a story of subjection…The original contract is a sexual as well as a social contract: it is sexual in the sense of patriarchal – that is, the contract establishes men's political right over women – and also sexual in the sense of establishing orderly access by men to women's bodies…Contract is far from being opposed to patriarchy; contract is the means through which modern patriarchy is constructed. (2)

Modern patriarchy had by Haywood's time created a contradiction. Women were not individuals as defined by contract theorists because they did not naturally possess the requirements of reason and universal rather than particular concern.

"Yet the social contract theorists insist that women are capable of entering, indeed, must enter, into one contract, namely the marriage contract. Contract theorists simultaneously deny and presuppose that women can make contracts." (Pateman 54) Women are and are not subject to contract. The contradiction becomes increasingly noticeable in terms of marital law. If a woman under coverture is always represented by her husband and husband and wife are one, how does a woman contract with "herself"? "Women are property but also persons; women are held both to possess and to lack the capacities required for contract – and contract demands that their womanhood be both denied and affirmed" (Pateman 60). Haywood circumvents the problem in many of her novels by presenting women in liminal states, prolonging the time between father and husband for example. But in reality, fathers and grooms contracted for women.

This paradox of women who must enter a marriage contract but be excluded from a social contract leads to Luce Irigaray's statement that "the female sex is thus *the subject* that is not one. The relation between masculine and feminine cannot be represented in a signifying economy in which the masculine constitutes the closed circle of signifier and signified."[122] Men are natural, the male body is the normative body, and women, with their unnatural appetites and emotions cannot exist as individuals, as subjects.

> If women are purely objects of exchange and signs, then they cannot take part in contract – but their inability to participate creates a major problem for contract doctrine. The reason that women enter into the

[122] Luce Irigary, *This Sex Which is Not One*, trans. Catherine Porter (Ithaca, NY: Cornell University Press, 1985), 11.

> marriage contract in the classic stories, and must do so, is that, if universal freedom is to be presented as the principle of civil society, all individuals, including women, must enter into contracts; no one can be left out. (Pateman 112)

Although Haywood seems well aware that women cannot easily become subjects and are in fact the subject which is not one, she nevertheless creates female characters who occupy legal and social positions usually held by subjects, men. They begin as placeholders (acting as men) and strive for subjecthood as women, but the move toward subjectivity leads to unnatural consequences.

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In her pre-Hardwicke Act novel *The Life of Madame de Villesache* (1727), Haywood took advantage of the public fears and insecurities surrounding clandestine marriage and created a vehicle for questions about female subjectivity. The protagonist, a young girl named Henrietta, privately marries her sweetheart, Clermont; shortly after the wedding, she is taken to court by her father where she bigamously marries a marquis. She has an "affair" with her first husband, is discovered, and finally is killed by her second husband who viciously rips her "bastard" child from the womb. The novel is important for its exploration of the clandestine marriage issue and its careful deconstruction of the law, for the oddly violent turn of events in the end, and for the depiction of the protagonist as a fallen woman for having sex with her legitimate husband. In her attempt to be an agent in the social and sexual contract, Henrietta becomes an object of patriarchal revenge.

Lord Hardwicke believed "'the maintenance of settled values of property was essential to the preservation of the social order,'" but "clandestine marriage upset the ordered transmission of the patrimony."[123] One of the main objections to clandestine marriage was its threat to inheritance. Theoretically, a woman could be married to two men at once, and the heir to the estate could actually be the son of the secret husband. Ruth Perry sums up the argument of the advocates of the bill: "Clandestine marriage rendered the succession of all property insecure and doubtful and permitted men and women of infamous character to ruin the sons and daughters of the greatest families by marrying them in the Fleet. They argued that the casual nature of clandestine marriage undermined morality and encouraged polygamy."[124]

Henrietta, who is herself the product of an illicit affair between illustrious personages, engages in sexual activity with both her lawful husband and her assumed husband. She does not seek a divorce from Clermont because she wants both Clermont and the marquis. She sees herself as having multiple positions and responsibilities, all viable. "In spite of the Grandeur to which I am rais'd, in spite of the knowledge that I am the Daughter of one of the greatest and most powerful of the Nobility, I cannot lose the memory of what I am beside: Madam De Villesache is Henrietta still, and the Wife of Clermont, nor are the Vows I have made him to be dispens'd with."[125] Her attempt to claim all her identities leaves her dead on the side of the road, a victim of domestic violence, her unborn baby ripped from her womb.[126]

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[123] Outhwaite, *Clandestine Marriage*, 95.
[124] Ruth Perry, *Novel Relations:The Transformation of Kinship in English Literature and Culture, 1748-1818* (Cambridge: Cambridge University Press, 2004), 278.
[125] Eliza Haywood, *Memoirs of the Life of Madam de Villesache* (London, 1727) 17. All references are to this edition and will be cited parenthetically within the text.
[126] Interestingly, Hogarth's 1750 print, *Cruelty in Perfection,* depicts a similar scene.

The ending of the novel recognizes the fears of a patriarchal society which visits swift retribution upon women who threaten "the ordered transmission of the patrimony" and who become unreadable in the attempt to become desiring subjects.

Before the Marriage Act, novelists created interesting situations for their heroines by demonstrating the evils and advantages of marriage by verbal promise. The promise may be made before a witness or simply between the couple, but the promise binds the couple in the marital state. Eve Tavor Bannet explains that

> In either case, the marriage would in principle be sustained by the courts against any subsequent marriage – even if the latter had been celebrated publicly according to Church ritual and was followed by years of married bliss – because it was the private exchange of promises between a man and woman to live together as man and wife which actually brought the marriage into being. The public ceremony in Church or before witnesses was only viewed as a public *repetition* and solemnization of that primary promissory and contractual act.[127]

In *Love in Excess* by Eliza Haywood and *The Reformed Coquette* by Mary Davys, women are the enforcers of the marital contract and defend each other's rights as wives. However, women were also empowered by clandestine marriages. Stephen Parker argues that "the belief was that certain procedures [of informal marriage] allowed the woman to retain separate legal identity and property."[128] A woman married outside the prescribed norm seemingly remained outside the prescriptions of

[127] Eve Tavor Bannet, "The Marriage Act of 1753: 'A most cruel law for the Fair Sex,'" *Eighteenth-Century Studies* 30.3 (1997) 234.
[128] Stephen Parker, *Informal Marriage, Cohabitation, and the Law, 1750-1989* (London: Macmillan, 1990) 24.

society. In *Madam de Villesache*, Haywood explored this type of freedom provided by clandestine marriages. She creates a character who attempts to remain outside the prescriptions of society, and she illustrates through the horrible means used to bring her back, the limitations of that society.

Henrietta is the bastard child of two important court personages, and it is to "shelter the Reputation of her Beauteous Mother" (1) that she is sent to the country to be raised by the Duke's former servant. The Duke himself acknowledges that the court is abuzz with rumors of his affair with Henrietta's mother, but that there is no proof, and therefore, no scandal. "It may probably be guess'd at by every body, but Suspicion is no Proof" (11). The Duke's legalistic ethics come to the forefront during Henrietta's trial, but his sense of sexual realities undoubtedly affects his daughter's decision to marry the Marquis and keep her marriage with Clermont a secret. Henrietta and Clermont meet in a secluded wood, hiding their courtship from his father and her guardian. Perhaps an inheritance from her parents, Henrietta has the "Artifice to manage this Intrigue" (2) without assistance.

At only fourteen, Henrietta falls in love with a man, arranges secret meetings with him, and agrees to be his wife. Throughout this intrigue there is no mention of Henrietta's guardian whose approbation she presumably must have. Luce Irigaray argues that women are commodities and "commodities can only enter into relationships under the watchful eyes of their 'guardians.' It is out of the question for them to go to 'market' on their own, enjoy their own worth among themselves, speak to each other, desire each other, free from the control of seller-buyer-consumer

subjects."[129] For a moment Henrietta seems to escape this paradigm of commodification and she is able, in Misty G. Anderson's words, fully to possess "herself for that brief (fictional) moment between father and husband."[130] Henrietta dramatically illustrates the liminal state most novelistic heroines inhabit between father and husband, nobody's daughter and not yet a wife. Only in fiction can that fictional moment be exploited and explored. Her illegitimacy and her seeming autonomy place her firmly outside patriarchal control. The resulting clandestine marriage is almost an exclusively sexual *liaison* – Clermont and Henrietta never live together and only meet for sex.

Henrietta embodies the fears of those who favored the Marriage Act when she agrees to this clandestine marriage with Clermont. Her father, taking a sudden interest in her, visits and, pleased with her person and education, plans to take her to court. She had been happy in the country but "the Stars which presided at the Birth of Henrietta, ordain'd her for more exalted Adventures; -- they permitted her not a Life of Obscurity and Peace; -- she was born to shine among the Great, and give and feel Disorders, which as yet her gentle Soul had not the least Notion of" (3). She regrets her loss of Clermont, but he, with considerable foresight, proclaims that "absence and the sight of so many fine Chevaliers as you will meet with in a Court, will soon made you lose all Memory of the rural Clermont. Or if you should prove that Miracle of Constancy and Love, still to wish me yours, what will that Wish avail, when the Arbitrary Power of a stern Father forces you to another's Arms?" (6)

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[129] Luce Irigaray, *This Sex Which is Not One*,176.

[130] Misty G. Anderson, *Female Playwrights and Eighteenth-Century Comedy: Negotiating Marriage on the London Stage* (New York: Palgrave, 2002) 54.

Clermont recognizes not only that she will have access to more marriageable men, but that her own power to choose will be circumvented by a father's prerogative. Her golden time of autonomy and agency is ending, and she must acquiesce to the arbitrary power of a father.

To remedy the situation Clermont proposes a private marriage.

> There are very few things that Riches cannot accomplish: Clermont, for a good sum of Money prevail'd on a Fryar of his Acquaintance to join his Hand with that of his beloved Henrietta; the Grove which had been the Place of their Rendezvous in their Days of Courtship, was now that of their Marriage, as it was afterwards of those higher Delights of Love, for which the enamour'd Youth had with so much Impatience languish'd. (9)

This marriage is a reflection of a large number of wedding practices in the early eighteenth-century. Before the 1753 Marriage Act, many marriages were performed by clergy but outside the church. This was a frequent form of clandestine marriage, and the marriages took place in private homes, in inns and common houses, and, as in this marriage, in meadows and groves.[131] Such marriages were lawful and binding as long as they were consummated, as Haywood assures us the marriage between Clermont and Henrietta was. The marriage is valid, although irregular, and would be binding and legal until 1753.

At thirteen, Henrietta is also of a legal age to marry, but, as we discover through the text, she is ready for the sex but not for the emotional commitment.

[131] Outhwaite, *Clandestine Marriage,* 23.

Ruth Perry points out in her book *Novel Relations* that "The self-conscious internalization of heterosexual penetration as the most important moment in a woman's life – *the* most significant *rite de passage* that turned a girl into a woman – was a thing of the future. In the late seventeenth and early eighteenth centuries, female adulthood was still defined by work, property, and motherhood at least as much by marriage or sex."[132] Haywood's texts often recognize this shift; her stories are romances, but sex is often a catalyst for the plot rather than the denouement. Women's reactions to sex and its consequences spur her stories, so that the act of penetration itself is not the rite of passage – how a girl responds to love or to penetration is how she becomes a woman. Henrietta will react by denying the marriage and its consummation by presenting herself as a marriageable virgin to another man.

Henrietta, who has no paternal surname, cannot assume the name of her secret husband, and on the ride to Paris, the Duke gives her the new, fictional name of Madam De Villesache. Her new name reflects her new identity as a court beauty and city socialite. As Clermont predicted, Henrietta soon acclimates to her new court life and

> by degrees she began to look back on all that had past with a kind of Contempt; after which, 'tis needless to say she repented having so hastily dispos'd of herself. How true unhappy Clermont, were thy Suggestions, when fearful I shou'd recede from the Promises I had

[132] Perry, *Novel Relations*, 207.

> made! Never, never, wou'd Henrietta have been thine, cou'd she have imagin'd the Fortune that attended her. (13)

Perhaps a result of multiple names and identities Henrietta begins referring to herself in the third person. She regrets disposing of herself to Clermont, but she does not seem to regret the power she possessed to make the choice, just the choice itself. Henrietta will continue to use her power but not her discretion in disposing of herself where she will. She is living Foucault's idea of the "happy limbo of a non-identity."[133]

Although she circumvented her father's power and privilege of choice of her marriage partner, Henrietta realizes she has placed herself in Clermont's power. Although nobody's acknowledged daughter and nobody's acknowledged wife, she is now at the mercy of her father when he finds an advantageous match for her and at the mercy of her husband when he chooses to exert his power. She regrets her marriage with Clermont and the fact that "she had put him in possession of a Title, which gave him the Power, whenever he pleas'd to exert it, of calling her from the present Grandeur of her State, and obliging her to live with him in a mean Retirement; made all Desires instigated by her Affection, immediately give way to that new Idol of her Wishes, Greatness" (14)! She now dreads Clermont's ability to call her away from court as she once dreaded her father's ability to call her away from the country.

Haywood often challenges master narratives in her novels, and in this text she tweaks the idea of duty versus love. When her father decides she should marry the

[133] Butler, *Gender Trouble*, 105.

Marquis de Ab____lle, Henrietta, in a conventional scene, throws herself at her father's feet and begs he will reconsider because "the Thoughts of Marriage with the Marquis was perfect Hell" (15). Twenty years later, in 1747, Clarissa argues that a marriage with Solmes will put her soul in jeopardy since she will be unevenly yoked with a man she cannot love and respect. Henrietta, on the other hand, risks a hell on earth if her crime is detected. Bigamous marriages were not unheard of in the eighteenth-century. Eve Tavor Bannet cites several cases of bigamy and polygamy, but most were perpetrated by men. A Mr. Cresswell was married to two wives at once, but the crime of the father was visited upon the children since the offspring of the second marriage were declared illegitimate. A woman used the protection of marriage to avoid paying her debt.

> Mrs. Philips married M. De La Field, knowing full well that he was already married, in order to screen herself from debt…Mrs. Philips then married a Mr. Muilman, with whom she actually proceeded to live. But the legality of her marriage to Mr. Muilman depended on M. De La Field's being married to another woman when Mrs. Philips married him, and since there was some difficulty proving that point, the legitimacy of the children Mrs. Philips had born to Mr. Muilman remained in suspense.[134]

Joanne Bailey cites cases in which uncertainty about the validity of a marriage led to an adulterous or bigamous relationship. "Elizabeth Agar began a relationship in July 1768 and went to Scotland to get married, well aware that her first husband was

[134] Tavor Bannet, *The Domestic Revolution*, 100.

alive. Perhaps she believed her existing marriage was null and void, for she told a servant that she had never consummated the union with William." [135] Polygamy was a real concern for the advocates of the Marriage Act, "but for the gentlemen of the House, the main offenders were men."[136] In this text, the offender is a woman and the punishment will be Henrietta's death.

Henrietta is now at a crossroads: She can tell her father of her marriage with Clermont and live honestly but poorly with her husband, or she can keep the marriage secret and risk legal and divine retribution for her bigamous marriage. Henrietta can obey her father and commit bigamy or she can obey her husband and forfeit her father. Her turmoil over her decision is manifest in her confusion of names: she calls herself Henrietta, Madam de Villesache, and Clermont's wife. Her temporary identification of herself as Clermont's wife leads to the momentary decision to return to him – "How can I act otherwise?" she asks herself.

This decision is negated by the talk of other court ladies, who, in a discussion of an unfortunate marriage, declare,

> Husband! What is a Husband, but a Creature that one makes so, either because one has a mind to his Title, or that he can make on a vast Jointure for a small Fortune; and when one is so unlucky to find one's Expectations disappointed by some such Whim as your Ladyship has mention'd, all one can do, is to take care of one's self, and either get

[135] Joanne Bailey, *Marriage and Marriage Breakdown in England, 1660-1800* (Cambridge: Cambridge University Press, 2003), 154.
[136] Tavor Bannet, *The Domestic Revolution*, 101.

> good Evidences to prove his Life a Forfeit to the Laws, or find some Pretence to sue for a Divorce. (18-19)

These women definitely speak of marriage in terms of contract. A husband is only worthwhile for personal aggrandizement – once the title is conferred and the jointure settled, turning him over as a traitor to the crown or finding the means for a divorce are necessary actions. The court ladies espouse a black widow mentality, but it is one often confessed by libertines of eighteenth-century literature. In *The Marriage Act* (1754) by John Shebbeare, Lord Sapplin agrees to a marriage of convenience with a merchant's daughter because he sees marriage "as a kind of taking Money with the Mortgage of a Wife to pay off a Mortgage on an Estate" and his father advises "if she has Sense enough, my Lord, to be quiet, or is Fool enough to know nothing, why she may live in the same House with you; if not, there is nothing so easy as to frame a Divorce, and all is well again; besides, the Money is of absolute Necessity to our present Affairs."[137] Although the Marriage Act was intended to curb mercenary marriages, this text and others imply that such marriages will be easier to obtain. In Haywood's text, it is Henrietta's second, bigamous, marriage that is mercenary.

Henrietta begins to see that she is not the person she was when she married Clermont, and she feels free to act according to the desires of her new self. After a few months of court life, she moves into the major mindset of her culture and begins to see marriage as strictly for material gain. Influenced by the talk of her friends, Henrietta "began rather to consider on the Ills to which she should be subjected, by disobeying the Duke's Commands, than the Injustice she should be guilty of in

[137] John Shebbeare, *The Marriage Act* (London, 1754) 93-94.

falsifying her Vows to Clermont" (19). Torn between unacknowledged father and unacknowledged husband, Henrietta decides to keep secrets from both.

> I knew not what I did when I gave my Hand to Clermont; I am not the Person I imagin'd myself to be, nor will he dare to murmur at my forsaking one so infinitely unworthy of me. – I can make him happy some other way; and 'tis more his Duty to be content without me, than mine to make myself wretched with him. (19)

Henrietta literally is not the person she imagined herself to be, and she is still not acknowledged to be the person she is. She was once unworthy of him and she expected him to be faithful to her, but now that he is unworthy of her, she expects him to recognize his inferiority and relinquish her. She has mentally revirginated herself and placed herself under her father's protection and power; she rejects Clermont's ownership of her body and property and feels free to marry again. Ruth Perry writes, "Since sexual consciousness, and hence sexual memory, was fast becoming a significant aspect of a woman's marketable femininity, the imprinting of that first sexual experience in a woman's consciousness was thought by some to be of the utmost importance in terms of sexual ownership."[138] Henrietta, by denying the "imprinting" of sexual experience and by seeing herself as still marketable, takes a male subject view of sexuality. She is worth more now that she was when she married Clermont; her worth has not diminished though she is "used" -- she believes she still has exchange value.

[138] Perry, *Novel Relations*, 252.

On her wedding night with the Marquis, she writes a letter to Clermont explaining herself, but the letter is written, perhaps unconsciously, in a way perfectly suited to rouse Clermont's jealousy and anger and bring him to the city to claim her. "Alas!" she writes, "how ill does it become me to call you my For-ever-lov'd when I am this moment rose from the Bed of a Rival who triumphs in your Rights" (20)! Her new marriage brings her a Title and grandeur, but "her Life was one perpetual Terror, lest the Resentment, or the Love of Clermont, should reveal the Secret of their Marriage, and claim her as his Right." (23) She does not fear losing the love of either Clermont or the Marquis – what she fears is losing her financial and social status.

When Clermont of course comes to claim her, Haywood reverses the usual paradigm -- Clermont occupies the position of the seduced woman who confronts her lover and is told she cannot make a claim on him now that he has inherited a title or land or taken a wife. She tries to convince him that their marriage is no longer valid because she is no longer the same person. "Could I, when rais'd to the Title of Madam De Villesache, submit to the rude Sports which well enough became Henrietta to be a sharer in? – My Idea's of Things are now more refin'd; all my Notions changed; and what then gave me Pleasure, I could look on now only with Pity and Disdain" (25). Henrietta, with her multiple names and new wealth, occupies the position of an inheriting son who dismisses his former mistress as no longer suitable for his station.

Although Henrietta envisions herself as capable of dissolving the marriage, the law does not agree. Clermont's power over Henrietta as his wife negates the power given to her by her titles and by her father.

> Spite of the World, cried he, I am alone your Husband. – And the injurious Marquis de Ab____lle no more than an Invader of my Right, -- a Ravisher! -- an Adulterer! – But since a sad Necessity enforces you to own his Title and submit to this unlawful Marriage, what hinders but that in private we indulge those Joys we are deny'd in publick? – Being compell'd to yield to another, takes not off the Duty you owe me. Remember, Henrietta, (for by no other Name shall you be ever called by me) I am the Master of your first Vows, nor can a second be of any force to bind you. – You injure me, when resigning yourself to the Marquis, but wrong not him, in meeting my Embraces with the utmost warmth. (27-28)

Clermont seems to be subscribing to Henrietta's circular logic at this point. If he cannot have the title of a husband, he will have the privilege of a husband and claim a right to sexual intercourse. They are married so they are compelled to yield to one another – they must have sex to fulfill their marital duties. Henrietta objects to this proposition on the grounds of its oddity and of the risk of discovery, but she is soon overpowered.

They begin meeting for sex in the city as they had met for sex in the groves in the country. "By penalizing 'concubinage' and seeking to restrict all 'Commerce' between men and women to marriage, the Marriage Bill sought to reduce the supply

of sex on the open market and thus to increase men's demand for marriage. It sought to ensure that marriage and 'the care, the protection, the maintenance and the education of children' would be the price that men had to pay to purchase sex."[139] Clermont gets the supply of sex and the Marquis is the one who pays. This illicit (yet legal) affair cannot continue. The Marquis discovers them and rushes into the room while they are in a compromised position, the proof the Duke spoke of as necessary. Clermont attempts to tell the Marquis their story – he explains Henrietta is his wife and "superior Power compell'd her to be unjust to me, and insincere to you" (33). Henrietta too blames her father and "his absolute Authority" (34). Both Henrietta and Clermont circumvent the authority of a husband by placing the power in the hands of the father.

Clermont is thrown into prison at the Marquis' demand and Henrietta is thrown back under her father's protection.

> The sponsors of Hardwicke's Marriage Act of 1753 railed against parental tenderness, deploring the fact that fathers were 'too apt to forgive' their eloping daughters, unable to bring themselves to inflict the appropriate financial punishment. By this view, the father's susceptibility to the influence of his girls was a social problem which threatened the preservation of property. The darling daughter was patriarchy's Achilles heel.[140]

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[139] Tavor Bannet, *The Domestic Revolution*, 104.
[140] Amanda Vickery, *The Gentleman's Daughter: Women's Lives in Georgian England* (New Haven: Yale University Press, 1998), 49.

While under his care, she is again taught by her father to expect to have it all – she can be Clermont's wife, the Marquis's wife, she can be a wife but nobody's possesion, and she can live on her own with the fortune and title of Marchioness and with the Marquis's child. The Duke attempts to remedy the legal situation through an elaborate deception. He convinces Henrietta and Clermont to deny their marriage, and he pays to have the Friar who performed the ceremony transported to a plantation in the West Indies (44). Since it is only the Marquis's word versus Henrietta's at the trial, the Duke "was not without some hope, that for want of Witnesses, the Marquis would not be able to procure a Divorce" (45). The proof is wanting. Joanne Bailey cites the necessary information for proving adultery: "three links needed to be established: the criminal intent of the defendant; the intent of their alleged lover; and their opportunity for adultery."[141] Henrietta justly argues that if the Marquis does not procure a divorce he will treat her harshly. The Duke is confident of obtaining a separate maintenance. He even takes pains to bring her an advantage in court by paying off the judges (47). In a text which depends on a legalistic plot, the corruption of the system is made painfully clear.

Although Henrietta has been guilty of a crime many married men commit – adultery – she is a woman and biology comes into play. The marquis is able to argue that Henrietta

> had imposed on him by a Second Marriage, and not content with that, had admitted the mean Partner of her first Bed, to share with him in a Husband's Rights, after she became his: She was now with Child, he

[141] Bailey, *Marriage and Marriage Breakdown,* 158.

> could not be certain by himself; and this suspected Offspring of polluted Love, must be the Heir of his Possessions, Name and Title, had not, as he thought, a seasonable Detection flatter'd him with the hope of delivering himself from so great a Misfortune" (48).

Henrietta's two marriages threaten "the ordered transmission of patrimony" since neither man knows if the unborn child is his. As Jeremy Collier put it, in his 1705 *Essays Upon Several Moral Subjects*, "When a woman proves perfidious, the Misfortune is incorporated with the Family, the Adulterous Brood are fed upon the Husband, and it may be run away with Premises."[142] The marquis may raise a gentleman farmer's child as his own, conferring land and title on a bastard child. In addition to the threat to inheritance, Henrietta's desire to love two men at once and to dispose of herself as she pleases reflects the reasoning for women's exclusion from the social contract.

> According to Rousseau and Freud, women are incapable of transcending their sexual passions and particular attachments and directing their reason to the demands of universal order and public advantage. Women, therefore, cannot take part in the original contract. They lack all that is required to create then protect the protection (as Hobbes put it) afforded by the state and law to civil individuals. Only 'individuals' can make contracts and uphold the terms of the original contract. Women are the opposite to the civil

[142] Jeremy Collier, "Of Whoredom," *Essays upon Several Moral Subjects* (Hildesheim: Georg Olms, 1969) 121.

> law; they represent all that men must master to bring civil society into being. (Pateman 102)

Plain Henrietta can be passionate, but the Marchioness de Ab____lle must allow men to regulate her passion so that she may produce legitimate heirs.

The Duke's bribery influences the judges in Henrietta's favor until Clermont avows he had been in Paris for only three or four days, but the Marquis produces witnesses that prove Clermont had been in the city four months. This testimony convinces the judges she is guilty of adultery, "but as to her former Marriage with the other, there being no plain Proof of it, they could not by Law make it out, that she never had been the real Wife of the Marquis, tho' her Behaviour since gave them now a just Pretence to cancel that Title" (52). The judges rule she has wronged the Marquis, but the reader knows she has originally wronged Clermont. Clermont, who had argued that he had the Law on his side when he came to Paris to claim Henrietta, finds himself sentenced to "three Years Imprisonment, and a Fine of a thousand Lewis D'Ors" (53). Clermont loses his wife, his liberty, and his money in one fell swoop. He later dies in prison, murdered perhaps by the Marquis.

Although Henrietta emerges from the trial relatively unscathed, her fate is now literally controlled by her biology. Once again her identity is in flux – she is either the "Marchioness De Ab---lle, or Madam Villesache, (the Birth of her Child, which she now grew very great with, cou'd only determine by which of these Titles she was hereafter to be distinguish'd)" (54). The court orders her fortune restored, that "she should retain all the Jewels, fine Plate, and Furniture which had been bought by the Marquis since his Marriage; and that if the Child, which was expected

to be born of her, proved a Son, she should still continue to wear the Title of Marchioness De Ab---lle" (52-53). The fact that her identity depends on her child illustrates what Misty J. Anderson argues as the "connection between women and their bodies through which English culture attempted to inscribe inheritance laws on the bodies of women."[143] It is the child of her mercenary marriage which will determine her future social position.

The court does not doubt the legitimacy of the child, and they define legitimate as the Marquis's child, illustrating the Duke's maxim that proof is everything. The Marquis, of course, is livid. He declares,

> Rather let my Estate be parcell'd out in Charitable Donations: Let it be sold to support foreign Wars, or build magnificent Edifices at home: Nay, let the Earth cleave, and swallow in a tremendous Chasm the fruitful Fields which call me Lord: Let the name perish, and no Memory remain of our once noble Family, rather than have it be supported by the detested Offspring of that vile Adulteress (56).

His anger erupts in a horrible instance of domestic violence and murder. The Marquis, dressed as a highwayman, abducts Henrietta from her coach. He takes her to a secluded wood, and in a horrible reversal of the sylvan scenes of lovemaking with Clermont, the Marquis murders his wife by stabbing her repeatedly.

> He threw her out of his Arms upon the Ground, with such a force, that 'tis probable, there needed no more to compleat his Revenge; but not depending on the Fall, he jump'd immediately from his Horse, and

[143]Anderson, *Female Playwright,* 61.

> drawing his Sword, held it over her in a threatening Posture, while he enumerated all her Crimes, in Terms the most bitter and reproachful that Malice cou'd invent; And tho' the Weakness of her Condition, the Terror she was in, and the Bruises she had receiv'd, render'd it impossible for her to speak much; yet the little she said, and the pity moving Posture, with which she held up her Hands, in token of Submission and Penitence, wou'd have melted any Heart but his into Compassion. But he already had been deceiv'd by her feign'd Contrition, and was not to be moved a second time. He stabb'd her to the Heart, with many Wounds; and as if her Death was not sufficient to satiate his Rage, or still fear'd a living Heir wou'd arise from that Body to the Title of Ab---lle; he rip'd her open with an unmanly Brutality, and taking thence the Innocent unborn, stuck it on the point of his remorseless Sword, then threw it down in Scorn by the bleeding Parent; crying, There! Let the Fowls of the Air, or the wild Beasts which haunt this desart Forest, devour the base begrotten Brat, and the vile Wretch, who aim'd to impose Dishonour on the House of Ab—lle" (59).

The Marquis is the avenging patriarch, defending his name and patrimony by killing an adulterous woman and her potentially bastard child. Her allowance of the penetration of multiple men is avenged by the multiple penetrations of the sword. "All social systems are vulnerable at their margins, and that all margins are accordingly considered dangerous. If the body is synecdochal for the social system

per se or a site in which open systems converge, then any kind of unregulated permeability constitutes a site of pollution and endangerment."[144] Henrietta's willingness to pollute the line of inheritance must be ended. The majority of bigamous marriages in the eighteenth-century were instigated by men, but a man does not pose the threat that Henrietta does; as Pateman argues, "The body of the 'individual' is very different from women's bodies. His body is tightly enclosed within boundaries, but women's bodies are permeable, their contours change shape and they are subject to cyclical processes." (96) Through his murder of his adulterous wife and potentially bastard child, the marquis provides the ultimate enclosure of Henrietta's body within boundaries and she is reintegrated into patriarchal discourse.

In his study of eighteenth-century crime, J.M. Beattie points out that "there was clearly a high tolerance of violent behavior," but "murder was universally condemned."[145] Lacking the all important proof, the Marquis is not convicted of a murder everyone knows he committed. Even if he had been brought to trial, he might have been only charged with manslaughter – murder with just provocation.

> It was considered sufficiently provoking, for example, for a man to find his wife in bed with another – such adultery being…'the highest invasion of property.' When a corkcutter in London returned home to find his wife and lodger in bed together and then killed the man in a rage and surrendered himself to a magistrate, he was convicted of

[144] Butler, *Gender Trouble*, 182.
[145] J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986), 75.

> manslaughter and ordered by the judge to be burnt 'gently' in the hand 'because there could be no greater provocation.'[146]

Of course, in an actual trial the provocation may be negated by the fact that Henrietta was pregnant. "Assaults on pregnant women were seen as particularly heinous," and "targeting a married woman's belly was understood to be a symbolic act of denigration and destruction."[147] Assaults on pregnant women usually were carried out by someone other than the husband/father – even infanticide among men was a rare occurrence. When murder was committed between spouses, infidelity was the normal provocation, and a pregnancy resulting from this infidelity would not mitigate the situation.[148]

Henrietta, who had always stepped outside the system, is reinscribed with the penetrating wounds of her husband's sword and marked as a fallen woman. Haywood creates an extreme series of events, but this final scene of violence is the reassertion of a patriarchal system writ large. Catherine Ingrassia states that Haywood "frames her texts with apparent conformity while simultaneously challenging the underlying precepts of such conventionality."[149] In this novel, Haywood seemingly reinforces the patriarchal norm while demonstrating the inefficacy of a system which presumes a woman's desires will always be circumscribed within the desires of her father and her husband. Henrietta who has both father and guardian, and two husbands, circumvents all of these authorities and

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[146] Beattie, *Crime and the Courts in England*, 95.
[147] Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003), 60-61.
[148] J.A. Sharpe, "Domestic Homicide in Early Modern England," *The Historical Journal* 24.1 (1981), 42.
[149] Catherine Ingrassia, *Authorship, Commerce, and Gender in Early Eighteenth-Century England: A Culture of Paper Credit* (Cambridge: Cambridge University Press, 1998) 84.

chooses for herself. Her choices are inevitably bad – a fourteen year old lacks the knowledge and discretion of an adult, she falls into a cultural trap by marrying for money, and she is operating in a space that the patriarchal construct deems impossible. Outside the control of her father and both of her husbands, and denied the control of her child, Henrietta occupies a liminal space, a site of contestation over gendered desires. Her multiple names highlight her multiple desires and the inability of the current system to contain her desires and her agency. She is a fallen woman in a sexual sense, but she is also a woman who has fallen out of the system and must be violently reinstated within it. Her attempt to be seen as a subject leads to her violent reinscription as an object. Although Henrietta's death is standard patriarchal plot closure, the way she dies and the bizarre nature of the text in general creates "an ending so alien and alienating that it lingers in the mind, tantalizing the reader to seek other resolutions."[150] This perversity cannot be normal – the reader is left questioning the law's inadequacies and the patriarchy's willingness to impose "the ordered transmission of the patrimony" at the cost of women's lives.

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In Haywood's 1724 novel, *The Rash Resolve; or, the Untimely Discovery*, the nexus of contract, property, and marital law can only be resolved through the heroine giving up her child. The novel centers on a heroine whose "objective throughout the text is removing patriarchal restraints on her life and securing her financial autonomy."[151]

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[150] Paula R. Backscheider, *Spectacular Politics: Theatrical Power and Mass Culture in Early Modern England* (Baltimore: The Johns Hopkins University Press, 1993), 148. Backscheider is not writing about this text specifically but is instead speaking of women writers in general.
[151] Catherine Ingrassia, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," *Lewd & Notorious: Female Transgression in the 18th Century*, ed. Kaharine Kittredge (Ann Arbor, MI: University of Michigan Press, 2003), 239.

Early in the novel, she attains economic agency and even confers a dowry on her cousin, but by the end of the text she is a kept woman, and can only bring about resolution of the plot through passively dying. Like Henrietta, Emanuella attains agency for a short time, then is reintegrated into the binary economy as object.

Emanuella is a wealthy young woman whose father is the governor of Puerto Rico. After her father dies, Emanuella plans to move to Madrid and live among friends and relatives, but her unscrupulous guardian, Don Pedro, refuses to allow her access to her fortune. He tries first to dissuade her from leaving Puerto Rico by telling her, "You here receiv'd your Being; -- here your Education; are a Native – a Property of this Place."[152] Emanuella laughs him off, but he intensifies his designs. In a scene which anticipates *Clarissa*, Don Pedro locks Emanuella in her room, dismisses her servants, and vows never to let her out until she marries his son, Don Marco. He intends to make her the Property of the place and of his son; Ruth Perry argues, "Privatized marriage put women increasingly in the power of their husbands as if marriage had the alchemical effect of transforming them into property at the same time as it made over the property that they owned to their new masters."[153] Emanuella tries to argue with the men who Don Pedro sends to her house to seize her and her property, but they refuse to listen. "It was to no purpose that Emanuella, surpris'd as she was, had Presence of Mind to argue on this score more like a Person whom many Years Experience had made perfect in the Law, than a young Virgin, who till this Hour ne'er knew what 'twas to hear a Word which had the sound of Buisness" (9).

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[152] Eliza Haywood, *The Rash Resolve; or the Untimely Discovery* (New York: Garland, 1973), 6. All subsequent references to *The Rash Resolve* will be to this edition and will appear parenthetically in the text by page number.

[153] Perry, *Novel Relations*, 197.

With Don Marco's help, Emanuella escapes to Madrid, where she meets her relatives and makes plans to appeal to the king for help in recovering her fortune. However, Don Pedro (because "Vice is always more indefatigable in the pursuit of what it aims at, than a sincere and honest Meaning" [28]), has beaten her to the king and has presented in his case in a light favorable to himself. Emanuella arrives at court and finds herself a defendant rather than a plaintiff. Don Pedro accuses her of defaulting payment on a loan, seducing his son, paying assassins to attempt to kill him, and robbing him after he kindly kept her out of jail by taking her into his house. She denies offers of assistance and she alone represents her interests to the king and defends her case. "I do not await the dull Formalities of Law, nor ask Advice from learned Council drawn, but here presume to make my own Defense, unaided but by Truth – Permit me then, great King! to unfold a Story which must make my vile Accuser's Heart grow cold within him, tho' warm'd with all the Fires from Hell" (33).

Seeing the king beginning to sway to Emanuella's side, Don Pedro exclaims,

> I entreat you by that extensive Power which makes Kings Gods on Earth, and by that sacred Regard which to the King of Kings, even from your self is due!—By Honour, Pity, Justice, by your own Royal Promise, I conjure you not to listen to the false Insinuations of this artful Siren, who comes no doubt prepared with well-dres'd Perjuries, and smooth Hypocricy to evade her Crimes, and turn the Sword of Vengeance against me. (30-31)

In this remarkable speech, Don Pedro reminds the king and Haywood's readers of the divine right of kings and of patriarchal, hierarchal order. Kings are gods on earth, and men are representatives of the king in their households. If the king does not uphold Don

Pedro's claim, he is by implication repudiating his own hierarchal position. The "artful Siren," the "well-dres'd" woman, is planning to turn the "sword of vengeance" (a wonderfully phallic reference) upon Don Pedro – a woman is attempting to defend her reputation and her right to property in court. She is proclaiming herself a subject of the king, a participant in the social contract. Emanuella declares to Don Pedro,

> If I were not already too well acquainted with your Insolence in maintaining the Injuries you do, I should have hope, Repentance for those you have offered me, had brought you here, so contrary to my Expectation, to make me that Restitution, you might be sure I should endeavor to force you to" (30).

A woman is refusing to be subsumed in the identity of her guardian and demands to be recognized as an individual with rights to property and inheritance.[154]

Again Haywood interrogates a master narrative, but in this novel it is the relationship between justice and revenge. As bold as Emanuella is in defending herself against her guardian's allegations and pursuing her property rights in a court (though it is a king's court and not a judge's), she would not win her case without an extraordinary event. Don Marco, Emanuella's friend and Don Pedro's son, arrives at court and attempts to corroborate Emanuella's story. The king, influenced by Don Marco's version of events, believes he is her lover and an unreliable witness.

> Perceiving his Zeal to serve, had rather work'd a contrary Effect; the noble-minded Marco resolv'd to give a fatal proof of his Sincerity, once more addressing himself to his Majesty; Since that bad Man, who gave me

[154] Of course, Emanuella must die.

> Being, said he, prefers a little shining Dirt to Honour, Truth, and Justice, and still persists in his design of ruining an innocent Virgin entrusted to his Care: Thus! Continued he, (drawing his Sword, and falling on it, before anyone cou'd be quick enough to prevent him) Thus! I release myself of the Duty of a Son. – Thus! clear myself of the Crimes he has accus'd me of – and Thus! I hope convince your sacred Majesty, and the yet unbelieving World, that it contains not a Jewel of more worth than Emanuella! (34-35)

Don Marco kills himself in front of the King and everybody in defense of Emanuella's honor. Her trust in the "Justice of her cause, and the Care of Heaven" (29) and her recitation of the simple truth is not enough to overturn her guardian's outrageous allegations; an old-fashioned debt of honor has to paid. In this bizarre "courtroom" scene, Haywood seems to be parodying courts of justice. Emanuella's story is simple and familiar, but it is Don Pedro's crazy fabrication that is believed until Don Marco seals the truth with his sword. As will be seen in the next chapter in a discussion of the Elizabeth Canning case, Haywood scorns the media sensation surrounding certain otherwise mundane trials. Here, the sensationalism of Don Marco's act wins the king's favor, not Emanuella's just cause. Don Marco's vengeance against his father is a more effective defense than Emanuella's rational speech. Emanuella claims her rights as a subject of Spain and presents her case to the king, but Don Pedro's sensational act is given greater weight than the truth.

After retrieving her right to her fortune, Emanuella begins actively putting it to use. She moves in with her relatives and helps her cousin Berillia by making up her

father's deficit for her dowry. Berillia was destined for a nunnery since her father could not provide for her as he had for her sisters, but Emanuella intervenes. She promises to make up the deficiency in dowry as soon as her property arrives from Puerto Rico. Emanuella defends herself in court and provides a portion so that a young woman may marry. Her assumption of male roles must be punished, and Berillia, ironically, becomes the agent of revenge. Emanuella discovers that Berillia is in love with a fop, and she speaks to Berillia a bit too warmly on the subject.[155] Berillia comes to hate Emanuella as much as she had once loved her. Berillia observes Emanuella's growing attachment to a Roman count named Emilius, and she plots to separate them. Through her machinations, Emanuella and Emilius find themselves alone in the garden night after night. Of course no loving pair can leave a garden in amatory fiction without having sex.

> At last Berillia having brought things pretty near to the pitch she aim'd at, under pretence of waiting in the Garden to receive Emilius, would let in her own Lover and when she found Emanuella and the Count were engag'd in a Conversation which a third Person might be spar'd, she constantly retir'd to another part of the Garden, and receiv'd the double Satisfaction of the Company of the Man she lov'd, and the Probability of undoing the Woman she hated. (54-55)

Berillia is a voyeuristic pimp who gains sexual satisfaction from Emanuella's ruin. Emanuella saved her from the convent, and she repays the favor by scheming against her.

[155] The risks of interfering with young women and their loves is richly treated in Haywood's texts, and this scene is a reminder of the risk Jane Austen's Mrs. Gardiner takes when she advises Elizabeth Bennett not to fall in love with Mr. Whickham in *Pride and Prejudice*.

Emanuella, by defending herself in court, declares herself a subject within the social contract, and her decision regarding Emilius's proposals reflects her desire to be equal within the marriage contract. He wants to marry immediately -- and in the world before the Marriage Act they are married since "the most binding Vows of everlasting Constancy had pass'd between them" (55) – but she wants to wait because she was determined "never to endure to be obliged to the Man she lov'd" (55-56). Unfortunately, the ship carrying her fortune is lost at sea. Although disappointed in its loss for Emilius' sake, she "doubted not of his Love, Honour, or Generosity, and assur'd herself that it would be wholly her fault if the Vows he had made her, were not authoriz'd by the Ceremony of the Church" (57). And, if not for Berillia's scheming, she would be right. Berillia convinces Emilius that Emanuella is already married and has entrusted her fortune with her husband. She then convinces Emanuella that Emilius refuses to marry a woman without a fortune. Emanuella, the woman who refused all advocates and defended herself in court, allows Berillia to be her messenger and believes everything she is told. Plots work on women who do not trouble themselves to discover the truth.

The moment that Emanuella stops actively making decisions for herself, she becomes the formulaic fallen woman of amatory fiction. Heartbroken, Emanuella retires to a convent. Her relatives and the king endeavor to restore part of her fortune to her by making Don Pedro pay for the lost property, and she begins to hope that she may return to her relatives' house and begin again when she discovers she is pregnant. Her reaction is among the strongest in the Haywood *oeuvre*:

> She found she was destined to go through all that can be conceived of Shame -- of Misery – of Horror – in fine, she found herself with Child! --

> with Child without a Husband! – with Child by a Man who she had heard from all hands was going to be married to another! – and what was yet worse, by a Man whom she accounted the vilest, and most perfidious of his Sex! – What Words – nay, what Imagination can paint out her Distress as it deserves! (84-85)

The narrator implies that all would have been well if Emanuella had just written Emilius and explained her situation.[156] However, she refuses to "submit to be obliged to that cursed Villain" (85), and she has only her pride to keep her company when she leaves the convent.

She flees her relatives and becomes a single mother, working odd jobs to feed herself and her son. "All the Passion she once had for the *Father*, was now transmitted to the Son; which join'd to the soft Care, which all who are *Mothers* feel, rais'd her's to the most elevated Pitch that Humanity is capable of being inspir'd with" (108). Haywood also uses the phrase "elevated pitch" when describing the night that Emanuella and Emilius first have sex; heterosexual passion is replaced with a mother's passion for her child.

Another alternative to heterosexual passion briefly presents itself. Berillia finds Emanuella soon after the child's birth and claims to be delivering some money from her relatives. Berillia proposes that they pool their money and retire to Alcala, setting up house together. Emanuella finds the idea agreeable and they set out together. But Berillia is the villain of the story, and she takes all the money and leaves in the middle of

[156] Taken in context with other Haywood novels, *The City Jilt* in particular, this does not seem universal advice. Glicera writes her lover after she discovers she is pregnant and he dismisses her claims. The implication is that neither Glicera nor Emanuella really know the men they love.

the night. Emanuella, duped twice and penniless, is only worried for her son. "Her Tenderness for the young Victorinus, was more than equal to that which Mothers ordinarily feel for their own Children" (106). For the sake of her son, she continues to live, and she "threw off the fine Lady, endeavor'd to forget whose Daughter she was, and the Hopes she was bred to, and submitted to the meanest, and most servile Offices for Bread" (107).

Emanuella's penury is relieved when she meets Donna Jacinta who "taking notice of the Delicacy of her Hands and Complexion, the Sweetness of her Voice, and the graceful Manner in which she delivered her Words, imagin'd she had been educated in a fashion which might deserve a better State of Life than what she at present liv'd in" (110). This "young Widow of a vast Estate" (110) invites Emanuella and her child into her house and supports her in return her services as a governess, though she is "more like a Sister than a Servant" (111).[157] Emanuella recovers her good looks and her charm, and Donna Jacinta keeps her promise of affection and support. The woman who refused to be obligated to anyone is now "as happy as a Person can live, who lives dependent on the Favour of another" (114). This dependence is described in marital terms: "That good Lady took care to confer her Obligations in such a manner, that they should be as little as possible uneasy to the Receiver; and the other was so sensible of her Favours, that she at length became her's as much thro' Inclination as Duty" (114). Although Emanuella could not imagine being obliged to a man, she is happy in her obligations to a woman. This can be seen as another of Haywood's presentations of possibilities for escaping the

[157] See Catherine Ingrassia's excellent article, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," "Eliza Haywood, Sapphic Desire, and the Practice of Reading," *Lewd & Notorious: Female Transgression in the 18th Century*, ed. Kaharine Kittredge (Ann Arbor, MI: University of Michigan Press, 2003) for a discussion of the homoerotic/homosexual possibilities of this relationship.

patriarchal contract. Though the exact sexual nature of this relationship is not revealed, Emanuella does seem to have the duties and privileges of a wife – she tends the children, supervises the household, and is held in great esteem by Donna Jacinta. However, as the counterpart to another woman in the relationship, Emanuella is not automatically the object in the subject/object binary. The potential for a relationship between two subjects is the utopian glimmer in this section of the novel.

The happy balance between Donna Jacinta and Emanuella is broken by Emilius's reappearance. A year passes before Donna Jacinta is visited by her cousin, Donna Julia, who happens to be Emilius' wife. Donna Julia and Emilius are childless, perhaps a comment on a marriage contracted so soon after Emilius promised himself to Emanuella, and they fall in love with a little boy they see playing in the yard. This child is of course Emilius' natural son, and he and Emanuella soon meet again. Emilius tells their story, including his later discovery of Berillia's perfidy,[158] and Donna Julia makes an incredible offer. She tells Emanuella,

> I beg you will believe me, when I protest by all that's sacred, that had I been appriz'd of the Right you had in him, I would have chose to fall a Martyr to Despair, rather than by gratifying my Desires have been guilty of so much Injustice; nor can I ever yield to be Partaker more of Joys to which you have a superior Claim, unless you vouchsafe to give a Sanction which the Priest had not the power to do: Emilius first was yours, -- is still yours, by all those Ties which ought to bind an honest Mind; and, if

[158] He finds Berillia dying on the side of the road, stabbed and robbed by her lover. Haywood seems fond of this bloody vengeance scene.

you can forgive the Crime he has been but betray'd to act, I here resign him, and with him, the Title I have innocently so long usurp'd. (124)

Donna Julia recognizes Emanuella's prior claim to Emilius as husband – before the 1753 Marriage Act men and women who pledged themselves to one another were married even without a religious or civil ceremony – and she is willing to right a wrong by giving up her "bigamous" husband. Emilius's union with Donna Julia has not been productive – they are childless – but Emanuella bore his son and heir. Donna Julia's offer would reconcile an inheritance issue as well as a marital issue. Emanuella refuses, explaining, "Emilius is only yours; whatever Engagements had pass'd between us, I myself dissolv'd. – When, by the Loss of my Fortune I thought myself unworthy of his Bed, I relinquish'd all the Right his Vows had given me to him; and his enfranchis'd Heart was free for you" (124-125).

Donna Julia is free to claim her husband, and she soon claims his child as well. She says that the child "must ever be acknowledg'd as the just Heir of all his Father is possess'd of; -- and, give me leave also, to regard him with a Mother's tenderness; and how many Children soever Heaven shall be pleas'd to bless me with, make him and equal Sharer with them of all the little Fortune I can call my own" (126). It seems an extraordinary claim -- acknowledging her husband's bastard child as her own – though the scenario repeats in Richardson's *Pamela* and much later in Bronte's *Jane Eyre*. She then asks Emanuella to live with her as a sister and a friend, but Donna Jacinta interjects, insisting (echoing the words of the marriage vow) that Emanuella stay with her "'till Death inforces a Separation" (126). A woman who once asserted her authority and rights as a subject under the king and the laws of Spain, is now bartered between two women.

Soon after this meeting, Emanuella does die, and the narrative and legal problems are resolved through her death. The child is made Emilius's heir as well as Donna Julia's, and he lives with Donna Jacinta and Donna Julia by turns. In Hobbes' natural state a woman can keep her child, but in the contract economy "a woman can contract away her right over her child to the father" (Pateman 45) in exchange for protection. Here Emanuella contracts her right to her child to the child's father's wife and to the woman who has offered Emanuella protection. The intersection of marital, property, and inheritance law meets in Emanuella's child, and he becomes the "property" of two women.

"Structurally Haywood subverts the standard paradigm by shifting the locus of influence on a woman's life and delineates potential (albeit limited) spaces for power, influence, and, ultimately, life-long union between female subjects."[159] A woman who almost obtained the status of a subject, allows herself and her child to become the property of others so that the lines of inheritance can continue. She plays her role in the sexual contract by producing an heir, and she dies before she can become a problem in Donna Julia and Emilius' relationship. The text provides what Jameson calls a utopian horizon, a glimmer of the treasure, the possibility, but it is closed off by the ending. The relationship between Emanuella and Donna Jacinta, which seems to involve two subjects rather than a subject/object, is cut short, and remains a potential rather than a fulfilled dream.

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[159] Ingrassia, "Eliza Haywood, Sapphic Desire, and the Practice of Reading," 239.

The concerns of inheritance, motherhood, and the social/sexual contract continue in *The Fruitless Enquiry* (1727). The frame narrative concerns a widow's search for her missing son and with the various women whose stories we hear as the quest continues. The figure of the widow is important in a discussion of female subjectivity; a widow is free from the laws of coverture and has the benefit of controlling her share of her husband's property. "Possessing the same rights and privileges as a man, as well as experience and often money and property, the widow was, of all women the best situated for making full use of the new economic opportunities."[160] A widow can invest her money, she can determine her heirs and their inheritance, and she can circulate freely without a guardian's approbation. She is a free agent, and the fear of her autonomy is reflected in many eighteenth-century novels as Karen Bloom Gevirtz's excellent study demonstrates. To circumvent the widow's agency, she is often encouraged to enter circulation again and remarry, removing her power as a subject and safely assigning her object status. "Women could generate wealth, but only by producing Englishmen. In rejecting the possibility of independent existence for mothers, eighteenth-century thought excluded women from one of the primary principles of the new commercial society: that the individual is a subject with intrinsic value and has the right to look out for his own best interests."[161] By not remarrying, widows at least retained legal status as individuals.

When Miramillia's Venetian noble husband dies, she protects her six-year-old son by not remarrying even though "her beauty, wealth, and accomplishments attracted the love and admiration of almost as many as beheld her, and the noblest youth in the

[160] Karen Bloom Gevirtz, *Life After Death: Widows and the English Novel, Defoe to Austen* (Newark: University of Delaware Press, 2005), 14.
[161] Gevirtz, *Life After Death*, 20.

republic desired her in marriage."[162] As a widow she can control her money and determine inheritance, but if she marries that privilege becomes her husband's.

> If widows remarried, they took greater care to protect their property than they had on their first 'venture,' on behalf of both their children and themselves. Although 'venture' was used of either spouse throughout the seventeenth-century, it was particularly appropriate in reference to a husband as 'an undertaking without assurance of success,' since women's economic security from the day of marriage depended so heavily upon their husbands' good will.[163]

Although she has not risked her son's future financial well-being on a marital venture, she will risk a venture of another type in order to recover her son's physical well-being. A mother's protection can only extend so far, as Miramillia discovers when her now 20-year-old son disappears. Driven to despair by grief, Miramillia resorts to asking fortune tellers to find her son. Finally, one tells her "that to engage his return, she should procure a shirt made for him by the hands of a person so completely contented in mind, that there was wish but that she enjoyed" (3). Miramillia seemed to fill this requirement before her son vanished, but now she must find another woman completely contented in mind.

Haywood's ruse is clever. The fortune teller warns that "if the least anxious thought, the most minute perplexity, discontent, or care, ruffles her mind, or ever throws a heaviness upon her spirits, the work will be of no effect" (4). Looking forward to the Victorian concept of the Angel in the House, mid-century husbands believed this ultimate

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[162] Eliza Haywood, *The Fruitless Enquiry*, 2nd ed. (London: 1767), 1. All subsequent references to *The Fruitless Enquiry* will be to this edition and will appear parenthetically in the text by page number.

[163] Amy Louise Erickson, *Women and Property in Early Modern England* (London: Routledge, 1993), 19.

contentment to be the natural state of their wives. Protected from outside worries, women ran the household and smoothed the cares of their husbands. Haywood's own conduct books reflected this notion in an ideal marriage, although she recognizes that the ideal rarely happens.

After Miramillia has begun her quest and has discovered all the unhappiness of her friends and acquaintance, she wonders,

> Are all our sex devoted to disquiet? Is there a fate upon us to be wretched? Must we labor under woes of our own formation, when fortune contributes all she can to make us happy? Do we torment ourselves with childish and imaginary ills, till taught by real ones how mad we have been, and wish the past could be again recalled" (234)?

Miramillia's musings predate Mary Wollstonecraft's similar concerns in *A Vindication of the Rights of Woman* (1792). Wollstonecraft argues that if men complain that women are vain, superficial, and flighty, it is their own doing by denying women educational opportunities because of their disbelief in the female capacity for reason. "The grand source of female folly and vice has ever appeared to me to arise from narrowness of mind; and the very constitution of civil governments has put almost insuperable obstacles in the way to prevent the cultivation of the female understanding."[164] Although men complain that women seem to lack the capacity for reason, they also bar the way for women either to acquire or to exert reason. Miramillia is fortunate in her education, and her status as a widow allows her to view other women's "narrowness of mind" and the

[164] Wollstonecraft, *A Vindication*, 145.

reasons for it. The fruitless enquiry is to find a woman who is reasonably content under the current sexual and social contract.

Miramillia's search for a contented woman leads to a series of stories in which seemingly happy women are in reality tormented. These are not run-of-the-mill unhappy women; these women suffer from every torment available to a wife. In the stories in which women are given the most agency, the pattern is that of a revenge fantasy; in the stories in which women have no agency, it is that of a nightmare. Perhaps her most bizarre and disturbing work, *The Fruitless Enquiry* proposes that a happy married woman (and perhaps woman herself as Irigaray suggests) does not exist; the notion is a f(ph)allacy of the worst kind, a perpetuator of male myths of female desire and a denial of female agency.

Miramillia's first attempt to find a contented woman is with her friend Anziana, for "who can be completely blest, if not Anziana" (5)? Miramillia becomes a guest at Anziana's house and admires the "conjugal affection, so tender, so obliging, so ardent, and unchangeable, as that appeared to be between Anziana and her husband Count Caprera: never were endearments carried to a higher pitch, nor had more the look of sincerity" (7). Regular readers of Haywood will notice right away the use of "appear" and "seem" which are always warnings in her fiction. Miramillia discloses her mission to Anziana, who answers the request by conducting Miramillia to a closet.

> There Anziana stopped, and taking a key out of her pocket, opened it, and went in, desiring the other to do the same: but with what horror and affright was her soul invaded, when, as soon as she entered, the first object that presented itself to her, was the skeleton of a man, with arms extended

> wide, as if in act to seize the adventurous gazer, and on the breast was fixed a label; which, as soon as she was enough recovered from that terror which so unexpected and so shocking a sight had plunged her in, to be able to look upon it, Anziana took her by the hand, and bringing her nearer, showed it her, containing these words, which to make them yet more dreadful were writ in blood. "Remember, Anziana, it is for your crime that I am thus, and lest a just contrition take up your ensuing days, and peace be ever a stranger to your soul, till you become as I am. (8)

A real skeleton in the closet! The man is of course Anziana's former love and his skeleton is literally in the closet. In Richardsonian fashion, Anziana had fallen in love with Lorenzo and her father did not approve of the match. Instead, he urged/forced her to marry Count Caprera. Anziana has a Henrietta moment of doubt then chooses the Count:

> The idea of my dear Lorenzo, his passionate affection, the solemn contract we had made, the reiterated vows by which it was confirmed, came fresh into my mind, and made me for some moments resolve to endure all things, rather than make this double sacrifice of my love and faith: but then my father's power, the fear of being turned out a beggar, and the possibility that, in such a disgraceful and distressed state, Lorenzo, for whose sake I should become so, might also abandon me. (15)

She violates her vow, her faith, if she does not marry Lorenzo, but poverty could lead to abandonment. In a pre-Hardwicke Act world, her vow constitutes a binding contract, and she must make her sexual decisions accordingly. "Ignoring the very real difference between men and women in social consequences for sexual experience, [the Marriage

Act] put women at risk whenever a contract was challenged. After 1753, if single women pursued traditional sexual practices on the basis of traditional values, they might be abandoned as fallen women."[165] Anziana can be a vow breaker and violate a marriage contract with her fiancé, or she can obey her father and honor the social contract through obedience to her familial head. She faces a similar decision as Henrietta, and the results are as unfortunate. Anziana has no real choice, and, lacking Henrietta's creative, bigamous mind, she must acquiesce to the choice of her father.

Anziana, a woman of duty, endeavors to love her husband, but she also desires that Lorenzo forgive her for her marriage. She writes to him, but he takes her letter as an invitation to her bed. Anziana corrects him – "The love of souls I aimed to inspire, that so we might enjoy a noble, disinterested friendship," she says (29) -- then invites him to her house for a discussion.[166] On his way to Anziana's house, Lorenzo is waylaid by her father and her husband, who have intercepted her letters. The obsession over the proper transmission of property outweighs the sin of murder. As in *Madam de Villesache*, patriarchal revenge and defense of the bloodline takes the form of daggers and penetration.

> As soon as they saw him, without giving him the least warning of his fate, plunged both their daggers in his breast, on which he immediately fell…Revenge not satiated even with the death of the supposed offender, this cruel father and husband pursued it farther yet, denying the rites of burial to the lifeless bones, which they ordered to be clean scraped and disrobed of all their flesh, and then set up in the manner you see. For that,

[165] Perry, *Novel Relations*, 278.
[166] Criminal conversation perhaps?

> oh Miramillia! continued she, pointing to the anatomy, that dreadful spectacle was the once gay admired Lorenzo. (38-39)

Their revenge takes one more form: when, soon after, Anzania is in labor, they withhold the midwife until she confesses her sins and admits her guilty relationship with Lorenzo. She tells her father that she has nothing to confess, but he reminds her that "a vast estate depends on the heir you are about to bring into the world, and must not be the portion of a spurious race; answer with the same truth, as you must do at that dread tribunal, where, perhaps, you may in a few moments appear" (41). Her comfort and even her life are forfeit in the light of the greater claim of patrimony and inheritance.

Before Anziana made a choice based on her duty to her father; this time she chooses her duty to her child. "I should rather have chose death, than have given the satisfaction they required, if the interest of my child, who they both swore should be an outcast as soon as born, had not prevailed on me" (42). She lives to bear the Count three more children.

> The decorum of the world, the love I bear my children, whose interest it is I should live with their father, obliges me to feign a forgetfulness, as much as possible, of what is past, and the real tenderness which I believe he now again feels for me, makes him omit nothing which may induce me to return it. This is the secret of our misfortune concealed from all who know us. (45-46)

Anziana also secretly spends an hour each day with Lorenzo's bones.

The couple's seemingly perfect conjugal affection hides murder, torture, and unfaithfulness, crimes writ large upon Lorenzo's skeleton and hidden in the closet of

decorum. Although this is an extreme example, Haywood demonstrates the flaws in a sex-gender system that can allow such tortures to remain the private domain of the home; she anticipates the Gothic which explores the hidden cruelties of homelife. Miramillia should have realized she will never find a perfectly contented woman after this adventure, but she continues her search.

Anziana continues in her unfortunate marriage for the sake of her children; in other stories Haywood questions whether the marriage contract is absolutely binding in cases of impotence and castration, in which children are not involved. The poor Iseria married for love only to lose her husband immediately after the wedding night. Her husband's uncle, opposed to the match, seizes Montrono from his wife's bed and sends him to Ceylon. When Montrono returns, seven years later, Iseria is elated, but Montrono keeps his distance from her, enlisting a friend to tell his story. While in Ceylon, he is held captive by a wicked and exotic queen who is sexually exciting and beautiful, but he refuses to sleep with her. The queen binds Montrano and demands sexual satisfaction but he refuses on the grounds that he loves his wife.

> Asking him, once more, if he repented, to which he answered in the negative, she went out of the room, and bade the fellows do their office: on which one of them plucked out a sharp instrument, drew nearer to him, and by some actions discovered to the amazed prisoner his inhuman intent. For, madam, now, continued he, comes on the dreadful part of your unhappy husband's fate. Husband, did I say? Alas! he, from that cruel moment, had no more the power of being so; deprived forever of the dear

> names of father and of husband; robbed of his sex, and doomed to an eternal sterility. (74-75)

Castration is a mighty revenge indeed. Even Haywood's conduct books required that wives forgive their husbands' occasional infidelities, but none explains what to do in the case of a husband's castration. Haywood is dramatizing a contemporary discussion of the problem: in *Cases of Divorce for Several Causes* (1715), one expert discusses "accidental" impotence – "he is castrated, or disabled by Witchcraft, or Poison," suggesting a woman's hand in the incident – and declares "there can be no marriage between Impotent Persons." However, another expert opinion states that if "the defect followed after Marriage, and the conjugal Embraces of the Parties, Divorce is by no means allowable; for an accidental Affliction, if without Fault of the Sufferer, is to be patiently born with in Matrimony."[167] Although her husband has been "robbed of his sex," and "doomed to an eternal sterility," Iseria remains married to him. The contract is potentially void, but she chooses to renew it.

Interestingly, as a person robbed of his sex, Montrano is discursively a woman**.** In Irigaraian terms, he is the sex which is not one, and the subject which is not one. When Montrono finally allows Iseria to talk with him, he tells her "I came but to see thee once, then take my everlasting leave, and in some distant cloister hide me forever from thy sight" (83-84). He chooses the feminine word "cloister" rather than the masculine "monastery" -- his castration is equated with a woman's sexual ruin and the punishment of the cloister. His natural birthright to subjecthood within the Filmerian paradigm of

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[167] *Cases of divorce for several causes; viz. I. Memoirs of the life of Robert Feilding, ... II. The case of Barbara, late Dutchess of Cleaveland, ... V. Depositions taken in the Lady Howard's case: ... Publish'd from original manuscripts.* London, 1715. *Eighteenth Century Collections Online*. Gale Group. http://galenet.galegroup.com.spot.lib.auburn.edu/servlet/ECCO

government has been removed, and he must reenter through the social contract. Iseria and Montrano's marriage is founded on nothing but agreement.

Castration is a central theme in a story which features not a marriage through agreement, but rather an attempt to force a marriage through sexual assault. Reputation of virginity and a fortune are the only prizes a woman has in the marriage market, and, in the History of Clara and Ferdinand, Ferdinand attempts to gain a fortune by ruining a reputation. After repeated proposals to his cousin Clara, Ferdinand resorts to Lovelace-like measures to possess her. One evening as they walk in a meadow near the house, Ferdinand braids a rope of grass and asks Clara to test its strength.

> I, not imagining he had any other meaning than to divert himself and me, let him fasten my hands together; which having done, he threw them over my head, and at the same moment my body on the ground, where I was immediately convinced of the base design he had in this pretended raillery: in fine, Miramillia, I was compelled to suffer from this imagined friend, this seemingly worthy man, all that I could have feared from the most dissolute of his sex, the most abandoned and brutal ravisher; in vain were all my shrieks, my cries, my tears, and adjurations. (243)

She does not marry him, in spite of the rape, and the event passes over as quietly as such an event can until Clara learns that Ferdinand had told a friend's husband of the rape. "I thought of nothing but revenge, and in a short time resolved on the means of accomplishing it" (248). Here Haywood evokes a Hobbesian view of sexual relations: "Sexual relations can take place only under two circumstances; either a man and woman mutually agree (contract) to have sexual intercourse, or a man, through some stratagem,

is able to overpower a woman and take her by force, though she has the capacity to retaliate and kill him" (Pateman 44). Clara does not kill Ferdinand (directly), but she certainly retaliates.

Concerned for her reputation, her credit in the marriage market, Clara takes action. She suggests one fine evening that they stroll in the meadow, and she asks in a saucy manner that excites Ferdinand's hopes. She braids a rope of grass and binds Ferdinand's hands, throws them over his head, laughing and saying, "Now I will ravish you" (250). Ferdinand is all into this type of play until Clara pulls out a penknife[168] and exclaims, "No more shalt thou ravish, and basely report the deed; Clara shall be the last thou shalt betray; live henceforth the scorn of thy own sex, as thou hast made me of mine; live, but no more a man" (250). As soon as she castrates him, she runs shrieking from the meadow. Servants find Ferdinand hours later, though he never reveals who committed the deed.

On his deathbed, Clara and Ferdinand reconcile, and Clara realizes her vengeance was more for her ruined reputation than her ruined virtue.

> When I remembered that I had forgiven him the worst injury a woman can receive, or man be guilty of; yet had so severely revenged an imaginary wrong to my reputation, I had not the least to say in my defense: my boasted virtue seemed only prudery now, and vain fantastic pride; I appeared, in my own eyes, the most contemptible, the most cruel, ungrateful, and inhuman, of all created beings. (256)

[168] The weapon of choice for all ravished heroines.

Haywood utilizes a strategy of fantasy and containment. Clara's extreme reaction to the loss of her reputation is spurred by the incredible importance of reputation within the marriage market. A woman without a reputation has no "credit," no future. Because the sexual contract puts such emphasis on the virginity of the bride and the chastity of the wife, even a rape, a forced sexual encounter, negates the marketability of a woman. Clara cannot marry Ferdinand or anyone else. Because of the castration, Ferdinand is also sexually void and cannot marry. To Clara, his loss of sex is equal to her loss of reputation.

Other stories are equally heartbreaking though not so bizarre, and they illustrate class issues inherent in the social contract. Since property protection is a primary reason for entering Locke's social contract, class becomes an offshoot of society formation.[169] Social contracts determine how members of different classes treat one another: contracts between landowners and tenants, for example, have specific obligations for each party and specific penalties for violations of those obligations. In the stories which concern class in *The Fruitless Enquiry*, class distinctions are blurred and discrepancies are revealed. Haywood interrogates the cultural fears over the "ordered transmission of property" illustrated in the Marriage Act in a story in which a woman finds out on her wedding day that she has just married the man who raped her daughter. Some months before, the daughter and some friends had dressed as rustics for fun, but her disguise is so good it leads to her abduction from the road and her rape in the bushes**.** As in the Haywood novella *Fantomina*, clothes become effective signifiers of a woman's status and of her sexual availability (servants, widows, prostitutes). A village rustic has no

[169] Locke lists British basic rights as "life, liberty, and property;" the American phrasing is "life, liberty, and the pursuit of happiness."

choice but to submit to the whims of a powerful man; a well-bred young woman merely has to submit to his addresses. Although the Marriage Act addressed the consequences of a woman's wayward sexual encounters, the sexual relations of upper-class gentlemen with lower class women seem a lesser concern.

Class distinctions are blurred in another story of disguise involving the new bride of the Marquis de Savilado. Left with a small portion and no prospects, Maria decides to invest in a rich husband. "I laid out my whole stock of money in cloaths and jewels; the first of these, indeed, were truly rich, but the others were counterfeit; but so exactly resembling the right, both in their luster, and the manner in which they were set, that they passed among very good judges for such as I would have them" (166). Through her assumption of rich clothing, Maria assumes a class affiliation which gives her more power in marital negotiations.[170] Maria "passes" as Coquiana, daughter of a Hamburg merchant and possessor of a vast fortune. When the Marquis de Savilado, himself a stranger in Venice, asks for her hand, she grants it without hesitation. When Miramillia is shocked by the revelation and upbraids the marchioness with the deception of her husband, the marchioness explains, "You loved the man you married, but we, who consult out interest alone, can find so true a contentment in the gratification of that view, that we perceive no want of any other. Let the marquis fret as much as he pleases, at the disappointment in his expectations, while I know myself secure of mine, I shall but laugh at his want of penetration" (168). Although the marchioness declares, "I am rich, great,

[170] Alan Hunt, in his study of sumptuary law in Europe, states the dual purpose of sumptuary law: first, it "offered a solution to pervasive problems in the process of urbanization of coping in a 'world of strangers' and of living 'in the company of stranger,' learning how we are to 'know,' to 'identify,' to 'recognize' others," and second, it helped to "protect and reinforce hierarchical status claims of dominant classes." Alan Hunt, *Governance of the Consuming Passions: A History of Sumptuary Law* (New York: St. Martin's Press, 1996), 109.

and will be happy!" (168), the deception cannot last. In a Dickensian twist, the Marquis de Savilado is revealed as fraud as well. Haywood satirizes mercenary motives for marriage: gentlemen often married into the merchant class to relieve debt, and a woman's debts became her husband's after marriage. Maria impersonates the daughter of a rich merchant because she is aware of class politics and what will attract a titled husband. Maria's investment turns sour when she must "turn into money the few things she had, for his support" (170).

From the impossible demands of the marriage market to the sacrifices made and injustices suffered by women within marriage, Miramillia decides that perhaps married women cannot be content, but that single women, especially those who possess enough personal fortune that marriage is not necessary, may be so. "Having made so many vain essays among the married ladies, she began to imagine that there was no possibility of finding one in that state entirely free from care, and therefore resolved, if she prosecuted her search, it should be only to those who had not yet given up their freedom she would apply" (222). She is deceived. Her single friends are tormented by worries over suitors, dead lap dogs, and unfinished dresses. Their concerns are petty, and they seem model women for Wollstonecraft's later attacks on female frivolity. Her only single friend with a real problem is the unfortunate castrator Clara.

The final story in *The Fruitless Enquiry* is Miramillia's own. Adario, her son, had been injured while saving a young woman from an attempted rape. He receives a blow from the attacker and when he recovers his senses, he realizes he has lost his heart to the young woman he has saved. Miramillia's son returns to her with a wife in tow and her protection of him is at an end. She herself becomes a contented woman again, but as the

carrier of so many horror stories, it is doubtful she could create the shirt either. Although the fortune teller's solution is never tested, the search for a contented woman allows Miramillia to examine her own life. As a widow, she is beyond the petty concerns of her single and sexually inexperienced friends, and she is no longer burdened with conjugal concerns which seem to overwhelm her married friends. Haywood delights in liminal characters, those between states, and Miramillia is able perpetually to remain in a liminal position. The end of the novel hints at a potential love match between Adario's new father-in-law, who is a former suitor of Miramillia's, and his mother, but it does not end in a double wedding. By leaving the text open, Haywood allows readers "considerable autonomy" in their interpretation of events.[171] "Indeterminancy lays bare the lack of satisfactory solutions to human problems in the culture at large."[172] The sort of unhappiness Miramillia discovers is inherent in a system which supports marriage as the most viable occupation for women and makes marriage an indissoluble union. Women who survive their husbands are the most likely to become subjects in the social contract; a remarriage means a return to coverture and a potentially fruitless enquiry for agency.

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Carole Pateman points out that in Hobbes' state of nature,

> Marriage does not exist because marriage is a long-term arrangement, and long-term sexual relationships, like other relationships, are virtually impossible to establish and maintain in Hobbes' natural condition. His individuals are purely self-interested and, therefore, will always break an

[171] Umberto Eco, *The Open Work*, trans. Anna Cancogni (Cambridge: Harvard University Press, 1989), 1.
[172] Backscheider, *Spectacular Politics*, xviii.

> agreement, or refuse to play their part in a contract, if it appears in their interest to do so. To enter into a contract or to signify agreement to do so is to leave oneself open to betrayal. (45).

In Haywood's fiction, women consistently leave themselves open to betrayal by believing in verbal promises of marriage. When a man promises he will love her and marry her, a Haywood heroine often reciprocates sexually, tricked, coerced or seduced into giving her body for his promise. The result is inevitably betrayal. In *The Rash Resolve* and *The Life of Madam de Villesache*, the woman's body also pays the price for "unnatural" behavior. The marquise exacts his justice on the body of his wife(?) for her betrayal of the orderly transmission of patrimony. Emanuella dies so that the issue of her body can be reabsorbed into the patriarchal world of inheritance. The women of *The Fruitless Enquiry* pay for numerous injustices with their bodies, or, in the case of revenge fantasies, with the bodies of men. Even though Locke's social contract is more conducive to the notion of women as subjects, as seen in these texts, women who attempt to enter the contract *as women* face unfortunate consequences. In the next chapter, I will examine two texts in which Haywood interrogates the social contract by creating two women who act like men. By assuming a right to male actions and social positions, Glicera and the Invisible Spy successfully participate within the social contract, but Haywood is ambiguous as to whether the means justify the end. Is it worth it after all if women must be like men to be subjects within the social contract?

CHAPTER TWO

"CARRYING ON THE LAW": FINANCIAL (IN)DEPENDENCE AND THE AGENTS OF REVENGE

"Neither as mother nor as virgin nor as prostitute has woman any right to her own pleasure."[173]

"As for me, my Business was his Money."[174]

The inscription on the title page of Eliza Haywood's 1726 novella, *The City Jilt; or, the Alderman turn'd Beau: A Secret History*, implies what, for many suitors and parents, must be the heart of the marriage contract: money. The lines from Abraham Cowley's poem "Upon Gold" – "Virtue now, nor noble Blood, / Nor Wit by Love, is understood; / Gold alone does Passion move; / Gold monopolizes Love" – seem to sum up Melladore's love for Glicera and explain the basis of her "relationship" with the alderman. This, at first glance, is true. Glicera, a young pretty woman with plenty of money, is courted passionately by the handsome Melladore, but when her father dies and her dowry is revealed as deficient, Melladore loses his love for her. He does convince her to sleep with him and when she, of course, becomes pregnant, he leaves her for another woman. After a

[173] Luce Irigaray, *This Sex Which is Not One*, trans. Catherine Porter (Cambridge: Cambridge University Press, 1985), 186.
[174] Daniel Defoe, *Moll Flanders* (London: Penguin, 1989), 295.

narratively convenient miscarriage, Glicera seeks sexual and financial revenge against Melladore and all men by becoming a costly jilt. She uses the passion of an old rich man to gain the ultimate revenge over Melladore. The alderman, Grubgard, holds the mortgage of Melladore's lands and Glicera wins the mortgage in a card game. She then is able to control Melladore financially even if she couldn't control him sexually. Gold may passion move, but passion, in the form of hatred and revenge, moves gold.

Through her creation of Glicera, a woman who exacts revenge on a man by depleting his pocketbook, Haywood illustrates the mercenary nature of the marital contract and the interchange of love and finance. Glicera loses her social credit through her relationship with Melladore, but she gains it and financial credit through her management of his estate after it falls into her hands. Haywood allows a woman to manipulate two supposedly savvy men – a rich alderman and the heir of an estate – and demonstrate her ability to manage the affairs of men and achieve financial, pseudo sexual, satisfaction. Haywood explores the nexus of the legal and the commercial with the personal – or as Kirsten T. Saxton neatly states, "the crux of the matter – sex and contracts."[175] Haywood explores the sexual contract: the biological construction of the subject/object binary; economic contracts: the financial negotiations between two subjects; and the social contract: the individual's submission to a government in exchange for protection of property. In a contractual system in which men negotiate with one another and control women, Haywood

[175] Kirsten T. Saxton, "Telling Tales: Eliza Haywood and the Crimes of Seduction in *The City Jilt, or, the Alderman turn'd Beau*." *The Passionate Fictions of Eliza Haywood: Essays on Her Life and Work.* Eds. Kirsten T. Saxton and Rebecca P. Bocchicchio. (Lexington, KY: University Press of Kentucky, 2000), 118.

inverts the order and creates women who negotiate with and control men. In fact, Haywood puts a woman in the place of a man in the financial and sexual economy. In a later novel, *The Invisible Spy* (1755), Haywood creates a "sexless" Spy, a character who can inhabit any discursive or social position.

In this chapter I argue that by placing a woman in the financial, sexual, and social positions that men usually hold, Haywood can interrogate the gaps in the sexual contract and the social contract – she can examine the consequences of a woman acting like a man in order to enter the social contract. Melladore's desertion of Glicera is an old story, one Haywood tells quickly so that she can get to the novel idea of a woman jilting a man sexually and financially. Through the manipulation of property law, the protagonist is able to avenge herself upon the man who jilted her, and, in an uneasy maneuver, she is able to inhabit the position of a subject, a position a man would normally, "naturally," hold. Similarily, through the manipulation of print, the Spy is able to avenge wronged women through a published account of their actions. When a woman is put in the place of a man within the nexus of law, commerce, and love, the contradictions and gaps of each system are revealed, and the potential of the new credit economy and the new print culture, two sources of power in Haywood's day, to become instruments of revenge is laid bare.

Women were already negatively associated with the new economy. The 1720s, the decade in which Eliza Haywood produced a new novel every three

months,[176] became defined by new economic realities and the South Sea Bubble. "The South Sea Scheme was implemented in six stages between mid-April and mid-October 1720, comprising two conversion offers and four money subscriptions."[177] The emergent economy of speculative investment and paper credit enabled otherwise financially stagnant people to attempt to change their stations and fortunes through the buying of stock. Catherine Ingrassia, in her excellent study on the new credit economy, argues that Exchange Alley and the new financial marketplace "created a significant new space for women to act with some agency."[178] Women could buy stock with their pin money (personal money allotted through the marriage contract) and increase their own property. "A good share or bond, people were beginning to see, was an excellent substitute for land…and a form of property which a married woman could properly retain as a personal estate.[179] Ingrassia cites several examples of women fevered with the excitement of investment and speculation. This excitement even becomes a potential replacement for sexual excitement:

> Women remove themselves from circulation within a sexual economy controlled by the variations in male affection and desire, to play an active role within a financial economy where they can benefit from the fluctuations in the price of stocks and other forms of negotiable paper…There is a persistent fear that the pleasure women derive from

[176] Ros Ballaster, *Seductive Forms: Women's Amatory Fiction from 1684-1740* (Oxford: Clarendon Press, 1992), 157.
[177] Richard Dale, *The First Crash: Lessons from the South Sea Bubble* (Princeton: Princeton University Press, 2004), 102.
[178] Catherine Ingrassia, *Authorship, Commerce, and Gender in Early Eighteenth-Century England: A Culture of Paper Credit* (Cambridge: Cambridge University Press), 2.
[179] John Carswell, *The South Sea Bubble* (Stanford: Stanford University Press, 1960), 10-11.

> stock jobbing will supplant the satisfaction of they derive from men; they will find a vehicle for self-pleasuring.[180]

This, as will be discussed later, is exactly what happens with Glicera in *The City Jilt*. Ingrassia explains the "pleasure of business" which many middle-class women discovered for the first time, and the feminization of the credit economy.[181] "Credit" is portrayed as a woman by Daniel Defoe and even the economic man is "associated with hysteria, disorder, unregulated passions," all denigrated "feminine" traits.[182] After the South Sea Bubble, fickleness could be added to the list.

Between April and October 1720, six years before *The City Jilt*, the South Sea Company assumed a large part of the British national debt and allowed anyone holding government stock to swap it for company stock. Those who participated saw their stock double and triple, and the zeal for speculative investment heightened to a "hysterical" pitch. In August 1720, however, stock values peaked and those who didn't sell found themselves by November possessing "nearly worthless pieces of paper." The fickle stock market ruined many and ended their love affair with speculative investment, but it also shifted the rules of the financial and sexual economy, resulting "in a pervasive cultural crisis that destabilized and ultimately reconfigured the constructed hierarchies of class and gender."[183] Haywood, always savvy to subtle shifts in her culture, is able to create a character who takes advantage

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[180] Ingrassia, *Authorship, Commerce, and Gender*, 35.
[181] This attitude continues in our own time; Mica Niva argues that "the activity of the consumer [female] is likely to be constructed as impulsive and trivial, as lacking agency, whereas the work of the producer [male], even if 'alienated,' tends to be 'hard,' 'real,' dignified . . . the ridiculing of women shoppers may be a way of negotiating the anxiety aroused by their economic power in this sphere." Mica Nava, "Consumerism Reconsidered: Buying and Power," *Feminism and Cultural Studies*, ed. Morag Shiach (Oxford: Oxford University Press, 1999), 51.
[182] Ingrassia, *Authorship, Commerce, and Gender*, 19.
[183] Ingrassia, *Authorship, Commerce, and Gender*, 18-19.

of the reconfigured hierarchies in order to exact revenge upon the man who has "ruined" her.

The City Jilt, with its depictions of sex in the bowers and frustrated lovers, could be a text read primarily for pleasure as one of Haywood's sensational amatory fictions, but several readers go beyond that interpretation and see the political inherent in the story. Melissa Mowry, in a fascinating discussion of the body politic, states that *in The City Jilt* "Haywood exposes the post-1690 Whigs' continued claims of commonweal, social order, and social equality as a hypocritical veneer for mercenary motives" and that "early fiction's libidinal constructions of women's bodies were fast becoming vehicles for imagining the very public sphere in which the novel would participate."[184] In her interpretation of *The City Jilt* as an "inverse seduction narrative," Kirsten T. Saxton argues that "by empowering Glicera over the deceased body of her seducer, Haywood creates a powerful fantasy of wish-fulfilling violence in which the victim of unlawful seduction appropriates the patriarchal codes of law and seduction that ruined her, revamping them into the weapons by which she exacts her redress."[185] In a discussion of Haywood's expansion of the "work" of the novel, Paula R. Backscheider states that "Haywood introduces new and thought-provoking reactions to mistakes and betrayals and, most significantly, new endings."[186] This may be most evident in *The City Jilt* in which the heroine seems

[184] Melissa Mowry, "Eliza Haywood's Defense of London's Body Politic," *Studies in English Literature* 43 (Summer 2003): 659,668.
[185] Saxton, "Telling Tales," 119.
[186] Paula R.Backscheider, "The Story of Eliza Haywood: Caveats and Questions." *The Passionate Fictions of Eliza Haywood: Essays on Her Life and Work.* Eds. Kirsten T. Saxton and Rebecca P. Bocchicchio. (Lexington, KY: University Press of Kentucky, 2000), 33.

"ruined" but instead ruins her seducer. In her ability to ruin Melladore and take over his fortune, she seems to fill the role that men in novels usually inhabit.

This reversal of fortune and position creates unexpected consequences and uncomfortable questions, but the new ending also offers new beginnings.[187] As Ingrassia comments, "[Haywood] constructs new models for women to follow in the dual (and often simultaneous) economies of finance and romance. Her texts depict negotiations of sexual and financial capital, offer alternative constructions of female sexuality, and redefine the boundaries of women's experiences in both the symbolic and the material world."[188] Haywood offers readers examples of women who bypass the sexual contract and take advantage of the social contract's insistence on universal participation. Through careful positioning within the social and financial economies, a woman may attain the position of a subject and be free to contract and to desire. With these positive movements, however, Haywood, as always, portrays the price that must be paid.

The City Jilt begins in the usual way expected by readers of romance – the most beautiful, eligible girl in the neighborhood falls in love with the most handsome, eligible man in the neighborhood and they plan to marry. The narrator, though, uses the words "seemed" and "appeared" whenever describing Melladore's love for Glicera, highlighting the tenuousness of even the most determined courtship: "Haywood seems resigned to the fact that women are the losers in the marriage

[187] While Jane Austen is often heralded (or berated) as the mother of "chick lit," Haywood may be a better candidate. Novels like Sophie Kinsella's *Confessions of a Shopoholic* and Helen Fielding's *Bridget Jones' Diary* explore the new negotiations between finance and romance that women face; both texts also offer (albeit briefly) friendships, careers, and success as alternatives to marriage.

[188] Ingrassia, *Authorship, Commerce, and Gender*, 78.

market regardless of their partners, and that they must be wary of a legally binding union."[189] Women only have men's words to trust and Melladore's semblance of love is taken by Glicera as the real thing. Any contract is only as good as the word of the two people who enter it. David Hume's 1748 critique of the social contract highlights this important consideration: "The commerce and intercourse of mankind…can have no security where men pay no regard to their engagements."[190] Melladore will not honor his engagement, and Glicera loses the security of a marriage contract.

Only after Glicera's father dies on the day before the wedding, when the will is read and it is apparent that Glicera will not have the dowry Melladore expected is it clear that Melladore never loved Glicera for herself. His love turns to lust, and he is determined to possess Glicera sexually though he will not marry her. "Haywood takes a neat double jab at both the traffic in women and the baseness she associated with the mercantile class, positioning the hapless Glicera within a familial and social unit that functions according to the shifting sands of economic exchange rather than affection."[191] When she no longer has use value for him, Melladore still wishes to possess her body, obliterating her exchange value. It is Melladore's destruction of her credit and value that prompts her determination to destroy his credit and value, and it is her later management of him, perhaps engendered through her upbringing in a society that values "economic exchange rather than affection," that enables her to regain her reputation and value.

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[189] Earla A. Wilputte, "Wife Pandering in Three Eighteenth-Century Plays," *Studies in English Literature, 1500-1900* 38.3 (1998): 447-465.
[190] David Hume, "Of the Original Contract," *Social Contract: Essays by Locke, Hume, and Rousseau*, ed. Sir Ernest Barker (New York: Galaxy, 1963), 161.
[191] Saxton, "Telling Tales," 117-118.

Glicera, believing Melladore still loves her, has sex with him since they are almost married anyway. In point of law, Glicera is justified – although they have sex before the official marriage ceremony, they are contracted to each other by oral promises made in front of witnesses and this forms a civil marriage. Susan Staves points out that before the Marriage Act "should a woman have been seduced by means of a promise of marriage, she had a civil remedy in the form of a suit for monetary damages….Mutual promises to marry at some future date were called *spousals de futuro* in the ecclesiastical courts and either the man or the woman could sue there to compel the performance of the marriage."[192] Glicera could take Melladore to court, but she first attempts to appeal to his sense of duty:

> Be just then to your Vows – Remember you are mine as much in the Eye of Heaven, as if a thousand Witnesses had confirm'd our Contract: The Ceremony of the Church is but ordained to bind those Pairs, who of themselves want Constancy and Resolution to keep the Promise which Passion forms. – How often have you sworn I was your Wife,that you considered me as no other, nor would relinquish that right my Love had given you over me for the World calls dear?[193]

When he later refuses to honor his agreement and marry her, she could force him to do so if she had someone to press her suit and pay for it, but she finds a better way to manipulate the law and get him back. As Saxton points out, "Despite the legal

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[192] Susan Staves, "British Seduced Maidens," *Eighteenth-Century Studies* 14.2 (Winter 1980-1981): 126.

[193] Eliza Haywood, *The City Jilt; or, the Alderman turn'd Beau, Selected Fiction and Drama of Eliza Haywood,* Ed. Paula R. Backscheider (Oxford: Oxford University Press, 1999), 91. All subsequent references to *The City Jilt* will be to this edition and will appear parenthetically in the text by page number.

accuracy of Glicera's claim, she is nevertheless disparaged and denied. She has chosen the wrong text for her complaint: the personal text between ex-lovers does not have the weight to compel Melladore into action, and Glicera, fatherless, penniless, and alone, has no access to or knowledge of the language of state and estate within which to frame her demand."[194] Later, she will possess knowledge of the correct language in which to redress her wrongs, and she will claim to have no knowledge of the law when she is well aware of what is legally necessary.

Unlike many Haywood heroines, who pine for their faithless lovers and attempt suicide or other desperate acts, Glicera would be content to let Melladore go after she discovers his perfidiousness if it weren't for her pregnancy. She writes to Melladore, informing him of her condition, and he refuses to marry her. Her anger at his fecklessness is not for herself but for her child:

> She now found that she had a greater *Stock* (emphasis mine) of Resentment in her Soul, than, till it was rouz'd by this Treatment, she could have believed; sooner would she have sent a Dagger to his Heart, than any way subjected herself to a second Insult, by inviting him to return, or testifying the least remains of Tenderness, had not the Condition she was in compell'd her to it, and forced her trembling Hand, in spite of Pride, to write him the following Epistle….I have indeed, but little hope of Success on a Man of the Disposition I now find you are, and would sooner chuse Death than the Obligation to you on my own account. -- But Oh! There is a tender part of both of

[194] Saxton, "Telling Tales," 127.

> us, which claims a Parent's care: That dear Unborn, that guiltless Consequence of our mutual Raptures, starting within me, makes me feel a Mother's Fondness, and a Mother's Duty. (90)

Melladore, the hard-hearted hero turned villain, replies:

> I thought you Mistress of a better Understanding than to imagine an Amour of the nature our's was, should last for ever: -- 'Tis not in Reason, 'tis not in Nature to retain perpetual Ardours for same Object. – the very word Desire implies an Impossibility of continuing after the Enjoyment of that which first caused its being: -- Those longings, those Impatiences so pleasing to your Sex, cannot be lost in Possession, for who can wish for what he has already?—Marriage, as you justly observe, obliges the Pair once united by those Tyes to wear a *Show* of Love; but where is the Man who has one Month become a Husband, that can with truth aver he feels the same, unbated Fondness for his Wife, as when her untasted Charms first won him to her Arms. (93-94)

Melladore is the poster boy for the necessity of public, church weddings – he certainly lacks constancy and resolution. Haywood glosses over this fairly quickly, implying that Glicera should have foreseen this response. Saxton points out that in this letter

> Melladore reveals his knowledge of the economy of romance in which a woman's worth depends on her astute management of her 'assets,' her insistence on contractual marriage before 'giving up the goods.' Glicera…is guilty, not for her loss of innocence, but for her innocence

> of such market machinations, her lack of awareness of her position as a commodity that must be sold, not freely given. The City Jilt functions as a primer that instructs women on how to negotiate their worth properly…Glicera misreads and misinterprets the text of sexual exchange: she reads it as a romance, Melladore reads it as a bill of trade.[195]

While Glicera's view of marriage is of a relationship between husband and wife and of parental responsibility for children, Melladore's view is mercenary. For him it is a necessary business deal that enriches, and bores, the husband and enslaves the wife. A husband is forced to a show of love in order to enjoy the benefits of the marital state.[196] This mercenary view is that of many Haywood villains, but in this novella, it is the heroine who learns to turn the money-grubbing aspect of courtship to her advantage.

Soon Melladore turns his attentions elsewhere and marries Helena, a woman whose recently deceased father "was reputed to be worth 5000 Crowns, and those were Charms which in his avaritious Eyes far exceeded Glicera was possess'd of, and tho' infinitely inferior to her in every Perfection both of Mind and Body, was thought worthy his most tender Devoirs" (95). Upon hearing the news of her lover's marriage, Glicera goes into labor and delivers a stillborn child. The child out of the way, Glicera is free to exact her revenge. She is no longer marriageable, her reputation ruined since the "Affair between her and Melladore" has been "blaz'd

[195] Saxton, "Telling Tales," 119.

[196] This of course also mirrors Austen's famous mercenary lover, Mr. Wickham, who makes a show of love for whoever seems to have money or inclination, and finally must feign a love for Lydia Bennet, "the most determined flirt that ever made herself and her family ridiculous." Jane Austen, *Pride and Prejudice*, ed. Donald Gray (New York: Norton, 1993), 149.

abroad," and she must make her fortune another way.[197] In a neat comparison, Ingrassia points out that "a stock jobber's success in the marketplace depended largely on public estimation of his value and credibility, for credit is undone in whispers just as a woman's reputation could be easily undone by gossip."[198] Undone by gossip and by the man she trusted, Glicera makes a risky decision.

> Despising therefore the whole Sex, she resolved to behave to them in a manner which might advance both her Interest and Revenge; and as nothing is capable of giving more Vexation to a Lover, than a Disappointment when he thinks himself secure from the Fears of it, she gave Encouragement to the Hopes of as many as solicited her. – She received their Treats and Presents, smil'd on all, tho' never so Old or Disagreeable; nor indeed was it a greater Task, to feign a Tenderness for the most *Ugly* than the *Loveliest* of Mankind – for all alike were hateful to her Thoughts. (96)

Glicera was abandoned by her father through his death and secret debts; she is abandoned by Melladore when she no longer has exchange value. "Haywood's novel lays bare the injustice at the heart of social systems that deny women legal subjectivity…the novel calls attention to the inequities of a legal and social system that places women under the umbrella of male guardianship with no recourse when

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[197] Although Susan Staves has pointed out that even prostitutes who repented of their former sins could find a place in society in the eighteenth-century, Glicera can no longer marry within her class and must find another way to support herself in the manner to which she is accustomed. Susan Staves, "British Seduced Maidens," *Eighteenth-Century Studies*, 14.2 (Winter 1980), 109-134.

[198] Ingrassia, *Authorship, Commerce, and Gender*, 22. This is especially true for Haywood's later creation Betsy Thoughtless – her speculation in the marriage market is nearly disastrous and her credit with the man she loves is undone by the gossip of the very uncreditable Flora.

that guardianship proves ineffectual."[199] And in Haywood novels the guardianship always proves ineffectual. Women are going to be exposed to the inequities of the legal system, and Haywood knows this.

Like *Fantomina*, Haywood's best known short fiction, *The City Jilt* is a revenge fantasy so Haywood allows Glicera a means of providing for herself at the expense of men without allowing the men sexual satisfaction. Glicera can no longer make her fortune by marriage; she will have to find a new line of work and since women are trained in the arts of flirtation and in the arousal of lust/love, it is natural that she should exercise that talent for her financial benefit. Most women do this once, and it results in gainful employment as a wife – Glicera must flirt with many men and gain their money without giving any return. Eve Tavor Bannet wittily remarks that "ladies who were unable to cut any figure in the marriage mart as ambulatory cheques and who could not get renumerative work had little immediate alternative to offer the only property they had – the property which natural law said all people possessed in their own body – in enchange for their 'Maintenance."[200] Because she is officially no longer on the market, men see her as a risk-free investment, but she capitalizes on those assumptions and cashes them in on the alderman.

The rich, old, lascivious alderman, Grubgard, falls in love/lust with Glicera and visits her often. Melissa Mowry argues that through the alderman, Haywood "exposes the post-1690 Whigs' continued claims of common weal, social order, and

[199] Saxton, "Telling Tales," 123.
[200] Eve Tavor Bannet, *The Domestic Revolution: Enlightenment Feminism and the Novel* (The Johns Hopkins Press, 2000), 109.

social equality as a hypocritical veneer for mercenary motives."[201] If Grubgard represents the new, Whiggish economy, Melladore must represent the Tory, landed interest. J.G.A. Pocock states,

> The appearance of a new ruling elite (or "monied interest") of stockholders and officeholders, whose relations with government were those of mutual dependence, was countered by a renewed assertion of the ideal of the citizen, virtuous in his devotion to the public good and his engagement in relations of equality and ruling-and-being-ruled, but virtuous also in his independence of any relation that might render him corrupt. For this, the citizen required the autonomy of real property, and many rights were necessary in order to assure it to him; but the function of property remained the assurance of virtue. It was hard to see how he could become involved in exchange relationships, or in relationships governed by the media of exchange (especially when these took the form of paper tokens of public credit) without becoming involved in dependence and corruption. The ideals of virtue and commerce could not be reconciled to one another.[202]

Grubgard is a citizen without real property, though it is his possession of a paper, Melladore's mortgage, that interests Glicera. He is an old man representing a new economy, and he is, apropos of Pocock's statement, not virtuous. Melladore, the owner of real property, and presumably the possessor of virtue, is a young man

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[201] Mowry, "Eliza Haywood's Defense," 659.
[202] J.G.A. Pocock, *Virtue, Commerce, and History: Essays on Political Thought and History, Chiefly in the Eighteenth Century* (Cambridge: Cambridge University Press, 1985), 48.

representing an old, entrenched way of life. However, we see nearly from page one that Melladore is not virtuous no matter what his ownership of "real property" may attest. When Melladore's bad choice in a marriage partner causes him to descend into the world of paper tokens and public credit, his corruption becomes apparent. Only Glicera, who assumes a persona of a woman of easy virtue, is able to reconcile the worlds of commerce and virtue.

Glicera encourages Grubgard's visits so that she can obtain his money, and, ultimately, Melladore's mortgage. She portrays herself as a shy but eventually willing lover: "Glicera aptly puts to use her hard-won knowledge of love and masculine ego in an attempt to secure both capital and retribution by playing on men's readiness to believe in the familiar picture of femininity she represents."[203] Her friend and partner in crime, Laphelia, assures him of Glicera's love, and she gives him enough to keep him satisfied without granting the last favor.[204] "The sums which every Night he lost to Glicera, took from her in a very few Weeks all need of lamenting her want of Money" (100). In this way, with the alderman and with other men, Glicera and Laphelia earn enough money without the unfortunate side effects of marriage proposals or pregnancies.

> But it was not on this old Dodard alone that Glicera had Power, a great Number of much younger and wittier *Men* gave her the Opportunity of revenging on that Sex the Injuries she had received from one of them; and having as large a *Share* (emphasis mine) of

[203] Saxton, "Telling Tales," 129.
[204] Haywood uses this scenario later in *Betsy Thoughtless* – Betsy and her friends make fun of an aged suitor without caring that they are trifling with an honest man's intentions.

> Sense as Beauty, knew so well how to *manage* (emphasis mine) the Conquests she gain'd that not one whose *Heart* confess'd the Triumph of her Eyes, but made a Sacrifice also of his *Purse.*" (101)

Glicera becomes an able manager of her investments and her stock of gentlemen callers.

If before Glicera lacked "awareness of her status as pawn in a system of male exchange,"[205] she is now painfully aware of her perceived status and she exploits it to the hilt. Luce Irigaray's explanation of the categories of prostitute and virgin are useful here: "The virginal woman is pure exchange value…Once deflowered, woman is relegated to the status of use value, to her entrapment in private property; she is removed from exchange among men…In the [prostitute's] case, the qualities of woman's body are 'useful.' However, these qualities have 'value' only because they have already been appropriated by a man, and because they serve as the locus of relations – hidden ones – between men."[206] Glicera, through the accommodating genre of revenge fantasy, removes herself from the economy of exchange. Not a prostitute and not a wife, she nonetheless achieves her only desire of men – money.

Glicera seems to exempt herself from what Carole Pateman calls the sexual contract – "The original pact is a sexual as well as a social contract: it is sexual in the sense of patriarchal – that is, the contract establishes men's political right over women – and also sexual in the sense of establishing orderly access by men to

[205] Saxton, "Telling Tales," 121.
[206] Luce Irigaray, *This Sex which is Not One*, trans. Catherine Porter (Ithaca, NY: Cornell University Press, 1985), 186.

women's bodies."[207] By obtaining the mortgage to Melladore's estate, Glicera potentially robs Melladore of political aims, and she disrupts the "orderly access" to her body by merely pretending to be a prostitute. Through her disruption of the patriarchal order and the sexual contract, Glicera can realize her own desire. Not a mother, not a virgin, not a wife, not a prostitute, not an object. Her desire to become an agent of revenge and her eventual possession of property lead her to enter the social contract. She becomes an individual who can contract with men, and her position within the social contract is that of a subject. As a subject, she can have desire and wield power. "Tho' she had enough overcome all Thoughts of Melladore, not to languish for his Return, or even wish to see him; yet the Hatred which his Ingratitude had created in her Mind was so fix'd and rooted there, that it became part of her Nature, and she seem'd born only to give Torment to the whole Race of Man, nor did she know another Joy in Life" (101). Her desire is revenge on all men, and her discursive position as an individual who can enter contracts and wield financial power enables her to execute a sexual and economic retaliation. Whether this move is the best option for women who attempt to become subjects is a question which seems to make Haywood and her readers uneasy.

Other critics recognize Glicera's seizure of the means of power, but not the fact that Haywood has put her in the place of a man. Mowry argues, "Glicera learns to use an unjust system to create justice and restore the balance of power. For she recognizes that she can manipulate the same mercantile oligarchy and its patrician system of class distinctions that victimized her to strip Melladore of his fortune and

[207] Carole Pateman, *The Sexual Contract* (Cambridge: Polity Press, 1988), 2.

degrade his social position as she herself had been degraded."[208] Saxton echoes this sentiment when she points out that "Haywood reveals that the only way a woman can succeed in the game of seduction is to treat it as a battle and to arrive armed and knowledgeable of her enemy."[209] Although in other novels Haywood allows many of her heroines access to the possibility of happiness in a heterosexual relationship, in this novel, men are very much the enemy and Melladore is Enemy No. 1. Even though Melladore's wife is a spendthrift adultress, she seems an apt punishment for Melladore, and Glicera, the "scheming harpy" is the agent of justified revenge.

Glicera is not the only avenger of women's wrongs in Haywood's *oeuvre*, nor is her method of revenge the most harsh. Haywood creates many memorable revenge fantasies involving castration and other grotesque remedies. In *The Female Spectator*, a magazine for women published during Haywood's supposedly reformed period (1744-46), a jilted woman avenges herself by convincing her faithless lover that she has served him poisoned wine. Barsina, a young woman of sense and discretion, is finally convinced by her libertine lover, Ziphranes, that he will be faithful to her. She agrees to marry him as soon as he asks her cousin for her hand in marriage. Ziphranes dithers and delays, and the arrival of a letter remarkably similar to Melladore's confirms Barsina's worst suspicions: "Since I had last the Honour of waiting on you, a Proposal of Marriage was made to me, which I found very much to my Convenience to accept; and I did so the rather, as I knew there was too little

[208] Mowry, "Eliza Haywood's Defense," 667.
[209] Saxton, "Telling Tales," 129.

Love on your Side to render it any Disappointment."[210] Barsina is at first devastated, but at last "all the Passion she now had for him was Revenge, and by what Method she should inflict a Punishment, in some Measure proportionable to his Crime, took up her whole Thoughts" (161). She decides to happen upon Ziphranes in the park and forgive him everything but his not taking leave of her. He is of course amazed, and agrees to breakfast with her the next day.

At breakfast they toast to the health and happiness of the bride. They drink, and as soon as the glasses are empty, Barsina exclaims, "I drank my happy Rival's Health sincerely, and may she enjoy long Life…if she can do so without Ziphranes" (164). She tells Ziphranes she has poisoned the wine and they will soon die together. He immediately runs to his home and summons every physician, surgeon, and apothecary in the area. Their purgation techniques nearly kill him, but he believes himself cured of poisoning. Meanwhile, he hears that Barsina is dead, and that her coffin was carried from her house. Ziphranes decides to recuperate in the country, and while standing outside one evening, he sees a woman who appears to be Barsina dressed in white leaning over the gate. Believing it is Barsina's ghost, Ziphranes faints and later goes mad.

Barsina of course had not poisoned the wine, had not died, and had instructed her household to carry out the coffin for show. Although the ghostly sighting was accidental (she did not know Ziphranes was in the village), "she resolv'd however not to give herself any farther Trouble concerning him, and having gratify'd the just

[210] Eliza Haywood, *Selections from the Female Spectator*, ed. Patricia Meyer Spacks (Oxford: Oxford University Press, 1999), 161. All subsequent references will be to this edition and will appear parenthetically in the text by page number.

Resentment she had against him, even more than she had expected to do, returned to Town, and appear'd with all her former Serenity and Good-humour" (171). Ziphranes recovered his sanity but at last is "disregarded by his Wife, ridiculed by his Acquaintance, and uneasy in himself" (172). The narrator of *The Female Spectator* approves Barsina's revenge and makes it a model for other jilted women:

> I heartily wish, however, that all Women who have been abandoned and betrayed by Men, either through a determin'd Baseness, or Caprice of Nature, would assume the spirit she did, and rather contrive some Means to render the ungrateful Lover the Object of Contempt, than themselves, by giving way to a fruitless Grief, which few will commiserate, and which greatly adds to the Triumph of the more happy Rival, if she can be call'd happy, whose Felicity consists in the Possession of a Heart that has once been False, and consequently can never be depended upon. (172)

This story is the culmination of a long line of revenge fantasies, but the message in all the stories is the same – don't weep, get even. Passive women get screwed in Haywood's fiction, and not in the good way. Active women—subjects -- who pursue love or revenge or happiness may not achieve their ends, but they don't become victims, either. In *The City Jilt*, Glicera and her "more happy Rival" Helena avenge Melladore's sins from opposite ends, and neither is ultimately a victim of his avarice.

Soon Melladore's wife torments him and eventually provides Glicera her opportunity. Helena is rumored to be illegitimate and a court case ensues to prove the matter. "Melladore relying on the Assurances made him by his Mother-in-law,

talk'd of nothing but the Damages he should recover of his Adversaries, and spent his Money freely in Treats and Fees for extraordinary Diligence, not doubting but that all would be returned to him with ample Interest" (102). Melladore makes a bad investment in the word of his mother-in-law and wife. Helena is proved illegitimate and the court fees and loss of fortune reduces Melladore to desperate circumstances. "Besides all this, the prodigious Charge he had been at, in carrying on the Law, had very much broke in upon his Stock, he was not only oblig'd to call in several Sums he had out at Interest, but was likewise compell'd to borrow" (103). He must mortgage some of his estate – a last ditch effort to raise money since he should not touch the estate but allow it to pass undefiled to his heir.

Helena proves a costly wife in other ways. She is informed by her lover by letter that "bad as you believe your Husband's Circumstances, I can assure you they are infinitely worse than you imagine; his ready Money is not only gone, but he is about to mortgage those Acres which were design'd your Jointure" (103-104). The scene foreshadows the fate of Frances Sheridan's Sidney Bidulph, whose husband must mortgage her jointure in order to pay the debts he incurred while having an affair with another woman, and it highlights the inadequate protection of women's economic resources. The social contract was invented for the protection of property, but women's exclusion from the social contract means their property is in jeopardy. Through his actions Helena can deduce that Melladore blames her for his loss of means and essentially has cut her off. She has no income to rely on in the event of his death – he is forsaking his marital duty by not protecting her assets. She, in turn, ruins his. "[Helena] took up, on the Credit of her Husband, not only all manner of

Apparel, Jewels, Plate, rich Furniture, but also several large sums of Money; Melladore retaining yet the Reputation of being able to discharge much greater Debts" (106). Helena can take advantage of her status as a *feme covert*. She is part and parcel of her husband and cannot be a separate entity. Since a husband was responsible for his wife in all things, she can charge these enormous amounts of money to his name and he will have to pay.[211]

Not only is Helena illegitimate – defiling his family line – and a spendthrift – ruining his credit – she is an adulteress. When Melladore learns of her lover and his intentions to steal away with Helena on a ship, he

> for the sake of his own Character, did … disappoint her Lover's Hopes by locking her into a Garret, of which, suffering none but himself to keep the Key, nor to go in to carry her Food to sustain Life; he took from her all possibility of escaping, till he heard the Ship mention'd in the Letter had put out to Sea, and in it the Man so charming to Helena's Eyes. Then did he with an Air wholly compos'd of Scorn set open the Doors, and tell her she was free to go to her dear Villagnan if she could find the way to him; tho' he had taken care she should carry no more out of his House than she brought into it, having secur'd what Jewels and Plate he had presented her with before and since she was his Wife, leaving at her disposal only a few Cloathes, and not the best even of those.
>
> But in this Kingdom how great is the Privilege of Wives! (105)

[211] Susan Staves, *Married Women's Separate Property in England, 1660-1833*. (Cambridge, MA: Harvard University Press, 1990), 170.

The narrator's ironic statement highlights the disparity of financial and marital experience for men and women. She can seek revenge by ruining his credit; he can seek revenge by locking her in a garret. One is a public act, the other a private, invisible, yet legally sanctioned, action. Although Helena is a reprehensible character, she does demonstrate the relative powerlessness of a wife. As a *feme covert*, she cannot own property separately from her husband – he may grant her pin money for her use, and she is entitled to a dower or jointure for her widowhood – but as the wife of a living husband she cannot be a separate entity.[212] Her shopping spree and her adultery are the only forms of autonomy available to her, and the shopping spree is only possible because she is seen as an extension of her husband and his money.

Only Glicera, in her unmarried, independent state, can hold separate property and exact complete revenge on Melladore. "Glicera's state between father and fiancé and then in the world of the unmarriageable, always between exploited and exploiting, is one of process and liminality that underscores relativity…[she has] the power to retaliate."[213] Helena is a victim of the sexual contract; Glicera is a participant in the social contract. Defoe reminds us that "all Government, and consequently our whole Constitution, was originally designed, and is maintained for the Support of the People's Property, who are the Governed."[214] Helena is excluded from the right to own property, but Glicera's status as feme sole enables her to own property and enter economic contracts. Her determination never to marry ensures

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[212] Staves, *Married Women's Seperate Property*, 131-161.
[213] Paula R. Backscheider, "The Novel's Gendered Space," *Revising Women: Eighteenth-Century "Women's Fiction" and Social Engagement* (Baltimore: Johns Hopkins University Press, 2000), 25.
[214] Daniel Defoe, *The Original Power of the Collective Body of the People of England , Examined and Asserted* (London, 1701), 2.

her continued power as an individual, and her vengeance on Melladore propels her into a male world of contract negotiation and high-stakes finance. Her negotiation of economic contracts leads her to the possession of considerable property; as an owner of real property, she becomes a part of the social contract. Glicera moves from a liminal state – between subject and object – into a powerful position as subject.

The financial revenge begun by Helena will be ended by Glicera. The lawsuit and Melladore's and his wife's extravagant lifestyle

> reduc'd him to mortgage the last Stake he now had left him; and so closely did avenging Fate pursue him, that as if it was not a sufficient Punishment for the Crime he had been guilty of, in breach of Vows, that he had met with those very Misfortunes in the Woman he made choice of, which to avoid, he had made himself that Criminal; he must also have the Person he had wrong'd, the Arbitress of his Destiny, and become wholly in the power of one from whom he neither could, nor ought to hope for Mercy. (107)

When Glicera learns of the mortgage that Grubgard now holds, she contrives a plot with Laphelia to obtain it. Laphelia tells Grubgard that in order to obtain the last favor with Glicera, he must let her win at cards that night. "No Man ever gain'd his will on a fine Lady till he had first lost a good Sum to her at Cards; -- nothing discovers the Passion of a Lover so much as parting freely with his Money, and there is no other way of doing it handsomely" (100). While a typical story detailing a rake's fall began with playing cards, the pastime was no longer overlooked when women participated. In a famous "masturbatory" scene, Moll Flanders stands in for

a gentleman at cards and hordes her guineas in her lap, demonstrating as Ingrassia points out, that financial satisfaction could replace sexual satisfaction for women.[215]

Laphelia's discussion of love with the alderman incorporates the terms of financial discourse – "immediate possession," "small Stock of Breath," "purchase," "Terms," "account," "pawn my Life," "Expence," "Bargain," "Figure," "deficient," "yielding," "Recompense" – reinforcing the monetary relationship and the economic revenge that Glicera plans, and anticipating Jane Austen's subtle (and not so subtle) deployment of economic terms and their equation with love and marriage. Laphelia tells the alderman, "I wonder how you could forget yourself and her so far, as to be guilty of such a Thought: -- you talk as if you were in Change Alley, where they chaffer one Transfer for another" (111-112). Through card-playing for real stakes, a gentleman's pastime, Glicera achieves her goal of humiliating Grubgard and gaining control over Melladore. "Cards were already seen as a dangerous, corrupting, even addictive pastime for women…the bodies of Glicera and the alderman are the real stakes in their game."[216] Glicera wagers her body to Melladore's creditor in order to regain her own credit.

While contemplating her possession of Melladore's estate, Glicera's thoughts are full of terms indicating sexual excitement: "Now to be assur'd that he was also ruin'd in his own Fortune, inevitably undone, fill'd her with a Satisfaction so exquisite, that for a moment she thought it impossible it could be exceeded; but soon it gave way to an impatient Desire, which gave her an adequate Share of Disquiet" (107-108). Her reaction to his ruin is orgasmic, but that pleasure is short-lived. She

[215] Defoe, *Moll Flanders*, 334-335.
[216] Backscheider, "The Novel's Gendered Space," 27.

wants to find a way to repeat the pleasure, complete it, by obtaining Melladore's estate. Her only possible possession of him is possession of his finances, a mirroring of Melladore's mercenary views on marriage in his letter to her.

Laphelia thinks his ruin should be enough, but Glicera explains why she wants it all:

> That Fortune ought to have been mine, had Melladore been just, -- nor do I think it sufficient that he has lost it, without I also have gain'd it. How often has he sworn, that were he master of ten thousand Worlds, they were all mine: -- With what a seeming Zeal and Sanctity, has he invok'd each Saint in Heaven a Witness of his Vows to me! -- O never, never can the Breach of them be pardon'd, nor never shall I think of Wrongs repair'd, till I am in possession of my Right; -- I mean the Estate of Melladore, for his Person, were he in a Condition, is now become unworthy of my Acceptance. (108)

Glicera uses present tense to discuss his vows to her; she recognizes Melladore's estate as her right and his vows as still viable. He is unworthy of her but she can have his money. Satiated with his body, she desires his wealth, and she achieves it through a high stakes game of cards with a man who believes she desires him. Backscheider argues that Haywood's characters are "above all else, economic units…They and whatever they have seem always on the verge of being real or cultural capital available to men…Haywood's texts show a growing insistence that women must do everything possible to secure their own property and never surrender

control of it."[217] Glicera is becoming a good capitalist, and a manager of her own property and what she deems her property. Mowry argues that "Glicera's aim is to vanquish, rather than merely expose Melladore, thereby reclaiming the urban public sphere for the body politic."[218] While Glicera certainly wants to vanquish Melladore, she is motivated by the desire of revenge for the private wrong done to her. It is his betrayal of her that she cannot forgive.

The alderman lets her win the game, thinking he will win in another way later that night, but Glicera makes certain the mortgage is completely hers first: "I know not if I have been playing for nothing, I understand so little of Law, that I cannot be certain whether I demand the Penalty mentioned in this Bond, without a farther power from you than the bare possession of it" (114). Grubgard explains that before she can "act as Mortgagee, there must be a Label annexed to the Writing, testifying that these Deeds are assign'd to you for a valuable Consideration receiv'd by me" (114). Knowing that she will no longer have the alderman in her power after she denies him her sexual favors, Glicera sends for a lawyer who lives on her street to "consummate" the deal for she says, "I love not a Shadow without a Substance" (114). It is telling that Glicera lives in the same street as a lawyer; Backscheider states, "If Defoe's characters are always looking for bankers, Haywood's seek lawyers."[219]

Not only is Glicera in possession of Melladore's estate, but she feels the power of ownership gives her the power of judgment. "What was new [about early

[217] Backscheider, "The Story," 39.
[218] Mowry, "Eliza Haywood's Defense," 650.
[219] Backscheider, "The Story," 24.

eighteenth-century prose fiction] was the readers' expectation that they would experience competing viewpoints, be able to debate aspects of them, and experience the text as refracted through a prism complicating but leading to judgment rather than seen through a magnifying glass focusing a beam of light on an ideological conclusion."[220] A woman can judge men's financial and sexual affairs, and the reader can side with her. She who has experienced the worst of men can be the judge of men. Once the mortgage is completely hers, and she no longer needs alderman Grubgard for his money, she berates him:

> You are Betrayers all; -- vile Hypocrites! who feign a Tenderness only to undo us…If I encourag'd thy Addresses, or accepted thy Gifts, 'twas but to punish thy impudent Presumption. – I rais'd thy hopes to make thy Fall from them at once more shocking, and receiv'd thy Presents by way of payment, for the pains I have taken to reform thee, which sure, if not incorrigible, this Treatment will.—Go home, therefore, and resolve if possible to be honest, and I will then esteem and thank thee for the Benefits thou hast conferr'd upon me; but till then, I look on them only as so many Baits to Shame, and given only to betray my Virtue. (115)

Just as Melladore enjoyed Glicera sexually then accused her of being unjust in expecting marriage, Glicera enjoys the alderman financially then accuses him and all men in being unjust in expecting sexual gratification in return for gifts. Backscheider states that Haywood's narrators "watch men, study their mores, and report on what

[220] Backscheider, "The Novel's Gendered Space," 3.

seems to be a secret fraternity that condones forms of force and fraud."[221] Glicera and Laphelia have certainly watched men at their worst and Glicera feels justified in exposing both the alderman and Melladore in their greed and perfidy.

In Glicera's judgment of the alderman (and of all men), Mowry argues that Haywood "neatly transforms the figure of the City daughter from a force of moral degradation to a force of moral salvation, as she now stands for principle over pleasure, fidelity over fickleness, social welfare over personal self-interest."[222] Her interest in social welfare is arguable but Glicera certainly has learned the merits of principle and fidelity and she uses the male assumption of those traits in women to her advantage. Glicera knows the horror of financial and sexual ruin. Her fortune could not be achieved by marriage and professional options are limited to prostitution. "Having realized that her value is that of a commodity, Glicera does not fade away in shock, but rallies to manage her exchange of that value on the common market for her best interest, becoming the sole proprietor and vendor of that which was previously managed by men."[223] She turns her unfortunate situation into a money-making revenge, and achieves both respectability and financial independence. Saxton states, "Glicera refuses either to be ashamed or to accept the exile that should attend her 'ruin.' Instead she grants herself social mobility, freedom, profit, and, surprisingly, public sanction for her life."[224] In turn, it is Melladore who is ruined. "He was obliged to live conceal'd in an obscure part of the Town to avoid being prosecuted for Debt; -- he was in want of almost every Necessity of Life,--and

[221] Backscheider, "The Story," 27.
[222] Mowry, "Eliza Haywood's Defense," 668.
[223] Saxton, "Telling Tales," 131.
[224] Saxton, "Telling Tales," 131.

what was more terrible than all besides, Remorse and late Repentance lash'd his tormented Soul with ever-during Stings" (116). A man who is ruined financially is in the same situation as a woman ruined sexually.

> Sexual ruin morphs into economic as Melladore becomes the 'undone' victim of the 'impatient' and desiring 'Mistress'; his reputation and financial stability become the body to be taken, and she becomes the plotting seducer whose pleasure will only peak at utter, not partial, 'ruin.' Haywood crafts a sort of inverse seduction narrative here, replacing heterosexual erotics with an erotics of economic control.[225]

Melladore writes to Glicera in terms which call to mind her desperate letter to him once she realized she was pregnant: "The Pawn that you have in your hands, and which gives you the power over the last Stake of my ship-wreck'd Fortune, sufficiently informs you to what a wretched State I am reduc'd" (117). It is Melladore who is now the pawn.

Glicera's appetitie for revenge is satiated when Melladore is reduced to such an appeal.

> But tho' her Hatred ceas'd, she persever'd in her Resolution, never to forgive the Treatment she had received from him any otherwise than Christian Charity oblig'd her to do; some of her weak Sex would have again received the Traitor into Favour, and relapsing into the former Fondness by which they had been undone, have though his Penitence

[225] Saxton, "Telling Tales," 131.

> a sufficient Atonement for the Ruin he had caused; but Glicera was not of this Humour. (118)

Backscheider points out that "fiction asked those in that ruling position to accept telling or authoritative judgments about them and their ways of governing the family and society from those 'below' them, those they had legislated to be silent."[226] Both the alderman and Melladore have to accept Glicera's judgment of them and her revenge upon them. She does however release a small portion of the land to allow him to raise money to join the army and he is quickly sent abroad and as quickly killed in action. "Glicera being in a State of happy Indifference, heard the News of his Death without any Emotions either of Joy or Grief" (118). As a lover and an object of revenge, he is easily forgotten after she has reached her goal of revenge and controls his estate. "And having now a sufficient Competency to maintain her for her Life, gave over all Designs on the Men, publickly avowing her Aversion to that Sex; and admitting no Visits from any of them, but such as she was very certain had no Inclinations to make an amourous Declaration to her, either on honourable or dishonourable Terms" (118). Glicera feels no desire for marriage; she is a subject who owns property and has no need for an institution which will reduce her to an object.

Describing Melladore's actions after he seduced and abandoned Glicera, Ingrassia states that "his changed emotions and his refusal to marry Glicera illustrate the motivation of the seducer and resemble the psychology of the investor in stocks…Both are sustained by hope and the arousal and then perpetual (and

[226] Backscheider, "The Novel's Gendered Space," 10.

indefinite) deferral of desire. Once sated, desire no longer exists."[227] This is also true of Glicera. Once her financial revenge is sated, heterosexual desire no longer exists.

> Commodities can only enter into relationships under the watchful eyes of their "guardians." It is out of the question for them to go to "market" on their own, enjoy their own worth among themselves, speak to each other, desire each other, free from the control of seller-buyer-consumer subjects. And the interests of businessmen require that commodities relate to each other as rivals.[228]

Glicera is not a commodity, she is removed from the economy of sexual exchange as an object, but she is a commodifier, a subject in the economy of sexual exchange. She enjoys her own worth (and Melladore's), and she and Laphelia are not rivals, but instead are potentially subjects who desire each other. Glicera is "free from the control of seller-buyer-consumer subjects" because she is a seller-buyer-consumer subject. Glicera and Laphelia live in Melladore's house and enjoy his money, the house and money that Glicera feels should have always been hers.

In these final scenes, Haywood offers a glimpse of a female utopia, a home, money and independence which do not rely on the faithfulness of a man. "She revises or extends the notion of a 'happy' resolution to include a woman's ability to exact a specifically economic revenge, to establish a relationship with another woman that could be called a romantic friendship, or to retire from society altogether."[229] Later, in *The British Recluse*, Haywood will end the story with two

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[227] Ingrassia, *Authorship, Commerce, and Gender*, 90.
[228] Irigaray, *This Sex Which is Not One*, 196.
[229] Ingrassia., *Authorship, Commerce, and Gender*, 85.

women living together, determined to find peace and happiness in each other rather than in a heterosexual relationship, exacting an economic revenge of sorts by withholding their dowries from circulation. In this text, however, the reader is informed that Laphelia has long been contracted to a gentleman, a mysterious man who shows up and claims his fiancée. Laphelia dutifully "exchang[es] the Pleasures of a Single Life, for the more careful ones of a married State" (119). Even with Glicera's example before her, Laphelia must marry and honor a contract of long standing. Unlike the men in this text, women uphold and honor contracts. Glicera loads Laphelia with presents on her leaving, contributing to her dowry and participating in an exchange normally limited to the father and fiancé. She then leads a happy single life and becomes a benefactor of others.

"In the cultural contradictions that women's stories reveal, language sometimes fails but the author creates a gap that forces judgment even as it resists interpretation."[230] The gap that Haywood creates allows the reader to question the happiness of Glicera's ending. While she achieves her revenge against Melladore and is financially independent, she becomes so by playing the male game of exchange. Though she does not marry and she does not sell sexual favors, Glicera does sell her femininity to the highest bidder, Grubgard. Saxton argues:

> *The City Jilt* defines heterosexual passion as dangerous for women, not because it is unhealthy or unnatural, but because it necessitates surrender to the fickle will of a sex and a society that Haywood defines as arbitrary and potentially deadly. The novel suggests that only by

[230] Backscheider, "The Novel's Gendered Space," 17.

> creating a simulacrum of desire, in which the woman is in total control, can women have a fighting chance in heterosexual romance. That this fighting chance necessitates the adoption of disguise rather than honesty is troubling, as is the fact that Glicera remains defined by stereotypically feminine imagery and roles. However, Glicera secures concrete gains in Haywood's text: she does not feel guilty; she is not killed or ruined despite her 'fallen' status; and she is economically and verbally empowered, having taken charge of her own life.[231]

Haywood raises an important question for her female readers: What is the price of independence? After all, Glicera does nothing that a woman who is seeking marriage may not. Glicera's literary descendent, Betsy Thoughtless, plays cards with men, and teases them mercilessly, then denies them the last favor: marriage. Betsy abhors the adoption of the disguise of the overly modest girl who only admits potential marriage partners into her parlor. Furthermore, many of Haywood's heroines remain "defined by stereotypically feminine imagery and roles" – Betsy's suitors are confused by her forthright behavior and cannot reconcile it with their image of her as stereotypically feminine; when the images jar completely, her suitors shift her image from coy maiden to outright whore. Jane Austen's Elizabeth Bennet, an heiress of Haywood, is completely baffling to Mr. Collins who chalks up her refusal of his marriage proposals as the vagaries of elegant young females. The

[231] Saxton, "Telling Tales," 135.

assumption of feminine imagery and roles seems a given in a Haywood novel, however, because she always sees the world as it is.[232]

Haywood presents a twist on what April London calls the "characteristic fates of eighteenth-century heroines – marriage or death" which, in a typical novel, "render them women without property" and "they are finally made subject to the terms of a discourse that returns the exclusive authority to confer meaning to male characters."[233] However, it is Glicera on whom exclusive authority is conferred, and it is Melladore who suffers the double fate of marriage and death. Discursively, Glicera assumes the male role and fulfills that function within the plot by playing the male games of cards, seduction, and economic speculation. For Glicera to win the game, she must know how to play it, and unfortunately, the game involves an assumption of disguise. Glicera is so good at disguise because she was taught by Melladore, the king of disguised emotion and intention. Glicera can become a good capitalist and manager of estate, fortune, and men because she learns the disguises men use in their management of women and property (often synonymous).

Haywood ends her novel by informing the reader that

> Few Persons continue to live in greater Reputation, or more endeavour by good Actions to obliterate the memory of their past Mismanagement, than does this Fair Jilt; whose Artifices cannot but admit of some Excuse, when one considers the Necessities she was

[232] Clifford Siskin, in a discussion of Delarivier Manley, argues that her novels are "less conduct books than users' guides to that new technology [writing]." Haywood's novels seem users' guides to all new technologies, economic and sexual. Clifford Siskin, *The Work of Writing: Literature and Social Change in Britain 1700-1830* (Baltimore, Johns Hopkins University Press, 1998), 178.
[233] April London, *Women and Property in the Eighteenth-Century English Novel* (Cambridge: Cambridge University Press, 1999), 2.

> under, and the Provocations she received from that ungrateful Sex. (119)

Her artifices must be excused – they are learned from men, the "ungrateful Sex" who mastered disguise and unwary women. Here as in all her novels, Haywood attempts to educate her reader – beware what men *say*, they know the disguises we enjoy. But in this novel, as in other disguise/revenge fantasies like *Fantomina* and *The Invisible Spy*, Haywood demonstrates how men may be manipulated, how the capitalist system works, how to allow the nature of being an object of exchange work in your favor.

> The detail with which Haywood discusses mortgages, investments, and various types of capital elevates the text above a figurative discussion of those activities. She provides specific advice that can be used in actual personal interactions. The text represents a series of hierarchical relationships that are disrupted by a woman's ability and desire to control her own finances, a woman who understands the function of credit.[234]

The system itself is not changed, but Glicera is. She recoups her credit, learns the sexual thrills of controlling others financially, and is able to manage herself, her property, and even other women (Laphelia). She is a subject, which in this economy is usually defined as male, and that is what leaves the reader uneasy. Haywood completely inverts the paradigm, leaving her readers to wonder what would happen if a woman were to act like a man, and, if she does so, does it do her any credit.

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[234] Ingrassia, *Authorship, Commerce, and Gender*, 95.

In *The Invisible Spy* (1755), Haywood continues the line of enquiry she developed in *The City Jilt*, but in this text, the protagonist stubbornly refuses to reveal his/her sex. The opening line of *The Invisible Spy* reveals both Haywood's ambiguity about authorial notoriety and her conviction that print is a source of vast power. "I have observed," the narrator begins, "that when a new book begins to make a noise in the world, every one is desirous of becoming acquainted with the author" (1). The novel opens with the assumption that this book, a revelation of scandal and of innocence, will make a noise in the world. It continues with the assertion that the "author" will not be known.

> I expect to hear a hundred different names ascribed to the Invisible, -- some of which I should, perhaps, be proud of, others as much ashamed to own. Some will doubtless take me for a philosopher, -- others for a fool; -- with some I shall pass for a man of pleasure, -- with others for a stoic; -- some will look upon me as a courtier, -- others as a patriot; but whether I am any one of these, or whether I am even a man or a woman, they will find it, after all their conjectures, as difficult to discover as the longitude. (1-2)

The narrator lists the available subject positions of authorship and ascribes to none. Haywood is ahead of her time here, promoting the transparency of print and the death of the author. "Concomitant with the breakdown of the story of the history of the English novel, we are seeing the disintegration of the 'author function'

we have called 'Eliza Haywood.'"[235] It does not matter who the Invisible Spy is, only that the spy writes and makes that writing available to the public. Backscheider argues that Haywood "has come to stand for the nexus and the point of tension between a number of things – the transgressive, outspoken woman and the moral, admonishing woman writer, between amatory fiction and the new novel."[236] This is clear in *The Invisible Spy*, a hybrid of fiction and journalism, and a mixture of current events and invented scandal. The Spy certainly occupies the discursive subject position man, but we don't know if the Spy's actual sex is male or female. The confusion of sex allows Haywood to bypass the uneasiness Glicera's male actions cause in the reader so that she can focus on the ways that women and men can use print as an agent of revenge.

Having demonstrated her ability to illustrate how the new credit economy could be used for purposes of personal revenge, Haywood turns to the new print culture. Newspapers and their dissemination in coffee houses provide an ample opportunity for the making or breaking of a reputation. Catherine Ingrassia's before-mentioned comparison of a stockjobber and a marriageable young woman depending on the credit of their reputations for their fortunes is also applicable here. In the marriage market, reputation equals truth, and print proves reputation. Many novels of the period use dropped letters, lost wills, journals and other forms of print as plot devices. Anna Howe prints Clarissa's letters to prove her innocence, and a

[235] Paula R. Backscheider, *Selected Fiction and Drama of Eliza Haywood*, (Oxford: Oxford University Press, 1999), 85-86.
[236] Paula R. Backscheider, "The Shadow of an Author: Eliza Haywood," *Eighteenth-Century Fiction* 11.1 (1998): 80.

hidden marriage contract brings about resolution in Mary Davys' *The Reform'd Coquet*.

Haywood uses the ubiquity of print and her experience in journalism to demonstrate the uses of and dangers posed by newspapers and other forms of print. The Spy becomes a journalist and a novelist, exposing the secret lives of men and women. One young woman's reputation is saved by the Spy's publication of her story; another woman's reputation is ruined when the Spy reveals a secret infidelity. The story of Alinda, who is tricked by her tutor into signing over her property to him, demonstrates how a woman's reputation can be saved by the publication of her story. Elizabeth Canning, whose reputation was much debated in real-life media, becomes a character in the novel whose story the Spy declares is a sensation designed to divert the public attention from real issues like the Marriage Act.[237] Another story involves a woman who taunts her husband over the fact that he cannot prove her infidelity; the Spy publishes the proof and reveals the secret affair. *The Invisible Spy* demonstrates how a woman can take advantage of the public's belief in the truth of the printed word to either salvage her own reputation or to ruin another's.

Haywood draws on her experiences as an anti-Walpole writer to develop a sophisticated understanding of the power of the print culture.[238] As "part of the generation of writers who saw the powerful nexus of position and wealth and understood that people who believe they are above the law transgress the ethics of

[237] Similarily, the recent reemergence of the JonBenet Ramsey case has distracted the American public from issues of war in a mid-term election year.

[238] Bertrand A. Gloldgar, *Walpole and the Wits: The Relation of Politics to Literature, 1722-1742* (Lincoln: University of Nebraska Press, 1976); Jerry Beasley, *Novels of the 1740s* (Athens, GA: University of Georgia Press, 1982); Earla Wilputte, introduction, *Adventures of Eovaai*, ed. Earla Wilputte (Peterborough, Ontario: Broadview, 1999).

sexual behavior as freely as they do those of civic virtue, Haywood relentlessly and creatively hammered away at the dangers and abuses of power."[239] In 1749 Haywood was arrested for seditious libel. She was in possession of pamphlets deemed seditious by the government, but she denied any knowledge of them. "She claims 'that seven hundred and fifty of the said pamphlets were left at her Lodgings' about two months earlier and that she 'distributed them, by her servant, to the Pamphlet shops, but does not know who is the Author or printer thereof.' She denies responsibility for authorship or production of these texts, and she observes that this sort of thing happens to her often."[240] Pamphlets appear mysteriously in her lodgings on a regular basis it seems.

In an effort to avoid such arrests, pamphlets were often written and printed anonymously, and they were distributed by people who either did not know the author and printer or who were willing to turn a blind eye to their identities. **"**Political ballad-printing and distributing were hopelessly dangerous occupations, and the many women involved in distributing these materials endured a seemingly endless cycle of quick sales, quick arrests, and repeated periods of detention."[241] In fact, Haywood claimed literal blindness as the reason she did not know from whence these pamphlets came. "While certainly numerous medical reasons exist to explain temporary blindness, Haywood lived in a professional world where intentional

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[239] Backscheider, introduction, *Selected Fiction and Drama of Eliza Haywood*, ed. Paula R. Backscheider (Oxford: Oxford University Press, 1999), 94.
[240] Catherine Ingrassia, "Additional Information about Eliza Haywood's 1749 Arrest for Seditious Libel," *Notes and Queries* 44 (June 1997): 202.
[241] Paula McDowell, *The Women of Grub Street: Press, Politics, and Gender in the London Literary Marketplace 1678-1730* (Oxford: Clarendon Press, 1998), 61.

'blindness' to surrounding activities could be a great asset."[242] This professional, and perhaps literal, blindness becomes a metaphorical blindness in *The Invisible Spy*. Since no one can see the Spy and he/she publishes anonymously, the Spy can publish the truth of any matter without fear of retribution. The Spy takes advantage of everyone's blindness to his/her presence to collect the truth about various situations, including the real-life example of the Elizabeth Canning trial.

The Elizabeth Canning case provides a fascinating example of the public's trying of a case through the media, and Haywood takes advantage of the publicity surrounding that event to demonstrate the print culture as an agent of revenge. In January 1753, Elizabeth Canning disappeared while en route from the house where she was employed as a servant and a relative's house. Twenty-eight days later, Canning appeared, obviously distressed, at her mother's house and explained that she had been abducted by a gypsy and held captive at the house of Mother Wells, known procuress of prostitutes. Wells had tried to turn Canning into a prostitute as well, and supposedly punished her noncompliance by locking her up and feeding her only bread and water. The case came before Henry Fielding, magistrate for Westminster. Canning identified Mary Squires as the gypsy who had captured her, and Wells and Squires were convicted. The evidence was shaky, and the pair was also tried before the Lord Mayor, Sir Crisp Gascoyne. Squires had an alibi which proved true. Fielding feared the case would inspire "a kind of Court of Appeal from this Justice in the Bookseller's Shop" which did happen.[243]

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[242] Ingrassia, "Additional Information," 203.
[243] Backscheider, *Selected Fiction,* xli-xlii.

The generation of pamphlets and print on the Canning case is a prime example of what William Warner calls a "media event." Although occasioned by a trial, and not by an exclusively media production, the Canning media event becomes a self-feeding monster, consuming the minds of anyone with an opinion and an outlet of expressing it.

> The atavistic interest in the media event, as demonstrated by purchases and enthusiastic critical response, feeds upon itself, producing a sense that this media event has become an ambient, pervasive phenomenon which properly compels the attention and opinions of those with a modicum of 'curiosity.' Finally this media event triggers repetitions and simulations, and becomes the focus of critical commentary and interpretation.[244]

Warner argues that Richardson's *Pamela* sparked the first media event and opened the door for all others. *Pamela*, a "new species of writing," is marketed not as a novel but as an instructive entertainment. Not every reader felt that was true, however, and the immense popularity of the text as a novel ran contrary to Richardson's intentions and expectations. When Fielding and Haywood published their anti-Pamela responses, the controversy increased between those who summarized *Pamela* from the pulpit, and those who read novels of amorous intrigue between the lines of Pamela's model letters. Warner sees Richardson's futile efforts to control his text as illustration of the fact that

[244] William B. Warner, *Licensing Entertainment: The Elevation of Novel Reading in Britain, 1684-1750* (Berkeley,CA: University of California Press, 1998), 178.

> there is no way to limit the plural and unexpected reserves of the media-culture system for producing and disseminating meaning. It is precisely because it is set in motion by someone who strives so hard to get his message to its proper destination that the *Pamela* media event is an especially rich matrix for reading the perversely plural effects of communication.[245]

Although he desperately tries to affix one meaning to Pamela's story, Richardson cannot control the imagination of a population and his attempts to stifle unauthorized sequels and readings are useless. While print culture transforms the reading body into informed public opinion, it also unleashes a platform for speculative media. "In 1700 England was a nation no less subject to hyperbolic rumors than it had been in the past, but it was by then a society which had created the spaces and established the constituent parts for the emergence of what would later come to be known as 'public opinion.'"[246]

In an extended narrative in *The Invisible Spy*, the Spy moves from coffee house to coffee house, growing more and more disgusted as he[247] hears of nothing but Elizabeth Canning. One man, defending Canning's honor, argues with another who is convinced of her guilt:

> Sir, I am grieved, greatly grieved in spirit to find you so ignorant of the force of virtue; I tell you, sir, that the courage and resolution of this

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[245] Warner, *Licensing Entertainment,* 198.
[246] Adam Fox, *Oral and Literate Culture in England, 1500-1700* (Oxford: Clarendon Press, 2000), 50.
[247] For sake of clarity, I will have to use a pronoun and based on the subject position the Spy inhabits throughout the text, the male pronoun is the most appropriate.

> virgin struck such an awe into the minds of those profligate wretches she was placed among, that they had not the power of putting their wicked designs in execution; Heaven, indeed, for a trial of her patience, permitted them to distress her helpless innocence, but not to destroy it.[248]

The Spy's description of the way that everyone in the coffee house listened to this debate brings to mind Warner's media event.

> During the debate I have been repeating, every one in the room kept a profound silence; but afterwards the conversation became general, several other subjects were started by particular persons, but they were not listened to, the majority seem'd to have their heads so full of Betty Canning, that they could scarce think or speak anything beside. 'Tis true, indeed, they did not all give credit to her story, yet the positiveness with which they heard it affirm'd, made the least credulous divided in their thoughts, and afraid to pass a judgment on the one or the other side of the question. The reader will doubtless suppose that is was impossible for me to live in the world, and have any acquaintance in it, without having heard, long before I came to this place, much talk of Elizabeth Canning, her pitiful distress, her miraculous preservation and escape, and all the other prodigies of that amazing story. (246)

[248] Eliza Haywood, *The Invisible Spy* (London, 1767), 245. All subsequent references to *The Invisible Spy* will be to this edition and will appear parenthetically in the text by page number. While ostensibly a discussion of Canning's potential innocence, it is also a jab at *Clarissa* from the author of *Anti-Pamela*.

The Spy knows of the case but is above such trivial speculation.

> I was not much surprised that people who can find very little to employ their thoughts should be fond of a tale which had so much of the marvelous in it. But when I heard grave citizens, men of business, of a sedate deportment and good understanding in other things, argue with serious countenances on such a heap of wild absurdities, I cannot say whether my astonishment or indignation had most dominion over my faculties; but this I know, that both together destroy'd all the little stock of patience I am master of, and would not suffer me to stay any longer to listen to those insignificant debates which I found were likely to continue among this company. (246-247)

Because of newspapers in coffee-houses, the combination of coffee-houses and print seems to determine public opinion: "Here was indeed a vast deal of company, clerks in public offices, lawyers, physicians, tradesmen, and some few divines, composed the promiscuous assembly; but all were engaged on the same dirty draggle-tail subject, as one of news-writers justly terms it; the names of Betty Canning, the Gipsey, and mother Wells, resounded from each quarter of the crowded room" (247). Each tells his version of Canning's story, debating her credibility and her chastity.

The Spy continues from coffee-house to coffee-house, expounding on the uses of print. The Spy could care less about Canning – he shows more interest in less public characters – but he is aware of how such a case diverts attention from other issues, including women's issues. During the debate over the Marriage Act and

other important social and legal reforms, the public can only discuss the Canning case. Several important and powerful men discuss ways of keeping the Canning case alive in the general imagination in a wag-the-dog attempt to throw off interest in real political issues: "All engines must be set to work, or the town will grow cool on this business, and begin to renew their clamour against the Jew bill, etc. The spirit of the people will have vent on something or other, and you know it behoves us to keep them silent on those scores; nothing ever did it more effectually than this we are upon; but it must be kept up for a time" (252). The Spy is revolted by such behavior, but he blames the public, not the policy makers. "I could not help, indeed, retaining some concern that the people of England should be so infatuated as to suffer their thoughts to be led astray and alienated from affairs of the greatest consequence by such an idle story" (262). Although coffee houses and newspapers allowed the public to participate in political dialogue, they also allow for idle stories which distract the public from real issues.

Although the Canning case is only one section of the two-volume *The Invisible Spy*, its inclusion, with names unchanged, in the novel reinforces Haywood's critique and discussion of print culture. Visualizing the journalist as an invisible agent, able to record conversations of anyone from the lowliest household servant to the highest public servant, Haywood elevates the power of print and evokes a modern view of investigative reporting. "She shows us some contemporary uses of print but also dramatizes the ways unscrupulous people can abuse its power. The [novel] is an illuminating picture of the way the print world works and provides one of the period's most vivid and delightful snapshots of newspapers and their coffeehouse

readers."[249] *The Invisible Spy* demonstrates the power of print and its uses as an agent of revenge. Creating a spy/journalist who, as a woman adopting a male position of power, can right the wronged and expose the guilty through the exposure of print, Haywood continues her exploration of her society's sources of power from city economics to the new print culture and proves either can be used by women for their own pleasure and revenge

The Spy procures his extraordinary abilities through a gift from a mage. The mage knows he is dying and allows the Spy to pick a present. Although the mage possessed items that could sway the leaders of political parties or spark worldwide chaos, the Spy insures us that he is not interested in war or terrorism or politics and refuses to use his power to those ends. "The Spy has power rather than authority…The distinction Haywood makes between power and authority, however, points to a route left open for those on the margins of discourse: women may be excluded from the institutions of authority, but they do exercise forms of power."[250] He does choose a belt of Invisibility that makes him invisible to all human eyes, and a tablet which records every word that is spoken.[251] Instead of a woman who, as John Berger says, watches herself being watched, The Spy is a woman who watches without being watched, occupying and taking pleasure in the male ocular position.

These miraculous gifts require prodigious upkeep. To wipe the tablet clean of its impression, a virgin "of so pure an innocence as not to have thought on the

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[249] Backscheider, *Selected Fiction,* xliii.
[250] Juliet Merritt, *Beyond Spectacle: Eliza Haywood's Female Spectators* (Toronto: University of Toronto Press, 2004), 109.
[251] J.K. Rowling uses a similar device in her Harry Potter series; one journalist carries a "Quick Quotes Quill" which interprets interviewee's words into sensational sound bites.

difference between the sexes"[252] must breathe on it and then it can be brushed with the down of a swan. These requirements force the narrator to engage in the traffic in women.

> I prevailed, for a small sum of money, with a very poor widow, who had several children, to let me have a girl of about three years old, to bring up and educate as I judged proper; -- I then committed my little purchase to the care of an elderly woman…The little creature was kept in an upper room, which had no window in it but a sky-light in the roof of the house, so could be witness of nothing that passed below, -- her diet was very thin and sparing; --she was not permitted to sleep above half the time generally allowed for repose, and saw no living being but the old woman who lay with her, gave her food, and did all that was necessary about her. (9)

This is an unsavory scene and predates Rousseau's *Emile*. The Spy buys a child and keeps her like an animal in a zoo so that he may reuse his miraculous tablets. If the Spy is a man, this is an old story of the phallic power of the pen at the price of a woman, but if the Spy is a woman, that becomes a different story. A female Spy is participating in the traffic in women, buying a child and enslaving her in a room with no hope of escape or a different life. The woman who keeps the child comes up with a way the girl can exercise without leaving her room, but that is the only concession to her physicality. Through the Spy's absolute power over the girl's life, Haywood indirectly comment on the excessive devotion to virginity that is dominating her mid-

[252] "If such a one is to be found," the narrator comments.

century culture and which depends on women's belief in the material and spiritual value of their sexual inexperience.

The Spy asserts that though he could eavesdrop on anyone, anywhere, he will not. His purpose is not to learn of those in government or of those who hold power, but is instead a desire to know the truth of relationships among more ordinary people. Married couples in particular seem to interest the Spy, which again seems more a female curiosity than a male. The Spy takes pains to list the places where one may expect him to take advantage of invisibility and he discredits each assumption:

> They will find me in various places, though not in so many as perhaps they may expect; -- they would in vain seek me at court-balls, -- city feasts, -- the halls of justice, or meetings for elections; -- nor do I much haunt the opera or the play-houses; -- in fine, I avoid all crowds, -- all mixed assemblies, except the masquerade and Venetian balls…I revere regal authority, but seldom visit the cabinet of princes; because they are generally so filled with a thick fog, that the christaline texture of my Tablets could not receive what was said there, so as to be read distinctly; -- nor do I much care to venture myself among their ministers of state, or any of their underworking tools; the floors of their rooms, in which their cabals are held, are composed of such slippery materials that the least *faux pas* might endanger my Invisibility, if not my neck. I should be more frequently with the military gentlemen, but that they are so apt to draw their swords without occasion, that while they think they are fencing in the air, they might chance to cut my Belt

> asunder; -- and what a figure I should make, when one half of me was discover'd and the other was concealed. (10-11)

The Spy will not enter the acknowledged places of power – Parliament, cabinets of princes, military quarters – but will instead view the unacknowledged power bases of homes and gatherings of private people. The Spy does not appear in most public places, but does go into people's private homes where he can infiltrate the most intimate space. The Spy jokes about this proclivity: "But my chief delight is in the drawing-room of some celebrated toasts, whence I often steal into their bed-chambers; but don't be frighted, ladies, I never carry my inspections farther than the *ruelle*" (12).

Although the stories included in *The Invisible Spy* demonstrate the danger of social and legal invisibility for women, for the Spy invisibility is an asset and a way of accessing the power privilege of men. The Spy is the observer but not the observed. The Spy's choice of snooping ground validates the power of public opinion and private acts. The Spy tells the reader that "Madam Intelligence, with her thousand and ten thousand emissaries, all loaded with reports, some true, some false, flew swiftly through each quarter of this great metropolis; and had every pore of every human body been an ear, they all might have been fully gratified" (14). The pore of every human body cannot be an ear, but the Spy has the power to provide the stories he learns from Madam Intelligence through print.

> I have it in my power to pluck off the mask of hypocrisy from the seeming saint; -- to expose vice and folly in all their various modes and attitudes; to strip a bad action of all the specious pretences made to

> conceal or palliate it, and show it in its native ugliness. At the same time, I have also the means to rescue injured innocence from the cruel attacks begun by envy and scandal, and propagated by prejudice and ill nature. In a word, I am enabled, by this precious gift, to set both things and persons, in their proper colours; and not in such as, either through malice or partial favour, they are frequently made to appear. (14)

The Spy has the power of print, of public opinion, and, thanks to the miraculous tablets, the authority of Truth. Although the Spy is often referred to as "sir" by others, the Spy refuses to tell us whether "he" is a man or a woman. Whatever the Spy's actual sex, he becomes discursively a man through his privileged position and his ability to communicate The Truth, a phallic prerogative. With the belt of Invisibility, the Spy is able to walk the streets of London at any time, "equally free from danger as from fear." (288) He is able to move about London without fear of assault or rape, and he can serve as a magistrate in print, solving problems and cementing reputations.

Much of the Spy's power is used to right the marital wrongs of friends and acquaintances and to repair the reputations of various women. The story of Alinda is a prime example of the type of work the Spy does. He does not prevent Alinda's tragedy, but he does repair her reputation in print and his revelation of her story leads to punishment for wrongdoers and vindication of the innocent, all the while serving as a lesson for other women. Although some of Haywood's characters tenaciously hold onto property rights, others foolishly give them away by marriage or

by contract. Alinda signs away her fortune through ignorance and pride. Her father, determined she should not meet a man unworthy of her love, raises her in the country away from all company and friends. Her only companion besides her father is her tutor, an older man her father commands her to obey and love as himself. Like the Spy's virgin, Alinda is kept in childish ignorance. Alinda develops an affection for her tutor, and he takes advantage of her love. In a shocking depiction of sexual abuse, Alinda's tutor sets her on his knee and tells her, "You are very pretty, my dear miss, and have no defect in your shape, but being a little too flat before." He then fondles her breasts to "make them grow" (271).

After taking liberties with her body, he moves to her fortune. As Alinda's father begins to think of finding her a husband, her tutor fears he will lose his job. Alinda promises to keep him forever like a beloved pet, but he reminds her, "You forget that when once you are married there will be nothing in your power,-- all will be your husband's, who may take it into his head to turn me out of door directly" (272). Alinda protests, and the tutor conveniently produces a lawyer who happens to have a contract ready to be signed that binds each party to forfeit half of his or her estate in the case that they should separate. Alinda also agrees never to marry without her tutor's consent (273). Of course her tutor never approves of any potential marriage partners. Finally, after Alinda falls in love and wishes to marry Amasis, she realizes the gravity of the contract. She consults a lawyer who informs her that she "could have no relief from the law" (273). Broken-hearted, she soon wastes away and dies. Alinda's contract with her tutor resembles a marriage contract in respect to property, but she can never be a wife. "We watch [Alinda's]

life fall apart and her father's hopes thwarted; we observe her twisting, turning, struggling, begging in the snare in which the chaplain has caught her; we see her helplessly lose the love of a good man and learn that law and legal minds can do nothing."[253] The spy prints Alinda's story and vindicates her reputation.

The spy witnesses marital discord, adultery, rape, premarital sexual relations, secret marriages, abused women, disillusioned husbands, and lecherous military men. Sometimes the spy contrives to intervene, attempting to prevent a marriage or a rape, but mostly the spy records the events as he sees them. Like a journalist, he does not shape the story, but he faithfully records the story. And like a good journalist, he is the witness no one knows is there. In the story of Celadon and Marcella, the adulterous Marcella, who is well aware of common law, uses legal language to inform her husband that he cannot divorce her because no one witnessed her indiscretion:

> No one ever saw me in bed with Fillamour, much less can prove any criminal conversation between us, so that the ridicule would turn wholly upon yourself; and perhaps provoke me, as I have had no child by you, to bring in a bill of impotency, in which case I should have all my fortune returned; -- a thing your present circumstances would not very well bear, as some part of your estate is already mortgaged. (37)

She is unaware that the Spy is the witness needed, and he provides that information through a printed account of the affair. Although, presumably, Marcilla does not end up in court, she is tried by the public who read her story.

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[253] Backscheider, "The Shadow of an Author," 89.

Other stories include the classic Haywoodian method of deflating romantic notions through no-nonsense practicality. Isabinda's father decides she cannot marry her fiancé and must instead enter a convent. Isabinda responds by running away with her lover and subjecting herself to dangers of a sexual relationship without the protection of marriage. The Spy pointedly remarks,

> She could not be so ignorant as not to know that no woman can be made a nun, any more than she can be made a wife, against her will; and a less share of courage than she shewed in this midnight elopement, would have enabled her, on her entrance within the walls of the convent, to declare she had neither call nor inclination to receive the veil, on which neither the abbess nor the bishop of the diocese could have consented to her admission into holy orders. (108)

Although Haywood often demonstrates that women can be made wives against their wills, in this passage she laments that Isabinda does not understand her rights as a woman.

Other stories demonstrate ways in which a woman can avoid being made a wife against her will. Murcio decides to marry his daughter Melanthe to his contemporary and friend Conrade after Conrade makes a very desirable proposal: "he would desire no other fortune other than her person; yet would settle a dowry upon her superior to what might be expected if she brought him ten thousand pounds" (130) Murcio's mercenary nature allows him to overlook the age discrepancy and his avowed devotion to his daughter, and he "doubted not but Melanthe would receive the honour he intended her as a woman who knew her own

interest and happiness" (130). Melanthe knows her own happiness at any rate, and it does not include Conrade. She appeals to her friend Florimel, a sprightly girl who comes up with a brave plan. She decides to dress as her brother, and pretend to be Melanthe's lover. She writes a letter to Conrade, tipping him off that Melanthe has a secret amour and that he should be outside her rooms at midnight to witness for himself her lacivioiusness. Melanthe protests the plan, afraid that Conrade may challenge Florimel, but she replies, "What if he does, -- I shall have a sword as well as he" (137). In her zeal for her plan and her cross-dressing, Florimel assumes a phallus and an equality with Conrade she would never have otherwise.

The plan works, perhaps too well. Conrade breaks off the engagement, and informs Murcio of his daughter's nocturnal activities. Without Florimel to guide her, Melanthe is unsure how to act. When her friend does arrive to rescue her, Melanthe wails, like a forsaken lover, "My dear, dear Florimel, what would I not have given to have seen you last night!" (155) The story has a happy ending when Murcio offers Melanthe in marriage to Florimel's brother, mistakenly thinking him Melanthe's lover, and the two, who have secretly been in love with one another are married. At the marriage banquet, Florimel the match maker exclaims,

> Since the mischief I have done has been productive of so much good, I scarce doubt of being excused by a gentleman of so much good sense as Murcio. – I have deliver'd your daughter, sir, by my own contrivance, from the horrors of a forced marriage; -- I have procure'd a wife for my brother, which whom, if he is not the most happy, I am certain he deserves to be the most miserable of all mankind; and I have

got you a son-in-law, who I hope will merit that honour by his future behavior." (160)

Florimel uses active verbs to describe her part in the affair, and she does not assume any passive position in the story. She has filled the position of a lover through her cross dressing (as her brother no less) and the position of a father through her negotiation of the marriage. Conrade, aware of Florimel's power, is worried for his reputation and says to Melanthe, "I am ashamed of my past folly, and only wish you would exert all the influence you have over your witty she-gallant, not to expose this story in print; I should be sorry, methinks, to see myself in a novel or play." (164) The Spy does not honor this wish.

The Spy also rescues the reputations of married women. Cleora married Aristus for love and they seemed the perfect married couple until jealousy consumed Aristus and made him act irrationally toward his wife. He does not allow Cleora to leave the house except to visit his mother and even then he has to know when she leaves and when she returns. Cleora, despairing of the change, asks "Have I renounced all the gay amusements of life, submitted my termper to the will of an imperious husband, and made it my whole study to oblige him, to meet at last with this ungenerous, this barbarous return! – My virtue suspected, my reputation traduced, and my conversation shunn'd as a disgrace?" (173) Rumors ruin reputations but print can confirm or recover them, and the Spy proclaims that he will restore Cleora's good name. After Cleora endures many trials of her innocence and is completely alienated by her insanely jealous husband, she seeks and is granted a divorce. She moves to France with a man who seems capable of trusting and loving

her, but in London the gossips see this elopement as proof of her ongoing infidelity. The Spy comes to the rescue.

> The Invisible Spy is a witness for her, that her inclinations were virtuous, -- her disposition grateful and sincere, -- and had she been treated with that confidence a good wife ought to have been, no temptation would have had the power to have made her otherwise: -- let all husbands, therefore, beware how they provoke, by ill usage and distrust, the fate they would avoid. (202)

This is a recurring theme in Haywood's fiction, and in a narrative in *The Fruitless Inquiry*, a woman alienated by her husband's excessive jealousy – at one point he forces her to sleep outside naked to prove to the world she is the whore he believes her to be – elopes with a man who offers her asylum. Haywood implies that jealous men force women to revenge themselves upon them.

Although the Spy is the ultimate sexual enigma of the novel, the story of Clerimont and Charlotte explores what happens when the female assumption of the male subject position is approved by another man. The setup is typical: Clerimont loses a great deal of money and the deed to his estate while playing cards, and his fiancé Charlotte must become his creditor. Though she offers to buy back the deed, she devises a better plan. When she explains it to Clerimont, he says, "Oh, Charlotte, thy softness quite unmans me!" (270) The next night Clerimont and Charlotte, dressed as a inexperienced card player, return to recover his loss. The card players see the new young "man" as easy prey, but she does not fit into their plot. She informs them that the police are on the street below and threatens to signal to them if

Clerimont's deed is not returned. Charlotte uses the law to regain her fiance's money and his credit. She plays a dangerous game with a group of card sharps and she wins. She assumes a position of power through her assumption of male clothes and prerogative. One gamester begs her, "Hold, sir, I beseech you! Consider I never offended you! – do not ruin me and my house forever!" (281) When one gamester says that Clerimont has not acted the gentleman, he replies, "I threw off the gentleman when I condescended to play in such company" (282). He threw off the gentleman and she picked it up.

In these two texts, *The City Jilt* and *The Invisible Spy*, Haywood gives women the economic and social agency of men, first in the new credit economy, then in the new print culture. By allowing women to participate in these two sources of power, she validates women's agency and desire. Women can be creditors, women can salvage the reputations of other women, women can write, women can run estates. Women can occupy the social spaces of men. Haywood herself was a writer, a journalist, a printer, an actor, a woman, and she saw no contradiction in the positions she held. She holds power in the print culture. However, these texts also demonstrate the problem women encounter when attempting to enter the social contract as subjects. If they assume contractual subjectivity as women, they are pushed to the margins and reinscribed as objects. If they enter the contract by acting as men, they may obtain agency, but readers must contemplate the cost. In Haywood's early texts, women like Glicera and the Spy assume male agency with some strange results, but they do so at the cost of entering the social contract as women (quite literally in the case of the Spy).

Jameson argues, "The aesthetic act is itself ideological, and the production of aesthetic or narrative form is to be seen as an ideological act in its own right, with the function of inventing imaginary or formal 'solutions' to unresolvable social contradictions."[254] In *The City Jilt* and *The Invisible Spy*, Haywood creates revenge fantasies which invent solutions to the problems of women in the social contract. If women can claim the agency of men, they can "become" men in legal, social, and economic terms. Glicera becomes a property owner and enters the social contract through an inherent right to protection of that property. However, she attains that property through the narrative fantasy of enjoying the privileges of a prostitute without having to perform as a prostitute. The Spy "owns" intellectual property and enjoys a male ocular position because of magical gifts. Haywood has to subvert reality in order for her women to enjoy the privileges of subjecthood. These texts create narrative closure, but they also allow the reader to question the validity of the solution. The "imaginary solutions" come about through imaginary means. In the last chapter, I will examine Haywood's *Betsy Thoughtless*, a more realistic text which contains a conventional comic happy ending but which interrogates the breaking of the heroine in the process of claiming agency, and Frances Sheridan's *Sidney Bidulph*, a restrictive text with a heroine who seems incapable of assuming agency at all, but also a text with an open ending that allows a glimmer of possibilities.

[254] Frederic Jameson, *The Political Unconscious: Narrative as a Socially Symbolic Act* (Ithaca: Cornell University Press, 1981), 79.

CHAPTER THREE

SUBVERSIVE DIDACTICISM: THE NEW METHOD OF ADVICE

You are therefore to make your best of what is settled by law and custome, and not vainly imagine, that it will be changed for your sake.[255]

Mark the seeming Paradox, My Dear, for your own instruction...[256]

In her fascinating study of the diaries and letters of several genteel women in Georgian England, Amanda Vickery concludes,

> Masculine authority was formally honoured, but practically managed; the dignity of genteel femininity demanded respect and courtesy; female stewardship of younger children, servants, and housekeeping would brook little interference. Women were trained to allow a gentleman the rights of his place, but determined at the same time to maintain their own. At infringements of their jurisdiction, or humiliating instances of masculine tyranny, genteel women still boiled with indignation.[257]

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[255] George Savile Halifax, "Advice to a Daughter," The Works of George Savile Marquis of Halifax, ed. Mark N. Brown (Oxford: Oxford University Press, 1989), 371. All references are from edition

[256] Halifax, 373. Future citations in text parenthetically by page number.

[257] Amanda Vickery, *The Gentleman's Daughter: Women's Lives in Georgian England* (New Haven: Yale University Press, 1998), 285.

How women attempted to achieve this balance between a husband's right of place and a wife's is explored in her study through letters, diaries, and family relationships. The attempt is also exemplified in two mid-century novels, Haywood's *The History of Miss Betsy Thoughtless* (1751) and Frances Sheridan's *Memoirs of Miss Sidney Bidulph* (1761). Betsy is a woman who is determined to maintain her own rights of place and has to decide, when faced with "humiliating instances of masculine tyranny," if she can stay with her husband as conduct books and her older female friends advise her to do, or if she should leave and justify her choice to society. She decides that, as a subject in a contractual government, she has a right to leave a husband who breaks his vows and violates the marital contract. Sidney, on the other hand, is a more complete product of conduct book advice and she makes all decisions based on the will of her mother and the desires of others around her. Even a decision seemingly her own is the effect of her relatives' coercion and of a desperate situation. Unable to see herself as a subject, Sidney cannot see herself as an autonomous agent and is carried by the whims of fate and her sometimes sadistic author.

Both novels involve coerced marriages, bullying relatives, abusive husbands, adultery, and true love gone awry, but how the heroines negotiate the pitfalls surrounding them is vastly different. Betsy is an active character who is always doing something, going out, seeing people, making comments and decisions. She is nearly raped at numerous points in the novel, but the reader is always certain she will somehow escape.[258] She makes many bad decisions, but they are her decisions and

[258] Like Austen's *Pride and Prejudice*, *Betsy Thoughtless* is a comic novel which addresses serious issues, but the comedic structure assures the reader that Betsy will be able to extricate herself from bad situations.

each experience brings her to a new level of understanding herself and those around her. Sidney is a passive character who has her decisions made for her by her mother, her brother, her mother's friends, her husband, her cousin, and her first love. She is all acquiescence rather than activity, and even decisions that seem to be hers are the consequences of other's actions and influences. The genre conventions of the sentimental novel highlight Sidney's passivity.

To modern readers, Betsy is a much more attractive character than Sidney because she does recognize herself as an individual who has the right to be happy. "In women's novels, it was still a significant feminist act to portray a heroine as a rational and educated woman who governed herself by moral and religious laws, determined her own conduct against the commands or advice of a parent or guardian, and was proved right by events."[259] Although, Betsy governs herself in most matters, she is bullied into an unfortunate marriage and recycled into a happier one. The breaking of Betsy is inherent in the system – when women attempt to live a meaningful life outside marriage, they are brought back into the market.[260]

Sidney seems to illustrate the complete breakdown of any female desire. Her happiness is always subject to others', and her desires are sublimated into her duties as daughter, sister, wife, mother, and lover. "I am determined to pursue, through

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[259] Eve Tavor Bannet, *The Domestic Revolution: Enlightenment Feminism and the Novel* (Baltimore: The Johns Hopkins University Press, 2000), 38.

[260] Betsy is broken through systematic resistance to her autonomy. Her desire to court many men and delay marriage is countered by men who misunderstand her motives and by her brothers who fear for her respectability. After the fourth rape attempt, Betsy's brothers coerce her into a marriage with her latest suitor, a man who becomes an unreasonable husband. In marriage, Betsy learns how to deal with a tyrant and how to be a submissive wife – to a point. Her resistance to Mr. Munden's extreme behavior, however, is contained within the novel's happy ending marriage between Betsy and Mr. Trueworth. She has learned to be a good wife rather than an interesting individual.

life, that rule of conduct which I have hitherto invariably adhered to; I mean, that of preferring to my own the happiness of those who are most dear to me," she says.[261] Sidney never attempts to live in any way outside of conduct book advice and proper society, and she never sees herself as a subject. However, as free as Betsy often is within the novel, the ending reintegrates her into a patriarchal construct. Her greater freedom and subjectivity is circumscribed by the conventions of the comic novel – a happy wedding ending. Sidney, for all her passivity and restrictions, is not confined by the resolution of the plot. The end of the novel is literally open because it ends on a broken sentence, ellipses trailing off. We are told she will suffer horribly, but the ellipses offer a glimpse of something else, and Sidney's fate is not dictated by a conventional narrative ending.

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"The Story" of Eliza Haywood – the shift from slyly subversive novels of amorous intrigue to market acceptable novels of female virtue and obedience – clouds most readings of the *The History of Miss Betsy Thoughtless* (1751) in spite of recent evidence of its inaccuracy.[262] Lady Trusty's patriarchal conduct book advice to Betsy is often read literally as Haywood's "new" advice for her female audience. However, Haywood's audience consisted of both men and women, and Lady Trusty's bridal admonitions, the most conservative and patriarchal words of advice in the novel, are contradictory and impossible for any woman to execute completely.

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[261] Frances Sheridan, *The Memoirs of Miss Sidney Bidulph*, ed. Patricia Koster and Jean Coates Clearly (Oxford: Oxford University Press, 1995), 93. All references are to this edition.

[262] Paula R. Backscheider, "The Story of Eliza Haywood's Novels," The Passionate Fictions of Eliza Haywood, eds. Rebecca Bocchicchio and Kirsten Saxton (Lexington: University Press of Kentucky, 2000). Backscheider proves the Story is a serious misrepresentation of Haywood's work.

Few doubt Jane Austen's satiric voice and sarcastic didacticism and all embrace Henry Fielding's, yet The Story seems to prevent this type of reading of Haywood. In fact, Haywood's novels are consistently concerned with the issues and debates current in her culture. Always a social critic and sometimes a political writer, Haywood seems to have held a "contract theory" partnership with her readers: she attempts to educate her audience through her novels, not in the didactic sense of the way the world should be, but in the sense of the way the world is.

Betsy Thoughtless seems a story of a reformed coquette complete with marital advice, but Haywood demonstrates the potential and probable breakdown of the current sex-gender system through the "breaking" of Betsy. By listening to Lady Trusty and resigning herself to the marriage market, Betsy experiences marriage with a man who expects his wife to be an upper servant. Lady Trusty's advice on this situation can be read as advice for the male reader of Haywood's novel, illustrating the unfairness and dangers of domestic tyranny; however, Lady Trusty could also act as Haywood's new vehicle for the feminist message. As a peeress and an older woman, Lady Trusty's was the voice the patriarchy could trust to preach that ideology, and her words often echo or mimic Halifax's *Advice to a Daughter* (1688), the most famous and long lasting conduct book of the first half of the century. However, the ideology and practice of patriarchy is so inherently contradictory that Lady Trusty's equally and obviously contradictory advice undermines didactic conduct books and "thoughtless" patriarchy in one fell swoop. Haywood is in dialogue with Halifax, but she critiques his advice to his daughter Betty by illustrating its inadequacies in her character Betsy. *Betsy Thoughtless* is a dialogic

rendering of emergent ideology housed in didactic form, accomplishing both of Haywood's goals of producing a meaningful message to women and a viable novel in changing market.

In 1751 Samuel Richardson and Eliza Haywood both presented their readers with very different renderings of the same patriarchal situations. The third edition of *Clarissa* was issued in April,[263] portraying the demise of divine right patriarchy in eight volumes and illustrating precepts of moral living to readers of both sexes; the first edition of *The History of Miss Betsy Thoughtless* appeared in October,[264] breaking patriarchy into fundamental infeasibility in only four volumes and in a more understated, subtle way. (Perhaps Richardson's shadow works hand in hand with the cloud of the Story to obscure Haywood's message.) Nevertheless, both authors argued for the companionate marriage and a more "contract theory" oriented patriarchy. Richardson published volumes one and two of *Clarissa* the year of the Jacobite Rebellion, and Haywood already had published *The Adventures of Eovaai* (1736), a political novel advocating contractual monarchy. The Jacobite Rebellion reopened debates about the connection between head of family and head of state, and Haywood, always concerned with England and its women, certainly would have been aware of the shift in political ideology from government by right to government by consent, divine right to contract theory.

263 James Raven, ed., *British Fiction 1750-1770: A Chronological Check-List of Prose Fiction Printed in Britain and Ireland* (Newark: University of Delaware Press, 1987), 72.
264 Raven, *British Fiction*, 69.

Robert Filmer's *Patriarcha* (1680) defined the monarch as head of the state as the father is the head of the family,[265] enforcing the idea of domestic patriarchy. David Hume, Daniel Defoe, Mary Astell, John Locke, Jean-Jacques Rousseau, and others entered the contract theory/divine right debate. Lawrence Stone discusses the various treatises and debates spawned by Filmer's ideas, and he argues, "The practical need to remodel the political theory of state power in the late seventeenth-century thus brought with it a severe modification of theories about patriarchal power within the family and the rights of the individual."[266] The contract theory debate continues into the mid-century novels of Richardson, Haywood and others.

Although questioned, patriarchy was still a powerful structure of feeling within the society. By "patriarchy" I mean a sex-gender system, a construction of sexual identity and difference that is not an "ahistorical emanation of the human mind" but is a product "of historical human activity."[267] Gayle Rubin argues that "the term 'patriarchy' was introduced to distinguish the forces maintaining sexism from other social forces" but that the term "sex/gender system" is more neutral and "refers to the domain and indicates that oppression is not inevitable in that domain, but is the product of the specific social relations which organize it."[268] The construct of patriarchy allows what Carole Pateman calls the "male sex-right" of men's power over women. Pateman argues that the contract theorists did not wish to challenge

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265 Lawrence Stone, *The Family, Sex and Marriage in England: 1500-1800* (Middlesex: Penguin, 1979), 239.
266 Stone, *Family, Sex, and Marriage*, 240.
267 Gayle Rubin, "The Traffic in Women: Notes on the 'Political Economy' of Sex," *Toward anAnthropology of Women*, ed. Rayna R. Reiter (New York: Monthly Review Press, 1975), 204.
268 Rubin, "The Traffic in Women," 167-168.

patriarchy and therefore incorporated the male sex-right into the theory, and "transformed the law of male sex-right into its modern contractual form."[269]

Conduct books, older women such as Lady Trusty, and authors themselves reinforced the sex-gender system of patriarchy but modified its ideology. Mary Astell laments the frequent abuse of the trust women give to the men they marry (trust, of course, is also a vital element of contract theory) and describes a man who is fit to govern:

> So that considering the just Dignity of Man, his great Wisdom so conspicuous on all occasions! the goodness of his Temper and Reasonableness of all his Commands, which make it a Woman's Interest as well as Duty to be observant and Obedient in all things! that his Prerogative is settled by an undoubted Right, and the Prescription of many Ages; it cannot be suppos'd that he should make frequent and insolent Claims of an Authority so well establish'd and us'd with such moderation! nor give an impartial By-stander (cou'd such an one be found) any occasion from thence to suspect that he is inwardly conscious of the badness of his Title; Usurpers being always most desirous of Recognitions and busie in imposing Oaths, whereas a Lawful Prince contents himself with the usual Methods and Securities.[270]

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269 Carole Pateman, *The Sexual Contract* (Cambridge: Polity, 1988),3.
270 Mary Astell, *Reflections upon Marriage*, 1706, *The First English Feminist*, ed. Bridget Hill (Aldershot, UK: Gower, 1986), 109.

As Amanda Vickery asserts, "[Women] expected to endure tyranny, or in contemporary terms an 'Egyptian bondage,'" but, "they were fully conscious of what was owing to their dignity and rank."[271] By "divine right patriarchy" I mean the concept that men govern women through a natural law of superiority, a concept which in turn applies to monarchy. Pateman calls this traditional patriarchy. Haywood, Astell, and other women seem to be arguing not for the abolishment of patriarchy but a "contract theory" version in which women and men enter the marital state with mutual consent and free will. Under this type of government, if the subject (of the husband or of the king) feels the contract has been violated, the subject may disobey the governor (husband or king) without penalty.[272] Under "divine right" patriarchy, as under a monarchy, a woman would have to endure tyranny and accept her lot in life. She would have to do her best to assuage the tyrant without compromising her integrity and morality. In fact, Lady Trusty's bridal admonitions seem more suited to this type of sex-gender system (and Betsy does end up married to a tyrant). However, the fact that women "were fully conscious of what was owing to their dignity and rank" emphasizes the shift to a newer, emergent ideology of domestic conduct. The rise of the "contract theory" of government, that a monarch and the populace work together for the best interest of the commonweal, becomes a direct allegory for the family. With the rise of the companionate marriage, women and men were to work together for the good of the household.

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[271] Vickery, *The Gentlemen's Daughter*, 8.

272 Of course divorce was a difficult and humiliating process, and Haywood spares Betsy from the necessity of actualizing the implications of contract theory patriarchy by having Munden diebefore a possible divorce trial.

The contestation between the ideologies is apparent in conduct book advice and the letters and words of older women to younger women. The advice becomes inherently contradictory, reflecting both old ways and new ideals. Even the best thinkers of the age lapse into contradictions -- in John Locke's *Two Treatises of Civil Government*, he states, "*Adam was Monarch of the World*: But the Grant being to them, *i.e.* spoke to *Eve* also, as many Interpreters think *with reason* (emphasis mine), that these words were not spoken till *Adam* had his Wife, must not she thereby be Lady, as well as he Lord of the World?"[273] Even if Eve is the Lady of the World, a husband retains the ultimate power through ownership of property; the husband is the one who is"to order the things of private Concernment in his Family, as Proprieter of the Goods and Land there, and to have his Will take place before that of his wife in all things of their common Concernment."[274] If contract theory was a difficult concept to apply to men, it was exceedingly tricky to apply to women. Haywood's conception of contract theory in *Adventures of Eovaai, Princess of Ijaveo* (1736) includes the difficulty of incorporating women into the contract. When the ruling monarch Eojaeu instructs his daughter Eovaai (who must inherit the throne since he has no son) in the means and ways of a proper ruler, he uses male pronouns and nouns ("prince," "his") although Eovaai will be a female ruler and a female head in the contract between people and government. When Eojaeu does speak in second person to Eovaai, he uses the rhetoric of revolutionary principles: "You must not imagine, that it is meerly for your own Ease you are seated on a throne; no, it is for

273 John Locke, *Two Treatises of Government*, ed. Peter Laslett (Cambridge: Cambridge University Press,1967),, 179.
274 Locke, *Two Treatises,* 192.

the Good of the Multitudes beneath you."[275] Government exists for the benefit of the people; if they don't benefit, the contract is void.

Eojaeu has raised his daughter in "Ignorance of her own Charms," and cultivates "the Virtues of the Mind," teaching her to detect pride and avarice Aas Vices the most shameful in a crown=d Head" (3-4). As the crowning achievement of her education, he presents to Eovaai the Lockean ideas of contract theory. Eojaeu's is a mixed monarchy as Haywood's "translator's" note implies: "The Ijaveans were a free People, tho' under Monarchial Government" (4). However, the mixed monarchy is not the most interesting idea implied by the speech. Eojaeu tells Eovaai,

> The greatest Glory of a Monarch was the Liberty of the People, his most valuable treasures in their crowded Coffers, and his securest Guard in their sincere Affection. Take care, therefore, said he, that you never suffer yourself to be ensnared by the false luster of Arbitrary Power; which like those wandering Fires, which mislead benighted Travelers to their Perdition, will, before you are aware, hurry you to Acts unworthy of your Place, and ruinous to yourself.--Remember, you are no less bound by Laws, than the meanest of your Subjects; and that even they have a Right to call you to account for any Violation. (4)

He goes on to warn her against favoring "any one Man, or Set of Men" since "Partiality is but another Name for Injustice" (5), and he advices her to heed public

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275 Eliza Haywood, *Adventures of Eovaai, Princess of Ijaveo* in *Selected Fiction and Drama of Eliza Haywood*, ed. Paula R. Backscheider (Oxford: Oxford University Press, 1999), 224-225. All references are to this edition and will appear parenthetically in text.

opinion since "the common and universal Voice of the People is seldom mistaken" (5).

The debate over contractual monarchy was complex enough when only applied to men; adding women's roles within or at the head of a contract monarchy problematizes the issue. The people of Ijaveo will be happy under Eovaai's rule but wish that she might be "married to a Prince worthy of her, and by whom she might have Children to inherit her Dignity and Virtues" (9). As Astell argued, a woman's place in government becomes encased in the metaphor of a woman's place in marriage. Astell criticized Locke for not providing a place for women within government, and Haywood gives the argument another dimension by demonstrating the lack of words for women in politics. Haywood demonstrates the complexities of a government that technically excludes women yet is permeated with women, and she enables her female ruler to choose a form of government for the good of her people.

Eovaai reigns happily with happy, obedient subjects until she loses the jewel of Aiou, which her father had given her for protection of herself and of the throne. Having lost it, she calls a council of great men of the kingdom for advice. Her parliament, however, sees the loss of the jewel as a breach of contract between the people and the monarch. "Instead of humble Attentiveness, a confused Murmur ran thro' the whole Assembly, all the time she was speaking; and as soon as she had given over, every one rose sullenly from his Seat, and left the Chamber without making any Answer to what she had said" (15). When word of the loss reaches the people "a general Discontent diffused itself throughout the Country, the City, and

the Palace; all the Love and Reverence with which she had been treated, was now no more . . . the Consequence of this sad Alternative were secret Plots, or open Rebellions against her government: Ijaveo became the Scene of Civil War" (16).

Under the influence of Ochihatou, the evil magician/prime minister, Eovaai gets caught up in the intrigue of power and denounces her Lockean education. She considers the "Subjects as Slaves" and she "thought it the just Prerogative of the Monarch, to dispose at pleasure all their Lives and Properties" (41). Eovaai almost disposes at pleasure her person and property to Ochihatou, but she is saved by the impatience of a foreign minister whose affairs can't wait for Ochihatou's dalliance. Haywood then illustrates that "profound liberty" Ochihatou bestows on the people by allowing Eovaai to see, through a genii's gift of a magic perspective, what Ochihatou really looks like and what he has done to the country. He has stripped the land of its fertility, the people of their property. Filmer, in his defense of an absolute monarch, sees tyranny as an unlikely event; Haywood sees tyranny as a by-product of absolute power. Eovaai, through magic and political skill, recovers the jewel and restores the land to its original, glorious contractual monarchy.

The new idea of domestic government was also difficult to realize completely. Laura Gowing states, "The idealized orderly household, where hierarchal rules regulated every personal relationship, fitted few families' experiences. The detailed prescriptions for women's behavior that were listed in conduct books were just as hard to enforce."[276] Parents were less likely to choose mates for their children, trusting in the new fashion of romantic love and companionate marriage. At the

276 Laura Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford: Clarendon, 1996), 185.

same time they were eagerly interested in the economic gains of marriage, investing in the marriage market with the zeal Catherine Ingrassia proves they had for the stock market.[277] Problems naturally would arise from mixed interests. A woman who married for love suddenly lost her power in the unequal world of even the contract theory patriarchal family. "The cornerstone of prescriptions for wives was a problematic obedience. Women are enjoined to be submissive, to obey with love, and to enable their own subjugation by choosing carefully a husband whom they can obey."[278] Mary Astell writes of this marital choice in terms of contract theory: "She who Elects a Monarch for Life ... had need be very sure that she does not make a Fool her Head, nor a Vicious Man her Guide and Pattern."[279]

The contradictions and problems of marital contract theory manifest themselves in conduct books and advice. The content of letters and advice from older women to younger women illustrate the resignation, and sometimes fear, women in the marriage market felt. Lady Mary Wortley Montagu advises her daughter to teach her granddaughter to be "Happy in a Virgin state. I will not say it is happier, but it is undoubtably safer than any Marriage. In a lottery where there is (at the lowest computation) ten thousand blanks to a prize, it is the most prudent choice not to venture."[280] Mary Astell writes to a more general audience in her *Reflections on Marriage* and her warnings are more explicit. In *A Father's Legacy to His Daughter* (1774), Gregory underscores the false language of courtship when he advises his

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277 Catherine A. Ingrassia, *Authorship, Commerce, and Gender in Early Eighteenth-Century England: A Culture of Paper Credit* (Cambridge: Cambridge University Press, 1998).
278 Gowing, *Domestic Dangers*, 185-186.
279 Astell, *Reflections upon Marriage*, 103.
280 *The Complete Letters of Lady Mary Wortley Montagu*, ed. Robert Halsband, Vol. III (Oxford: Clarendon Press, 1967), 24.

daughter to be "delicate." He tells her "the men will complain of your reserve. They will assure you that a franker behavior would make you more amiable. But trust me, they are not sincere when they tell you so."[281] Interestingly, Thomas Gisbourne invokes contract theory in *An Enquiry into the Duties of the Female Sex* (1797) by stating that a woman's obedience is not unlimited. If the man violates property laws or divine laws, the wife "would be bound to obey God rather than man."[282]

Conduct books function as a method of domestic discipline, creating docile bodies suitable for the marital state. Foucault states,

> It was essential that the state know what was happening with its citizens' sex, and the use they made of it, but also that each individual be capable of controlling the use he made of it. Between the state and the individual sex became an issue, and a public issue no less; a whole web of discourses, special knowledges, analyses, and injunctions settled on it.[283]

Conduct literature became a discourse on the discipline of sexuality. Some conduct books were written by women, but many were by men (fathers, clergymen) in positions of authority and power**.** The precepts of conduct books were filial obedience, religious piety, and an ethic of female delicacy.[284] Nancy Armstrong states that "as conduct books transformed the female into the bearer of moral norms

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281 Dr. John Gregory, *A Father's Legacy to His Daughter*, *Mansfield Park*, ed.Claudia L. Johnson (New York: Norton, 1998), 393.
282 Thomas Gisbourne, *An Enquiry into the Duties of the Female Sex, Understanding* Pride andPrejudice, ed. Debra Teachman (London: Greenwood Press, 1997), 70.
283 Michel Foucault, The *History of Sexuality: An Introduction,* trans. Robert Hurley (New York: Vintage, 1990), 25-26.
284 Patricia Koster and Jean Coates Clearly, introduction, *Memoirs of Miss Sidney Bidulph* (Oxford: Oxford University Press, 1995), xix.

and socializer of men, they also changed the qualities once attributed to her nature and turned them into techniques for regulating desire."[285] Betsy's "unnatural" desires and questions must be regulated through surveillance (public opinion) and the conduct book advice of Lady Trusty and others. She is broken and reset in a culturally accepted mode. On the other hand, Sidney Bidulph is a "bearer of moral norms and socializer of men," but her story ends in tragedy. She is broken in spite of the fact that she never resisted, but the openness of the text leaves the possibility that her brokenness is a starting point and that she may grow whole through the pursuit of a life on her own terms.

At the heart of the novel *Betsy Thoughtless* lies the inevitability of marriage. Betsy wants suitors and an independent life, but the desertion of Trueworth and her brothers' demand that she marry Munden resign her to the fate of most women in a divine right patriarchal society. She laments, "I wonder what can make the generality of Women so fond of marrying? -- Just as if it were not a greater pleasure to be courted, complimented, admired, and addressed by a number, than be confined to one, who from a slave becomes a master, and perhaps uses his authority in a manner disagreeable enough."[286] Betsy generalizes about a situation that her own marriage will illustrate. She will step into this marriage with the advice and blessing of Lady Trusty, and the results demonstrate the contradictions and unreliability of marital advice and conduct book didacticism. Catherine Ingrassia reads through the cloud of the Story when she argues,

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[285] Nancy Armstrong, *Desire and Domestic Fiction* (Oxford: Oxford University Press, 1987), 89.

286 Eliza Haywood, *The History of Miss Betsy Thoughtless*, ed. Christine Blouch (Peterborough:Broadview, 1998), 488. All references from this edition.

> Despite its apparent conformity, *Betsy Thoughtless* shares its discursive agenda with a text like *Anti-Pamela*, which, with its parodic form, makes a cultural as well as literary critique. Both texts emphasize the inadequacy of the novel to represent the material conditions women confront in their own lives and the need for women to control any capital available to them ... *Betsy Thoughtless* interrogates and ultimately offers an alternative to the conventional morality that characterizes the novel. Through her skillful manipulation of generic expectations Haywood not only offers a critique of the novel's increasing didacticism, but also the ideology implicit in that genre.[287]

Haywood writes an illustration of the Halifax maxims, placing his words in Lady Trusty's mouth and illustrating the shortcoming of the conduct book and its dangerous side effect of "breaking" women who follow the rules.

Why would a woman be fond of marrying, be willing to give up the power she possesses during courtship and subject herself to obedient servitude? When one reads Halifax's advice to his daughter the question grows in magnitude. Halifax presents the case clearly to his daughter Betty -- your husband may be a drunkard, he says, or an adulterer, or avaricious, or an idiot. But whatever he is, he is your master (371-379). What a New Year's Day gift for a twelve-year-old girl. When Betty Saville does marry four years later, her husband *is* an adulterer and a drunkard, and she keeps a copy of her father's famous advice to her on her bedroom dresser.

287 Ingrassia, *Authorship, Commerce, and Gender*, 128.

Legend tells that "her father-in-law Chesterfield 'took it up one day, and wrote in the title-page, 'Labour in vain.'"[288]

A common thread through Gregory, Halifax and Astell is the misleading nature of the courtship period. Gregory advises his daughters not to feel affection for a man until the man declares his affection. Halifax admits obedience after marriage is problematic when the woman is supreme during courtship. Astell puts it more bluntly: "He may call himself her Slave a few days, but it is only in order to make her his all the rest of his Life."[289] Women like Betsy, unused to authority from anyone, especially from someone who had been her "slave" during courtship, could become "broken" simply by following the rules. Submit, obey, assuage, acquiesce -- these were the watchwords of the good wife.

Even a good wife could have a bad marriage. Marriage, as Halifax told his daughter Betty, is "the greatest part of your life upon which your happyness most dependeth" (369). Haywood would have known Halifax's *Advice to a Daughter* well -- the text went through thirteen editions and several reprints between its initial appearance in 1688 (the year of the Glorious Revolution and the triumph of contract theory) and 1753. During that time it was the most influential conduct book for women, and it was mentioned in prominent places such as the *Spectator*. Its supremacy lasted nearly a century until it was surpassed in popularity by Dr. Gregory's *Father's Legacy to his Daughters* and Hester Chapone's *Letters on the*

288 Mark N. Brown, introduction, "Advice to a Daughter," *The Works of George Savile Marquis of Halifax* (Oxford: Oxford University Press, 1989), 360-262.
289 Astell, *Reflections upon Marriage*, 101.

Improvement of the Mind.[290] Haywood's text seems in dialogue with Halifax's, but she also critiques his advice through the plot of *Betsy Thoughtless*. Haywood illustrates the inadequacy of Halifax's advice in a divine right patriarchal world, and she demonstrates the need and hope for a new sex-gender system. Halifax emphasizes obedience even if the marriage is unsuccessful or the husband a tyrant; he offers strategies to make his daughter's married life easier, but he stresses that whatever her lot, she must endure it. Haywood proves the inadequacy of his advice, demonstrating the tyranny of a man who can legally inflict physical and psychological abuse and the necessity for Betsy not to obey.

Betsy's life before her marriage is unrestricted by parents or propriety. She is the daughter of a wealthy merchant who makes sure she has good schools and good guardians, then dies, leaving her a good fortune and relative freedom. Betsy lives with Mr. Goodman and his wife Lady Mellasin and her daughter Flora, and both of these women are dangerous influences. Flora, disguised as Incognita, seduces Betsy's suitor, Mr. Trueworth, and Lady Mellasin sells her jewelry and other possessions to support her criminal lover. Mr. Goodman, as his name implies, takes care of his family and is so grieved when he discovers his wife's actions that he dies soon after. Betsy, craving independence, sets up housekeeping for herself, and entertains several suitors, including Mr. Trueworth. Betsy is fond of Trueworth, but she is not ready to marry. Why marry when she is wealthy and independent? After several near-rapes, her brothers answer that question for her. Living by herself puts

290 Nancy Armstrong, *Desire and Domestic Fiction,* 62.

her in danger from seducers, rapists, and fortune hunters[291] – she must marry for her safety and her reputation. Unfortunately, Betsy and Trueworth are estranged because of Flora's evil machinations, and he becomes engaged to someone else. The only suitable man left is Mr. Munden, a seemingly passionate suitor with sufficient rent rolls. Her other guardian, Lady Trusty, advises Betsy to make the match and she continues to give advice as Betsy's marriage falls apart.

In novels written after *Betsy Thoughtless*, older women -- mothers, aunts, respected mentors -- dispense courtship and marital advice that is inadvertently detrimental to the heroine. In *The Memoirs of Miss Sidney Bidulph*, Lady Bidulph convinces her daughter Sidney to denounce the man she loves (who has fathered an illegitimate child) and instead marry Mr. Arnold, a man of modest fortune and supposed morality. Sidney blindly follows her mother's orders, becoming a model of thoughtless, though good-natured obedience. Lady Bidulph's advice is not well-founded, and Sheridan demonstrates the dangers of both dispensing and following this type of advice. Later, in Jane Austen's *Persuasion* (1818), Lady Russell convinces Anne Elliot not to marry Captain Wentworth, her true love, because he does not have a fortune. Anne obeys, but she declines in happiness and health until Captain Wentworth returns after making his fortune on the sea. Anne marries Wentworth, and "there was nothing less for Lady Russell to do, than to admit that she had been

[291] This novel was published two years before the Marriage Act so the fear of unscrupulous men kidnapping heiresses is a real issue. The near-rape that becomes the catalyst for Betsy's marriage involves "Sir Frederick Fineer" whose mother attempts to coerce Betsy into a marriage with her dying son as his last request. Trueworth rushes in with brandished sword and saves her fortune and her virtue.

pretty completely wrong, and to take up a new set of opinions and of hopes."[292] Both women give traditional, conservative advice that hurts instead of helps, and that advice is rejected by the end of each novel. Lady Trusty too is rejected, or at least ignored, by the end of *Betsy Thoughtless* -- Betsy corresponds with Trueworth for a year, but she does not inform Lady Trusty of this nor of their engagement until the moment he steps in the door (630).

The crux of Halifax's advice is the same as Lady Trusty's: end domestic tyranny through submission and soft persuasion. When Munden encroaches upon Betsy's pin money -- "payments under a contract by a husband to a wife during coverture of a set annual sum" that "women could be said to own"[293] -- Lady Trusty is grieved "to the soul" but tells Betsy, "I would not have you ... too much exert the wife ... it behooves you, therefore, to endeavor to soften it, by all the means in your power, than to pretend to combat with equal force; -- you know ... how little relief all the resistance you can make will be able to afford you" (503). Of course Betsy is upset by this advice, and Lady Trusty adds, "I would have you maintain your own privileges, without appearing too tenacious of them" (504). Halifax's advice to his daughter Betty is more direct but similar in theory. He tells his twelve-year-old daughter that it appears "a little uncourtly" that men and women are not equal but that nature has made it up to women: "You have it in your power not onley to free your selves, but to subdue your Masters, and without violence, throw both their natural and legall Authority at your feet ... You have more strength in your looks,

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292 Jane Austen, *Persuasion* in *Jane Austen: The Complete Novels*, (Oxford: Oxford University Press, 1994), 1374.
293 Susan Staves, *Married Women's Separate Property in England*, 1660-1833 (Cambridge: Harvard University Press, 1990), 132-133.

than wee have in our Lawes; and more power by your teares, than wee have by our Arguments" (370). When faced with a domestic tyrant, tears and looks are supposed to sway the pendulum of power into a woman's hands. However, in Sarah Scott's *Millennium Hall* (1762), the newly married Mrs. Morgan asks her husband to allow her best friend to make a visit to their home. When he refuses this request Mrs. Morgan sheds "a torrent of tears." Mr. Morgan replies, "Were I inclined to grant your request, you could not have found a better means of preventing it."[294] Amanda Vickery details the lives of two women who could not through the power of their tears change their abusive husbands: "Both women found to their cost that influence was no substitute for power."[295]

During courtship the pendulum of power is briefly in the woman's hands. Vickery studies the courtship and marriage of an eighteenth-century couple; the courting gentleman says of himself, "a more submissive Slave breaths [sic] not Vital air." Vickery comments, "No wonder a woman might seek to prolong the season of her supremacy."[296] Betsy Thoughtless enjoys this season of supremacy with a naive sense that it can continue forever. She wants to remain single or to fall in love. However, her season ends abruptly when her brothers force her to consider marrying Mr. Munden. Halifax concedes the unfairness of courtship as a prelude to marriage: "Obey is an ungentle word, and less easy to be digested, by makeing such an unkind distinction in the Termes of the contract, and so very unsuitable to the excesse of good manners, which generally goeth before it" (370).

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294 Sarah Scott, *Millennium Hall*, ed. Gary Kelly (Ontario: Broadview, 1995), 130.
[295] Vickery, *The Gentlemen's Daughter*, 86.
296 Vickery, *The Gentlement's Daughter*, 58.

The power a woman enjoys during courtship makes obedience in marriage hard to swallow. Betsy's brothers chide her for "trifling" with a man she does not intend to marry, and she tells them she will never do so again, but "marriage is a thing of too serious a nature to hurry into, without first having made a trial of the constancy of the man who would be a husband, and also of being well assured of one's own heart" (458). Betsy is advocating the emergent ideology of companionate, romantic love -- the kind Haywood leads us to believe Betsy will experience with Trueworth -- but her brothers hold on to the old idea of economic gain and increased (or at least not diminished) respectability. That idea backfires when Betsy is married to an avaricious, adulterous man.

Betsy's apprehensions that her prospective husband will "from a slave become a master" (488) are well-founded. Lady Trusty is surprised (but not shocked) that after only two months of marriage, Betsy and Mr. Munden are having marital problems since it is "by much too early for him to throw off the lover, and exert the husband," she says (503). Betsy must obey, however. Vickery states, "Obedience remained the indispensable virtue in a good wife…Genteel wives took it absolutely for granted that that their husbands enjoyed formal supremacy in marriage. After all, even the haughtiest bride vowed before God to love, honour, and obey."[297] Betsy is haughty, but Lady Trusty warns her to at least act as if she loves her new husband and to act with tenderness toward him "as far at least as modesty and discretion will permit you to bestow" (494). Obedience was problematic as Gowing states: "Women are enjoined to be submissive, to obey with love, and to enable their own

297 Vickery, *The Gentlemen's Daughter*, 59.

subjugation by choosing carefully a husband whom they can obey."[298] Betsy, bullied by her brothers and more subtly by the Trustys, cannot choose carefully. The pressures of public opinion and her brothers' desire for her sexual conduct to be closely regulated leads to a disastrous marriage. Her brothers look into Munden's financial affairs and that is enough. Richardson's Clarissa and Scott's Miss Melvyn also cannot choose carefully. Duty to parents comes before choice: Clarissa is told she must obey her father and marry Mr. Solmes because "the honour and interest of the family. . . are concerned; and you must comply"[299] and Miss Melvyn, though she performs her duty, feels, "I cannot be perfectly satisfied that I do right, in marrying a man so very disagreeable to me."[300] Just as Sidney Bidulph is married to a conveniently single man of modest fortune because her mother is afraid a broken engagement will ruin her marketability, Betsy is married to her current suitor because his financial credit is good and it will save her social credit. Betsy, who tries to be fashionable in all things, is persuaded into a marriage of old-fashioned values -- economic gain and obedience without question.

The difficulty in being obedient without losing personal rights is apparent in the contradictions of both verbal and written advice. Lady Trusty's bridal admonitions include "confine yourself to such things as properly appertain to your own province, never interfering with such as belong to your husband" and "be careful to give him all the rights of his place, and, at the same time maintain your own, though without seeming to be too tenacious of them" and "recede a little from

298 Gowing, *Domestic Dangers*, 185-186.
299 Samuel Richardson, *Clarissa*, ed. Florian Stuber (New York: AMS Press, 1990), 132.
300 Scott, *Millennium Hall,* 128.

your due than contend too far" (494-495). The difficulty in following this advice is enormous. How can a woman maintain her own rights yet give her husband all of his? His rights supersede and usurp hers. Halifax offers the same frustratingly contradictory advice:

> But that you may not be discouraged, as if you lay under the weight of an incurable grievance, you are to know, that by a wise and dexterous conduct, it wil be in your power to releiv your self from any thing that looketh like a disadvantage in it. For your better direction, I wil give you a hint of the most ordinary causes of dissatisfaction between man and wife, that you may be able by such warning to live so upon your guard, that when you shal bee married, you know how to cure your husband's mistakes and to prevent your own. (371)

A woman receives, ideally, protection and economic security through marriage, but in return, she must surrender her property and autonomy, and she must accept responsibility for the behavior of her husband. Wives must not only manage the household, the money, and the children, but they must monitor their own behavior and "cure" their husbands' mistakes. As we in the twenty-first century believe a woman must "have it all" -- family, job, leisure time -- in order to be successful, an eighteenth-century woman must manage it all – money, children, husband, home, and servants – to be a good wife. This could easily lead to the idea of a wife as an upper servant (an idea Munden has no problem believing), and to the "breaking" of any woman who tries to follow all the rules and do everything expected of her. Clarissa is told that if she wishes to prove her obedience she must

do so her father's way, by marrying Mr. Solmes, not her own, by not marrying at all.[301] Clarissa's efforts to obey the rules of patriarchy lead to rape, madness, and death.

> If contributing goods, earnings, and labour to the household did not endow married women with institutionalized, formal power, it gave them some sense of entitlement. In return they expected to receive their husbands' assistance in providing for their family and household. This was a very different reciprocity to that suggested by historians like Margaret Hunt, who proposes that in "the 'social contract' between husband and wife, the responsibility to maintain the wife was the quid pro quo for her obedience and sexual services."[302]

Although Vickery assures that "unequal partnership was workable if a wife observed the general proprieties and a husband tempered his authority,"[303] Betsy must be obedient even when her husband's faults and inclinations cloud his good sense. During their short marriage, Munden will claim Betsy's pin money, kill her squirrel, tell her to dismiss her servants, upbraid her for not sleeping with Lord --- , and initiate an adulterous affair with Betsy's brother's mistress in the Munden home. Through all this Betsy still realizes, "Is not all I am the property of Mr. Munden?" (557) She is his property and reproaching him for his guilty actions or being angry with him will not change his behavior. Lady Trusty tells Betsy on her wedding night,

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301 Richardson*, Clarissa*, 107.

[302] Joanne Bailey, *Unquiet Lives: Marriage and Marriage Breakdown in England, 1660-1800* (Cambridge: Cambridge University Press, 2003), 109.

[303] Vickery, *The Gentlemen's Daughter*, 72.

> A man of the strictest honour and good sense may sometimes slip, -- be guilty of some slight forgetfulness, but then he will recover of himself, and be ashamed of his mistake. -- Whereas reproaches only serve to harden the indigent mind, and make it rather choose to persevere in the vices it detests, than to return to the virtues it admires, if warned by the remonstrances of another. (495)[304]

Even though Betsy is entirely justified in her anger, she cannot show that anger to her husband. She must allow him to "recover" himself, and she must accept his recovery and proceed with tenderness and obedience. The propensity for the "breaking" of women, especially strong-willed women like Betsy, is inherent in this kind of advice and thought. Halifax offers the same type of advice, but he goes so far as to advocate the faults of men as good for the marriage: "The faults and passions of Husbands bring them down to you, and make them content to live upon less unequal termes, than faultless men would be willing to stoop to … So that where the errours of our nature make amends for the disadvantages of yours, it is more your part to make us of the benefit than to quarrel at the fault" (374). A burden of responsibility is still placed on the wife to make "benefit" of the husband's faults and not quarrel with him about them.

Husbands, however, do not always respond to soft submission and patient obedience. Betsy, given large quantities of advice, does not always follow these rules exactly. Mr. Munden, a perfect, obedient servant during courtship, becomes a tyrant after marriage, his stated goal the "resolution to render himself absolute master when

304 Although Lady Trusty is warning Betsy of Munden's possible infidelity, the quote alsoapplies to Trueworth whose sexual encounters with Flora indicate a slip in his character.

he became a husband" (507). He achieves his resolution through his efforts and through Betsy's attempts to follow the rules of a good wife. Vickery describes a similar situation: "Sarah Cowper, the wife of a Hertfordshire baronet, acidly complained that her husband 'restrains me in all my due privileges:' he rebuked her before servants for giving a neighbor flowers without his permission, he denied her custody of sheets and tablecloths, humiliated her before guests, objected to her tea and cocoa account, and protected faulty servants."[305] Like Sara Cowper's husband, Munden objects to almost all of Betsy's housekeeping practices. He accuses Betsy of overspending the household budget, and he tells her she must use her pin money for tea and coffee. In response, she keeps accounts of all money spent, as Lady Trusty advises her to do, but Munden tears up the accounts and tells her she must retrench her expenses rather than expect an increase in allowance (506). The good advice of conduct texts is shredded in a practical application.

Betsy's fight for her pin-money is a fight for contractual rights. Susan Staves points out that pin-money was a "contract debt" which a husband was expected to pay a wife. However, when contested in court, the right to pin-money rested on varying interpretations. A woman who was still living with her husband could not sue for "arrears beyond a year, based on the assumption that if the husband and wife cohabitated, the husband had maintained the wife." Also if a wife bought items with her pin-money other than clothes, "she might discover that the traditional law of baron and feme had gone into effect and that the thing she had bought either were subject to rules different from those normally governing married women's separate

[305] Vickery, *The Gentlemen's Daughter*, 159.

property or had become her husband's property."[306] If Betsy attempts to sue Munden for the use of her pin-money, she will have to sue him every year or lose her right; if he refuses to pay, he will be imprisoned for failure to pay a debt. As Staves says, "It is hard to imagine that a gentlewoman who had had her husband imprisoned for failure to pay her pin money would have been warmly received in polite society."[307] The threat of being ostracized by polite society allowed unscrupulous husbands like Munden to violate articles of a marriage contract without a real threat of legal recourse.

The narrator sees this breach of the marriage contract and Munden's murder of Betsy's beloved squirrel as final straws, an end to following advice: "How utterly impossible was it for her now to observe the rules laid down to her by Lady Trusty! -- Could she after this submit to put in practice any softening arts she had been advised to win her lordly tyrant into temper?" (506-507) The rules are ineffectual. Betsy then decides, after Munden kills her squirrel, "that she would never eat, or sleep with him again" (508). Lady Trusty asks her to "consider how odd a figure a woman makes who lives apart from her husband; -- there is an absolute necessity for a reconciliation" (511). Lady Trusty implies the dire consequences of a wife who refuses to sleep with her husband, but she does not explicitly tell Betsy that her desertion of the bed would give Munden grounds for divorce. She alludes to the legal implications of sleeping in separate beds when she warns "it may furnish him with some matter of complaint against you, and likewise make others suspect you

[306] Susan Staves, *Married Women's Separate Property in England, 1660-1833* (Cambridge: Harvard University Press, 1990), 135-36.
[307] Staves, *Married Women's Separate Property*, 142.

have not that affection for him which is the duty of a wife" (510), but she never directly states the legal consequences of the action. The problem Haywood is highlighting with her presentation of conduct book advice is the all-encompassing application; there are no exceptions to the rule. Betsy, invoking the terms of contract, tells Munden the morning after the squirrel incident, "When a husband is ignorant of the regard he ought to have for his wife, or forgets to put it in practice, he can expect neither affection nor obedience, unless the woman he has married happens to be an idiot" (510). Betsy is no idiot, yet legally Munden can still expect obedience.

Nothing short of Munden's eventual adultery can relieve Betsy of her burden of obedience, but even that sin, according to Halifax, should be overlooked. Halifax advises his daughter that if she should marry a man who commits adultery, "Doe not seem to look or hear that way: If hee is a man of sence, hee will reclaime himselfe; the folly of it, is of it self sufficient to cure him: If hee is not soe, he wil bee provoked, but not reformed" (372). He also says she should not bring the subject up with her husband because "it is soe course a reason which will bee assigned for a Ladies too great warmth upon such an occasion, that modesty noe lesse than prudence ought to restrain her" (372). Munden commits adultery with a woman Betsy hopes to reform in the couple's home.[308] The situation is intolerable yet Betsy must tolerate it and overlook it.

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[308] "Beaten wives also evoked the husband's destruction of the sexual union that theoretically lay at the heart of the healthy Protestant household. Mary Jones detailed her husband George's adulterous relationship with his mistress, Dorothy, whom he had brought into the house. Dorothy brought George a posset and fed it to him while he lay in bed…Afterwards Dorothy undressed and joined George in the bed where Mary rightfully should have slept…When Mary threatened to tell the neighbors, George beat her and threw her out of the

Betsy finally reaches a decision about her marriage on her own:

> Neither divine, nor human laws, nor any of those obligations by which I have hitherto looked upon myself as bound, can now compel me any longer to endure the cold neglects, the insults, the tyranny, of this most ungrateful, -- most perfidious man. -- I have discharged the duties of my station; I have fully proved I know how to be a good wife, if he had known how to be even a tolerable husband: wherefore then should I hesitate to take the opportunity, which this last act of baseness gives me, of easing myself of that heavy yoke I have laboured under for so many cruel months? (590)

However, she immediately decides she will not "do any thing precipitately; it was not sufficient, she thought, that she should be justified to herself; she was willing also to be justified in the opinion of her friends" (590). Advice still means something to her and public opinion is important.

Halifax names public opinion as the main reason an adulterous husband should not be exposed: "But it is yet worse, and more unskillful, to blaze it in the world, expecting it should rise up in Armes to take her part: whereas she wil find, it can have noe effect, than that shee wil be served up in all companys, as the reigning jeast at that time ..." (371). William Blackstone cites divorce as an option only in cases in which "it becomes improper or impossible for the parties to live together: as

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house. Household order had been usurped." Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003), 66.

in the case of intolerable ill temper, or adultery, in either of the parties."[309] However, Janet Todd points out the rarity of a woman suing for divorce: if the divorce is granted, the aftermath is painful.[310] "However dreadful the domestic situation had been, she was beyond respectable society."[311] Vickery explains that in an "informal divorce" such as the one Betsy eventually pursues,

> without the safeguard of a carefully worded deed of separation, a wife still suffered all the legal disabilities of *couverture*: any income from real estate, any future legacies or earnings, all personal property and total control of the children could be claimed by a vindictive husband. What is more, in strict legality, a wife could not leave her husband's house without his permission and an affronted spouse had the law on his side if he chose drag his wife back. Only the most desperate, or the most protected, woman could countenance leaving marriage on those terms.[312]

Fortunately Betsy is protected by her family and lawyer from Munden, but even they would not be able to shield her from the wrath of society.

Haywood uses her power as author to usurp what society, according to Halifax, would have said and replaces it with an emergent society -- friends who recognize that obedience should be a gift given to a man in exchange for love, and that a man such as Munden does not deserve Betsy's quiet and undying submission.

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309 William Blackstone, *Commentaries on the Laws of England*, ed. Stanley N. Katz, Vol. 1 *Ofthe Rights of Persons* (Chicago: University of Chicago Press, 1979), 428.

310 According to Vickery, "between 1670 and 1857 there were only 325 divorces in England, all but four of these obtained by men" (73).

311 Janet Todd, *The Sign of Angellica: Women, Writing and Fiction, 1660-1800* (New York: Columbia University Press, 1989), 112.

312 Vickery, *The Gentlemen's Daughter*, 73.

She had married believing Munden "passionately loved" (502) her, and, as the narrator suggests, they would have been moderately happy "had he been truly sensible of the value of the jewel he possessed" (497). He is not, and Betsy, as well as the friends and family who had been advising her to submit and obey, finally feels justified in leaving him. Haywood is careful to present this so that any reader also feels Betsy is justified. Munden injures Betsy in every way but physically (and that he could do by exposing her to sexually transmitted diseases), and Haywood's portrait of marital discord is vivid enough to convince readers of Betsy's position. Here we see that Haywood takes great care to ensure the reader's good opinion of Betsy, and she at the same time subversively criticizes common male behavior and educates wives about their options.

Haywood's novel is a microcosm of eighteenth-century social conflicts -- emergent versus residual ideologies of patriarchy and of marriage, conduct book didacticism versus common reality. In the midst of these struggles, Betsy Thoughtless is presented as a sacrifice to the current sex-gender system. She marries a man she does not love believing that he loves her; when she learns the truth, her trade-off of love for submission becomes a gruesome choice. Halifax tells his daughter not to suppose society will change just for her, but Haywood does arrange her microcosm so that spouses die and the world seemingly changes for Betsy. However, the storybook ending of the novel -- Betsy's reunion and marriage to Trueworth -- is what the readers wanted but perhaps Haywood wanted her readers to focus on the majority of the novel more than on the ending. Her critique of conduct book advice is a critique of the agents which discipline female behavior and restrict

options for women. After Munden's death, Betsy lives with Lady Trusty and often reads some "instructive" (623) book to entertain herself. Although Lady Trusty and her advice are ignored by this point, Betsy does still rely on public opinion, surveillance, in a way she never had in the early part of the novel -- "Thus full justified within herself, and assured of being so hereafter to all her friends, and to the world in general, she indulged the most pleasing ideas of her approaching happiness" (628). The "world in general" only matters because Betsy has completely absorbed conduct book advice.

This revised concern for public opinion could be seen as reformation, but it also could be read as part of the "breaking" of Betsy. The end of the novel is problematic. For the most part throughout the novel, Betsy plays the conduct book and advice game and follows the rules. When she does decide to do the inadvisable thing and leave her husband, her friends do agree and help her. However, she is not completely tested in her resolve; Munden dies before she would have to face a real trial of "modesty" and endure legal action. Betsy illustrates "the power of the patriarchal world, which can brutally banish but when properly mollified may consent to intervene."[313] Betsy is "banished" to Lady Trusty's parlor for a year to read proper instructional fiction, and the patriarchal world to which she now conforms "consents to intervene" and provide her with a husband of socially prescribed true worth. Haywood's complex, double-sighted narrator assures that the novel can be read as a didactic story of reform and as a subversive chronicle of the

313 Betty Rizzo, "Renegotiating the Gothic," *Revising Women: Eighteenth-Century "Women's Fiction" and Social Engagement*, ed. Paula R. Backscheider (Baltimore: Johns Hopkins University Press, 2000), 90.

patriarchy's power to break the free-willed. Betsy is a widow and independent, yet she enters into a marriage as soon as she properly can. She played by the rules of the conduct book, thoughtlessly following their trusty advice, and was finally awarded with a "good man," yet she becomes broken in the end, a product of polite society and integrated into a patriarchal plot.

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Like Haywood, Frances Sheridan has a "Story" of her own. Mona Wilson, in her 1924 admittedly non-scholarly assessment of "muses," confidently asserts,

> Sidney Biddulph (sic) will still be enjoyed by a few, but Frances Sheridan would have been content to be remembered as the mother of the dramatist whose writings have long survived her own. Readers of *The Rivals* and *The School for Scandal* should at least honour her memory by the knowledge that the writer inherited his wit and his literary powers from his mother.[314]

The remarkable ability to know Sheridan's intentions and contentedness aside, Wilson casts the author of a best-selling novel (which ran through six editions, three translations, and a dramatic adaptation) as Mrs. Sheridan, wife of actor/manager/elocutionist Thomas Sheridan and mother of the famous Richard Brinsley Sheridan – "the writer." It is Richard Brinsley, not Frances, who is "the writer" in Wilson's assessment, though he inherited by blood "literary powers."[315]

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[314] Wilson, Mona, *These Were Muses* (Port Washington, NY: Kennikat Press, 1924). 48-49. All references are to this edition.

[315] If Sheridan's contribution is hereditary literary powers, it is odd that Wilson neglects to mention Sheridan's writing daughters, Betsy and Alicia, her novelist granddaughter, Alicia Le Fanu, and her grandson Joseph Sheridan Le Fanu, considered, with Wilkie Collins, one of the greatest Victorian Gothic novelists.

Wilson states that those literary powers only came into play when "the family fortunes were at a low ebb."[316]

Wilson's account of Frances Sheridan, as wife and mother first, author second, is typical of the representations of Sheridan until 1980. Several assumptions seem to haunt the pages of Sheridan criticism. The first of these Great Assumptions is that she was Thomas' wife and Richard Brinsley's mother primarily, their muse, not an author in her own right. The editor of *Betsy Sheridan's Journal* and various footnotes in other texts cite her as "wife of" or "mother of" often without a name and/or without mention of her literary career. Second, she wrote only to help ease the family debt. Thomas Sheridan was unlucky in his management of both theatres and money, so the need was pressing and real. However, she had written a full-length novel when she was fifteen, when writing solely for money was not an issue. The third is that she employed the money-making novelistic styles of the day – Richardsonian sentimentalism and Oriental tales.

The summary of all of these assumptions is that Sheridan was a minor novelist and minor playwright who is best remembered as Richard Brinsley's muse-mother and best forgotten as a sentimental Richardson copy-cat. Sheridan was not a copy-cat but an experimenter, an author who deliberately chose the sentimental genre not solely for its popularity but for its power (like the Gothic) in exposing the inherent injustices of a social system which creates passive, docile bodies in its trafficking of men and women. She draws on the plots provided by Eliza Haywood and Aphra Behn. Like *Clarissa*, *Sidney* is a sentimental novel concerning the suffering

[316] Wilson, *These Were Muses*, 36.

virtue of a woman, written in journal entries and letters, but it also looks back to Haywood's depictions of female desire and forward to Jane Austen and Maria Edgeworth's more subtle representations of women's issues. Sheridan is as much an heir of Haywood as she is of Richardson, and her worst case scenario novel of suppressed female desire and agency illustrates her alignment with Haywood and her concerns for educating her readers on the dangers of being a passive woman.

Reviews written during Sheridan's lifetime focused on the questionable moral of Sidney and its replication of Richardson. The *Critical Review* noted, "If a copy drawn with the most exquisite skill, and heightened with the nicest touches of art, can be allowed merit equal to a justly admired original, the Memoir of Miss Bidulph may deservedly claim a place in our esteem with the histories of Clarissa and Sir Charles Grandison."[317] Like *Clarissa*, Sheridan's sentimental novel was praised as a tear-jerker – "I know not, Madam, that you have a right, upon moral principles, to make your readers suffer so much," Johnson famously said[318] -- and as a fascinating read. The moral was difficult to interpret and for Sheridan's contemporaries this was a flaw in the narrative fabric; for modern-day critics this is the narrative fabric. Poetic justice was a popular plot device in the latter half of the century, and Sidney became a "stimulating element" in the debate. "The point at issue was whether a work which avoided poetic justice and instead depicted the suffering or death of a virtuous character was a good moral influence."[319] The excessive misfortunes of Sidney without a happy ending, and Sheridan's refusal to kill off her heroine in order

[317] *Critical Review* (11) 186.
[318] *Boswell's Life of Johnson*, ed. George Birkbeck Hill (Oxford: Clarendon Press, 1934), i. 390.
[319] Koster and Coates Clearly, introduction, *Memoirs of Miss Sidney Bidulph,* xii.

for her to receive her heavenly reward, as Richardson had Clarissa, unsettled some critics. The *Monthly Review* stated that the novel was "by no means calculated to encourage and promote Virtue,"[320] and the *Critical Review* also questioned the moral but enjoyed the story:

> The design of this work is to prove that neither prudence, foresight, nor even the best disposition the human heart is capable of, are of themselves sufficient to defend us from the inevitable evils to which human nature is liable. – Whether this inference is favourable to the encouragement of virtue we could not stop to enquire: we were so interested in the distress of Sidney Bidulph, and so absorbed in the events of her life.[321]

The questions of morality, however, did not affect Sidney's popularity (or perhaps encouraged it); the novel reached six editions and three translations, and it inspired many imitations.

In her indictment of poetic justice, Sheridan is following Richardson, and Sidney's friend Cecilia argues in the "editor's" introduction that since in real life people who deserve reward are afflicted, we should not be surprised to see the same thing in fiction, and offers Sidney as an example of a real life Job. Sheridan offers Sidney as a fictional heroine of unjust affliction, but she does not allow her to be the paragon of virtue that Clarissa is. Clarissa has no choice, and her world is a claustrophobic nightmare; Sidney's choices determine her fate, and her determination to obey her mother and the dictates of Christian stoicism leads to her

[320] *Monthly Review*, 24 (1761).
[321] *Critical Review*, 11 (1761).

unhappiness and tragedy. Sidney's destructive virtue and the ambiguous morality of the novel made eighteenth-century readers uneasy, but it is perhaps responsible for the recovery of Sheridan's work by academic feminists and it is what sparks the interests of critics today. Between the eighteenth- and twenty-first centuries, however, lies a smattering of Sheridan criticism which oddly focuses on her appearance and family devotion rather than on her achievements as an author. Based on Alicia Le Fanu's biography of her grandmother which was written in the Victorian era and on a paradigm of Richardson as the originator of the sentimental/domestic novel, these assessments of Sheridan do not take into account the politics of representation and its effects on reading Sheridan and her novel.

Frances Sheridan often becomes a footnote between 1924 and 1984. In reference to a letter she had written to David Garrick, she is identified as Mrs. Sheridan, mother of Richard Brinsley, who "had scored a notable success with her novel, The Memoirs of Miss Sidney Bidulph."[322] She is a footnote in *The Letters of Richard Brinsley Sheridan*, and she is more often a footnote than not in Esther K. Sheldon's *Thomas Sheridan of Smock-Alley*.[323] Sheldon does refer to her from time to time in the text though often in a patronizing way.

During their early life together Frances was so occupied with bearing children and entertaining friends that she had no time for writing and perhaps little even for the theater, although, with her active mind, she must always have been interested in her

[322] David M. Little and George M. Karhl, eds., *The Letters of David Garrick*. Vol. 2. (Harvard UP, 1963.)

[323] An interesting variation of the "wife of/mother of" syndrome occurs in Markman Ellis's *The Politics of Sensibility* (Cambridge: Cambridge UP, 1996): describing a list of subscribers in 1762 for Richardson's update of Defoe's *Tour Thro' the Whole Island of Great Britain*, Ellis includes "the husband of the novelist Frances Sheridan." (180)

husband's work. Later, in London, she wrote again – not only a novel but two plays. Most of her literary efforts flourished when Sheridan's ventures ended in nothing; but Frances always remained his admiring, protective, intelligent supporter.[324]
Sheldon evokes comparisons with Austen's reputed secrecy and her squeaky hinged parlor door when she describes the surreptitious way Sheridan reputedly had written *Sidney*: "Mrs. Sheridan, with her usual self-effacement, had dropped her manuscript into a small trunk beside her chair whenever her husband happened into the room where she was writing."[325]

The preoccupation with Frances Sheridan's place within the family circle and the family's literary circle mercifully gives way to a more scholarly assessment of her work, though still fraught with unproblematized representations drawn from problematic sources. In 1980, Margaret Anne Doody's article, "George Eliot and the Eighteenth-Century Novel," links elements of Eliot's style and narrative to eighteenth-century novelists including Frances Sheridan. Sheridan is mentioned only briefly but she is included as an author of merit in an article that discusses Richardson, Burney, Brooke, Smith, and Eliot. Doody states that "Frances Sheridan in *Sidney Bidulph* (1761) wants to describe a life lived around a moral problem, but she can give us only the heroine's account of her problem." This, she argues, is an unfortunate side effect of the "safe feminine form" of "journal-novel." She does not see Sheridan as a Richardson copy-cat; in fact she states, "The epistolary novel did not work well if the author was merely borrowing a Richardsonian formula as a

[324] Esther K. Sheldon. *Thomas Sheridan of Smock-Alley*. (Princeton: Princeton UP, 1967) 45.
[325] Sheldon, *Thomas Sheridan*, 265-266.

stalking-horse."[326] Doody does not make the Great Assumptions, but her discussion of Sheridan is only a paragraph.

Hogan and Beasley, in their 1984 introduction to Frances Sheridan's plays, write a detailed and scholarly assessment of Sheridan's life and writings. But even they comment on her appearance and quote Le Fanu's description of her grandmother's portrait and limping walk. Through their work, Sheridan's plays are presented in print for the first time since 1902. Their critical introduction points out the originality of Sheridan's plays and her influence on the drama of her son and others. They are the first to reprint Sheridan's letter to Sam Whyte in which her authorial ego and professional pride is evident. The introduction makes clear that Sheridan should be canonized if not for her novelistic endeavors, at least for her dramatic ones.

Questions of Sheridan's novelistic originality continued: why should we read this woman among many recently recovered women? Is she a copy-cat, latching on to a profitable trend because she desperately needs money, or is she experimenting with a popular genre, following Richardson but revising him as well? In a time when "work" had not completely given way to "text" and "author" to "author function," the professional writer continued to be haunted by the mother-muse.

The issue of Sheridan's originality manifests itself most plainly in Gerard A. Barker's *Grandison's Heirs* (1985). Barker discusses Richardson's Sir Charles Grandison then explores how other writers, Sheridan, Burney, Inchbald, Holcroft, Austen, and Godwin, modify the Grandison character paradigm. In Sheridan's case,

[326] Margaret Anne Doody, "George Eliot and the Eighteenth-Century Novel," *Nineteenth-Century Fiction* 35.3 (1980) 281.

Barker argues that not only would she have "recognized the shortcomings of Grandison but she would also have found Clarissa a much more congenial model to draw upon."[327] The problem with Clarissa is Lovelace: a heroine needs an "acceptable Lovelace." Barker asserts that Sheridan found a perfect solution:

> She patterned Faulkland, with some qualifications, after Grandison but created a chain of circumstances that misleads Sidney into believing him a virtual Lovelace. This enables the heroine to demonstrate her exemplary character by renouncing the man she loves, though his comparative innocence increases the pathos of her decision and saves her from the aspersions Clarissa was exposed to for having been capable of loving an immoral man.[328]

While Clarissa, at first, tries to believe that Lovelace is not a bad man (especially since her parents had approved him as a suitor for Arabella at one point), Sidney tries to believe that Faulkland is a bad man. Unlike Lovelace, Faulkland is truthful about his indiscretions and faults, and he admits his sexual affair with Miss Burchell. In a reversal from *Clarissa*, Faulkland claims he was tricked by Mrs. Gerrard and seduced by Miss Burchell. Only once does Faulkland engage in strategy to seduce a woman: he lures Mrs. Gerrard away from Sidney's husband and marries her to his valet. His violent temper is his major fault: it leads to a whipping of a servant who, seeking revenge, informs Sidney of Miss Burchell's pregnancy.

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[327] Gerard A. Barker, *Grandison's Heirs: The Paragon's Progress in the Late-Eighteenth-Century English Novel* (Newark: University of Delaware Press, 1985) 54.
[328] Barker, Grandison's Heirs, 55.

Barker argues that Faulkland's faults and his function make him a more credible character than Richardson's Grandison: "Far from being himself an exemplary hero and the center of the novel, his primary purpose is to support and enhance Sidney's exemplary role."[329] Sheridan adapts *Grandison* "to the needs of the feminine novel."[330] (For Barker, Sidney's status as paragon is never in doubt though later critics will doubt Sidney's "exemplary role.") One of the Great Assumptions is present within his assessment of Sheridan's contribution to the novel, however. He bases the assumption on the *Memoirs* and states, "The age, as its sentimental drama and fiction attest, was inordinately fond of pathos; and Sheridan, who embarked on her novel out of financial necessity was determined to exploit that popularity."[331] Barker was the last to unconditionally accept Alicia Le Fanu's Victorian assessment of her grandmother's motives and purposes, and a new generation of Sheridan critics took the field armed with the text of Sidney itself.

In 1987, for the first time since the end of the eighteenth-century, a new edition of *Memoirs of Miss Sidney Bidulph* appeared. The text had only a small introduction by Sue Townsend and no explanatory notes, but Pandora Press made the text accessible to students and scholars. Eight years later an Oxford edition of *Sidney* was issued. The introduction by Jean Coates Clearly and Patricia Koster focuses on suppressed desire and denied consummation in the novel. Sidney cannot act on her desires because she is the exemplary, obedient woman, hence disaster. The bite of sentimentalism is that perfect obedience without perception is

[329] Barker, *Grandison's Heirs*, 57.
[330] Barker, *Grandison's Heirs*, 68.
[331] Barker, *Grandison's Heirs*, 68.

undesirable; Sidney does not question her obedience enough. Richardson presents a woman who only wants to be able to obey her parents, and Sheridan presents a woman who should question the very nature of filial obedience and of female desire.

After the text became readily available and feminism and cultural studies take hold in academia, the question of Sheridan's originality becomes a heated issue. Cultural studies has enabled critics to look at specific moments in history and explore how the novel works within the structures of feeling of that moment. John Mullan, in his 1988 *Sentiment and Sociability*, dismisses Sheridan in one paragraph as an imitator of Richardson who realized the profitability of this type of novel.[332] Janet Todd comes to Sheridan's defense. In *The Sign of Angellica* (1989), Todd argues that Sheridan "subtly questioned some of the Richardsonian assumptions" and "investigated the sentimental obsession with female chastity and probed the implications of an altruism and familial piety that could so easily become self-destructive masochism."[333] Todd is the first to question the exemplary role of Sidney and to imply that her spiritualism is a masochistic self-denial. She says Sheridan deals with serious moral problems and questions: "how much is owed to others and how much to the self, to what extent the mental constructions of morality and religion should weigh against the desire for fulfillment and gratification."[334] These moral problems were ones Sheridan herself dealt with.

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[332] John Mullan, *Sentiment and Sociability: The Language of Feeling in the Eighteenth-Century* (Oxford: Clarendon Press, 1988).

[333] Janet Todd, "Novelists of Sentiment: Sarah Fielding and Frances Sheridan," *The Sign of Angellica: Women, Writing and Fiction, 1660-1800* (New York: Columbia University Press, 1989), 161.

[334] Todd, "Novelists of Sentiment," 161.

Todd explores Sheridan's biography in a new way. She says that Sheridan "conformed to the image of the virtuous woman writer," and that she wrote seriously and for money. Todd takes into the account the cultural and gendered expectations of Le Fanu's *Memoirs*: "Like many prefaces of the mid-eighteenth century, as well as Victorian biographies of other female authors, the main concern [of the *Memoirs*] is that the woman should appear domestic."[335] This, Todd argues, was Sheridan's downfall. In explaining her disappearance, Todd states that certain factors should be taken into account – the decline of the sentimental genre due to the "rise of the novel" paradigm, and the portrayal of Sheridan as a domestic woman who, in a "post-Romantic culture," would be "deemed incapable of producing high art." (164) Her recovery is based on a more sophisticated reading of the textual representations of Sheridan.

Todd points out two important innovations in *Sidney*. She realizes the dangers of sentimentality and problematizes the genre itself. Sidney is not a fallen woman, raped, seduced or abandoned, but she faces a moral problem. "The compassion and benevolence so necessary for human life, like the femininity that best expresses them, inevitably form social victims – victims who are powerful only in the fact that they can entail their misery on those who love them."[336] Unlike Clarissa, who leaves a material will that is obeyed to the letter even though her emotional will is not, Sidney leaves a legacy of pain written in her letters that continues into the next generation. Even her money, bestowed on her by a rich uncle, disappears. The implication is that women can only inherit moral and social

[335] Todd, "Novelists of Sentiment," 162-163.
[336] Todd, "Novelists of Sentiment," 166.

problems, not material goods and position.[337] Sidney, like Clarissa, can leave a written record of her suffering, and accept her fate in life as a mark to others. Todd states that "this resignation is somehow not pathetic but almost self-assertive – the heroine becomes that approved biblical character, the peculiarly afflicted of the Lord."[338] Sidney is powerful in her suffering, a heroine who is triumphant in her victimization – and who is alive in the end.

While some critics tend to define Sidney more in terms of a woman who finds masochistic pleasure in her dutiful self-denial, John Richetti sees Sidney as a Clarissa-like female paragon, a victim and a Job. Both views, however, take the deeply imbedded cultural expectations of a woman's absolute obedience to parents and husband as the cause of Sidney's condition. Disagreeing with Margaret Anne Doody's assessment that Sidney's fate is a repetition of her mother's, Richetti states, "What Sheridan renders, however, is not an inscrutable totality but a visible network of obligations, relationships, and reciprocities that can entangle the unwary and the unlucky, catch and destroy the naïf who, like Sidney, is unworldly and innocent."[339] Sidney thinks she is obliging that network of obligations, but her ignorance of female rakes, of the sexual double standard, and of marriage market savvy makes her a victim of a complex social system she does not understand. This lack of understanding leads to Sidney's lack of participation in her own life. She becomes a "resigned spectator"[340] while her mother, with her outdated knowledge of the fashionable world, and her brother, with his rakish codes of honour, decide her fate

[337] Clarissa's inheritance of material goods and position leads to her moral and social problems.
[338] Todd, "Novelists of Sentiment," 175.
[339] John Richetti, *The English Novel in History 1700-1780* (London: Routledge, 1999) 212.
[340] Richetti, *The English Novel*, 215.

in marriage and, consequently, in life. Richetti tries to untangle the ambiguous moral of the novel:

> Sheridan's novel is an ambitious exploration of the unresolved eighteenth-century problem of female character, and her long-suffering heroine is a lamb among the she-wolves revealed by novelistic probings. Sidney is exalted, but in the process, Sheridan destroys her plausibility and even erodes her moral intelligence; Sidney's function as observer of moral behavior, including her own, may be to recommend by her grim example the simpler gratifications of ordinary desire and healthy submission to emotion.[341]

Gratifications of desire may be simple but are not easy for a woman in Sidney's cultural moment. To gratify herself means that she love Faulkland before she is married to him (she should only feel esteem and gratification), that she marry against her mother's wishes, and that she sacrifice her moral principles (she will not marry Faulkland while she believes Miss Burchell has a prior claim). Can a woman be virtuous and true to her own desires? This question is implied in Richetti's reading of the novel, but he does not address it.

A recent essay on Sheridan places her in both the public and private sphere. Betty A. Schellenberg argues that Sheridan was "a woman whose self-identification as a writer included not only domestic and moral, but also public and political ambitions."[342] Her goal in the essay is admirable:

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[341] Richetti, *The English Novel*, 215.

[342] Betty A. Schellenberg, "Frances Sheridan Reads John Home: Placing *Sidney Bidulph* in the Republic of Letters," *Eighteenth-Century Fiction* 13.4 (2001) 562.

> I hope to model an approach to the mid-eighteenth-century woman writer which allows us to move productively beyond a gendered public-private dichotomy, while recognizing that such a binary opposition was in fact one of the distinctions Sheridan and other male and female authors of the 1750s and 1760s relied upon to construct their identities.[343]

Schellenberg objects to reading Sheridan as a daughter of Richardson only, and she points out that another writer was named in the "The Editor's Introduction" to *Sidney*: John Home. Home wrote a tragedy called Douglas, which was the story of a "domestic woman in distress."[344] Schellenberg argues that Sheridan is "carefully embedding the private within the public, using Home's nationalistic stage play. . . to mediate between the novel Sidney Bidulph and its readers." (563) She discusses how Sheridan could have written with an eye toward Home, and, in fact, have rewritten Home. Schellenberg also debunks some of the Great Assumptions: first, "Rather than being adequately identified as one of Richardson's daughters, she was part of several London professional communities whose membership and boundaries were fluid" (576); second,

> contemporary reception of Sheridan's work indicates a climate of acceptance for such a model, proposed by a woman, suggesting that the 'republic of letters' ideal of the 1750s and 1760s allowed for a public dimension to women's lives that was not entirely acceptable to

[343] Schellenberg, "Frances Sheridan," 563.
[344] Schellenberg, "Frances Sheridan," 563.

> Sheridan's early nineteenth-century biographer [Le Fanu] and has not be readily visible to recent feminist historians. (577)

The model Schellenberg is proposing, then, "ought perhaps to accommodate both 'masculine' and 'feminine' embodiments of the virtuous citizen." (577). This model is a departure from the idea that the sentimental genre was a woman's genre, for and by women, concerned only with the private space. The first article focusing entirely on Sheridan, Schellenberg's work suggests new ways of seeing Sidney and strengthens the argument that Sheridan was a professional writer.

From being a mother-muse for "the writer" Richard Brinsley Sheridan to a professional, participant in the republic of letters, the representation of Frances Sheridan has undergone dramatic and necessary changes. Within the past decade, she has been included in a book which surveys eighteenth-century literature, in an article of political and cultural discussions of the Marriage Act, and as a woman consciously writing for the public sphere. The next step is to loosen the Sheridan-Richardson connection, and explore the ways in which Sheridan is in conversation with other women writers, especially Haywood. Both novelists problematize trite answers to questions over women's issues, and they attempt to offer more nuanced solutions to the problems of their day. Like Haywood, Sheridan is concerned primarily with courtship and marriage, and the possibilities afforded and problems created in these states. The question of contract is central to *Sidney Bidulph*, and Sidney's inability to define contract in any way other than her mother's leads to tragedy.

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Sidney's journal begins April 2, 1703, well before the Marriage Act, but the novel was first published in March 1761, ten years after *Betsy Thoughtless* and eight years after the Marriage Act. Sheridan's mid-century writing of a turn of the century life allows a contemporary audience a comparison of now and then. Would Sidney refuse Faulkland in 1761 when his prior "engagement" with Miss Burchell was no longer binding?

When her journal begins, Sidney and her mother have descended upon London for the season, presumably for Sidney to find a husband. Lady Bidulph in Mrs. Bennett-like manner will not allow Sidney to stay at home; she must be abroad and on the market. Sidney remarks, "How kind, how indulgent is this worthy parent of mine! she will not suffer me to stay at home with her, nay scarce allows me time for my journal. 'Sidney, I won't have you stay within; I won't have you write; I won't have you *think* – I will make a rake of you" (12-13, emphasis mine). Lady Bidulph is in town, in spite of her inclinations, in order to show off her daughter and declare her eligible for marriage. "Certainly a great deal of parental anxiety about public arenas was disingenuous. Most parents knew full well what they were doing when they towed their prize daughters from assemblies to plays."[345] Sidney's father is dead, so this duty falls on her mother and her brother. Lady Bidulph is good to her word – although Sidney does write – prodigiously – she does not think, at least not with her own mind.

Like Betsy, Sidney faces the inevitability of marriage. Very soon Sidney's brother Sir George finds a husband for his sister. While in Bath, he is reacquainted

[345] Vickery, *The Gentleman's Duaghter*, 269.

with a friend he met while abroad and after describing Sidney to Mr. Faulkland, a match is proposed. In fact, Faulkland considers himself somewhat engaged to Sidney weeks before he meets her. After Sir George returns to London, he proposes Faulkland to Lady Bidulph and Sidney; her mother openly approves, and she does so silently. "Good young man! cried my mother, I should like to be acquainted with him. (So should I, whispered I to my own heart)" (14). Sheridan illustrates a problem common in novels about marriageable young women – they cannot vocalize their like or dislike of young men presented for courtship. Clarissa knows she must at least be polite to Solmes even though she finds him odious; unfortunately she has to trust that her parents would never seriously think of marrying her to such a toad. Galesia in Jane Barker's *Love Intrigues* loses her suitor because he (unjustly) expects her to show her affection before he proposes, and Barker's heroines become great resistors of marriage. Betsy is in a more fortunate position because her guardians do not have an ultimate say in her marriage choice, but her brothers eventually bully her into a miserable marriage. By the time Jane Austen writes *Pride and Prejudice* in the early nineteenth-century the problem of women's silence in courtship is so encoded that Charlotte suggests that Jane show through body language what she cannot say to Mr. Bingley.[346]

When Faulkland at last materializes he is "a perfectly handsome and accomplished young man," and Lady Bidulph is delighted. She carries the conversation with Faukland, and Sidney follows it. "I bore no great part in the conversation, but was not, however, quite overlooked by Mr. Faulkland. He referred

[346] Jane Austen, *Pride and Prejudice* (New York: Norton, 1993), 15.

to me in discourse now-and-then, and seemed pleased with me; at least I fancied so" (19). The embargo on discussion works both ways – Faulkland can say things to Sidney by talking to her mother, but a private conversation about their feelings is not possible. Instead two people must make decisions about marriage and a future life together by proxy and on a first meeting. When Betsy Thoughtless questions the validity of this practice and subverts it by allowing the addresses of many young men over many "dates," she is reminded that young women cannot toy with the affections of marriageable young men – it is a waste of their time in a highly competitive marriage market.

Sidney expresses her discomfort over courtship practices, but only to Cecilia in the journal. "I thought of the conversations we had so often about Mr. Faulkland, and could not help considering myself like a piece of goods that was to be shewn to the best advantage to a purchaser" (20). Seeing herself as a commodity depresses her to the point that she becomes completely silent, and this pleases her mother. "The man who does not reckon a modest reserve amongst the chief recommendations of a woman, should be no husband for Sidney. I am sure, when I married Sir Robert, he had never heard me speak twenty sentences" (20). Her brother agrees that women should be modest but argues "people now-a-days did not carry their ideas of it quite so far as they did when his father's courtship began with her; and added, that a young lady might speak with as much modesty as she could hold her tongue" (20).

This debate brings up an interesting distinction – it is Sidney's mother who repeatedly silences her daughter; Sir George is the only character in the novel who ever urges Sidney to speak, act, and think for herself. Lady Bidulph fills a role

similar to that of Lady Trusty – she spouts conduct book advice and attempts to keep the young woman in her care away from anything that will damage her respectability. Sir George, on the other hand, attempts to educate Sidney in the ways of the world; he even teaches her Latin, the male language of learning. Her mother has absorbed the rules of her society so thoroughly that she unconsciously insists on Sidney's unconscious obedience. If Betsy is thoughtless, Sidney is incapable of thought. "Sidney is a heroic self-effacer, and her narrative is a record of deferrals in which she is 'actively' and aggressively passive, allowing readers to see through her experiences and suffering the operations, both trivial and melodramatic, of the upper-class circles in which she moves."[347]

Since Sidney's voice only comes to the reader through the journal/letter that she is writing for Cecilia, it is important to note how Sidney conveys her words and the words of others. She uses parenthesis a great deal and often her true feeling is enclosed within. When others "speak" parentheses, the part most connected to Sidney is enclosed. The night after Sidney and Faulkland meet, Sir George informs the family that Faulkland wants to make his addresses to Sidney. Sir George tells Faulkland that if Lady Bidulph agrees, Sidney will naturally agree as well. "A very discrete answer, said my mother; just such a one as I would have dictated to you, if I had been at your elbow. I believe we may venture to suppose, that Sidney has no prepossessions; and as this is as handsome an offer as can possibly be made, I have no objections (if you have none, my dear) to admit Mr. Faulkland on the terms he proposes" (22). The reader may assume the parenthesis to be addressed to Sidney,

[347] John Richetti, *The English Novel*, 214.

but it as easily could be addressed to Sir George. Nevertheless, Sidney agrees that she has no prepossessions and therefore no impediment to a courtship with Faulkland. Unlike Clarissa and Betsy, Sidney does not have an independent fortune and the luxury of considering celibacy. That said, this orchestrated courtship is still hard to stomach especially since Sidney's affection seems only parenthetical.

For a while, however, Faulkland seems a Mr. Darcy prototype and Sidney is well pleased with him. He presents her with an extravagant set of jewels and a handsome marriage settlement. Her small dowry is ignored; he settles more on Sidney than her dowry dictates. His only imperfection is his temper. Like the Falkland of William Godwin's *Caleb Williams*, Faulkland has a perfect exterior which hides interior anger. When Sidney is thrown from her horse after Faulkland's footman whips it, Faulkland's anger flashes. He whips the footman three times across the shoulders and fires him. "This little incident convinces me that Mr. Faulkland is of too warm a temper; yet I am not alarmed at the discovery; you know I am the very reverse; and I hope in time, by gentle methods, in some measure to subdue it in Mr. Faulkland. His own good sense and good nature must incline him to wish it to be corrected" (34). For a spirited woman like Elizabeth Bennett to correct a condescending nature in Mr. Darcy is one thing; for a passive teenager like Sidney to correct explosive anger in Mr. Faulkland is quite another.

As numerous studies have demonstrated, domestic violence was as prevalent in the eighteenth-century as in our own.[348] Then, however, a woman married to a

[348] See Elizabeth Foyster, *Marital Violence: An English Family History, 1660-1857* (Cambridge: Cambridge University Press, 2005); J.M Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986); Joanne Bailey, *Unquiet Lives: Marriage and Marriage*

violent man had very few options. Rarely could she financially afford to leave him, and a separation was difficult to attain. For most, divorce was impossible since it was granted by Parliament and only in adultery cases. Moreover, a husband's violence was often seen as a deficiency in the wife. "Such was thought to be the influence of women upon men's behavior, that wives were encouraged to examine their own conduct if their husbands were violent. A culture of female self-blame was engendered."[349] This is reflected in Halifax's assertion that women soften men through their tears. Sidney, raised on conduct book values, is expressing the proper response to violence in her fiancé by automatically assigning herself to the duty of regulating his emotions and behavior. Her activity is channeled through a desire to improve her husband.

Faulkland's violence does not end the courtship, but his sexual indiscretion does. While Sidney is sick with a fever, the beaten and dismissed footman seeks his revenge by sending Sidney a letter written to Faulkland by a woman he has presumably seduced.[350] Since Sidney cannot read the letter, the maid automatically gives it to Lady Bidulph, who then decrees that all letters addressed to Sidney be given to her instead. In a passive state because of her fever, Sidney is further denied agency by her mother who knows best. The letter reveals that Faulkland, while in

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Breakdown in England, 1660-1800 (Cambridge: Cambridge University Press, 2003); Clive Emsley, *Crime and Society in England, 1750-1900* (London: Longman, 1987); Garthine Walker, *Crime, Gender and Social Order in Early Modern England* (Cambridge: Cambridge University Press, 2003).

[349] Elizabeth Foyster, *Marital Violence: An English Family History, 1660-1857* (Cambridge: Cambridge University Press, 2005), 88.

[350] J.M. Beattie states, "Only rarely did a servant or apprentice thrashed by their masters beyond a level acceptable to society, a wife beaten by her husband, or a man assaulted in the streets or in a tavern complain to a magistrate and institute a prosecution. Most incidents of physical abuse and violent conflict were ignored or revenged privately." *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986), 124.

Bath, seduced a young woman of family and left her, pregnant and alone. In a pre-Marriage Act world, the girl, Miss Burchell, must prove that he promised to marry her and Faulkland will be held to his word.[351] "Church courts and justices of the peace would uphold the claim of a pregnant woman that she had been 'debauched under promise of marriage,' and if necessary compel the man in question to perform his promise."[352] If Faulkland did not promise to marry Miss Burchell, he is free to marry Sidney, although on shaky moral grounds. In Haywood's *The Rash Resolve*, when a wife discovers her husband was pre-engaged to Emanuella, she offers to give him back to her. In a sixteenth-century clandestine marriage case, Richard Lowe contracted a marriage with Ellen Stones; however, he had a previous engagement, before witnesses, with Jane Walkden. Ellen Stones broke off the contract after she discovered the engagement to Jane Walkden; Richard Lowe kept his original promise to Walkden and married her.[353] If no pre-engagement exists, Sidney must still consider the prior rights of Miss Burchell and the unborn child. Eve Tavor Bannet comments on this difficulty:

> In the contest between a pregnant woman's moral right to marriage and her legal and civil entitlement, Sidney and her mother affirm the importance of ensuring that men honor the moral obligation to marry the mother of their child…They support the 'female cause' by helping

[351] Interestingly, Sheridan's son, Richard Brinsley Sheridan, was an active participant in the discussions surrounding the Hardwicke Marriage Act, "speaking in the Commons in June 1781 against Fox's attempt to reduce the ages at which parental consent was necessary." Outhwaite, *Clandestine Marriage*, 129.

[352] Tavor Bannet, *The Domestic Revolution*, 95-96.

[353] F.J. Furnivall, *Child-Marriages, Divorces, and Ratifications, etc., in the Diocese of Chester, AD 1561-6* (London, 1897), 187-196. This case also echoes Lady Bidulph's experience with her first engagement to a man who was pre-engaged to someone else.

> the abandoned mother, by refusing to benefit from another woman's ruin, and by insisting that virtue is a matter of honor, conscience, and morality rather than of mere legality.[354]

This is true, but such high principles are primarily Lady Bidulph's – Sidney must relinquish all her love for Faulkland if she is to honestly obey her parent.

During the time that Halifax called the crux of a woman's future happiness, Sidney leaves all decisions to her mother and refuses to listen to any explanation that her mother would not deign to hear. Sidney finally reads two letters – Miss Burchell's to Faulkland, and Faulkland's to Lady Bidulph which does not deny the sexual encounter but does deny the seduction, but not the letter from Faulkland to Sir George which Lady Bidulph had seen – and hears Lady Bidulph's judgment that the engagement be called off and Faulkland's visits denied. "Ah! dear madam, cry'd I, scarce knowing what I said, I rely on your maternal goodness; I am sure you have done what is proper" (42). Sidney places the whole affair into her mother's hands, denying herself any thought on the matter and retaining only an emotional response. She even refuses her brother's counsel[355], claiming only her mother knows what is proper in the situation even though Lady Bidulph herself admits she "had not the patience to read the letter through. To say the truth, I but run my eye in a cursory manner over it; I was afraid of meeting, at every line, something offensive to decency" (45). The concern for propriety and decency overwhelms the desire for the

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[354] Tavor Bannet, *The Domestic Revolution*, 113. This excellent discussion of *Sidney Bidulph* is marred by the author's reading of the novel's events as happening in 1761 rather than in 1708.

[355] Gerard A. Barker points out that Sir George's defense of Faulkland is similar to the narrator's defense of Trueworth after his sexual indiscretion in *Betsy Thoughtless*. "Sheridan's Orlando Faulkland," *Grandison's Heirs: The Paragon's Progress in the Late Eighteenth-Century Novel* (Newark: University of Delaware Press, 1985), 61.

truth, and as Margaret Anne Doody argues, the past dictates the present.[356] Lady Bidulph's own experience with a broken engagement[357] colors the present situation; past decisions enclose all present choices.

As in early Haywood texts, in this novel women uphold the honor of other women. Lady Bidulph confronts Faulkland, but the outcome of the situation is already determined. "Lady Bidulph insists upon interpreting Faulkland's story in terms of her own experience: Lady Bidulph rewrites Faulkland's story, she silences him, and she forces others to believe her version of the story."[358] She states that he slept with Miss Burchell, got her pregnant, and ruined her. He does not deny the events, but he does point out that he is "under no promises, no ties, no engagements whatsoever to the lady" (46). In a novel set nearly fifty years before the Marriage Act, this proclamation is important. He did have sex with Miss Burchell, but he did not make a promise of marriage. Later, when Lady Bidulph meets Miss Burchell, the young woman allows Lady Bidulph to believe that Faulkland made her a promise but she never directly states that he did. If he had made the promise, then Lady Bidulph's insistence that he marry Miss Burchell would be the insistence that he uphold the law; as it is, it is an insistence that he uphold honor. When Sir George and Faulkland argue that this revelation should not hinder the match with Sidney, Lady Bidulph exclaims, "All I can find by either you or him, is, that you think the

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[356] Margaret Anne Doody, "Morality and Annihilated Time," *Fetter'd or Free? British Women Novelists, 1670-1815*, eds. Mary Anne Schofield and Cecilia Macheski (Athens, Ohio: Ohio University Press, 1986).

[357] She was jilted on her wedding day by a man who suddenly decided to honor a previous engagement. His broken vows to two women drove him to madness, and he died shortly thereafter. The story, of course, bears an eerie resemblance to Sidney and Faulkland's story.

[358] Kathleen M. Oliver, "Frances Sheridan's Faulkland, the Silenced, Emasculated, Ideal Male," *Studies in English Literature* 43.3 (Summer 2003), 689.

loss of honour to a young woman is a trifle, which a man is not obliged to repair, because truly he did not *promise* to do so" (42). In this case, the test of a hero is the test of his actions, not his words. "She insists not only on the rights of a delicate woman to the love of an uncorrupted man, but also, and most unusually, on the rights of the woman seduced. If all women combined in such solidarity, then the men would not be able to continue their career of rakishness, would not be able to treat seduction as a light and laughable manner."[359] From her perspective, Faulkland's body made a promise to Miss Burchell even if his mouth did not. A woman is reminding a man of what honor is and what is due to preserve honor.

This preservation of honor also depends on Sidney and her ability and willingness to relinquish Faulkland. She endeavors to follow her mother's example in this as in everything – her mother reminds her that since she was able to overcome her first love, Sidney should be able to do the same. Sidney says her acquiescence has more to do with "female pride" than with an effacement of her love – she has her pride and "her virtue to keep her warm. She has very little else."[360] Even when Sir George demands that Sidney see Faulkland and hear his story for herself, she refuses on the grounds that she knows the story through her mother and that is enough; "my mother has given me leave to judge for myself; she has repeated all that you have said" (51). Sidney has been given leave to judge for herself, but she does not. She allows her mother's interpretation of events to be her own. "More of a resigned spectator than a participant, Sidney undergoes experiences by which she is of course

[359] Doody, "Morality and Annihilated Time," 331.
[360] Patricia Meyer Spacks, "The Sentimental Novel and the Challenge to Power," *Desire and Truth: Functions of Plot in Eighteenth-Century English Novels* (Chicago: The University of Chicago Press, 1990), 136.

deeply affected but of which she is not in fact the initiator nor even at times actively involved."[361] Sidney becomes a shadow of her mother, a point Sheridan makes well. "And so the match is broke off, cry'd Sir George. *It is*, said my mother peremptorily. It is, echoed I faintly" (51). Lady Bidulph speaks in italics; Sidney speaks in barely heard echoes and parentheses.

Sidney's status as shadow of her mother is emphasized through the way her brother refers to her as "child" and how she feels she is treated as a "baby, that knows not what it is fit for it to choose and to reject" (85) and through the strict denial of her feelings for Faulkland. "The institutionalized self-suppression of the female becomes an article of faith for the virtuous woman…Even a woman with no will of her own cannot enjoy being treated like a baby. But how else can one treat her?"[362] When a maid brings Sidney a letter from Faulkland, she is dismissed from service and Sidney gives the letter to her mother unopened and unread (55). "As she herself [Lady Bidulph] had been (by her bridegroom's decision) deprived of any real choice save passive and dignified acquiescence in her loss, she is the more inclined to think passive if high-minded resignation the only suitable course for Sidney, and gives the girl only a nominal right to choose what to do – as the mother has done everything."[363]

Her mother does everything in her next engagement as well, and Sidney has little choice. Although young women were given a season in London to find a husband, it is in the country that Sidney finds hers. While staying with her mother's

[361] Richetti, *The English Novel*, 215.
[362] Spacks, "The Sentimental Novel," 136.
[363] Doody, "Morality and Annihilated Time," 330.

friend Lady Grimston, Sidney meets Mr. Arnold, a forgettable young man with a decent estate. Concerned for her credit in the marriage market, Lady Bidulph and Lady Grimston form a match between Sidney and Mr. Arnold. To Sidney, his only recommendation is that he plays music well. Since she only need feel esteem and gratitude to her prospective husband with the assumption that love will come later, this is enough for her mother to pursue the match.

Mr. Arnold's declaration of his undying love is preceded by one of the most famous passages in the novel.[364] Sidney is in the drawing room reading Horace – her brother taught her to read Latin, as Sheridan's brothers had taught her – when Mr. Arnold walks in and asks what she is reading.

> When I named the author, he took the book up, and opening the leaves, started, and looked me full in the face; I coloured. My charming Miss Bidulph, said he, do you prefer this to the agreeable entertainment of finishing this beautiful rose here, that seems to blush at your neglect of it? He spoke this, pointing to a little piece of embroidery that lay in a frame before me. I was nettled at the question; it was too assuming. Sir, I hope I was as innocently, and as usefully employed; and I assure you I give a greater portion of my time to my needle, than to my book. (80)

Finding her neglecting her woman's work in favor of a man's book, Mr. Arnold takes pains to redirect her energies. But in this novel, women are always assuming men's activities if not their agency. Lady Bidulph actively engages in both of

[364] In her 1924 study, *These Were Muses*, Mona Wilson quotes this passage at length as an example of Sheridan's narrative ability.

Sidney's marriage settlements and she appoints herself the defender of Miss Burchell's honor. Sidney, the milky image of her mother, reads Horace and finds no fault in it until Mr. Arnold implies she is guilty of something unseemly. Although she may give a greater portion of her time to her needle than to her book, the greatest portion of her time is given to her pen and the active pursuit of writing her own life (even if her emotions are given parenthetically).

Mr. Arnold assures Sidney she is "so lovely" that she can do nothing that "needs an apology" (80). Sidney tells Cecilia, "An apology, I'll assure you! did not this look, my dear, as if the man thought I ought to beg his pardon for understanding Latin? For this accidental, and I think (to a woman) trivial accomplishment, I am indebted, you know, to Sir George, who took so much pains with me the two or three summers he was indisposed at Sidney Castle" (80). Sir George takes "pains" to teach her Latin, and he tries to teach her about female rakes and fallen women, but their mother thwarts his attempts.

Mr. Arnold cannot be much put off by Sidney's knowledge of Latin because he proposes immediately after the apology. "He then proceeded to tell me how much he admired, how much he loved me! and that having been encouraged by lady Grimston's assuring him that I was disengaged (observe that) he presumed to tell me so. Oh, thought I, perhaps thou art thyself a Grimstonian, and do not think it necessary that the heart should be consulted" (80). Sidney *is* disengaged – her engagement to Faulkland is completely ended – but her parenthetical aside to Cecilia implies that her heart is not. When her friend Mrs. Vere attempts to reconcile Sidney to the match, Sidney says that her heart is not engaged but her parenthetical to

Cecilia – "(as it really is not; for indeed, Cecilia, I do not think of Mr. Faulkland)" – belies her (82).

Pressured by her mother, Lady Grimston, Mrs. Vere, Cecilia, and Mr. Arnold himself, Sidney acquiesces to marriage. Like Betsy, she is "forced" into a marriage with a man she respects but does not love. She can laughingly refer to her disappointment with Faulkland when she hopes for an impediment to the rapidly approaching marriage: "I wish my mother would take it into her head that she was in love with him, and that Mr. Arnold had promised to marry her; then should I a second time crown me with a willow garland" (89). She even mentally marries him off to Lady Grimston (89). Sidney envisions Mr. Arnold married to anyone but herself. Her parenthetical aside to Cecilia demonstrates how disconnected she feels – "She [Lady Bidulph] proposes going to town next week, that the wedding – (bless me! whose wedding is it that I am talking of so coolly!) well – that it may be celebrated in her own house" (94). Later she recites the guest list and details who will be "present on this (as it is called) happy occasion" (98). Sidney passively accepts the marriage foisted upon her, but her emotions parenthetically betray her.

Because Sidney's father is dead and Sir George is refusing to take part in the match with Mr. Arnold, Lady Bidulph negotiates Sidney's marriage contract. Although a forceful presence in the negotiations and unwilling to compromise her demands, Lady Bidulph's shrewd business acumen leads to a poor settlement for Sidney.

> My mother, who you know is integrity itself, thinks that I ought not to have more settled on me than the widow of Mr. Arnold's brother had, whose fortune was superior to mine. Mr. Arnold makes a much

> handsomer proposal; lady Grimston is for laying hold of it. The dean was for striking a medium. I do not care how they settle it; but I fancy my mother will have her own way in this. (94)

Rather than accepting Mr. Arnold's generous proposal (as she had Faulkland's), Lady Bidulph secures for her daughter an estate worth 300 pounds a year because if Sidney "cannot live on that" she "does not deserve to live at all" (94). Having lost out on a economically superior match, Lady Bidulph seems to be expressing, in a passive resistant way, her disappointment. If Sidney can't live on the jointure provided by a man her financial equal, she doesn't deserve anything. Her other reason for the small jointure is supportive of patriarchal goals – "as the estate was already subject to one jointure, and the widow being so young a woman; if it should also be my misfortune to be one early, a great part of the fortune would be swallowed by dowagers, and the heir not have enough to support his rank" (94). This is assuming of course that a male heir would be born to Sidney and Mr. Arnold before his hypothetical and untimely death.

Having fulfilled her duties in marrying off her daughter, Lady Bidulph turns her energies to marrying Miss Burchell to Faulkland. Her indefatigable Mrs. Bennett-like spirit is undaunted by the fact that Faulkland never promised to marry Miss Burchell. At their first interview, Lady Bidulph's preconceptions about Faulkland lead Miss Burchell down an easy path of obscuring the truth.

> A young lady of your modest appearance, I am sure, he must have been at more pains to seduce, than he will acknowledge. Miss B. blushed exceedingly – Oh! madam, you have a charitable, generous heart, I was indeed seduced. I knew it,

replied my mother. Did he promise to marry you? She coloured deeper than before. I will not accuse him of that, madam. (102)

Readers of Haywood would know how to interpret this passage. Miss Burchell *appears* to be a modest young woman, and she will not accuse Faulkland of a false promise of marriage, although it is clear she will accuse him of other things. Since Lady Bidulph refuses to read Faulkland's letter for fear of being offended by something not consistent with propriety, it can be assumed that she is not a reader of romances, and cannot have the education that a Haywood reader would have. Educated by her mother, Sidney too cannot benefit from the narrative of experience available in romance novels, but her denied love for Faulkland colors her perception of Miss Burchell's woes; "there appears to me, upon the whole, something evasive and disingenuous in her conduct" (103).

Faulkland, however, is an avid reader of romances as he demonstrates when he saves Sidney's marriage by "eloping" with Mrs. Gerrarde and styling himself a hero of a romantic novel. Kathleen M. Oliver points out that even his name is a romantic contrast with Sidney's: "As the name Orlando is associated with fallen knighthood and lapsed duty, with frenzied uncontrolled passion, with foreignness and effeminacy, so the name Sidney is associated with superior moral character, with emotional control, with attention to duty – in essence, with the best of English character."[365] The novel suggests that some sort of middle ground between frenzy and emotional control is needed. Margaret Anne Doody states that there is

[365] Oliver, "Frances Sheridan's Faulkland," 688.

> no satisfactory alternative to the Bidulph women's romantic code, to their 'feminism,' in the world as it is…Mr. Arnold who so disapproved of Sidney's reading Horace, illustrates all the limitations of the male world that allows women neither freedom nor intelligence. His low opinion of women does not prevent his being made a fool of by a woman who can size him up and flatter him, drawing out the silly and empty fellow who lurked behind the rigid exterior.[366]

If the men in the novel are emasculated Romantics and silly, empty fellows, it begs the question of worth – if these men can be subjects and full participators in the social contract, why can a woman who seems more intelligent and stable not be?

Excluded from the social contract, Doody suggests that the Bidulph code of conduct becomes law unto itself.

> The Bidulph women in general, and Sidney most especially, rarely initiate important action; their strength is that of reaction. Refusing to take initiative, they also refuse to be mere passive objects of the percussion of experience. They have a talent for transmuting experience into law. It may be that Sheridan saw this as at once the strength and the weakness of the female in her time, cut off from the power of original action and the force of positive law in the external social world. Emotionally reacting, woman turns into private

[366] Doody, "Morality and Annihilated Time," 344.

> lawmaker and lawgiver; her laws are transmissible, but only in company with emotional responses.[367]

The Bidulph code of law is a separatist law, however, and it is based on a few erroneous assumptions. Lady Bidulph and Sidney assume Miss Burchell is innocent and is telling the truth, and they assume Faulkland will be unfaithful if married to Sidney. When women are cut off from "the power of original action and the force of positive law," they can create a private law. Lady Bidulph's decree that Faulkland is guilty of seduction and abandonment does hold power; it is the central tragedy of the novel. Faulkland recognizes Lady Bidulph's authority and acquiesces, but Sir George refuses and becomes estranged from the family. His estrangement from his family does not affect his ability to circulate in the "external social world;" when Sidney becomes estranged from Sir George her ability to live in the social world is severely diminished. Women may exact a private code of conduct and it may become a law unto a family, but it does not substitute for participation in the external world. Private law cannot protect a woman in a world which operates under the law of a contractual government when women have no part of that contract.

The novel is Sidney's story written primarily by herself, but there are times when another voice intrudes. Sidney has only nominal rights in her life and sometimes she has a nominal voice in her journal, the record of her own story. Sidney's new maid is an old friend in reduced circumstances, Patty Main. Patty takes over Sidney's journal when things are in "a hum-drum way" (64); journal-keeping becomes another mundane domestic chore worthy only of servants. Patricia

[367] Doody, "Morality and Annihilated Time," 345.

Meyer Spacks rightly points out that "in periods of relative contentment, she recognizes the impossibility of meaningful narrative about a woman's ordinary life…Cut off from the possibility of performing acts 'worth recording,' they can only be acted upon. Sidney's life acquires interest when it turns to misery."[368] Misery gives Sidney a voice she would not otherwise have. In happier or more mundane moments, she gives the journal and her voice to another.

Patty Main, who takes over the journal when "nothing of importance" is happening, becomes the narrator during the births of Sidney's two daughters.[369] Cecilia edits these sections, bridging the gap in the narrative with the note that in this interval "nothing material to her story occurred but the birth of a daughter" (116) and "Here insues another interval of nine months, in which nothing particular is related, but that Mrs. Arnold became mother to a second child" (119). As Amanda Vickery's excellent study of genteel families demonstrates, Mr. Arnold should be the one who continues Sidney's correspondence.[370] Instead, it is Sidney's maid and friend, Patty, who does this service. Sidney may say that she is perfectly happy with Mr. Arnold, but her reluctance to give him entry to her journal speaks otherwise.

A reader cannot but help to feel that the Arnolds' relationship has never been what it should be, and of course the reader knows that Sidney is fooling only herself if she believes she truly no longer loves Faulkland. Her reluctance to trust Mr. Arnold with her journal is of small importance compared to the fact that she never told her husband that she had been engaged before and to Faulkland. The

[368] Spacks, "The Sentimental Novelist," 139.
[369] It is an oddity of this novel that the births of Sidney's children are glossed as "nothing of importance."
[370] Vickery, *The Gentleman's Daughter*, 104.

contentment the Arnolds feel in their neighborhood and with their children is shattered when Faulkland arrives to visit relations who are close friends with the couple. Lady V knows of the engagement and advises Sidney to tell Mr. Arnold, but she does not. Faulkland and Sidney meet again and the spark is quite literally renewed. Sidney attends a play with friends and the playhouse catches on fire. In the panic of the crowd, Sidney falls and hurts her ankle, and "in this condition Mr. Faulkland found me, and carried me out in his arms" (133). The last time Sidney and Faulkland were together, he was saving her from the rearing horse his unthinking manservant had provoked. He continues to be her dashing savior on this their next meeting, and the playhouse is smoldering with a passion renewed.

The smoldering playhouse is an image worthy of Haywood, and recalls the strong emotional images inherent in earlier amatory fiction. Sheridan also takes advantage of an eighteenth-century stock scene to reveal Mr. Arnold's infidelity. Sidney rests at a nearby inn while Faulkland gets her carriage, and while she waits she hears her husband in another room talking to Mrs. Gerrarde, their neighbor. She wants to go to him, but first her ankle then her realization prevents her. Mr. Arnold speaks so tenderly to his companion that Sidney cannot doubt that Mrs. Gerrarde is his mistress. True to conduct book advice, Sidney "resolved not to interrupt them; nor, if possible, ever let Mr. Arnold know that I had made a discovery so fatal to my own peace, and so disadvantageous to him and his friend" (135). Sidney, like many heroines before and after her, hears a disastrous truth through the wainscoting (hedge, Vauxhall shrubbery). And like so many wives before her, she realizes that a

suitor or a husband in the honeymoon stage becomes a different creature as the marriage progresses.

> Is it possible, my Cecilia, that Mr. Arnold, so good a man, one who married me too for love, and who for these two years has been the tenderest, the kindest husband, and to who I never gave the most distant shadow of offense, should at last be led into – I cannot name it – dare not think of it – yet a hundred circumstances recur to my memory, which now convince me I am unhappy! (136)

His transformation is not so sudden as Mr. Munden's nor is it premeditated, but it is no less distressing. Her unhappiness will be multiplied when her unfaithful husband accuses her of infidelity.

Of course Mr. Arnold sees Sidney being handed into the carriage by Mr. Faulkland and instead of realizing that hand should have been his own and examining his own behavior, he assumes that Faulkland and Sidney are having an affair. Now when Sidney knows her husband is unfaithful, he asks for proof of her obedience. "You give me your promise that you will not see him any more. I do, said I; I will give up lady V---, whose acquaintance I so much esteem: I will go no more to her house while Mr. Faulkland continues there; and I know of no other family, where I visit, that he is acquainted with" (138). She gives up her friend and her liberty in obedience to a husband who has been unfaithful, who has broken his vows. Betsy found herself justified in no longer obeying a husband who was not deserving of the title, but Sidney, long accustomed to blind obedience, does not question Mr. Arnold's authority. She recognizes her fate – "I was born to sacrifice

my own peace to that of other people; my life is become miserable, but I have no remedy for it but patience" (139) – but she refuses to counteract it except through her own resignation and patience. This is an exemplification of Lady Trusty's advice, but Haywood demonstrated how effective that advice was.

As in Haywood's fiction, active women usually get what they desire, at least in the short term. John Richetti argues that it is usually "the sexually aggressive twin of the modest heroine" who experiences "emotional-romantic fullness," but "the sexually yielding and even materially aggressive woman is also part of the rejection of romance, as her personality is derived from the circumstances of a corrupt social order she lacks the moral will to resist."[371] Mrs. Gerrarde, the scheming harpy and materially aggressive woman who contracts her niece out to Faulkland in return for debt relief, arranges for Sidney to visit her one afternoon. When Sidney arrives, lo and behold, Mrs. Gerrarde had "forgotten" to mention that Faulkland would be visiting her also. The *coup de grace* comes when Mr. Arnold arrives to see Faulkland and Sidney together. Sidney's attempt to save Mr. Arnold's credit by continuing to visit his mistress ends with the loss of her credit to her husband. This is Sidney's second sacrifice upon the altar of reputation. Mr. Arnold, too cowardly to speak to her face to face, delivers his verdict in a letter.

> You have broke your faith with me, in seeing the man whom I forbad you to see, and whom you so solemnly promised to avoid. As you have betrayed my confidence in this particular, I can no longer rely on your prudence or your fidelity. Whatever your designs may be, it will

[371] Richetti, *The English Novel*, 200.

> less to my dishonour if you prosecute them from under your husband's roof. I therefore give you till this day's se'nnight to consider a place for your future abode; for one house must no more contain two people whose hearts are divided. Our children remain with me, and the settlement which was made on you in marriage, shall be appropriated to your separate use. (145)

Betsy had to flee her adulterous, abusive husband, and her lawyers and friends use every available method to attempt a separate maintenance, but Mr. Arnold finds Sidney's supposed infidelity a fortuitous occurrence. He can lay the fault with her, and remove her from the house so that he has free access to his mistress. In his view of marriage, faith is only broken in a marriage when it is the woman who breaks it. One house may not be able to contain two people whose hearts are divided, but it is he who divided them, not Sidney. Betsy, the leaver, is justified; Sidney, the exiled, is pitiful.

At the apex of Sidney's devastation, Lady V visits to tell Sidney that she has found out who Mrs. Gerrarde is – she is Miss Burchell's aunt, the one who "sold" her to Faulkland. This cruelty is too much – Mr. Arnold's mistress is the woman who indirectly ruined Sidney's happiness with Faulkland and who has now directly ruined her happiness with Mr. Arnold. Of course, Mrs. Gerrarde is not only to blame. Her mother encouraged her marriage to Mr. Arnold "fostered by a maternal cabal and by false notions of safety and respectability." Sidney's own pride and her acquiescence to her mother led to her acceptance of Mr. Arnold, and she "could

have hardly fared worse if she had married the most notorious rake and wastrel."[372] Lady Bidulph had feared that Faulkland would repeat his infidelity with Miss Burchell once he was married to Sidney, but it is actually the steady Mr. Arnold who becomes the adulterer.

Lady V, who has always been a real friend to Sidney, promises that she and her husband will do whatever possible to reconcile the couple. Lord and Lady V will function in the same way as Lord and Lady Trusty in being the mediators for estranged spouses. This method was the one of choice for most eighteenth-century couples – friends and family intervened and attempted to mend the marriage; only in cases when private mediation failed did a couple attempt public methods. "Faced with determined oppression, a wife who lacked powerful, sympathetic kin or interested neighbors could expect little formal redress."[373]

Betsy and Mr. Munden had no children to complicate their already complicated breakup, but Sidney must leave her children with Mr. Arnold. Children belonged to the husband, a fact that mothers had to weigh carefully when considering leaving their husband's house. Although Mr. Arnold has not been physically abusive to Sidney or their children, the fact that he is completely infatuated with Mrs. Gerrarde does not bode well for the girls' welfare. Patty Main becomes the sole parental figure for the girls while Sidney is out of the house, and she writes Sidney every day about them – she is a surrogate for Sidney in more ways than one. Sidney has little choice but to obey Mr. Arnold if she is to hope for a reconciliation; any irregular behavior on her part could negate her claims, as Lady

[372] Doody, "Morality and Annihilated Time," 340.
[373] Vickery, *The Gentleman's Daughter*, 81.

Trusty warns Betsy when she decides to no longer share her husband's bed. "[A] veritable roll call of ideal feminine qualities was necessary if a woman expected her complaints about her husband to be taken seriously."[374]

Betsy turns to her friends and family, but when their mediation fails, she takes matters into her own hands and decides that she is justified in leaving a man who has broken his vows and his contract. Sidney has no wish to leave Mr. Arnold, and she does not even defend herself against his allegations. Lady V assures her that no one believes that she is in fault, but it is hard for the reader to acquiesce to Sidney's motto of patience.

> It is an easy matter for the guilty to make as bold asservations as the innocent, and nothing which I could now assert would make an impression on him. Had I only his suspicions to combat, there might be hopes: but his *heart* is alienated from me; and while it continues attached to another, I despair of his listening to the voice of reason or of justice. If ever his eyes are opened, his error will prove sufficient punishment to him – Perhaps my mother or my brother may put me in a way – My conduct, in time, I hope, may justify me – Meanwhile I will not condescend to the weak justification of words. (151)

Her point that Mr. Arnold's heart is against her is valid, but her strict adherence to conduct book advice is galling. It is especially hard to accept that a woman who must spend most of her waking hours writing in her journal "will not condescend to

[374] Foyster, *Marital Violence*, 89.

the weak justification of words." It is her words that justify her character to Cecilia and to the reader.

Sidney seeks refuge with her mother, a solution most estranged wives adopted.[375] However, her haven with her mother is tenuous at best; Lady Bidulph knows that she will have little to leave Sidney after her death since Sir George will inherit Sidney Castle and most of her money. Sidney's portion is in Mr. Arnold's hands. Sir George, so opposed to the match with Arnold, is unwilling to offer assistance financially or as an arbiter. "The prospect of a separated wife returning to live permanently with her family of birth was, for most families, financially unsustainable, but for even middling and upper class families, the idea was an anathema. There had developed no definition of family life in which the separated wife had a social role, even in fiction."[376] Sidney becomes even more passive in this section of the novel, choosing to wait patiently rather than actively engaging friends and family for a reconciliation or a separation. She waits for Patty's letters to let her know how her children fare, rather than consulting with a lawyer to ascertain her rights and options. She is Halifax's model wife, who waits for her husband to come to his senses and allow her back to her house and her children.

More disgusting to the reader than Sidney's passive patience is her mother's grieving protestations.

> I came to die in peace with you – You might have lengthened my days for a while—But you cut them off – My eyes will close in affliction – A wounded spirit who can bear! Had you died in your cradle, we had

[375] Bailey, *Unquiet Lives*, 33.
[376] Foyster, *Marital Violence*, 183-184.

> both been happy. My child would now have been a cherub! An angel you have been in my eyes, and I am punished for it; but that was my crime, not your's. But you are a martyr to the crimes of others. (151)

If Sidney has disturbed Lady Bidulph's dying peace it is her own fault for foisting the match on Sidney in the first place. Lady Bidulph seems to be evoking the Old Testament idea that the crimes of the fathers are visited on the children, but in this case it is the crime of the mother. Throughout this novel, it is the mechanizations of women on other women that propel the plot. Lady Bidulph's seemingly feminist act of defending Miss Burchell's honor leads to her own daughter's loss of honor and no remedy available. Having married her daughter to a man who appeared to be affectionate and affluent, Lady Bidulph has achieved her purpose and she no longer has the strength or the inclination for further exertion.

Seeing Lady Bidulph's power wane, Miss Burchell beseeches Sidney to become an arbitress of passion. "Oh, worthy and lovely Mrs. Arnold! said she, addressing herself to me, you see how Mr. Faulkland reveres you: oh, that you would but engage in my behalf! *you* can influence his heart; *you* can guide his reason; ***you*** are his fate" (236)![377] Sidney is saved from this unhappy situation by her strict obedience to her unworthy husband. She reminds Miss Burchell that she had promised Mr. Arnold that not only would she not see Mr. Faulkland, she would not write to him either. She tells Miss Burchell, "I have (not improbably) the happy prospect of being restored to Mr. Arnold's esteem; let me then be able to assure him, that these eyes, these ears, these hands, have been as guiltless as my heart, and all

[377] This is a novel thick with layers of meaning; Sidney is quite literally his fate since it is his thwarted hope of marriage with her that drives him to insanity and suicide.

equally estranged from Mr. Faulkland" (238). Not only does she write her emotions parenthetically, she can speak them parenthetically as well.

Through a pretended elopement with Mrs. Gerrarde, Faulkland succeeds in separating Mr. Arnold from his mistress, and he persuades Mrs. Gerrarde to write a letter exonerating Sidney of any shades of infidelity. This, coupled with the efforts of Lord and Lady V, brings Mr. Arnold to London to seek a reconciliation with Sidney. Although Sidney is happy to have her husband back and for her name to be cleared, her brother's assessment of the situation cuts through the conduct book behavior that Sidney is adopting; "so have we all [cause to rejoice] that your husband has been graciously pleased, after beggaring you and your children, turning you out of doors, and branding you with infamy, to receive you at last into his favour" (256). Lady V more gently points out the flaws in a philosophy which instructs women to ignore completely infidelity in their husbands:

> had she reproached you with your infidelity, as *some* wives would have done, tho' it might have occasioned a temporary uneasiness to you both, yet would it have prevented her from falling a sacrifice to that most artful and wicked of her sex; for you could not then have had such an improbable falshood imposed on you, as that Mrs. Arnold would have made choice of the *mistress* of her husband for confidant, and fix on *her* house as the rendevous for a love-intrigue. (264)

If men like Mr. Arnold can be this stupid, and their wives will ignore both their stupidity and their infidelity, they can treat their wives as cruelly as Mr. Arnold has treated Sidney – and they can expect to be forgiven. Betsy sees herself as an

individual within the social contract, and, therefore, capable of leaving a husband who breaks his vows, but Sidney is not an individual at all. Exempt from the social contract, Sidney is ineligible for the benefits of subjecthood.

The only official recognition of a woman as a subject is during the negotiation of the marriage contract, and Sidney was not a part of that. Her mother's negotiations take on vital importance after the Arnolds are reconciled. During the estrangement, Mr. Arnold spent extravagant amounts of money on his mistress, and his sister-in-law successfully argued in court that her child was the elder Mr. Arnold's. When Sidney and Mr. Arnold reunite, they begin their new life without Arnold Abbey, and they are eight thousand pounds in debt. Lord V pays the debt entire and becomes the sole creditor. "We have nothing now, that we can call our own, but my jointure. I do not reckon upon my mother's bounty to us; our income from her, and the house we live in, will be Sir George's, whenever it is our misfortune to lose her" (268). Lady Bidulph's marriage settlement negotiations become of utmost importance when the smallest jointure that had been offered becomes the sole support for a family of four. Although living in severely straightened circumstance, the Arnolds fare well enough in the country, and Sidney contentedly tends her poultry and her dairy. However, when Lord V dies and his son becomes the Arnolds' creditor, he demands repayment of the five thousand pound loan. Forced to repay, they sell two hundred and fifty pounds of Sidney's jointure, leaving only fifty a year. Even in such circumstances, Mr. Arnold keeps a hunter; he retains a symbol of his former status even though he can no longer afford the upkeep of such a symbol. One day, while out on this hunter, Mr. Arnold takes a

nasty fall and sustains a fatal head injury. The marriage that Lady Bidulph formed to save Sidney's credit ends in poverty and literal wounded pride.

Widowed, Sidney is free to marry Faulkland, as her brother brazenly tells her she must do for her honor and for Faulkland's. Lady Bidulph is dead and can no longer provide a sanctuary for Sidney, and if she refuses, she alienates her brother and destroys any hope of a home for herself and her children. Sidney, however, is aware that she is impoverished and a mother of two small daughters, and she cannot be the prize she once was. For her to marry Faulkland now would be to do so out of fear of poverty, and she is too proud to do that. Morally, however, it seems that Sidney could marry Faulkland without reproach – he had not married Miss Burchell even though Sidney was married and perpetually unavailable. However, she has also promised Miss Burchell that she will do everything in her power to reconcile her to Faulkland, so she cannot go back on her word.[378] Oliver argues that "Sheridan allows her heroine to retain the only real power a woman in eighteenth-century England possessed – the power over a suitor while on the marriage market – while also conforming to the expected societal roles of wife and mother."[379] Sidney remains desirable to Faulkland after marriage, after childbirth, after widowhood. "Marriage to Faulkland would change this balance of power, subsuming the individuality of woman into the plurality of the family unit, shifting power from woman to man…Sheridan has found a unique way for her heroine to retain the power of the young, marriageable female, whose power comes from being desired,

[378] With its preoccupation with vows, this novel is a bit of a throwback to early women's fiction like Aprha Behn's *Love Letters between a Nobleman and His Sister* (1684).

[379] Oliver, "Frances Sheridan's Faulkland," 696.

while allowing this heroine to conform to the societal demand that she wife and mother, though at the sacrifice of Faulkland."[380]

Sidney only realizes in what way she has sacrificed Faulkland after she discovers the letter he had written to Sir George in explanantion of his affair with Miss Burchell. Lady Bidulph had refused to read it in full, and Sidney had refused to read it if her mother found it unnecessary. While in Bath recovering from a slight injury, Faulkland writes to Sir George of his new acquaintance Mrs. Gerrarde ("a very notable dame; a fine woman too") and her niece Miss Burchell. The young woman is obviously in love with Faulkland, and Mrs. Gerrarde decides to cash in on the fact. She had borrowed three hundred pounds from Faulkland to repay her gambling debts, and "she meant indeed to pay me, but it was in a different coin, and this I suppose was the price she set on the unhappy girl's honour" (339). When Lady Bidulph cursorily read this letter from Faulkland to Sir George she saw that Faulkland had "bought" the girl for three hundred pounds but not the explanation. The letter also provides proof that Faulkland did not promise Miss Burchell that he would marry her: "I have explained my situation to the young lady, and expressed my concern at not having it in my power to be any other than a friend to her. She blames her own weakness, and her aunt's conduct, but she does not reproach me. She cannot with justice, yet I wish she would for then I should reproach myself less" (339). Sidney finds this letter after her mother's death and exclaims, "*Had* I seen it but in time – Oh what anguish of heart might we all have been spared! Miss Burchell singly, as she *ought*, would have borne the punishment of her folly" (340).

[380] Oliver, "Frances Sheridan's Faulkland," 697.

Although she quickly decides that Miss Burchell singly should have been punished, she spares her mother in her judgment. "Her justice, her humanity, and her religion prompted her to act as she did; and her conduct stands fully acquitted to my judgment, though my heart must, upon this full conviction of Mr. Faulkland's honour, sigh at recollecting the past" (340). Sidney, in her zeal to obey her mother, never asked to see the letter. Had she but asked for it, had she asserted her right to make up her own mind, she would have realized that Faulkland had not seduced Miss Burchell, coldly leaving her to her fate. She would not have ascribed to her mother's view of all men as seductive liars. "If Sheridan demonstrates anything unequivolcally, therefore, it is that, given the dangerous shoals and complex moral and legal situations they have to navigate, it does women no service to teach them that the submission to the will of a mother, a husband, or an uncle is the standard of virtue and right."[381] At this point Miss Burchell has married Faulkland and the exoneration is too late.

Knowing that she is destitute, Mr. Faulkland sends, through the offices of Lady V, three hundred pounds (the amount of her jointure, and the amount Faulkland "paid" for Miss Burchell) to Sidney, but she refuses to accept it. After her two children survive smallpox and she overcomes a severe illness, Sidney decides that she and her servant/friend Patty will support themselves with needlework. Sidney makes an ironic comment about no longer being able to neglect her needlework in favor of Horace. She is saved from this prospect, however, by the

[381] Tavor Bannet, *The Domestic Revolution*, 115.

sudden appearance of a rich relation from the West Indies who decides to give her three thousand pounds a year, a house, and, after his death, his entire fortune.

Set up in a fine house with plenty of money, Sidney would be free to marry Faulkland from love rather than in obligation if she hadn't forced him to marry Miss Burchell. This she can live with since she believes Miss Burchell truly loves Faulkland; she was willing to give him her virginity and sacrifice her marriage prospects for him in Bath. When her brother visits, however, he finally tells her that Miss Burchell is "that monster, a female libertine, a rake in the worst sense of the word" and that he had sex with her too when she was at Sidney Castle (383). He had never told anyone of the intrigue because he never thought she would actually marry Faulkland, and she had made him promise not to tell for fear she would lose the contract she had made with Faukland. His support of their child is her only income since she really does not have the fortune or family connections it is assumed she does. She tells Sir George,

> Now though I do not entertain the least hope, nor indeed wish, ever to be Mr. Faulkland's wife, yet would it be of terrible consequence to me to forfeit his regard, which you may naturally suppose would be the case if he were to come to the knowledge of what has happened. He has given me to understand by his house-keeper that when he comes to England he will provide for me; the woman hinted something like a design of his making a handsome establishment for any worthy man of whom I should make choice; insinuating at the same time that this depended on my conduct. I have no thoughts of marrying, but as

> mine and my child's future welfare must be chiefly owing to Mr. Faulkland, you see the necessity there is for my preserving his good opinion. (385)

She never had a real marriage contract with Faulkland because he never promised to marry her, but she is able to form another sort of agreement with him. Her contract with Faulkland depends on her "good conduct" – her ability to limit other men's access to her body.

Early in the novel, Lady Bidulph tries to uphold Miss Burchell's right to marriage, and she reminds the men of what is means to be honorable. Her intentions are good, and her position is extraordinary, but she of course does not have all the facts. She is taking on a male idea of honor without all the knowledge of the particular situation with Miss Burchell. Finally, after it is too late, and Miss Burchell is married to Faulkland, Sir George reveals to Sidney that "she is only a sly rake in petticoats, of which there are numbers, that you good women would stare at, if you knew their behavior. She considers men just as the libertines of our sex do women. She likes for the present; she seduces; her inclinations cool towards an old lover, and are warmed again by a new face" (387). If Sidney had been a reader of Haywoodian romances, she would have known such a creature could exist. As it is, she and her mother have formed decisions based on a faulty sense of honor and a rigidly proper view of the value of sex. Sidney wails, "Oh, my dear, what a fatal wretch have I been to Mr. Faulkland! my best purposes, by some unseen power, are perverted from their ends. I wonder the food which I take to nourish me is not converted into poison when I touch it. But I will calm my troubled mind with this reflexion, that I

meant not to do evil" (391). Unfortunately, when Sidney is an agent, she is an agent of tragedy.

Sidney's unthinking obedience to Lady Bidulph's sense of honor and Faulkland's violent temper are coupled throughout the text as the catalysts of their mutual unhappiness. Faulkland is relatively happy with his bride for over a year, but one night he discovers her in bed with another man. Faulkland returns to the Bidulphs and he rails at Sidney, blaming her for the result. "That woman whom you persuaded me to marry, I caught in adultery, and I punished the villain that wronged me with death. She shared in his fate, though without my intending it. For this act of justice, which the law will deem murder, I myself must die, and I am come but to take a last look.—What recompense then can you make the man, whom you have brought to misery, shame, and death" (421)? Faulkland may be able to expect sympathy but not exoneration for his act of violence.

> In popular opinion, violence could only be justifiably provoked by extreme female behavior, such as wives' bigamy, adultery, prostitution, or to prevent a vicious attack, though the violent response was not excusable…Newspapers often reported that wife-killers claimed their wives' adultery drove them to murder. They reported neutrally, without condoning the husbands' action.[382]

Faulkland knows he will have to flee the country and he plans to take Sidney with him. After all, it is her fault that he married the woman and is now in this mess; she

[382] Bailey, *Unquiet Lives*, 119.

can make it up to him by finally marrying him. He claims Sidney but she is reluctant to be claimed.

When Faulkland accuses her of ingratitude after she is understandably reluctant to marry an exiled murderer, Sidney bursts into tears and exclaims, "Accuse me not of ingratitude; I would to heaven my death could repair the heavy afflictions I have brought upon you" (435). Accusing a woman who has lived a conduct book life of ingratitude is to negate her life altogether. However, Sidney does acknowledge her role in the tragedies of the novel: "I own myself the unhappy cause of all your misfortunes; we have been mutually fatal to each other. You know I always valued and esteemed you, and have in your calamity already been sufficiently punished for the share I have had in bringing it on you" (435). In accepting responsibility for her actions, Sidney is acknowledging that she is an individual capable of making choices and affecting others. Now, financially independent and a widow who will accept her agency, Sidney is finally able to marry Faulkland as he once was. He, on the other hand, believes he has just killed his wife and her lover, and must leave England a murderer and a fugitive; he is no position to marry Sidney. Even Sir George agrees when Sidney argues, "Think what dreadful constructions may be put on your conduct, nay, on mine, should a union now take place, brought about, as it must appear, by so terrible an event" (435). Everyone will believe Faulkland killed his wife in order to be with Sidney.

Sidney may take the blame for their mutual unhappiness, but she longs for a solution that would exonerate her past conduct:

> Had that ill-fated woman died the common way, with what joy, what exultation could I have rewarded his honest persevering love! all my duties fulfilled, obedience to my mother, justice to the woman I thought injured, reverence to the memory of my husband, the respect due to my own character. Should I not, my Cecilia, after thus being acquitted of all other obligations, have been to blame, if, after a series of misfortunes, all brought on by my strict adherence to those duties; should I not have been to blame for refusing at length to do justice to the most deserving of men? (438)

Her life and her choices would have meaning if she could honorably marry Faulkland, all obstacles removed. As it is, however, her mother's assumptions and Sidney's blind obedience have led to a mad Faulkland demanding Sidney's hand and an exiled life from England.

The Marriage Act comes into play again at the end of the novel. After Faulkland attempts to go back to Ireland and face certain death from the family of the man he believes he has killed, Sir George and Mr. Warner promise that Sidney will marry him and soon after follow him into Holland and exile. Although Sidney still loves Faulkland and wants to marry him, she does not want to do so in these circumstances. Since the events of the novel take place long before the Marriage Act, the couple can be married without licence or the publishing of banns, and the marriage takes place the day after the promise. A clergyman marries Faukland and Sidney with Mr. Warner and Sir George as witnesses; the marriage is legitimate in form but it is a clandestine marriage. Everyone's reputation depends on the marriage

remaining secret for a proper amount of time. There is no evidence that the marriage is consummated before Faulkland leaves for Holland, however. Consummation is an integral part of the legitimacy of a pre-Hardwicke Act marriage. In a novel dependent on delayed gratification, it is a given that their marriage will not be consummated, and it allows for doubts as to the legitimacy of the marriage which softens the inevitable tragedy.

A week after the marriage a letter arrives from Ireland – Major Smyth died, but Faulkland's wife did not. Sidney, in spite of living her life completely by the rules, is now a bigamist. Sidney copies the letter into her journal then writes her last direct lines – "nothing but my death should close such a scene as this" (457). Sidney writes to Faulkland and conveys their newest tragedy. "As their ill-fated marriage was an absolute secret to every one but the persons immediately concerned, she hoped he would not suffer the thoughts of it to break in upon his future quiet; and concluded with beseeching him to forget her, as they were never more to meet" (460). Faulkland, the passionate Romantic, cannot bear the news and is found dead soon after the revelation, presumably by his own hand. Sidney, the stoic, lives on. She retires to an estate that Mr. Warner buys for her, and raises her children and Faulkland's son.

In a Haywood novel, this retirement would seem a haven – a wealthy widow lives on a country estate, raising her children and spreading her bounty among those less fortunate. "This little society appears to mirror the larger commercial society, but with one significant distinction: it all falls under the benevolent supervision of

Sidney herself."[383] It is the contented ending of *The City Jilt* and the idealistic ending of *The British Recluse*. The novel would end with a tinge of sadness for the love that could have been, but it would not be a complete tragedy. However, Sheridan ends her novel with an ominous foreshadowing of continued family tragedy. Cecilia's words end the narrative.

> Gracious Heaven! How inscrutable are thy ways! Her affluent fortune, the very circumstance which seemed to promise her, in the eve of life, some compensation for the miseries she had endured in her early days, now proved the source of new and dreadful calamities to her, which, by involving the unhappy daughters of an unhappy mother in scenes of the most exquisite distress, cut off from her even the last resource of hope in this life, and rendered the close of her history still more ……. (467)

It is a brilliant marketing tool since those invested in Sidney's misfortunes will want to read the sequel to unravel the mystery of the closing ellipses, but it is also a fitting ending to a novel about a woman who seems to have no voice. Betsy is reintegrated into a patriarchal plot, but Sidney never steps outside of it. Her adherence to a conduct book life leaves her lonely and unprotected, her story vulnerable and unprotected by narrative closure. "Sheridan too resorts in the end to fragmentation. She cannot generate a happy ending for this particular story; the story, as Sidney herself implies, depends on its calamities. And the reader could hardly endure further multiplication of misfortune. Whatever form of unhappiness you can

[383] Karen Bloom Gevirtz, *Life After Death: Widows and the English Novel, Defoe to Austen* (Newark: University of Delaware Press, 2005), 29

imagine, the ending suggests, would be appropriate to the endlessly replicating structure of female wretchedness."[384]

The country life that seems like a reward in Haywood novels becomes a frightening obscurity, a way for women to be forgotten and exposed to new evils. The women who make it to the end of a Haywood novel alive know how to protect themselves financially, socially, and personally. We do not fear for their futures. Sidney's future is a bleak ellipsis of unknown horrors. In this way, Sheridan precipitates the gothic, with its lack of family protection and its abundance of horrors at home. Most importantly, Sheridan takes the Haywood novel and adds a level of tragedy. Widowhood is not the happy refuge from the problems of marriage and singlehood; a fortune earned does not protect a woman from unhappiness; a country estate is not a woman's castle shielding her from the outside world. A woman who is not an individual, not a subject of the social contract, cannot exist happily without male protection.

However, as bleak a reading as the ellipses suggest, there is another way to read the end of the novel. The ellipses seem to foretell future unhappiness and tragedy, but at the same time the ending is not fixed. Sidney is unprotected by narrative closure, but she is also not confined by it. "Closure is in the interest of the hegemony…The dissident can emphasize that at this moment there are no satisfactory solutions to problems…She can make obvious the hypocrisies of a system."[385] The problems of a system which depends on and exploits women's

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[384] Spacks, "The Sentimental Novelist," 140.
[385] Paula R. Backsheider, *Spectacular Politics: Theatrical Power and Mass Culture in Early Modern England* (Baltimore: The Johns Hopkins University Press, 1993), 147-148.

passive subordination cannot be solved within the narrative but the ellipses leave the text open to various interpretations. Like several of Haywood's texts, *Sidney* allows for a utopian glimmer. As a woman of fortune, Sidney can exert influence on her family, friends, and society. Glicera, in *The City Jilt*, after her manipulation of men and finances, becomes a Lady Bountiful, exerting her power through charitable work. Sidney, an independent widow, is deprived of the love of Faulkland but she is given opportunities to make certain that the next generation – her daughters, Faulkland's son – does not repeat her mistakes. As a widow, she can exempt herself from the marriage market and the commodification that she hates. In *Betsy Thoughtless*, the possibilities are closed off in the certainties of marriage; in *Sidney,* the possibilities are left open by the unresolved nature of the narrative. Umberto Eco argues, "An ordered world based on universally acknowledged laws is being replaced by a world based on ambiguity, both in the negative sense that directional centers are missing, and in a positive sense, because values and dogma are constantly being placed in question."[386] Richardson constantly revised *Clarissa*, responding to criticism and comments from his readers, in an attempt to restrict its interpretation; Sheridan, his supposed copy-cat follows the lead of Haywood and other women authors who leave the text open as a "work in progress" to be interpreted by the individual reader.[387] Haywood's famous novella *Fantomina* allows such an individual interpretation – is she being sent to the convent as punishment or to reinvent herself so that she may return to London in respectability? The ellipses are ominous, but the

[386] Umberto Eco, *The Open Work*, trans. Anna Cancogni (Cambridge: Harvard University Press, 1989), 9.
[387] Eco, *The Open Work*, 22.

unresolved ending leaves the reader free to imagine a reinvented life for Sidney outside the prescriptive confines of marriage.

CONCLUSION

Eliza Haywood was an important participant in public sphere hegemonic negotiation about women and in the debates over women's rights within the social contract and within marriage contracts. Haywood sees herself as an author who directly addresses women's issues, and, through her novels, she enters the conversation concerning women's subjectivity, the Marriage Act, and the inadequacies, even outright absences, of the law. Henrietta's tragedy is due in part to a corrupt justice system which considers bribes rather than the truth. Emanuella passionately and eloquently pleads her property case, but it is the suicide of the man who loves her which convinces the king of the truth of her claim. The Spy and Miramillia reveal the many ways that crime can remain undetected, and the sad stories of women who do not know their legal rights. What can women do when marriage is an indissoluble institution? What are the legal options for women when they experience domestic violence or tyranny? For many women, the legal system is either an unfathomable mystery or an unbearable burden.

Women's limited access to the law is due in part to the exclusion of women from the social contract. Subjects deserve the protection of the law; objects belong to the legally protected subject. Haywood consistently interrogates the assumptions underlying the social and the sexual contracts. Her characters often assume liminal positions, never quite within accepted norms, and the "orderly access" to their bodies

that is deemed necessary by a patriarchal construct is nearly always disrupted. The limitations of law when applied to women is evident in every genre Haywood employs. In revenge fantasies like *The City Jilt*, portions of the *Female Spectator*, and portions of *The Fruitless Enquiry*, women are excluded from traditional means of justice and must rely on their own capacities for revenge. Women either are ignored by the legal system or choose to bypass it. Their means of revenge are diverse – Glicera chooses an economic revenge, Barsina scares her ex-lover into madness, The Spy reveals injustices through the medium of print, and Clara castrates her rapist. Interestingly, it is the revenge fantasies which are the most open texts. Clara regrets her decision, but many of the avengers profit by their methods and achieve some measure of happiness. Haywood even recommends Barsina's stratagem to other jilted women. The utopian glimmer evident at the end of *The City Jilt* is created through Glicera's unconventional achievement of property and respect without the burden of *coverture* and a husband.

Her domestic fiction is less optimistic. Betsy, married to a monster, is relieved by her husband's convenient death, but her quick (but proper) remarriage closes her story with a typical, safe plot resolution. She does love Trueworth, but her choice to remarry is also based on the fact that she has been broken by the patriarchal system and is integrated into conduct book methods of thinking. For most of the novel, Betsy questions courtship, marriage, and traditional professions for women; by the end, she no longer questions anything. Her large marriage settlement is featured prominently in the conclusion as a reward for her exemplary, wifely behavior.

Haywood was well aware that there was yet no real solution in the culture for a number of the issues she dramatizes in her novels. The endings of her novels are always problematic. *The City Jilt*, with its uneasy solution of allowing Glicera to act within the social and economic spheres as a man, ends with Glicera as the possessor of Melladore's estate. Her rewards are great, but her methods are circumspect. The Invisible Spy rights the wrongs of many women, but at the expense of a small girl who is kept prisoner in order to maintain her magical virginity. The multiplicity of stories in *The Fruitless Enquiry* leads to a multiplicity of meanings and interpretations; its very structure is open "on account of its susceptibility to countless different interpretations."[388] The proliferation of miserable women encountered during Miramillia's fruitless search for a contented woman leads the reader on a search for her own levels of contentment and misery. Haywood's implication is that a contented woman cannot exist in her society, but she does not have a feasible solution to present; the multiple narratives present possibilities but none lead to the happiness of the woman involved.

If, as Umberto Eco reminds us, an open text deliberately leaves interpretation to the individual, Haywood is leaving the interpretation open to her predominately female readers. When she advises her readers to heed Barsina's example and get even with ex-lovers, she is closing the text, restricting its interpretation. However, when she creates narratives of castration and revenge, she is expressing a desire for methods of punishment (if not justice) but leaving the text open in acknowledgement of the inefficacy of the solution. The patriarchal solution dominant in her culture is

[388] Umberto Eco, *The Open Work*, trans. Anna Cancogni (Cambridge: Harvard University Press, 1989), 4.

not effective, as she demonstrates repeatedly. Emanuella and Henrietta must die in order for the patrimonial system to continue smoothly. Betsy does not die, but she must be reintegrated and her desire sublimated so that she does not disrupt the system. Joanna Russ talks about the common female fantasy of a wife beating her husband over the head with a frying pan and how only women get the emotions behind that fantasy.[389] Very few women actually act this out, but they think about it. As a solution it is ineffective (and cruel) but as a fantasy it allows a realization and a representation for otherwise inexpressible emotions. Haywood's texts function in much the same way, allowing her readers to feel anger, lust, and revenge before they must go back to their daily, perhaps unfulfilling, duties. She utilizes the technique Jameson describes as exercise/contain when a glimmer of the treasure, the utopia is closed off and unattainable.[390] Containing the fantasy allows Haywood to emphasize the fact that is no solution available within the culture.

Haywood is not an anomaly in the canon; her subversive strategies are employed by later women writers. Sarah Scott's *Millennium Hall* (1762) is a weird little novel in true Haywoodian fashion. In this novel the treasure is attained but at the price of a woman's complete unhappiness in normal society. Sickened by the demands of conventional marriage and nightmarish husbands, the women of Millennium Hall live together in a communal utopia. Each woman experiences a horror associated with being a woman in the eighteenth-century. Some are forced into marriages, others seduced or raped, and all are unhappy in their situations.

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[389] Joanna Russ, How to Suppress Women's Writing Austin: University of Texas Press, 1983.
390 Frederic Jameson, "Metacommentary," PMLA 86.1 (1971), 9-18.

When they leave society and live with other women performing good works for the community, they achieve a sense of contentment and emotional balance. The eighteenth-century goals of rationality and the "golden mean" are achieved by these women when they abandon the traditional roles of wife and mother in the private family and instead perform public acts of kindness for their community. The utopian glimmers Haywood creates at the end of *The City Jilt* and *The British Recluse* are realized in *Millennium Hall* but without the hints of "objectionable" behavior by the heroines; each woman in Scott's novel is a victim and only achieves agency within the perimeter of the Millennium Hall compound and community. She is contented but she is haunted.

Jane Austen is an author who, like Frances Sheridan, adapts Haywood's strategies but has been wholly unconnected with her and instead associated with Richardson. Austen's juvenilia especially is filled with vindictive heroines, lusty widows, and a healthy distrust of conventional narrative patterns. *Lady Susan* (written c. 1805; published 1871) reads like a Haywood novel. Lady Susan is a widow who enjoys the attentions of many men, but when her daughter begins to attract the notice of Lady Susan's suitor, she begins scheming to separate the two and ruin her daughter's chances of marriage. This short novel has more overt lust and greed than any of Austen's later work, and more closely resembles Haywood's domestic fiction, but traces of Haywood can be found in the later novels as well. Austen uses the containment strategy of ending her novels with marriage, and her closed texts have endeared her to readers and critics more than Haywood with her problematic endings.

Richardson has overshadowed Haywood as an originator of the novel, and her contribution to the development of various genres needs to be explored. One area in particular which needs more critical attention is Haywood's use of the Gothic mode before the advent of the Gothic novel. The inadequacy of legal protection for women becomes a standard in the Gothic, but Haywood wrote *The Distress'd Orphan*; *or, Love in a Madhouse* in 1726, long before Horace Walpole's *The Castle of Ortranto* (1764), Ann Radcliffe's *The Mysteries of Udolpho* (1794), and Mary Wollstonecraft's *Maria; or, the Wrongs of Woman* (1798). Haywood's Gothic is more materialistic than psychological; the heroine is locked in a madhouse when she refuses to marry the suitor her uncle has chosen for her, and the physical deprivations and abject terror nearly drive her insane for real. Annilia's position as an object within society and the legal system contributes to the ease with which her uncle can lock her away without notice. The law cannot save her, and the text demonstrates the ease with which a woman who does not fight for her voice could be forgotten by society.

The Distress'd Orphan anticipates the Gothic genre with its machinery and with its preoccupation with women's property rights. The Gothic is recognizable to most through the time-honored tropes of supernatural occurrences, gloomy castles, stormy nights, evil villains, and beautiful, heroic, yet fragile heroines. Beneath this machinery is the heart of the Gothic novel – the female initiation into the laws of marriage and property. A heroine is often threatened or endangered because she poses a threat to current property succession or because she refuses to sign away her property rights. In real life, everyday women were signing away their property rights in their marriage settlements, giving their husbands all of their money and land,

receiving only a portion as income during widowhood. The concern with inheritance, property, and marriage settlements represents the main concerns of the gothic within these novels – initiation into sexuality (marriage), property, and patriarchy.

Annilia (whose name is associated with "annihilation" and "nil") is a happy fourteen-year-old, well-educated and beautiful, and seemingly well loved by her guardian-uncle and her cousin. Her uncle Giraldo plans to marry her to his son Horatio in a plot not unlike that of *The Rash Resolve*. He convinces Horatio that he should court Annilia because, after he gains her estate through marriage, he will be the greatest man his family has known. Annilia promises her guardian that she will attempt to look on Horatio as her future husband, and Horatio pretends to love her. Annilia, young and inexperienced, does not see the situation as abnormal, but friends and neighbors do: "the Circumstances she was in with her Guardian, who having of late made no Secret of marrying her to his Son, was highly blamed by some People, as consulting more his own Interest, than the Advantage of the young Lady committed to his Care, whose Person and Estate, they all agreed, might entitle her to a much greater Expectation."[391] Although Henry Tilney would later protest in Austen's Northanger Abbey that neighbors are an effective deterrent against spousal abuse and Gothic horrors against women, Haywood demonstrates that even the interested sympathy of friends cannot save a woman and her property from a man who is determined to own both.

[391] Eliza Haywood, *The Distress'd Orphan, or Love in a Mad-House*, 2nd ed. (New York: AMS Press, 1993), 15. All references are to this edition and will appear parenthetically within the text.

Annilia will have a savior, however, in the form of a disinterested lover, Colonel Marathon. As his name suggests, he will go to any length to save his beloved from her guardian. He meets her at a ball and both fall in love. He sends her a letter in which he attempts to convince her to declare her love for him, but Annilia knows her own worth – "she loved him, indeed, but Modesty, and that Decorum which all Women, who know the Value of themselves, ought to observe, would not suffer her to do anything for the Gratification of her softer Wishes, which should render her cheap in the Opinion of the Man, whose Esteem she desired to attract" (18). Annilia knows the value of her person and her property and is determined that she should remain a viable commodity. After Giraldo discovers that Annilia and Marathon have been keeping a clandestine correspondence, he locks Annilia in her room and puts locks on her windows. In a clever move, he convinces the household that Annilia is mad and must be kept in her room for her own protection.

In his letter, Marathon says, "I tremble to think what horrid Use they may make of the Power you suffer them to retain over you" (30), succinctly summing up the Gothic mode. Readers tremble at horrid uses of power over women who have no choice but to suffer and to submit – to do otherwise places their bodies and their property in jeopardy. Haywood argues in many of her novels for the inclusion of women in the social contract based on reason and practicality, but in this novel she anticipates the Gothic critique of women's positions in the social contract and the legal landscape. Gothic elements such as contested property, sexual initiation, sinister men, and domestic surveillance, which flowered in the 1790s with Ann

Radcliffe, are carried in *The Distress'd Orphan* and in Mary Wollstonecraft's *Maria, or the Wrongs of Woman* (1798). In these novels, the attempt to ensure heroines discipline their sexuality and turn it over to a man follows the patriarchal family plot.

"The Story is too long to repeat, tis sufficient that I know him to be a Villain," Giraldo says when he discovers the footman who had enabled the lovers' correspondence. Long before the heyday of the Gothic genre in the 1790s, Haywood created novellas in which we know the uncle to be a Villain and the lover to be a Hero. True to her use of a Gothic mode, Haywood creates a woman who has little agency in her claustrophobic surroundings. For most of the novella, Annilia is confined to rooms, her own, the mad-house room, and Marathon's lodgings, and she is placed in each by others. What Ruth Perry calls the "disinheritance of daughters" becomes in the Gothic novel a horror of forgetting – daughters who refuse to be pawns in a marriage game or who honor a non-lucrative love commitment find themselves locked away, forgotten by the outside world, and dependent on a lover who never forgets to save her. After her uncle locks her in her room, Annilia "rang her Bell, she stamp'd with her Feet, she call'd, but all in vain, none durst come to her Relief; and possess'd first by what the Wench [her maidservant] had said, and which after both their Masters confirmed; none of the Family even wish'd her Liberty, but thought her Imprisonment the effect of Care" (37). Annilia's confinement is terrifyingly easy to enact and her supposed madness allows her to be forgotten by all but Colonel Marathon.

Anne Williams in *Art of Darkness* proposes that the Gothic is a myth of the patriarchal family. "Gothic narratives enabled their audiences to confront and

explore, and simultaneously to deny, a theme that marks the birth of the Romantic (and modern) sensibility: that 'the Law of the Father' is a tyrannical *paterfamilias* and that we dwell in his ruins."[392] The political unconscious and the psychic unconscious become inseparable for women because their horror is the home. Giraldo can convince everyone that Annilia is mad because he has the power to create within the family a belief in her insanity. Annilia, on the other hand, does not believe Giraldo's is capable of controlling her or her image, and she "bid him invent means to increase her Sufferings as far beyond what they were as he either could or dare; the Pleasure it gave her to let him see they were in vain, would more than compensate for the Pain" (38). Her pleasure lies in the extent of her agency – as long as Giraldo's machinations have no real impact on her, she can endure the pain of isolation. When her agency is removed with her placement in the madhouse, the pain of isolation replaces the pleasure of vengeance.

Giraldo asserts his power over Annilia by having her placed in a private madhouse. "He had often been told, that for a good Gratification, the Doors would be open as well for those whom it was necessary , for the Interest of their Friends, to be made Mad, as for those who were so in reality, and resolved now to make the Experiment" (39). In her introduction to *The Distress'd Orphan*, Deborah Nestor explains that private madhouses like the one described by Haywood were disturbingly commonplace from the beginning of the century until the end; she cites a 1763 Parliamentary report in which "all but one of the cases reported by the committee involve women committed by relatives – usually husbands—for no valid

[392] Anne William, *Art of Darkness: A Poetics of Gothic* (Chicago: University of Chicago Press, 1995), 24.

medical reason."[393] By the end of the century, the fear of madness, real or imagined, had become such a common element in the Gothic novel that Jane Austen in her juvenile parody *Love and Freindship* (1790) can have a character proclaim on her death bed, "Run mad as often as you chuse; but do not faint –"[394]

Giraldo executes his plan under the cloak of darkness, away from the eyes of the neighbors. As in *The Rash Resolve*, the heroine is roused from her bed by strange men who plan to take her away. She is only able to throw on a nightgown before "she was seiz'd by these inhuman Ruffians; and some stopping her Mouth, and threatening her if she attempted to resist; and another taking hold of her, she was rather dragg'd than carry'd down Stairs, and thrust into the Coach, where the three Keepers immediately crowding in, render'd frustrate all the faint Hopes she had conceived of escaping" (40-41). Annilia feels she has been kidnapped until she realizes that she has been brought to a madhouse. Haywood's description of the "Horrors of her Prison" rivals any description by Radcliffe of the terrors that threaten the heroine. Annilia is surrounded by

> Sounds which struck so great a Dread into her, that nothing is more strange, than that she did not die with the Fright, or fall indeed into that Disorder of which she was accus'd – the Rattling of Chains, the Shrieks of those severely treated by their barbarous Keepers, mingled with Curses, Oaths, and the most blasephemous Imprecations, did

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[393] Deborah Nestor, introduction, *The Distress'd Orphan* (New York: AMS Press, 1993), viii. Wilkie Collins in his Gothic novel *The Woman in White* (1860) uses a similar plot device; when Laura refuses to sign over her separate fortune to her husband, he has her incarcerated in a private madhouse.

[394] Jane Austen, *Love and Freindship* in *Sanditon and Other Stories*, ed. Peter Washington (New York: Alfred A. Knopf, 1996), 321.

> from one quarter of the House shock her tormented Ears; while from another, Howlings like that of dogs, Shoutings, Roarings, Prayers, Preaching, Curses, Singing, Crying, promiscuously join'd to make a Chaos of the most horrible Confusion. (41-42)

Engulfed in the cacophony of rattling chains and the shrieks of dying "patients," Annilia is subjected to an environment well-calculated to cause insanity. Her situation is as perilous as Emily St.Aubert's in *The Mysteries of Udolpho*, but her confinement is based on a real, and therefore more frightening, cultural phenomenon. Haywood's brand of Gothic, like her amatory and domestic fiction, springs from the public issues of her day.

The description of the madhouse continues, but it takes on more of a Dickensian tone of social critique rather than that of Gothic ambience.

> The Violence of this Uproar continued not long, it being only occasion'd by the first Entrance of the Keeper into the Cells of those Wretches who were really Lunatick, and had, for the Addition of their Anguish, so much Remains of Sense, as to know what they were to suffer at the Approach of these inhuman Creatures, who never came to bring them fresh Straw, or that poor Pittance of Food allowed for the Support of their miserable Lives; but they saluted them with Stripes in a manner so cruel, as if they delighted in inflicting Pain, excusing themselves in this Barbarity, by saying that there as a necessity to keep them in awe; as if Chains, and Nakedness, and the small Portion of wretched Sustenance they suffer'd them to take, was not sufficient to

> humble their Fellow-Creature. Besides, what is there to be feared from those helpless Objects of Compassion, who being Hand-cuffed, and the Fetters on their Legs fast bolted into the Floor, can stir no farther than the length of their Chain! Yet with Barbarity do these pitiless Monsters exert the Power they have over them, that whoever is witness of it, would imagine they were rather placed there for the Punishment of some Capital Crime, for which Law has provided no sufficient Torture, than for the Cure of a Disease, by their nearest and dearest Relations. (42-43)

People temporarily displaced from the social contract by a lack of reason are imprisoned, forgotten, punished in an appalling manner. Unable to wield power, they are subject to the tyranny of power displayed through chains and whips and torture. This scene is an extension of the Gothic premise that terror begins at home—the "patients'" families authorized this treatment and pay for it to happen.

Annilia's nearest and dearest relation visits her but no longer pressures her to marry his son. She realizes that "it was for her Wealth alone that he had seem'd so desirous of engaging her; and tho' it was infinite Trouble to her to think that they enjoy'd that, yet the Satisfaction it gave her to reflect that he had not her Person also, very much alleviated the Pain" (44). As before, the fact that she at least possesses something of her own allows Annilia to endure the pain of destitution and imprisonment. She comforts herself with the knowledge that had "the Marriage Ceremony past, all had been irrevocably lost" and she would be "undone beyond all hope of Vengeance or Redress" (44). Her contemplation of vengeance keeps her

alive as it does Glicera in *The City Jilt* and allows her fantasies of reclaiming her fortune and restoring her liberty. The central tragedy for Maria of Wollstonecraft's Gothic novel is that she has married the man who prosecutes her and his rights always supersede her own.

Annilia is forgotten by everyone but Marathon; his real love for her propels him on a quest to find her. In an emotional frenzy, he demands information from Giraldo and from the private madhouse proprietors themselves with no luck. Even legal recourse would be ineffectual; Giraldo with his and Annilia's combine fortune, would defeat Marathon with his modest fortune. He thinks about challenging Horatio, but he realizes that if he died, Annilia would have no one to save her. Finally, he discovers the madhouse in which Annilia is kept and decides to enter himself as a patient. He informs a friend of his intentions so that he has the ability to come out again, and he enters with a servant as an accomplice. For Marathon, it is only a matter of verbally informing another man that he is sane for him to escape the danger of perpetual confinement in the madhouse. A woman, on the other hand, has no chance if her relation declares her insane.

Osephus, the faithful servant who carried Marathon and Annilia's letters during their courtship, becomes the instrument of their escape from the madhouse. By flirting with all the maidservants, he obtains the key to Annilia's cell and makes a wax impression of it, which he then takes to the village smith and has a key made. Their escape plan is not the elaborate, chapters long machinations of later Gothic novels, but it does create suspense. During the night, they escape over the wall with Annilia and take refuge at Marathon's lodgings. Having stayed the night with him,

Annilia decides to honor her feelings, obligations, and reputation by marrying Marathon as soon as possible the next morning. Interestingly, if the Marriage Act had been in place, the waiting period may have given Giraldo time to locate Annilia and make her marry Horatio. As it is, however, Annilia is able to go to her guardian's home with her new husband and demand justice. "Annilia in mild Terms reproach'd him with his Usage of her, and demanded the Writings of her Estate, Which, said she, are now the Right of my Husband, pointing to Colonel Marathon" (61). When she was single she had no way of enforcing her rights, but as a married woman she can request from her guardian the property of her husband.

During Annilia's confinement in the madhouse, Marathon had despaired of the law and justice – he didn't have the money necessary to force Giraldo to reveal his treatment of Annilia. After their marriage, Annilia and Marathon unite their assets and together assert agency; her money joined to his authority creates an amalgam of property and voice. In what would become Gothic tradition, the heroine delivers her body and her property safely to the hero who uses her property to right her wrongs and ensure a happily every after ending.

> Some Days being elaps'd, and Giraldo not sending according to his Promise, the Colonel gave orders to an Attorney to take such measures as should compel him to do justice: on which he offer'd to come to Terms of Accommodation; the Proposals he made, were to deliver up the Writings, Jewels, Plate, and all other Things belonging to Annilia, if she would consent to give him a Release for what he had receiv'd of the yearly Revenue since the Decease of her Father: to avoid the

> Trouble and Fatigue which attends a Suit in Law, she readily comply'd; and by delivering all, as soon as she receiv'd it, into the hands of Marathon, confirm'd him of the good Opinion she had of him. (62)

Marathon's reward is Annilia's person and property; Annilia's reward is a restored reputation and protection. Gothic heroines seem more compliant than heroines of domestic or sentimental fiction in handing over their property to their husbands because they are rewarding the hero who rescued them from horrors and terrible sufferings. In the domestic novel, courtship is a time of supremacy for a woman, as *Betsy Thoughtless* makes clear, but in a Gothic novel the time of courtship is fraught with peril, and hero and heroine are relieved to reach the altar sane and intact. Betsy asks what makes the majority of women so fond of marrying; her question is answered in this novel. Having witnessed the inefficacy of the law and the ease with which Giraldo imprisoned her and claimed her fortune, Annilia rewards herself with a marriage of loving protection. Domestic novels seduce women into marriage; Gothic novels scare them into it. That said, Gothic heroines usually choose a worthy husband – the man who survives the marathon of horrors proves himself a man of true worth.

The subversive strategies of Haywood remained a part of women's novels throughout the century. Mary Wollstonecraft's *Maria, or the Wrongs of Woman* (1798), a direct descendent of *The Distress'd Orphan,* features a woman who made a bad choice in her marriage, but who loves a man who may not be worthy of her even after they endure their Gothic horrors together. Like Annilia, Maria is wrongfully

committed to a private madhouse, and she escapes with the help of a servant and her lover. While Annilia rejoices that she did not relent and marry Horatio – her fortune may be gone but her body is still her own – Maria has the misfortune of being married to the horrible man who imprisoned her. In true Haywoodian fashion, Maria critiques the marital laws and customs which make it impossible for her to be seen as a separate entity from her husband; his story, his word is always accepted over hers. However, Maria deviates from Haywood's practical advice for persecuted wives by openly having an affair with a man she meets in the madhouse. By giving her husband grounds to sue her for adultery, she negates her voice and inhibits sympathetic reactions from the justice system to the legal and economic plights of women. However, the end of this novel is literally open since Wollstonecraft died before finishing it; the potential endings she left behind intimate that Maria may be able to escape her husband and to live on her own with her child (who may not be dead). The concern with marriage contracts and with a woman's place in society continue throughout the century.

Certainly Eliza Haywood is a central figure in the history of the novel. Haywood studies are moving in an exciting direction. Much more work remains. The novels are becoming more available, but texts such as *Madame de Villesache* and *The Fruitless Enquiry* are only available in rare book collections and on microfilm – mass market print editions of these novels would make Haywood's more bizarre work accessible to a broader range of people. *The Invisible Spy* also needs to be available as a print edition; it is a text ready for lengthy critical attention and has so

far been mostly ignored.[395] Haywood is as good a satirist as Swift, as fine a social commentator as Defoe, Fielding, or Richardson, yet she has not been included in those categories.

I thought I had discovered Haywood after reading the squirrel bashing scene in *Betsy Thoughtless*. I really discovered her when I read *Madam de Villesache* in the British Library. In the midst of that hallowed ground for gentlemen scholars and revered thinkers, I read a gleefully subversive text about a woman who, gloriously and flagrantly, dares to have everything she ever wanted. Through the writing of this dissertation I have developed a great affection for a woman who could write such crazy yet true novels and get away with it. Haywood never allowed women to be forgotten in discussion of social contract and the legal system; critics are now making it impossible for Haywood herself to be forgotten again.

[395] Juliette Merritt gives it only a cursory discussion in her book about female spectators. *Beyond Spectacle: Eliza Haywood's Female Spectators* (Toronto: University of Toronto Press, 2004).

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