“I QUESTION IT MYSELF”: MID-VICTORIAN NOVELS’ FORMATION OF ETHICAL SUBJECTIVITY AND THE LIBERAL REFORM OF INHERITANCE LAWS

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ABSTRACT

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This dissertation explores the socio-economic dimensions of inheritance in notable mid-Victorian novels and their engagement with contemporary social debates over amending feudal inheritance laws. The dissertation argues that these novels contributed to reinforcing a reactionary cultural force that drove the compromised liberal legislation of new inheritance laws. The reform of the inheritance laws, led by Victorian liberals, focused on strengthening absolute testamentary power while displacing radical reformers' demand for state intervention in redistributing inherited wealth into the hands of broader population. The liberals prioritized the cultivation of individual moral capacity or character-building over the improvement of economic equality. With their generic narrative power, mid-Victorian novels about inheritance dramatized the liberal reformers' socio-economic ideas and sought to shape a subject who would internalize those ideas in his or her mind. My dissertation also illuminates how mid-Victorian liberals' reasoning for the reform exposes a paradox in liberalism and a limit of the distinctive Victorian concept of ethical subjectivity.

The mid-Victorian period witnessed the establishment of modern inheritance laws guaranteeing an absolute testamentary freedom on real and personal property. It is notable that the laws significantly contradicted liberal ideology that established its moral ground by highly regarding self-reliance. The laws made possible the circulation of inherited wealth along family blood-lines. Liberals needed to provide a new guiding principle in order to build a social consensus for testamentary freedom. Victorian liberals sought this principle not only to defend

private property ownership but also to cultivate ethical subjects. In legislating new inheritance laws, they established the cultivation of the mass public's moral capacity as their primary concern. Liberals believed that testamentary freedom would promote a favorable environment for the public's voluntary development of morality and faculty. To justify their principle, liberals incited the anxiety that the radical reform of the laws would jeopardize the institution of private property and English society as well by distributing wealth to the morally ineligible mass public. In theory, liberals suggested private property ownership as a guarantor for individual moral autonomy. However, paradoxically, they demanded the mass public to cultivate their moral capacity as a precondition to owning property and to sharing the national wealth.

To demonstrate these ideas, I juxtapose four notable mid-Victorian novels of inheritance with this socio-economic context: *The Warden*, *Felix Holt*, *The Eustace Diamonds*, and *No Name*. In these novels we can witness idealized ethical characters who embody particular moral values that guided the liberal reform. The novels encourage their readers to internalize these moral values by leading them to observe closely each characters' development of an individualized moral conscience. At the same time, the novels foster cultural anxieties about the uncultivated subjects by including the literary characters obsessed with possessing inheritance through immoral ways. These characters are described as threatening both private property ownership and social security. Inciting this anxiety, the novels dramatize the liberal insistence on promoting character-building through new inheritance laws rather than improving material equality. My reading of the novels also suggests that we consider the construction of Victorian ethical subjectivity in relation to the development of modern property laws. I elaborate how this interrelation produced ethical subjects that were cognitively liberated but alienated from the public sphere, since this subjectivity is confined to the privatization of property rights.

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INTRODUCTION

"I Question It Myself"[1]: Mid-Victorian Novels' Formation of Ethical Subjectivity and the Liberal Reform of Inheritance Laws

Many novelists in the mid-Victorian period dealt with the theme of inheritance in developing their narratives. Despite the broad range of genres in circulation at that time, from serious social problem novels to popular sensation novels, it is difficult to find a plot that does not involve a conflict over the ownership of inheritance, such as a family estate or heirloom. Victorian novelists showed their particular concern about establishing a desirable transition of ownership in relation to inheritance, creating various narratives that dramatize the process of finding a legitimate successor or the commotion produced by the disinherited or the beneficiary who refuses inheritance. Along with this popular literary theme, in the same time period we can also observe Victorian society's intense interest in reforming outdated feudal inheritance laws. The Victorian era has been called "the age of reform," and feudal inheritance laws such as primogeniture and entail constituted important social issues that provoked political tensions and public debates between pro-reform and conservative forces.[2] Can we find interconnections between these literary and social phenomena? This dissertation explores how notable mid-Victorian novels of inheritance were closely engaged with contemporary debates over amending

[1] Anthony Trollope, *The Warden* (New York: The Modern Library, 2003), 175.

[2] The repeal of the Corn Law in 1846 served as momentum for mid-Victorian reformers to problematize the feudal inheritance laws, such as primogeniture and entail, as their next main target. Their criticism of the laws was often cited by many newspapers, arousing the public's interest in reform. For example, the notable reformer Richard Cobden's public speech on the reform of the feudal inheritance laws at Rochdale in 1863 provoked a social debate in almost every newspaper in Britain. In his speech, Cobden suggested abolishing the feudal inheritance laws was the most important task for English reformers, equal to the repeal of the Corn Law. For an exemplary contemporary newspaper article that shows mid-Victorian social attention toward the problem of the feudal inheritance laws, refer to "Law of Entail and Primogeniture," *Daily News,* March 16, 1846. For Richard Cobden's speech and the provoked social debate see John Morley, *The Life of Richard Cobden* (London: T. Fisher Unwin, 1906), 679-80.

the feudal inheritance laws. Through this exploration, I argue that these novels contributed to reinforcing a reactionary cultural force that drove the liberal reform of the inheritance laws. With their generic narrative power, mid-Victorian novels about inheritance sought to shape a subject who would internalize contemporary liberal reformers' socio-economic ideas in his or her mind.

The mid-Victorian period witnessed the establishment of modern inheritance laws guaranteeing an absolute testamentary freedom on real and personal property. The liberal reform movement of the feudal inheritance laws, which began in the early 19th century, resulted in two important statutory acts, the Wills Act of 1837 and the Settled Land Act of 1882, that mark the approximate beginning and the end of the mid-Victorian period, respectively. These two legal acts illustrate the core liberal principle of the newly legislated inheritance laws in Victorian England. While the Wills Act attempted to confirm every adult individual's right to bequest by simplifying formal will-making, the Settled Land Act completed almost a century-long process of abolishing the feudal inheritance laws that significantly restricted testamentary power, in particular on real property. Since the feudal age, on the basis of the custom of primogeniture, most English nobility entailed their land on the eldest sons of their future family generations.[3] The law of primogeniture also forced all individuals' real estate, when they died intestate, to be devolved on their eldest sons born of legitimate marriage or their heir-at-law determined by the canons of descent.[4] The Settled Land Act brought a substantial change to these customary and legal restrictions of testamentary power. The Act granted the management of the family estate

[3] Josiah Wedgwood, *The Economics of Inheritance* (London: Kennikat Press, 1971), 93. In this book, Wedgwood provides a brief summary of the long history of testamentary freedom for English men compared with Europeans. But, he also points out that English custom played a more important role in keeping primogeniture, considering that the law of primogeniture only applied to the land which the owner did not dispose of by will or settlement.

[4] For a detailed explanation of the customary and legal practice of primogeniture and entail, see Zouheir Jamoussi, *Primogeniture and Entail in England: A Survey of Their History and Representation in Literature* (Newcastle: Cambridge Scholars Publishing, 2011), 9-31.

entirely to the current owner, empowering him to alienate, lease and mortgage the family estate without any fetters.[5] While moving "away from consideration of the family as an entity, to consideration of the individual" in legislating property laws, the act actually paved a way for the emergence of a distinctively modern concept of the autonomous individual proprietor.[6] This dissertation examines the literary theme of inheritance in this significant historical context.

Despite the significant impact of modern inheritance laws on Victorian life, the theme of inheritance in mid-Victorian novels has yet to be discussed in its socio-economic dimension related to the establishment of these laws. Although scholarship on the interconnection between economic matters and literary narratives exists, literary critics have not provided a comprehensive understanding of the theme of inheritance in its contemporary political and economic context.[7] Scholars often single out one author's text, exploring how his or her novel employs inheritance as a symbolic signifier of non-material values such as national culture, tradition, or ancestors' hereditary characters. They do not conceptualize the theme as intrinsically linked to a specific economic context. Criticizing this tendency, the dissertation notes that inheritance basically implies a crucial transmission of property between generations, and it frames this discussion with the economic system and distribution of wealth specific to the mid-Victorian period. The establishment of modern inheritance laws expresses not only mid-Victorian society's "economic interests" but also the "culturally based values" that shaped its

[5] Ibid., 132. Jamoussi believes that the Settled Land Act of 1882 made a fundamental change to the traditional practice of inheritance by reconceptualizing the family estate as an individual's private property.
[6] Anthony Mellow, *The Law of Succession* (London: Butterworths, 1970), 193-5.
[7] See Allan Hepburn, ed., *Troubled Legacies: Narrative and Inheritance* (Toronto: University of Toronto Press, 2007), 3. This book can be considered the first collection of essays discussing the theme of inheritance in 19th and early 20th century English novels. In the book's introduction, "Inheritance and Disinheritance in the Novel," Allan Hepburn calls for further attention to the interrelation between inheritance and novelistic discourse.

concept of the proper role of the state and individuals for distributing national wealth.[8] In this sense, my dissertation delves into how mid-Victorian narratives of inheritance inquire into the desirability of property ownership, the ideal modern state, and ethical individuality in relation to dominant social expectations of how to manage inheritance as the most important resource of national wealth. More specifically, I focus on how these narratives embody the most influential liberal reformer John Stuart Mill's distinctive reasoning for the liberal reform of the inheritance laws that sets up the cultivation of ethical subjects as its primary concern.

A brief sketch of the complicated political contours of the mid-Victorian period in which the liberal reformers were situated helps us understand mid-Victorian authors' concern with reform. The legislation of modern inheritance laws has been generally considered as a victory for mid-Victorian liberals' in their fight against conservative aristocracies. The feudal inheritance laws, primogeniture and entail, enabled a great amount of land to be kept in the hands of noble families for generations and prevented English land from being distributed through the market system. The two feudal laws served to secure a material ground for the continuation of the landed noble class's power and made the price of land rise above its actual economic value. Since the repeal of the Corn Law in 1846 substantively weakened their power, the conservative aristocracies struggled to protect feudal inheritance laws from the demand of reform in order to maintain their power, which relied on substantial land-ownership. Facing this conservative reaction, mid-Victorian liberals claimed "to free the land from outdated inheritance laws" and "to place it under the undisturbed control of the economic law."[9] To justify their demand, liberal

[8] See Jens Beckerts, *Inherited Wealth* (Princeton: Princeton University Press, 2008), 5-6. In this book, Beckerts attempts to illustrate how different developments in modern inheritance laws in western countries reflect "the various opinions of an age, which are shaped by national character, its cultural level, and economic considerations" (1).
[9] Jamoussi, *Primogeniture and Entail in England*, 124-9.

reformers contended that the feudal inheritance laws greatly reduced the productivity of English land because it allowed a few people to monopolize it.[10] Given the general conflict between the conservative aristocracies and the liberal reformers, it is not surprising that the liberal reform of the inheritance laws has been considered a mark of the decline of the landed noble class's power.

However, the conflict between the conservative aristocracies and the liberal reformers over reforming the inheritance laws does not fully illustrate the whole Victorian political map. Liberal reformers were also challenged by more radical forces that pursued egalitarian inheritance laws. Since the late 18th century, early English socialists demanded the abolition of private property in land in favor of state-owned and -managed land in addition to the abolition of the feudal inheritance laws. Socialist logic maintained that if the traditional inheritance laws were abolished and absolute testamentary freedom guaranteed, English society would end up promoting selfish individualism and economic inequality.[11] Radicals found the liberal reform too weak and believed that allowing a little portion of the population to inherit rich parents' landed property might restore the feudal notion of birthright privilege in modern society. Under the influence of the early English socialists, Victorian radicals also claimed compulsory inheritance

[10] We can find many contemporary newspaper articles that deliver liberal reformers' views. For example, one article titled "The Law of Entail and Primogeniture" points out that the landlord of vast estates does not want to improve their property themselves, "because the landlord is only tenant for life" under the restrictions of entail and primogeniture. Thus "[h]is objects, therefore, are not to lay out on the estate any money he can avoid but to extract from it the largest immediate income." The article concludes that the feudal laws of entail and primogeniture "prevent improvement . . . The true interest of society is that land should pass easily and frequently from hand to hand." Refer to "The Law of Entail and Primogeniture," *The Manchester Times and Gazette*, September 25, 1847.

[11] For the double challenge liberal reformers faced in the second half of the 19th century, see Jamoussi, *Primogeniture and Entail in England*, 127-132. Borrowing from A. V. Dicey's analysis of the development of the land laws in the Victorian era, Jamoussi points out that Victorian liberals sought "'a middle ground of compromise' between unreasonable anachronistic conservatism and the ultra-revolutionary demands of the socialists" (131). In addition, for a historical background of English socialists' arguments for the abolition of private property in land in the early 19th century, see Pauline Gregg, *A Social and Economic History of Britain 1760-1972* (Wiltshire: Redwood Press Limited 1973), 280-82.

laws that restricted testamentary power, thus breaking the land monopoly more quickly in order to subdivide the national wealth into the hands of far more people. Facing this other challenge, liberals actually allowed the conservative aristocracies to maintain the current status quo by finally legislating new inheritance laws in accordance with the institution of private property ownership. It would be more accurate to picture the liberal reform of the inheritance laws as the mid-Victorian liberals' ideological triumph over the revolutionary radicals rather than the conservative aristocracies.

To the liberal reformers, the radicals' egalitarian pursuit of new inheritance laws emerged as a more difficult challenge than the conservatives' reaction, since the radicals significantly shook the liberals' ideological principles. The liberal economic system, fully developed at that time, established its moral ground by highly regarding individual self-accumulation through the exertions of individual faculties. On this moral ground, the liberal reformers justified their demand for the abolition of the feudal inheritance laws. However, the liberals' defense of absolute testamentary power contradicted this fundamental liberal principle because they still made possible the circulation of inherited wealth along family blood-lines. Furthermore, inheritance does not exactly fit into the concept of private property ownership. Since inheritance subsumes the current property owners' death and the successors' unlabored accumulation of wealth, the legal restriction on testamentary power would not crucially damage the principle of private property rights. Because of this contradiction, the radicals' idea of legal enforcement by the state of the equal subdivision of inherited wealth widely appealed to Victorians. Liberals could not fully prove the necessity of testamentary power with only the economic reasoning that they employed to criticize the feudal land-monopoly. They needed to provide another guiding principle that would enable them to build a social consensus for the liberal reform against the

radicals' extreme suggestions. I suggest that mid-Victorian novels of inheritance can be associated with this particular context of the mid-Victorian period.

The two quotes below exemplify how J. S. Mill's concern about the radicals' challenge in legislating new inheritance laws parallels one issue raised in a well-known mid-Victorian novel of inheritance, Anthony Trollope's *The Warden*:

> The extreme restriction of the power of bequest in French law was adopted as a democratic expedient, to break down the custom of primogeniture, and counteract the tendency of inherited property to collect in large masses. I agree in thinking these objects eminently desirable; but the means used are not, I think, the most judicious.[12]

> I [Mr. Harding] had at one time an idea of keeping only some moderate portion of the income; . . . but it occurred to me, and I think with reason, that by so doing I . . . should . . . greatly damage your patronage.[13]

In the first quote, we can observe Mill's particular concern regarding the radical idea of compulsory inheritance laws modeled after French inheritance law. Mill does not deny the desirability of the objectives that French inheritance law pursues by restricting testamentary power. French law proposes not only to break down the feudal custom but also to prevent inherited wealth from being accumulated in a small portion of the population. These objectives actually comply with the liberal ideology that promotes each individual's self-accumulation of wealth. Nevertheless, he cannot accept the French law's legal intervention in the distribution of inheritance. Mill's double standard evinced by his complicated disapproval of the compulsory

[12] J. S. Mill, *Principles of Political Economy* (Oxford: Oxford University Press, 2008), 35. The book was originally published in 1848.
[13] Trollope, *The Warden*, 188.

inheritance laws highlights the mid-Victorian liberals' troubled position in dealing with the radicals' challenge.

The second quote from *The Warden* echoes Mill's particular concern in as much as the novel's main character, Mr. Harding, shows the same double standard as Mill. When a radical reformer questions Mr. Harding's entitlement to the whole income from a charitable landed-legacy, Mr. Harding thinks that to reduce his share to a moderate level may increase the other beneficiaries' shares. In the novel, Mr. Harding agrees with the radical reformer's idea that the inheritance should be primarily spent on supporting the retired laborers whom Mr. Harding is supposed to take care of. However, like Mill, Mr. Harding is also reluctant to interrupt the trustee's right to manage the inheritance that is left to a bishop in the novel. If Mill and Mr. Harding admit the desirability of the aims of the radical ideals, why do they not accept the radicals' suggestion to intervene in the testator's and the trustee's power of managing inheritance? It was the question that mid-Victorian liberals and novelists attempted to answer in order to protect testamentary freedom. Both of them, as I demonstrate in the following chapters, formulate their answer not only through their defense of private property ownership but also through their concern about cultivating ethical individuals. It explains the complex interplay of political, economic, social, and ethical ideas that drove the liberal reform of the inheritance laws in the mid-Victorian period.

Mill's emphasis on character-building or cultivating proper subjects underlies his idealization of liberal society and government. In *Considerations on Representative Government*, Mill contends that an advanced government guarantees all individuals' liberty and political participation. For its proper functioning, this government needs cultivated subjects who can self-regulate with a disinterested view on public matters through their developed moral and

intellectual capacity. In this view, Mill declares "the laws of a country as an instrument of national culture [or character]."[14] In other words, the legislation of laws should aim at aiding character-building or promoting human progression as a prerequisite for the advancement of modern politics and civilization. Mill's opposition to the radical idea of compulsory inheritance laws corresponds to his belief in the need of character-building. Mill believes that compulsory inheritance laws, which "compel division of inheritances . . . equally among all the children, or among all relatives," would lead all children to "find a livelihood . . . on the expressed or presumed wish of the parent."[15] While primogeniture weakens only the eldest sons' character, compulsory inheritance laws would make all children be indifferent to the cultivation of their character and faculties. Therefore, he concludes that "all owners of property should . . . have power to dispose by will of every part of it" to exert their influence on their successors' character-building and to leave their wealth in the hands of worthy candidates.[16] According to Mill, testamentary freedom would eventually establish a national culture that encourages each individual's character-building as well as protects the national wealth.

For the same reason, Mill also refuses any radical ideas of communalizing landed inheritance for the redistribution of the national wealth into the hands of broader population. Just like the negative effects of French inheritance law on beneficiaries' character-building, this radical measure would debase all subjects' characters. Mill asserts that "a state of complete equality [or equal expectation] of fortunes would not be favourable to active exertion" of the mass public in cultivating their "talent, knowledge, [and] virtue," because if they "think they

[14] See Mill's "Essay on Bentham," in *Dissertations and Discussions: Political, Philosophical, and Historical*, vol. 1 (London: Longmans, Green, Reader, and Dyer, 1875), 358. This essay was originally published in August 1838 by *London and Westminster Review*.
[15] Refer to Mill's *Principles of Political Economy*, vol. II (New York: D. Appleton and Company, 1896), 501, 508.
[16] Mill, *Principles of Political Economy*, vol. II, 509.

have, as much of it [wealth] as their neighbours, [they] will seldom exert themselves to acquire more" wealth and to develop their faculties.[17] Furthermore, Mill believes that as the numerical majority is not cultivated enough to participate in representative politics, they still lack the required mental and moral capacity to share the national wealth. Therefore, Mill claims that any legislations pursuing the redistribution of concentrated wealth cannot "make the condition of the mass of mankind other than degraded and miserable" without cultivating their mental and moral capacity to a certain degree in advance.[18] The legislation of new inheritance laws should consider how to promote the cultivation of the mass public's character rather than the fair distribution of national wealth. On the basis of Mill's supposition, mid-Victorian liberals limited the reform of the feudal inheritance laws to establishing "complete testamentary freedom" without any consideration of tempering the concentration of inherited wealth.[19]

The interconnection between the mid-Victorian emphasis on character-building and the liberal reform of the inheritance laws provides a new insight into the inherent limits of Victorian ethical subjectivity and Victorian liberal ideology as well. Many Victorian studies scholars have provided contrasting views on the distinctive nature of Victorian subjectivity. On the one hand, some scholars have defined the mid-Victorian emphasis on cultivating ethical citizens as an expression of the social pursuit of universal objectivity or human progression and as a model for an individual's self-empowerment to develop his or her own authentic individuality. For example, Amanda Anderson argues that the Victorian concept of disinterestedness as a mark of a cultivated individual is "an attempt to transcend partiality, interest, and context: it is an aspiration toward universality and objectivity" through a complex process of self-interrogation.[20] Lauren

[17] Mill, *Principles of Political Economy*, vol. II, 503.
[18] Mill, *Principles of Political Economy*, 18.
[19] Mellow, *The Law of Succession*, 193-5.
[20] Refer to *The Powers of Distance: Cosmopolitanism and the Cultivation of Detachment* (Princeton:

Goodlad argues that Victorian interest in character-building hints at both Victorian liberals' common adherence to "an antimaterialist and moral worldview" and their struggle "to build individuality without homogenizing individuals."[21] Similarly, Cathrine Frank asserts that Victorian novels' common characterization of morally autonomous subjects shows a literary resistance to the intrusions of external institutional forces into each individual's selfhood. She believes that Victorian novels intended to provide ideals of ethical individuals who demonstrate "a more authentic representation of subjectivity" and lead readers "to engage in their own imaginative self-fashioning."[22]

Princeton University Press, 2001), 33. In this book, Anderson draws our attention to "the cultivation of distance as a distinctive topos within Victorian culture" (5). To Anderson, this cultural phenomenon can be defined as the efforts of Victorian intellectuals to cultivate a distanced or impartial view that enables individuals to transcend their self-interests and achieve objectivity in their view (5). Anderson also points out that this pursuit of objectivity interestingly took a moralized character, this cultural phenomenon lying "at the heart of their [Victorian intellectuals] struggle with the conditions of modernity" (8). Through her exploration of this moralized character, Anderson contends that Victorian intellectuals aimed at cultivating responsive and moral individuals, unlike the previous criticism of this cultural movement as "illusory, pretentious, hierarchical, and even violent" (7).

[21] See *Victorian Literature and the Victorian State* (Baltimore: Johns Hopkins University Press, 2003), 22, 30. In this book, Goodlad attempts to provide a more rigorous and expansive understanding of Victorian liberalism. She especially pays attention to the recurrent term 'character' in Victorian liberal discourses. Goodlad elaborates that the term 'character' "stands for an anti-materialist concept of the individual which was deeply at odds with *homo economicus*, the hedonistic subject of capitalist ideology" (ix). In her understanding, this term expresses Victorian liberals' overall project throughout the century to imagine themselves not only as anti-materialist but also as modern self-governing agents "that would be rational, all-embracing, and efficient, but also anti-bureaucratic, personalized, and liberatory" (xii).

[22] Refer to *Law, Literature, and the Transmission of Culture in England, 1837-1925* (England: Ashgate Publishing Limited, 2010), 12, 19. Frank's exploration of mid-Victorian novels of inheritance in the context of the development of modern inheritance laws provided many insights in developing my own project. However, my dissertation takes a different view from Frank on the core principle of the liberal reform of the inheritance laws and the effects of the reform on the construction of Victorian subjectivity. Frank observes that during the Victorian period many legal acts of inheritance were passed through the British parliament. To her, this passage demonstrates that the law itself "became more deterministic (documenting and organizing people so as to manage them)," since "the individual's social self does not exist prior to such engagement with the law" (3, 11). She believes that Victorian literature basically opposed this rising institutional management of each individual's sense of self-understanding. In contrast to her interpretation, my dissertation suggests that the liberal reform of the inheritance laws was primarily aimed at empowering the testators to freely dispose of their property by removing the historically established feudal legal restrictions on testamentary freedom. In addition to this different understanding of the legal changes, I argue that mid-Victorian novels of inheritance contributed to formulating a

On the other hand, other scholars pay attention to the limitations of Victorian ethical subjectivity in actualizing social justices and regard it as a model for the modern liberal state's disciplinary project. For example, Elaine Hadley appropriately points out that the Victorian ethical subject's "abstractly embodied agency, of a cultivated self, was always already a political project" that represents Victorian liberalism's fantasy.[23] Hadley elaborates on its limitations, arguing that the ethical subject's moral autonomy works primarily in "the inward domain of consciousness" rather than in "the liberal public sphere."[24] David Lloyd and Paul Thomas also suggest that the emergence of ethical subjectivity indicates the mid-Victorian period's shift in governance mechanisms "from a predominantly coercive to a hegemonic form" in order to "contain the demands of a highly mobilized and articulate working class."[25] To secure a social

homogenized normative ethical subjectivity that complies with the mid-Victorian social movement toward the privatization of inheritance and property rights.

[23] See "On a Darkling Plain: Victorian Liberalism and the Fantasy of Agency," *Victorian Studies* 48, no. 1 (2005): 99. In this article, Hadley asserts that the cognitive forms of Victorian liberalism focusing on the meditative attribution of agency only alienate individuals from the public square and encourage them to have melancholic pleasures in their limited confrontation with the world rather than leading them to actively face social problems.

[24] See *Living Liberalism: Practical Citizenship in mid-Victorian Britain* (Chicago: The University of Chicago Press, 2010), 80-1. In this book, Hadley attempts to provide a thorough account of how one lives liberalism in practice, in other words, "how liberal politics in the mid-century imagined its liberalized political subjects to operate" (3). In a chapter juxtaposing Mill's *On Liberty* with Trollope's *The Warden*, Hadley argues that Mill's more public-spirited evocation of the liberal individual actually lurches "toward a more private and more cognitive location than is perhaps initially apparent" (80). Relying on Hadley's analysis of the Victorian liberal subject, my dissertation delves into how Mill's compromising socio-economic view on the reform of the inheritance laws gave a shape to Victorian ethical subjects' limited concept of morality.

[25] See *Culture and the State* (New York: Routledge, 1998), 115. Lloyd and Thomas indicate Mill's liberal ideology as one of the crucial evidences that proves the different power mechanism of liberal governance in the mid-Victorian period from the previous feudal era. Drawing on their theoretical view of the liberal governance, I claim that Mill's distinctive reasoning for the liberal reform of the inheritance laws illuminates the core principle that guided the establishment of this new governance. As the most influential liberal reformer, Mill led charge against feudal inheritance laws in order to remove the enforced legal protection of the upper class's material resources of power. At the same time, emphasizing the mass public's character-building and devaluing the radical ideas of the forceful redistribution of wealth, Mill also attempted to secure social security in a different way from that of the feudal era. In other words, Mill employed his project of character-building to solve the rising social instability engendered by the reform of the feudal property laws and its governing mechanism.

stability in a different way, "'[d]ominant ideology' ceases simply to legitimate the coercive imposition of regulation through the force of law," instead, embedding the notion of a proper subject into the mass public's mind.[26] According to Lloyd and Thomas, the Victorian concept of the ethical subject was a contingent cultural product of this new paradigm of the advanced liberal state's governance.

Owing to the later critics' understandings of Victorian ethical subjectivity's political context and its limits, my dissertation attempts to answer the question of how the construction of Victorian ethical subjectivity was interrelated with the development of modern property laws that established the absolute right to private property. More specifically, I focus on how this interrelation produced ethical subjects that were cognitively liberated but alienated from the public sphere. In Mill's reasoning for the liberal reform of the inheritance laws, we should note that he sets the legislation of liberal property laws as the material substructure for the construction of this subjectivity. Even though ethical subjectivity appears as a reaction to emerging capitalist values, it paradoxically contributes to solidifying the liberal ideology that grounds the capitalist economic system. From the time of John Locke, the institution of private property has been recognized as a guarantor for individual autonomy in English society.[27] Individuals are supposed to develop freely their own perspectives and moral values based on their private property rights. This liberal premise of the interconnection between individual moral autonomy and private property rights underlies Mill's formulation of new inheritance laws and his project of cultivating ethical subjects. Although the Victorian concept of ethical

[26] Ibid., 115.
[27] We can find this recognition in John Locke's *The Second Treatise of Government* (New York: Dover Publications, 2002), 20. For a general definition of individual autonomy together with various understandings of the term, refer to John Chrisman and Joel Anderson, *Autonomy and the Challenges to Liberalism: New Essays* (Cambridge: Cambridge University Press, 2005), 1-23.

subjectivity shows a shift in the core meaning of individual autonomy from the notion of personal freedom to the moral capacity to self-determine one's own moral values, it is inherently confined by the mid-Victorian social movement toward the absolute privatization of inheritance and property rights. For this reason, this subject's moral action can hardly transcend the boundary of liberal ideology when the subject tries to correct social problems.

Considering the limits of Victorian ethical subjectivity, my dissertation demonstrates the way in which mid-Victorian novels of inheritance assumed a pivotal role in producing this normative subjectivity. The dissertation also observes how this production, in turn, reinforced the compromised liberal approach toward amending the inheritance laws. For the dissertation's overarching purpose, I juxtapose four notable mid-Victorian novels about inheritance with Mill's particular socio-economic ideas that led the liberal reform of the inheritance laws: Anthony Trollope's *The Warden* and *The Eustace Diamonds*, George Eliot's *Felix Holt*, and Wilkie Collins *No Name*. In these novels we can observe idealized ethical characters who devalue any radical changes in the established order. Because of their confinement within the limits of liberal ideology, these ethical characters move away from any communal approaches in their effort to solve social problems caused by the unfair distribution of wealth. Instead, they seek only atomized efforts in accordance with liberal ideology because it underpins the construction of their subjectivity itself. Even though the idealized moral characters sympathize with others' misery and poverty, they rather focus on displaying their own moral autonomy by individually sacrificing their self-interests to aid the poor's cultivation of moral and mental capacity instead of finding a communal measure to improve their material condition. At the same time, the novels foster cultural anxieties about the uncultivated subjects' threat both to private property ownership and to social security by employing literary characters who are obsessed with possessing

inheritance through immoral ways. Provoking this anxiety, the novels call for the necessity of cultivating moral capacity not only in the characters' minds but also in those of their readers. In these ways, the novels dramatize Mill's emphasis on character-building as the primary concern with legislating new inheritance laws.

In my specific focus on the novel as the most popular literary mode in the mid-Victorian period, I also observe how the novel's generic narrative power to detail a character's inner development served Mill's project of cultivating ethical subjects and legislating liberal inheritance laws. Mid-Victorian novels of inheritance often try to describe main characters' intensive self-reflection during their inner decision-making process regarding the disposal of inheritance. In these descriptions, the characters' interiority precedes the public sphere that recedes into the background. In other words, these novels have their dramatic focus not on the material reality of society but a character's internal process of developing his or her moral capacity. This shifted focus plays a crucial role in cultivating ethical subjects and justifying the liberal reform of the inheritance laws. By reading these novels, readers are guided to internalize these idealized moral values. More importantly, the novels' detailed narration of characters' inner thoughts enables readers to witness closely the internal development that occurs when characters discover their subjective self-independent from external material conditions. This cultivated internal freedom to make moral decisions is introduced to readers as the most essential condition for an individual to be independent from external manipulation and influence.[28] Readers are also encouraged to envision their interiority, imagining themselves as autonomous

[28] For a basic explanation of internal and external freedom, see Garrett Brown, *Grounding Cosmopolitanism: From Kant to the Idea of a Cosmopolitan Constitution* (Edinburgh: Edinburgh University Press, 2009), 151-53. In this book, Brown contends that the protection of every social member's individual autonomy requires "distributive justice," that is, a fair allocation of wealth in a community.

individual entities with psychological freedom regardless of their external material conditions.[29] Therefore, this private practice of envisioning interiority guides readers more readily to accept Mill's prioritization of the cultivation of moral capacity over the redistribution of inherited wealth for reforming the feudal inheritance laws.

My dissertation begins with a reading of Anthony Trollope's social problem novel *The Warden*, published in 1855. The novel exemplarily employs the theme of inheritance and characterizes an ethical subject. My reading focuses on how the core liberal principle generates a limited version of morality in the context of mid-Victorian social attitudes toward the problem of unearned wealth and how the novel idealizes its main character as a man who embodies this morality. The novel's fictional conflict over the growing surplus from a landed charitable bequest reflects the contemporary concern about how to fairly distribute unearned wealth. I demonstrate how the ethical character's individual sacrifice of his self-interests serves to maintain the liberal ideology and the dominant economic system. To develop my argument, the chapter explores contemporary radical demands for communalizing the main resource of unearned wealth – inheritance, in particular, landed inheritance – and Mill's defense of the right to bequest as the completion of private property ownership. Paying attention especially to the implication of successors' moral sacrifice in Mill's argument, I suggest that the main character's individual sacrifice embodies Mill's compromised liberal solution that intended to displace the

[29] My argument here relies on Nancy Armstrong's explanation of the formation of the modern subject and on Cathrine Frank's argument about literature's exploration of the mind and its effect on reader autonomy. Armstrong points out that the modern subject came into being when it first composed "the ideas and then the judgment and moral sense that gave it a self-enclosed and internally coherent identity" (1). Frank notes that literature's desire to explore the mind, to know how people are constituted, and to reproduce a state of consciousness enables not only authors to provide a representation of constructing individual autonomy but also readers to engage in a process of self-developing their internal autonomy. See Nancy Armstrong's *How Novels Think: the Limits of British Individualism from 1719-1900* (New York: Columbia University Press, 2005), 1-4, and Frank's *Law, Literature, and the Transmission of Culture*, 11, 19.

rising radical mobility regarding the problem of unearned wealth. Through this reading this chapter also illuminates that Mill's compromised liberal approach necessitates the moral cultivation of individuals in order to reveal how the idea of developed morality valorized in this political context cannot help being confined within the limits of liberal ideology.

Chapter II analyzes another notable mid-Victorian social problem novel of inheritance, George Eliot's *Felix Holt*, published in 1866, that similarly highlights its main character's heroic refusal of inheritance. By examining another exemplary case of the literary construction of the ethical subject, this chapter develops my dissertation's overarching claim about the close involvement of mid-Victorian novels in contemporary liberal politics. The chapter examines how the main character's refusal of inheritance is presented as her choice of the higher mental pleasures that can outweigh any amount of the lower bodily pleasures. Then, noting that the novel reconceptualizes a social issue of inheritance as an individual matter of choice, the chapter illustrates that the heroine's idealized moral choice captures Mill's divergence from Benthamite utilitarianism. Through his critical response to hedonist utilitarianism, Mill moved the emphasis from quantity to quality in measuring the desirability of individual actions for the utilitarian principle of the greatest happiness for the greatest number of people. Mill's shift provided a fundamental principle for the liberal reform of the inheritance laws. *Felix Holt* envisions Mill's revised utilitarian thought by dramatizing how a cultivated individual's choice of the higher mental pleasures can eventually promote the utilitarian principle of the greatest happiness more than the material improvement of the uneducated mass public can do. Situating the heroine's refusal of inheritance in this context, the chapter concludes that the novel contributed to producing a reactionary cultural force that the liberal reform of the inheritance laws needed in its struggle against the radical demand for the redistribution of inherited wealth.

After analyzing these two social problem novels of inheritance, the dissertation expands this argument by discussing two particular subgenres of novel such – the domestic and the sensation novel – in order to establish mid-Victorian novels' attachment to liberal ideology in questioning the reform of the inheritance laws. Chapter III examines another novel of inheritance written by Anthony Trollope because, as Ayelet Ben-Yishai points out, he is the most significant Victorian novelist to attend to the "social and communal regulation of property, and in particular, landed property and questions of inheritance."[30] Trollope's 1873 domestic novel *The Eustace Diamonds* revolves around its heroine's deceptive efforts to possess the Eustace family's heirloom, a diamonds necklace, against the feudal regulations of inheritance, primogeniture and entail. In contrast to the two novels in the previous chapters, the main character in *The Eustace Diamonds* does not embody Victorian ethical subjectivity. Aware of this difference, this chapter argues that this popular story also reinforces, but in a different way, the mid-Victorian social emphasis on character-building as the primary principle for the reform of the feudal inheritance laws. I look into how the novel's dramatization of the heroine's immoral struggle to possess the heirloom mirrors mid-Victorian cultural anxieties about the significant change that the reform of the feudal inheritance laws would bring to English society. The novel contributes to amplifying this cultural anxiety by thematizing the negative results that the uncultivated heroin's obsessive desire for the inheritance brings to both the family and national wealth, as well as the security of private property ownership. The novel implies Trollope's pessimism over the expectation that the reform of the feudal inheritance laws would necessarily be positive for English society regardless of the moral cultivation of the reform's beneficiaries. The novel eventually suggests

[30] See "Trollope and the Law," in *The Cambridge Companion to Anthony Trollope* (Cambridge: Cambridge University Press, 2011), 155. Ben-Yishai notes that Trollope's strong interest in the laws of landed property and inheritance "ha[s] made him a perennial favorite in law-and-literature scholarship from the days of his contemporary reviewers . . . to the present" (155).

that the desirable reform of the inheritance laws must aim at promoting individual moral autonomy prior to enhancing material equality.

The final chapter of the dissertation explores another popular subgenre of the novel of inheritance, Wilkie Collins' 1862 sensation novel *No Name*, which dramatizes its heroine's deceptive efforts to retrieve her inheritance in a way similar to *The Eustace Diamonds*. But, unlike my reading of *The Eustace Diamonds*, this chapter situates the novel in relation to the Woman Question and the patriarchal inheritance and property laws. By examining the historical context of the questioning of women's roles, the chapter illustrates the limits of mid-Victorian liberalism in fulfilling its goal to reform the feudal system by valuing individual moral autonomy and guaranteeing the right to private property. We can witness these limits through its paradoxical stance toward social injustices in relation not only to the problem of inherited wealth but also to women's social and economic marginalization. I also examine how the emphasis of mid-Victorian liberal reformers on character-building generates these limits even in their liberal pursuit of equal property rights for women. For these purposes, I analyze *No Name* in the context of the amendments to the Married Women's Property Bill by the British parliament around the time of the novel's publication that critically expose the liberal reformers' ambivalent attitude toward establishing equal economic and social conditions between men and women. The liberals were worried that equal property rights for women would destroy the "natural" marital association and the assumed moral nature of women as well. In the liberal mindset, the traditional domestic structure reinforced by the myth of women's selflessness and disinterested morality played an essential part in their project of character-building. Thus, the liberals could not help but oppose the Bill's original pursuit of married women's rights on the equal ground with their husbands in the household. This chapter demonstrates how the novel's ambivalent

position regarding its heroine's unfeminine characteristics, which we observe in her unconventional aggressive reaction to her disinheritance, reflects the liberals' compromised approach in reforming patriarchal inheritance and property laws.

By historicizing the four novels of inheritance in the context of the mid-Victorian process of establishing compromised inheritance laws, this dissertation revisits the tendency to define literature as the reservoir of non-political or anti-materialist humanist values against class-based partisanship or capitalist values. As I introduce in the following chapters, we can find this tendency in previous discussions of these four novels. Many critics have argued that these novels express an anti-materialist stance as a reaction to the expansion of capitalism by valorizing disinterested moral values or demonstrating the negative effects of capitalism on human agency. More regretfully, some critics have read these novels as suggesting a nonpolitical radical vision, pursuing instead a pure human progression or a total subversion of the established class order and gender structure. Wary of this problematic tendency within current criticism, my dissertation reminds us of the importance of situating literary works in their contemporary political and social contexts. The dissertation's focus on the interrelation between socio-economic issues and novelistic discourses leads us to understand that dominant political and socio-economic thoughts at the time permeate the production of literature and that literature, in turn, shapes these discourses. I do not claim that all literary works genetically participate in contemporary political ideology. Nevertheless, it is notable that, in the mid-Victorian period, culturally influential novelists were deeply involved in formalizing and establishing liberal ideology. As the following chapters show, the penetrating emphasis on internal moral improvement rather than external material changes in reforming the feudal inheritance and property laws evinces the contemporary writers' close engagement in the mid-Victorian socio-economic discourses.

CHAPTER ONE

The Limits of Morality: The Problem of Unearned Wealth and Mr. Harding's Individual Sacrifice in Anthony Trollope's *The Warden*

Anthony Trollope's *The Warden* dramatizes a conflict over an unearned wealth from a landed legacy. The novel's main thematic focus is deeply engaged with the mid-Victorian period's social concern about unearned wealth. In the time, unearned wealth was one of the most important socio-economic issues that provoked social tensions in Victorian society. The liberal economic system, fully developed at that time, established its moral ground by valuing each individual's self-accumulation through his or her own faculties. However, unearned wealth critically weakens this moral ground because a small number of members of society procure wealth without investing their labor in it. Victorian liberals needed to find a justifiable way to distribute unearned wealth without damaging the principle of liberal economy, as they were facing the rising radical demand of communalizing the resources of unearned wealth such as land and inheritance. In the novel, the main character Mr. Harding's moral sacrifice of his self-interests solves the story's main conflict – the unfair distribution of unearned wealth. Through its idealization of Mr. Harding's individual sacrifice, I argue, the novel produces a distinctive concept of morality that seeks a limited individual solution to social problems instead of a communal effort or governmental intervention. In doing so, the novel reinforces the mid-Victorian liberal reformers' compromised approach to the problem of unearned wealth.

The novel begins with an explanation of how the unfair distribution of unearned wealth made a conflict between the warden and the bedesmen in a hospital. A philanthropist named John Hiram bequeathed his meadows centuries ago to the local parish of the Church of England in the fictitious town, Barchester. Hiram proposed that the parish use his landed legacy as a

charitable fund to support the town's old laborers along with a warden who would take care of them. The problem starts with the growing surplus income that Hiram's landed legacy produces unexpectedly. Since this unearned surplus, unlike earned property, cannot be defined as a private property in a moral sense, one individual or institution cannot claim a clear ownership on it. Despite this unclear property status of the unearned surplus, the warden, Mr. Harding, is allowed to take most surplus from the legacy under the management of the bishop as a trustee of Hiram's legacy. Thus, it causes a conflict between Mr. Harding and the bedesmen, raising a thematic question of how to appropriately distribute the unearned surplus from the bequeathed land.

The novel ends with Mr. Harding's moral sacrifice that temporarily suppresses the dispute over the unfair distribution of the surplus rather than providing a sufficient answer to the above thematic question. Mr. Harding voluntarily resigns from the wardenship, as a social reformer, John Bold, and radical populist newspapers problematize the unequal distribution between him and the bedesmen. Highlighting his heroic decision, the novel presents Mr. Harding as an ideal moral figure who solves a social conflict through his individual sacrifice of self-interests. His moral decision is described to reconstruct a social harmony in the traditional community of a small town. In this manner, Mr. Harding features a distinctive ethical subjectivity. He can renounce his self-interests on the basis of the moral values he has determined. However, I argue that this subject's morality valorized in the novel is significantly circumscribed by liberal ideology. The morally self-governing subjectivity embodied by Mr. Harding is culturally constructed in order to secure social stability and to maintain liberal ideology in the context of the mid-Victorian social concern about the problem of unearned wealth.

The previous critical conversations of the novel have focused on highlighting Mr. Harding's moral behavior without historicizing the novel in its contemporary socio-economic contexts. David Skilton interprets Mr. Harding's decision as a struggle to find a possible way "to live a moral and fulfilling life in an admittedly imperfect world."[31] According to him, Mr. Harding ideally keeps essential moral values against the troubled material world. Echoing Skilton, Jane Nardin defines Mr. Harding's morality as a representation of Trollope's pursuit of "common morality" that respects each human being's rationality and moral autonomy "[i]n judging [their] character, as well as in prescribing rules for [their] action."[32] According to Nardin, Trollop's "common morality" can be conceptualized as a minimal morality that does not establish any authoritative and positive general rules for human action. In a similar sense, Susan Macdonald points out that Trollope opposes "abstract[ing] issues from their context or rights and wrongs from the people whose lives are concerned."[33] Mr. Harding envisions Trollope's idea of morality that leads people "to do what appears to him to be right" based on their rationality and different contexts.[34]

In particular, Mr. Harding's prime achievement of seemingly disinterested moral autonomy has provoked the above dominant approach to the novel. The novel features the

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[31] David Skilton, "The Construction of Masculinities," *The Cambridge Companion to Anthony Trollope* (Cambridge: Cambridge University Press, 2011), 128. Skilton argues that Anthony Trollope's "chief subject is how best, given one's temperament and circumstances, to make life choices which enable one as far as possible" to live a moral life.

[32] Jane Nardin, *Trollope and Victorian Moral Philosophy* (Athens: Ohio University Press, 1996), 12. In the book, Nardin claims that common morality distinguishes Trollope's ethical outlook from many Victorians. Victorians "longed for a consensus about the ends of action that would heal their divided society by uniting all men in the pursuit of a single moral goal. But Trollope did not share these dreams" (14). Nardin elaborates that, to Trollope, "society cannot agree about the ends it should pursue" (14). Therefore, Trollope wants every member of society to "respect one another as they seek to realize their different goals," since it can "offer the only generally acceptable standard by which its laws and mores can be evaluated" (14).

[33] Susan Macdonald, *Anthony Trollope* (Boston: Twayne Publishers, 1987), 19.

[34] Ibid., 19.

gradual process of Mr. Harding's acquisition of his own self-reflected moral values. Trollope presents that Mr. Harding's moral values empower him to be free from any party principles or interests regarding the management of the bequeathed land. As the bishop and the archdeacon struggle to persuade Mr. Harding to keep the position, the Church of England wants to protect the institution's legal and moral right to the control of the legacy as a church property. Mr. Harding, as a paid clergy of the Church of England, is expected to represent the institution's party interests. Mr. Harding's voluntary resignation from the wardenship looks like his overcoming of the party or class bias. Thus, it is not surprising that many critics consider Mr. Harding's detachment from the party interests as his achievement of disinterested moral autonomy. For example, Shirley Letwin defines Mr. Harding's disinterested morality to embody the ideal Victorian gentleman who is able to detach himself from his party or class interests.[35] According to her, what distinguishes Victorian gentlemen is their disinterested way of thinking rather than their allegiance to their party during a battle against their opponents. Victorian gentlemen can recognize their opponents' worthwhile point when controversial questions are raised between parties. In a similar sense, Cathrine Frank asserts that the novel problematizes "the intrusions of institutional interests into private lives, or the manipulations of the individual by institutional forces."[36] The novel attempts to show how an individual can self-develop his own subjectivity by resisting the enforcement of external principles.

The critics above agree that Mr. Harding's moral performance basically expresses an anti-material stance as a reaction to the emergence of the ever more materialized world. In their

[35] Shirley Letwin, *The Gentleman in Trollope: Individuality and Moral Conduct* (Cambridge: Harvard University Press, 1982), 237.
[36] Frank, *Law, Literature, and the Transmission of Culture,* 177-79. Frank argues that *The Warden* is one of the exemplary Victorian novels that combat the cultural shift toward public or institutional homogeneous identities. According to her, this shift occurred with the development of modern bureaucratic government in Victorian England since the mid-19th century.

mind, his cultivated moral and mental capacity enables him to abstract himself from his party interests as well as his self-interests. Relying on his self-reflective rationality, Mr. Harding can finally achieve individual moral autonomy that makes him free from any external forces or principles. More importantly, as Frank especially points out, the critics interpret that his moral autonomy leads him to develop an authentic subjectivity that is not shaped by any social or political forces. In fact, Mr. Harding's idealized moral commitment has been understood as an embodiment of the mid-Victorian belief on liberal agency that, as J. S. Mill states, enlightened free-thoughtfulness empowers each individual to achieve his or her own individuality.[37] This belief also assumes that the self-reflective liberal agency guides individuals to develop disinterested objectiveness toward any biased class or party interests. Eventually, on the basis of this cultivation autonomous individuals voluntarily contribute to promoting a common good and constitute a public sphere where a mutually beneficial agreement can be found to solve social problems.[38]

This chapter reexamines the above previous understandings of Mr. Harding's individual moral autonomy as well as his self-fashioned authentic ethical subjectivity. In contrast to the critics' views, I argue that Mr. Harding's moral autonomy shows a limited mode of agency. Even though the mismanagement of the bequeathed public fund awakes his morality, Mr. Harding

[37] J. S. Mill, *On Liberty* (Oxford: Oxford University Press, 1998), 62-82. In Chapter III, "Of Individuality, As One of The Elements of Well-Being," Mill argues that individual freedom should be guaranteed to improve each individual's faculties. He thinks that only in that condition a society can be a dynamic place progressing continuously. In this society, people are encouraged to learn different modes of living from one another, and geniuses are not forced to subject themselves to the numerical majority's custom and mediocre culture.

[38] See Mill's *Considerations on Representative Government* (Oxford: Oxford University Press, 1998), 255. In Mill' mind, the disinterested objectiveness is the most important quality for people who are called upon to public works. He states that a morally cultivated person is "called upon, while so engaged, to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply, at every turn, principles and maxims which have for their reason of existence the common good" (255). This required quality of cultivated individuals makes the democratic representative government function.

responds passively. His resignation from the wardenship is the only choice that his alienated, or enclosed moral autonomy, allows him to take. His resignation is a passive reflex, rather than the active realization of moral justice.[39] Mr. Harding's morality is too individualized to motivate him to actualize social justice in the public arena. Instead, he contents himself with a passive private justice that avoids any interruption of others' rights to develop their own rules for choosing action and managing private property.

Paying attention to the limited character of Mr. Harding's moral autonomy, this chapter demonstrates that Mr. Harding's individual solution represents the mid-Victorian period's compromised liberal approach to the problem of unearned wealth. Mr. Harding's moral sacrifice expresses a possible peaceful way in that an ethical subject individually attempts to solve social problems as an acceptable alternative solution to radical communal ones. His moderate version of moral agency was a politically imbued cultural product for social stability in securing the fully developing liberal economy rather than for social justice in correcting the troubled material world. I suggest that Mr. Harding's individual morality embodies the distinctive ethical subjectivity that was promoted by the dominant liberal politics in the mid-Victorian period. For the reexamination of Mr. Harding's moral autonomy, I situate the novel within the contemporary socio-economic context of the problem of unearned wealth that the novel employs as its main thematic issue. In particular, juxtaposing the novel with J. S. Mill's view on the problem, I explore how the novel reproduces the liberal politics by idealizing Mr. Harding's individualized ethical approach toward the problem.

[39] Elaine Hadley insightfully points out that, unlike the liberal fantasy, the cognitive values prized by liberal agency routinely express its political ambivalence with its aversive response to social alterity. The Victorian focus on liberal moral agency signifies a shift of attention away from human misery or class oppression "to the beautiful drama of moral agency." See "On a Darkling Plain," 98-9. Drawing on her points, I delve into the question of how contemporary economic issues and discourses contribute to the construction of cognitively liberated but alienated subjects from the public sphere.

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> The Rev. Septimus Harding was, a few years since, a beneficed clergyman residing in the cathedral town of ----------; let us call it Barchester. Were we to name Wells or Salisbury, Exeter, Hereford, or Gloucester, it might be presumed that something personal was intended; . . . Let us presume that Barchester is a quiet town in the West of England, more remarkable for the beauty of its cathedral and the antiquity of its monuments, than for any commercial prosperity; . . . that the aristocracy of Barchester are the bishop, dean, and canons, with their respective wives and daughters.[40]

Trollope's *The Warden* opens its first page with the above introduction of the main character. The introduction implies the novel's intention to problematize the ecclesiastical aristocracy. The narrator seems to design an introduction of Mr. Harding for general plot development, but even the ending of the first line reveals his true purpose. Leaving a blank space for the name of Mr. Harding's residential place, and explaining why he provides a fictitious town name, Barchester, the narrator leads readers to assume the story's engagement with a real social issue. Although the narrator pretends that he does not want the story to be connected with "something personal" such as a real figure and social event, it ironically arouses readers' interest in making a connection between them. Then, picturing the fictitious town, the narrator guides readers to read the story of Mr. Harding as a social comment on the ecclesiastical aristocracy. As he contrasts the town's "antiquity" and stillness with the emerging "commercial prosperity," the narrator gives a hint that the story will mainly deal with the old, but still firm, principle and economy that uphold the ecclesiastical aristocracy.

[40] Trollope, *The Warden*, 3.

To contextualize the story of Mr. Harding in the specific social issue, the narrator provides a summarizing description of how Mr. Harding was assigned to two clerical positions that raised a scandal about him. Mr. Harding started his clerical duty as a minor canon at Barchester. At the age of fifty he became the precentor. At the same time, the wardenship of Hiram's hospital was assigned to him upon the bishop's approval. Despite Mr. Harding's popularity as a minor canon, these appointments brought him trouble. Mr. Harding's eldest daughter, Susan, had been married to a son of the bishop, the archdeacon of Barchester, right before Mr. Harding's installation to the office of precentor. As people think that "had it not been for the beauty of his daughter, Mr. Harding would have remained a minor canon," both precentorship and wardenship were regarded as the bishop's gifts to Mr. Harding because of the familial bond.[41]

Following this beginning to the story, the novel commences its interrogation of the prerogative of ecclesiastical aristocracy as one of the remaining feudal legacies. G. F. A. Best notes that Trollope began to conceive the idea of the novel in 1851 and published it in 1855.[42] According to Best, the process of reforming feudal institutions was fast advancing in this period.[43] In particular, the feudal prerogatives in the Church of England drew critical social attention. The bishops of the institution customarily appointed important clerical positions and

[41] Trollope, *The Warden*, 4.
[42] G. F. A. Best, "The Road to Hiram's Hospital: A Byway of Early Victorian History," *Victorian Studies* 5, no. 2 (1961): 136. In this article, Best elaborates how Trollope's *The Warden* is deeply involved with the contemporary reform movement of the Church of England. He notes that the novel deals with the institution's problematic management of hospitals and church endowments. In addition to Best's article, for a historical background of the Church of England's resistance to the state intervention in the management of church property in the 1850s, see Olive J. Brose, *Church and Parliament: The Reshaping of the Church of England 1828-1860* (Stanford: Stanford University Press, 1959), 172-24. This book provides a history of how the Church of England had been adapted to social changes from 1828 to 1860 and how it successfully had handled the radical demands for the drastic reform of the institution's feudal privileges without losing its established power.
[43] Ibid., 136.

sinecures with a substantial income to their family members. This feudal practice prevailed in the Church of England and became one of the main targets for the mid-Victorian reform project. As the narrator states that "the aristocracy of Barchester are the bishop, dean, and canons, with their respective wives and daughters,"[44] the novel brings up the aristocratic society of the religious institution as the main social background for the story. Centering on Mr. Harding's personal scandal with the contemporary major social concern, the novel illustrates him in the specific social context of the feudal prerogative in the Church of England.

More importantly, problematizing the feudal custom in the ecclesiastical institution, the novel elaborates how the problem of unearned wealth is closely interconnected with the political issue of reforming the feudal aristocratic system. For the purpose, the novel attends to the mismanagement of church endowment. The main reason that the assignment of the wardenship brought a problem to Mr. Harding was that this sinecure position highly increased his income. This increase reveals the disproportionate distribution of the surplus profit from the landed church endowment, left by Hiram, between him and the bedesmen. The endowment was originally donated to support the superannuated labors in the town. As the narrator also mentions non-fictional similar cases at that time, such as the Hospital of St. Cross and Mr. Whiston at Rochester, the novel intends to exemplify the ecclesiastical aristocracy's abuse of church endowment in Victorian England.[45]

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[44] Trollope, *The Warden*, 3.

[45] For the narrator's mention, see Trollope, *The Warden*, 10. And, for a brief history of the two church scandals above, see Andrew Wright's *Anthony Trollope: Dream and Art* (Chicago: University of Chicago Press, 1983), 32. Wright points out that, in conceiving the novel, Trollope had in mind the two current church scandals, the Hospital of St. Cross and Mr. Whiston at Rochester. He summarizes the cases that "the sixth Earl of Guilford, who as Master of St Cross Hospital was accused of certain malversations; and . . . the Reverend Mr. Robert Whiston, as Headmaster of Kings School, Rochester, drew a handsome income for an ever-diminishing number of pupils, the intended beneficiaries of the trust by which the school had been established" (32). In addition to Wright's summary, for an explanation of the similarities between the case of Mr. Harding and the two cases above, see Best's "The Road to Hiram's Hospital,"

In the mid-Victorian period, the mismanagement of church endowment constituted important socio-economic issues in relation to the problem of unearned wealth. The church endowment was generally made by individuals upon their death to a local church as a charitable fund to maintain schools or hospitals for the poor. However, as Owen Chadwick points out, the high rank clergies appropriated the church endowment for their personal interests.[46] In particular, the clergies who served for sinecure positions in charitable establishments obtained most material benefits from the institutions' endowment, although their positions did not require them much labor.[47] Because these profitable sinecure jobs were circulated along the clergies' family blood-lines, the church endowment provided an unearned material resource to sustain the feudal ecclesiastical aristocracy. Thus, Victorian radicals and reformers tried to intervene in the Church of England's customary managing of its endowment. The novel's thematic conflict is carefully constructed in this contemporary socio-economic concern.

Furthermore, the specific character of the endowment in the story represents the significant socio-economic issue of unearned growing surplus from landed property. The novel narrates in detail the background of Hiram's legacy in economic terms at the beginning of the

144-48. Best also lists many other contemporary scandals related with the feudal practice in the Church of England.

[46] For a brief historical explanation of the contemporary social attention toward the misuse of the church and corporation charity fund from 1853 to 1860 see Owen Chadwick's *The Victorian Church* (London: Adam & Charles Black, 1970), 511-14. Chadwick summarizes some notorious scandals of the misuse of ecclesiastical charities and the parliamentary charity commissioners' slow and incomplete achievement in correcting this misusage.

[47] In his *An Autobiography of Anthony Trollope* (New York: Dodd, Mead & Company, 1912), Trollope confesses that his first purpose of the novel was to expose how the Church funds and endowments "which had been intended for charitable purposes" actually "had been allowed to become incomes for idle Church dignitaries" (81). But, Trollop also states that he does not think these dignitaries are "the chief sinners in the matter," criticizing newspapers' severity toward them. Accordingly, in *The Warder*, Trollope shows a sympathetic attitude toward Mr. Harding, while praising his superior moral conscience in contrast to the time's general social criticism of the church clergies at sinecure positions. He does not handle the mismanagement of church endowments in a deeper level to explain what structural matters should be reformed to correct this problem.

story. The bequeathed endowment was originally certain meadows near the town of Barchester. In Hiram's time, the bequeathed land merely produced hay and fed cows. The bigger the town grows, the more the land becomes covered with rows of houses, and the more surplus income it produces. The detailed background of Hiram's landed legacy indicates that the novel relates its specific focus on the church endowment to the broader contemporary socio-economic issue. When the national economy improves, the land produces more profits without the owners' certain personal investments or labor in it because of the increasing demand for land and its limited supply. As Susan Macdonald notes that the mid-Victorian period's socio-economic changes drive the novel's main plot, the novel's main concern can be found in this issue of unearned growing surplus from the land.[48]

The unearned value change in the land necessarily engenders an important political question of how to appropriately distribute its surplus. The novel's main conflict over the unequal distribution between the warden and the bedesmen can be associated with this question. Because of the rapid economic growth, Victorian society experienced great increase in the value of land. The aristocracy could gain most unearned wealth from the national prosperity since their material foundation was mainly based on the inherited large land-ownership. The laborers began to ask for their share of the surplus because the national prosperity was actually generated by their work. *The Warden* intends to handle these overlapping crucial socio-economic questions of its time. The novel's specific focus on the abuse of the church charity endowment is intertwined with the problem of unfair distribution of unearned surplus from the land. Through this

[48] See Macdonald, *Anthony Trollope*, 13. Macdonald notes that the novel especially focuses on how the value rise in the land causes a problem of inequity between the warden and the bedesmen. She suggests that *The Warden* proposes to picture how the socio-economic changes in the mid-Victorian period threaten a traditional English community.

correlation between the issues, the novel also asks how to modernize the feudal system while appropriately reorganizing the circulation of material wealth among all social members. The novel's pivotal conflict over Hiram's endowed land contains these inquiries.

Driving the main story from Mr. Harding's doubt of his moral entitlement to the income, the novel attempts to answer the questions above.[49] The traditional feudal society maintained its social order based on the belief of the due difference in the distribution of unearned wealth according to people's different ranks. Thus, the bishop states that "maintaining the due difference in rank and income between a beneficed clergyman and certain poor old men" is appropriate and "more of the many learned men who by their practice had confirmed the present arrangement."[50] On this feudal belief the bishop and the archdeacon contend that Mr. Harding is eligible for the wardenship and its income. Trollope basically implies that this traditional belief is no longer stable, while attending to Mr. Harding's inner moral dilemma as to whether to hold or resign the wardenship or share his income with the bedesmen. A new rule needs to be found to replace the old one in order to secure social stability. Mr. Harding's inner struggle to make a respectable decision on his dilemma can be read as Trollope's search for an answer to the socio-economic questions above.[51]

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[49] For Mr. Harding's beginning concern of his entitlement to the income, see Trollope, *The Warden*, 31. And, Rowland McMaster points out that Trollope shows a special interest in the issue of inheritance and land in his novels because, to Trollope, these provide a material ground for the continuity of English tradition. In this interest, Trollope seeks a desirable way of reforming the laws of inheritance and land in his most novels. See his *Trollope and the Law* (New York: St. Martin's Press, 1986), 12.

[50] Trollope, *The Warden*, 30.

[51] My argument relies on the following two critics' arguments on the relation between the novel and social world. Nancy Armstrong points out that the history of the novel and the one of the modern subject are closely interconnected. The novel played out a role to reproduce the modern subjectivity, which is formulated in fictional narratives, in the social world by internalizing it in readers' mind. Dorothy Hale also argues that the "novel can formally both encapsulate and fix a social world." See Armstrong's *How Novels Think*, 3 and Hale's *Social Formalism: The Novel in Theory from Henry James to the Present* (Stanford: Stanford University Press, 1998), 5. The two critics' arguments lead us to understand why the formation of characters in the novel can be read in the social context at that time period.

Despite Trollop's embedding of the story in the important social contexts, however, the novel does not suggest a clear final answer to the above inquires. The novel's characterization of Mr. Harding highlights his seemingly apolitical character. Facing the conflict over the issue of his wardenship income, he is anxious "to avoid even a semblance of rupture with any of his order" and is fearful "of having to come to an open quarrel with any person on any subject."[52] Mr. Harding does not want to be personally involved with any political conflicts or activities. Throughout the story he consistently shows an evasive attitude toward open political arguings. Instead, Mr. Harding only ponders the issue in his mind to make his own individual decision. His genial nature also makes him pursue a peaceful domestic sphere away from friend-and-enemy political troubles. Considering his apolitical character, Mr. Harding's resignation from the wardenship is predictable from the beginning of the main political conflict.

On behalf of Mr. Harding, his son-in-law, Dr. Grantly, and his future would-be son-in-law, Mr. Bold, bring up two different major political views around the issue of managing the church endowment and distributing its profit. They respectively represent the conservative and the pro-reform force. Dr. Grantly contends that the fair portion of the profits from the endowment for the bedesmen should be shelter and food.[53] In his mind, the distribution should be settled depending on the recipients' different social ranks. Moreover, he asserts that "not only every individual reformer, but every committee and every commission . . . [cannot] ask a question respecting the appropriation of church revenues."[54] Dr. Grantly clearly represents the Church of England's conservative party interests. He believes that the institution's right to its

[52] Trollope, *The Warden*, 53.
[53] Ibid., 51.
[54] Ibid., 17.

endowment must be protected as an institutional private property. In other words, the Church of England should be allowed to manage its income without any external interventions.[55]

In opposition to Dr. Grantly, Mr. Bold asserts that the share of the bedesmen should be adjusted again according to the increased rate of the profits from the endowed land. Even though Hiram stipulated the amount of money in his will, sixpence a day together with breakfast and dinner, for the bedesmen, is not enough. From Mr. Bold's perspective, the proceeds of Hiram's legacy are not fairly divided. Hiram wanted the legacy to be used for the comfort of the aged laborers. It is not appropriate to expect him to have predicted the future value change of his landed property. He would have changed his will, if he had expected the value change. For this speculation, Mr. Bold believes that the current distribution of the income does not meet Hiram's original purpose. He claims that an external legal intervention would forcefully and effectively correct the problem of mismanaging the church endowment. Mr. Bold speaks for his contemporary radical force's approach to the problem that justifies a legal restriction on the institution's right to its endowment.

Mr. Harding's voluntary resignation from the wardenship seems to express his desire to stand aloof from the above two contentious political views. His sacrifice does not explicitly stand for either the political views of Dr. Grantly or of Mr. Bold. Mr. Harding refuses Dr. Grantly's insistence on keeping the wardenship for the party interests of the Church of England. Mr. Harding's resignation also does not indicate that he sides with Mr. Bold's view. He does not

[55] The Church of England and its opponents such as the radicals, the dissenters, and the Roman Catholics had different views on the nature of church property. The Church of England considered church property or endowment as their private property. However, the opponents defined it as a public property. Thus, the opponents justified the governmental intervention in the management of church property to correct quickly the institution's misusing problem. The Church of England struggled to defend their absolute right to church property or endowment against the external intrusions by parliamentary committees throughout the mid-Victorian era since 1828. See Brose, *Church and Parliament*, 23.

suggest that his wardenship income should be redistributed to the bedesmen as Mr. Bold claims.[56] Therefore, it is not surprising that many critics define Mr. Harding's final moral sacrifice as a non-political decision. James Kincaid considers "[a]s far as the issues are involved, the novel does tend to do battle with both Bold and Grantly, but issues become trivial as the novel advances."[57] According to Kincaid, the political issues around the misuse of the charity endowment and the unequal distribution of its profits are insignificant in the novel. Instead, he maintains that the novel focuses on affirming "the primacy of conscience" exemplified by Mr. Harding's resignation to solve the political conflicts.[58] Susan Macdonald similarly argues that the novel criticizes Dr. Grantly's and Mr. Bold's dogmatic self-righteousness abstracting "the issue from the people involved and then simplify it into a matter of good and evil, reform and tradition, or justice and injustice."[59] She concludes that "[i]f Trollope takes sides at all in *The Warden*, he sides with Mr. Harding for his gentleness, his lack of contentiousness, and his decision to do what appears to him to be right."[60] To her, Mr. Harding's internal struggles to

[56] In Trollope's time, many notable magazines' literary reviews showed negative responses to the unsatisfactory conclusion of the novel. *Spectator* commented that "the views of the author on the subject of ecclesiastical revenue are not apparent, there is no fitting end attained by all which is done" (39). In a similar point, *Eclectic Review* criticized the novel's conclusion, "[t]he defective part of the book is the conclusion, which seems to us careless and unsatisfactory—as if the author had got tired of his subject before he had done with it" (37). *Leader* also complained that "the moral [of the novel], if one there be, is, that it would have been far better if John Bold had never meddled in the matter at all,--seeing that the only result of his labours is to bring much trouble and inconvenience upon everybody connected with the charity, and to leave things far worse than he found them" (34). See Donald Smalley, ed., *Anthony Trollope: The Critical Heritage* (London: Routledge & K. Paul, 1969), 34-9. In contrast to the Victorian critics' negative reception of the conclusion of the novel, recent literary critics tend to praise Mr. Harding's moral sacrifice as I summarized at the beginning of this chapter. It leads us to understand that the ethical subjectivity envisioned through the novel's characterization of Mr. Harding was an emerging new concept in that time period. But, Mr. Harding's individualized moral decision becomes natural and laudable to current readers and literary critics after being more widely circulated and reproduced.
[57] See *The Novels of Anthony Trollope* (Oxford: Clarendon Press, 1977), 98.
[58] Ibid., 101.
[59] See her book, *Anthony Trollope*, 18.
[60] Ibid., 19.

resign the wardenship "involve both a strong moral element and a great degree of free choice."[61] These critics assume that Mr. Harding can achieve his noble morality since he distances himself from any political views.

However, it is a mistake to read Mr. Harding's resignation of the wardenship as a non-political decision. His moral character does not stand aloof from any political ideologies. Mr. Harding seems to succeed in abstaining from any party interests based on his cultivated individual moral agency, but his distinctive human conscience or his disinterested moral agency was a politico-cultural product constructed by the mid-Victorian liberal ideology. As Elaine Hadley appropriately defines this distinctive moral agency as a Victorian liberalism's fantasy,[62] Mr. Harding's moral decision especially embodies the mid-Victorian period's individuated liberal approach to socio-economic issues, in particular, the problem of unearned wealth. It was a culturally promoted individual solution to avoid communal radical approaches to the issues. In the rest of this chapter, I argue that Mr. Harding's moral sacrifice should not be read as a general achievement of non-political human conscience.

* * *

English society was modernized through the gradual establishment of the right to private property. Liberal political economists, from John Locke to J. S. Mill, who led the reform of the feudal system, defined the institution of private property as a guarantor for individual liberty. Private property rights secure an inviolable sphere for each individual from authoritarian external forces. With property rights individuals as modern subjects can be the autonomous proprietor of their own person, their own actions, and the products generated by their labor.[63]

[61] Ibid., 58.
[62] See "On a Darkling Plain," 99.
[63] John Locke, *The Second Treatise of Government*, 20.

On this premise set by Locke at the dawn of the modernization of English society, liberal political economists also allowed the unequal distribution of wealth. Mill states, in his *Principles of Political Economy*, "[t]he inequalities of property which arise from unequal industry, frugality, perseverance, talents, and to a certain extent even opportunities, are inseparable from the principle of private property."[64] The right to private property guarantees individuals to possess the wealth produced by their own exertions of talents and faculties. Thus, in Mill's mind, the unequal distribution of wealth is inseparable from the institution of private property because each individual's different capacities and talents bring him or her different material outcomes. Liberal economists set forth this principle as the basic premise for the liberal society and economy. To them, if we accept the inevitability of private property rights for individual liberty and autonomy, we must bear with the inequality resulted from the principle. A new social order in modernizing English society had been developed on this premise.

The problem of unearned wealth, however, critically complicates this basic premise that established the fundamental ground for the liberal economic system. The unearned wealth contradicts the liberal belief that an individual's labor is crucial to the accumulation of his or her wealth. The unequal distribution of wealth cannot be justified unless it results from people's different faculties or talents. In other words, the problem of unearned wealth significantly weakens the principle of private property, as it can cause unfair class divisions. The different levels of wealth can be made without each proprietor's labor. If the problem continues, the protection of private property rights can eventually restrict each individual's autonomy in freely shaping his or her life, because the possession of the resources of unearned wealth can determine

[64] J. S. Mill, *Principles of Political Economy*, 35.

people's social identity. The problem of unearned wealth truly threatens the moral ground for the liberal economic system.

Throughout the Victorian period, landed property was the central issue regarding the above problem because it was the biggest resource of unearned wealth. Some proprietors can earn substantial profits from their landed property without additional labor, as long as the value of the land increases along with the improvement of local and national economy. The recipients of landed inheritance become main beneficiaries, as they receive this unearned privilege on the previous owners' death without any investment in earning the property.[65] In addition, the different nature of the land from other movable properties makes its status as a private property more problematic. In contrast to the movable property produced by people's labor, thus, possessed by the creators as a private property, the land already existed before being possessed by an owner. In the state of nature, it was the common property of mankind. For this reason, it is debatable if people could claim some portion of the land as their own by their occupation. In terms of the natural law, everybody is entitled to argue a natural right to an equal share of the profits from the land. Because of this problematic status, the landed property, in particular the landed inheritance, constantly provokes social tensions in the liberal society. It can enrich only a few people and enable them to permanently keep their familial wealth.

[65] The vision of liberal democratic society can be represented by J. S. Mill's definition of the best form of government. He states two principles for the best government, "[t]he first is, that the rights and interests of every or any person are only secure from being disregarded, when the person interested is himself able, and habitually disposed, to stand up for them. The second is, that the general prosperity attains a greater height, and is more widely diffused, in proportion to the amount and variety of the personal energies enlisted in promotion it." See his *Considerations on Representative Government*, 245. Despite the rapid industrialization of Victorian society, the major wealth was still generated from landed property. Thus, the aristocracy could keep their dominant status based on the inherited wealth through the large land-ownership. To Mill, reforming the feudal regulations of landed inheritance was critical to accomplish the best form of government that guarantees a fair distribution of wealth in proportion to the amount of personal efforts to produce it.

Therefore, English radicals suggested drastic solutions to the problem of unearned wealth from the landed property throughout the early 19th century. As the earliest revolutionary, Thomas Spence launched a radical idea of abolishing private property in land, asking a question, "is it lawful, reasonable and just, for this people [the owners of land] to sell . . . the whole of their country, or common, to whom they will, to be held by them and their heirs forever?"[66] He concludes that "every man has an equal property in the land . . . and reap[s] all the benefits from their natural rights and privileges possible."[67] Thus, he suggested that every parish manages the land under its district as a communal property. In his design, the parish cannot have the power of alienating the land forever and should equally distribute the land to every inhabitant in the neighborhood. All inhabitants are only required to pay rent to the parish "according to the quantity, quality, and conveniences of the land . . . which he occupies in it."[68]

Many early English socialists followed Spence's idea of communalizing the land. For example, Charles Hall suggests that the state possess all the land in the nation and distribute it equally to people based on the number of their families. In his mind, the extreme inequality of wealth is the cause of evil. He speculates that the communalization of land would inevitably remove inequality and prevent its negative effects on society. Unalienable fair land allotments may render people perfectly independent of all other men, preventing a small group of people from exercising any power over others.[69] Robert Owen also asserts that "[t]he land became permanent individual private property through oppression and gross injustice."[70] The easiest way

[66] Thomas Spence, "The Real Rights of Man," in *The Pioneers of Land Reform* (New York: Alfred A. Knopf, 1920), 6.
[67] Ibid., 10.
[68] Ibid., 15.
[69] Charles Hall, *The Effects of Civilisation on the People in European States* (London: Longman, Brown, Green, and Longmans, 1805), 173-222.
[70] Robert Owen, *The Revolution in the Mind and Practice of the Human Race* (London: Effingham Wilson, Publisher, 1849), 122.

to correct the error, he thinks, is for the governing authority "to purchase it from the present owners at a fair market price, and to make it the public property of each succeeding generation."[71] Although these socialists have slight differences in terms of their methodologies, they agree on the necessity of abolishing private property in land and its equal division to all social members. These earliest socialists' ideas affected many English radical activists and constantly agitated the masses for the fair share of the profits from the land throughout the first half of the 19th century.[72]

Facing the growing revolutionary demands from the radical socialists, Victorian liberals needed to find an alternative approach to the problem of unearned wealth in order to stabilize the liberal economy and society. They searched for a solution under the basic principle of the liberal economy rather than completely redressing the problem.[73] Possible solutions must guarantee individual liberty in managing private property. Because of their compromising stance, A. V. Dicey points out, the British parliament dominated by the liberals did not make a significant change to English land laws despite a hundred legal enactments passed from 1830 to 1900. He asserts that Victorian liberals' search for a middle ground, between the feudal conservatism and

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[71] Ibid., 122.

[72] For a brief summary of the root of radical socialists' arguments for the abolition of private property in land since the late 18th century and its effects on the notable radical leaders such as William Godwin, Robert Owen, and William Cobbett see Gregg, *A Social and Economic History of Britain*, 280-82. Although this radical idea had gradually lost its influential power, it was alive throughout the second half of the 19th century. For example, the Land and Labour League, founded in October 1869, made "Nationalization of the land" as its first programme. In his "Address of the Land and Labour League to the Working Men and Women of Great Britain and Ireland," J. G. Eccarius announces the league's first programme stating "'The Land for the People' – the rightful inheritors of nature's gifts. No rational state of society can leave the land, which is the source of life, under the control of, and subject to the whims and caprices of, a few private individuals. A government elected by, and as trustee for, the whole people is the only power that can manage it for the benefit of the entire community." For Eccarius's address, drawn up on November 14, 1869, refer to the following website, Marxists Internet Archive, accessed April 2, 2015, http://www.marxists.org/archive/marx/iwma/documents/1869/land-labour-speech.htm.

[73] Jamoussi, *Primogeniture and Entail in England*, 131.

the revolutionary radicalism, actually stopped the progress of early radicalism that pursued to right completely the problem of unearned wealth.[74]

Mill's influential approach to the problem exemplifies how Victorian liberals tried to make a compromise with the revolutionary ideas rather than finding a fundamental solution. In the chapter of private property of *Principles of Political Economy*, Mill admits the problem of unearned wealth, as it does not fit into the principle of private property. He notes that, as an example of unearned wealth, the wealth people earn by inheritance is "no consequence of the principle of private property."[75] Regarding landed property, again, he states that the private property principle cannot apply to the land because it "is not the produce of labour."[76] He accepts "fixing a limit to what any one may acquire . . . without any exercise of his faculties" is not objectionable.[77]

Mill, however, also considers that any extreme regulations on the management of unearned wealth could destabilize the institution of private property. In his mind, the radical attempts and suggestions, made by early socialists such as Mr. Owen and his followers, to equally distribute unearned wealth only leaves negative effects on the society by removing the merits of private property rights. The institution of private property must be secured to promote people's diverse individualities as well as their faculties.[78] Thus, Mill claims that the right of

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[74] For A. V. Dicey's point, see "The Paradox of the Land Law," *Law Quarterly Review* 21, issue 3 (1905): 226.
[75] Mill, *Principles of Political Economy*, 28.
[76] Ibid., 37.
[77] Ibid., 35.
[78] Mill opens *Principles of Political Economy* by criticizing the ideas of socialism that insists the land and the instruments of production to be the property of communities or associations, or of the government (9). Mill argues that socialism would decrease people's productivity by distributing the fruits of labor equally without considering the proportion of each individual's different exertions. More importantly, Mill claims that the best political system should promote human liberty and spontaneity (16). To Mill, the abolition of private property in the means of production would cause "the absolute dependence of each on all, and surveillance of each by all" grounding people "down in to a tame uniformity of thoughts, feelings, and actions" (18). In short, socialism would destroy "individuality of character" or "eccentricity" (18).

inheritance should be protected as "the ownership of a thing cannot be looked upon as complete without the power of bestowing it . . . at the owner's pleasure."[79] On the same basis, he also believes that it is not desirable for the state to have liberty to appropriate the private property right in land of its citizens.[80]

Facing the dilemma of unearned wealth, Mill seeks a moderate solution. In regarding inheritance as one of the major resources of unearned wealth, Mill pays attention to the two aspects of inheritance, bequest and succession, and approaches them separately in a moral sense. Although the unearned wealth through inheritance does not fit into the principle of private property, he tries to develop a solution that does not damage the owners' power to dispose of their property. Mill's ideal society does not restrict people's right to exercise their property ownership, as he weighs liberty more than equality. In this view, as Ronald Chester observes, Mill emphasizes the restriction of the recipient's right to succession, and the protection of the giver's right to bequest:[81]

> Were I framing a code of laws according to what seems to me best in itself, without regard to existing opinions and sentiments, I should prefer to restrict, not what any one might bequeath, but what any one should be permitted to acquire, by bequest or inheritance. Each person should have power to dispose by will of his or her whole property . . . but I see nothing objectionable in fixing a limit to what any one may acquire

[79] Ibid., 33.
[80] Ibid., 41. Mill justifies the land as a private property in an economic point of view, since it improves the land's productiveness. Mill states that "though land is not the produce of industry, most of its valuable qualities are so. Labour is not only requisite for using, but almost equally so for fashioning, the instrument" (38).
[81] Ronald Chester, *Inheritance, Wealth, and Society* (Bloomington: Indiana University Press, 1982), 26-30. In this book, Chester summarizes notable English and European philosophers' and economists' thoughts on inheritance. He points out that Mill's idea of restricting the right to succession, not the one to bequest, still remains influential in both U.K and U.S.A as a balanced approach in legislating the laws of inheritance.

by the mere favour of others, without any exercise of his faculties, and in requiring that if he desires any further accession of fortune, he shall work for it.[82]

In the passage, Mill differentiates the right to receive inheritance from the right to make bequest, and eventually sets the former apart from the matter of private property ownership. Mill defines that "although the right of bequest, or gift after death, forms part of the idea of private property, the right of inheritance, as distinguished from bequest, does not."[83] He concludes that the restriction of the right to make a bequest is not desirable because it hampers an individual's liberty and private property ownership, yet, fixing a limitation on the right to succession does not damage the principle of private property. To support his point, Mill conceptualizes the right of bequest as a natural right to make it unquestionable, but he deems the right to succession as a moral matter. In other words, the right to succession demands a moral legitimacy for the receiver to be socially acknowledged of their right to inheritance, since receiving inheritance "by the mere favour of others" lacks a moral ground. It leads Mill, in a tone of moral admonition, to stress that heirs should function for "any further accession of fortune."

Shaping the right to succession as a moral issue, Mill leaves heirs' individual morality to take an important role to solve the problem of unearned wealth. Even though he suggests that a limitation on the right to succession be agreeable, Mill again avoids employing any extreme legal regulations to restrict the right. In Mill's mind, any compulsory regulations "are not . . . the most judicious."[84] He only agrees on a minimal restriction such as adding a reasonable tax on some portion of the receiver's inheritance. Therefore, each individual's ethical reasoning cannot help playing a decisive role to determine his or her moral right to inheritance, because the intervention

[82] Mill, *Principles of Political Economy*, 35.
[83] Ibid., 28.
[84] Ibid., 35.

of forceful laws in this process is not desirable. In measuring "a certain maximum" fund for the inheritors' "comfortable independence," which Mill admits as their moral entitlement to, each individual still exercises a determining power based on his or her moral values.[85]

Furthermore, Mill gradually narrows the problem of inheritance down to the matter of cultivating a better individuality. Mill advocates the institution of private property because it encourages people to develop their faculties, consequently, better individualities. In a similar sense, he asserts that the earning of unearned fortune through inheritance is undesirable because it would reduce the heir's passion of developing and exercising his faculties.[86] Assuming that the unearned fortune can negatively affect each individual's character-building, moral cultivation, and faculty-developing, Mill explains the problem of unearned wealth primarily as an individual matter rather than a communal one. On the same ground for his concern of individuality, Mill highlights the negative effects of receiving inheritance on the individual heir instead of elaborating on the issue within the broad communal concern of the unfair distribution of unearned wealth.

Mill's main concern of cultivating individuality actually necessitates his individualized moral solution to the problem of unearned wealth. In contrast to Mill, Bentham shows a more radical view than Mill does because of his different conceptualization of the problem as a communal matter. Bentham defines the problem of inheritance as a matter of "security and equality" of the community.[87] It leads him to contend that even "limiting in certain respects the

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[85] Mill thinks that after parents leave a necessary provision to their children, appropriating the remaining surplus of inheritance for general purposes of the community is desirable. However, he claims that, for the liberty of bequest, parents should be allowed to make a bequest on their own judgment of fitness for their children. Ibid., 33.

[86] It is the reason Mill shows his antipathy toward primogeniture and entail. These feudal customs could easily lead the aristocracy's children to an idle life by handing over landed property to the sons of the deceased owners. Ibid., 29, 34, 39.

[87] See *Theory of Legislation* (New York: Harcourt, 1931), 122.

testamentary power, in order to prevent too great an accumulation of wealth in the hands of an individual," must be allowed as well as "regulating the succession in favor of equality."[88] Differently from Bentham, Mill theorizes individuality to promote a social environment that incites each individual to voluntarily develop his or her faculty and morality, since it better motivates individuals and produces the maximal result. For this environment, the acceptable solution must protect individuals' liberty in running their economy. Therefore, Mill disagrees with any extreme legal interventions in solving the problem of unearned wealth, in particular, in limiting testamentary power.

Trollope's *The Warden* develops its main plot within the socio-economic context above and envisions Mill's individualized ethical approach to the problem of unearned wealth. As Mill attempts to provide an alternative moderate solution without restricting individuals' private property rights, Mr. Harding's individual moral sacrifice of his entitlement to a bequeathed income finally surfaces at the end of the novel as a peaceful alternative. Mr. Harding's ethical individuality is deeply engaged with the mid-Victorian liberal political project that Mill significantly contributes to. In the rest of this chapter, I demonstrate how Mr. Harding's individual sacrifice embodies an acceptable moral solution that serves to suppress the agitation caused by the unequal distribution of unearned wealth, without undermining the fundamental principle of liberal economy.

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[88] Ibid., 122. Because of his different conceptualization of the problem, Bentham justifies the state's legal intervention in the distribution of property when the proprietors cease to own their property on death. That is, Bentham formulates a solution to the problem of inheritance that could enhance equality without damaging security, while Mill focuses on promoting liberty and individuality in his search for a solution. This nuanced, but significant, difference between Bentham and Mill reveals how Mill prioritizes the individual over the communal in his approach to the problem of unearned wealth.

> Mr. Harding thought long and deeply over these things, both before he went to bed, and after it, as he lay awake, questioning within himself the validity of his claim to the income which he enjoyed. It seemed clear at any rate that, however, unfortunate he might be at having been placed in such a position, no one could say that he ought either to have refused the appointment first, or to have rejected the income afterwards. . . . But somehow these arguments, though they seemed logical, were not satisfactory.[89]

As the above quote describes, *The Warden* develops its plot on Mr. Harding's moral dilemma by focusing on Mr. Harding's inner debate respecting whether his receiving of the income from Hiram's legacy is moral. Mr. Harding does not stop his questioning to find a satisfactory answer for himself, although he knows that no one can legally ask him to refuse the income. Mr. Harding's moral questioning finally leads him to sacrifice his self-interests. Through this focus on his endless inner questioning and moral decision, the novel spotlights Mr. Harding's disinterested moral autonomy that solves the social conflict over his income. The novel also implies that a common good can be achieved only through the cultivation of each individual's disinterested morality that Mr. Harding embodies.

However, the novel's focus on Mr. Harding's inner questioning actually serves to submerge other important social questions that search for a solution to the problem of unearned wealth in the public sphere. The novel begins with its criticism of the ecclesiastical aristocracy that sustains its social status based on the customary material support from unearned wealth. The novel's beginning leads its readers to expect that the story would mainly problematize this ecclesiastical aristocracy's feudal privilege. Belying the readers' expectation, the novel ironically does not delve into fundamental questions that should be discussed to reform the privilege. It

[89] Trollope, *The Warden*, 28.

does not ask if the ecclesiastical institution's right to manage its endowment should be untouchable or if the unearned surplus from the landed endowment should be defined as a private institutional property under the control of the church. The novel also does not inquire if Hiram's will should be protected permanently, although the condition of the endowment he left has continued to change for generations after his death. Even the reformer, Mr. Bold, problematizes only if the management of the endowment strictly follows the wording of Hiram's will.

Avoiding these crucial questions that Victorian radicals focused on, the novel attends to Mr. Harding's individual inner moral questioning. In this context, Mr. Harding's specific moral character deserves further discussion. His individualized morality, I suggest, can be associated with Mill's liberal approach that focuses on the recipient's moral ineligibility for receiving unearned fortune rather than the unclear private property status of unearned surplus. And, we should note that Mr. Harding's culturally promoted morality aims at keeping individuals away from pursuing a public or communal solution. I contend that in the novel Mr. Harding's morality makes it impossible to find a communal agreement that can enhance a mutual benefit between the opposing groups. In particular, this limited version of morality disables Mr. Harding to discuss the essential social question about how to distribute unearned wealth in the public sphere. Mr. Harding's enclosed inner moral questioning narrowly guides him to seek a limited minimal individual solution because his withdrawal into his interiority reformulates the communal problem to an individual matter as Mill does in his searching for a moderate solution to the problem of unearned wealth. Following Mill's reformulation, the novel actually intends to lead its readers to conceive an individual's limited moral decision, rather than a collective effort or a systematic change, as the desirable way to solve the problem.

At first, Mr. Harding's moral self-reflection looks like a primary process to ponder over different opinions in order to derive a possible solution that can be accepted by the opponents. However, Mr. Harding's intense self-reflection actually replaces exterior public discourses with his internal conflict. At the beginning of the novel, the main issue of the unfair distribution of unearned surplus quickly draws different interest groups' dispute in their search for a reasonable solution.[90] As the issue instantly attracts the broad public attention, the novel firstly shapes the problem as a communal matter that needs negotiations to find a desirable solution among different opinion holders and interest groups. Contrary to the novel's beginning, as the story advances, other characters' political activities around the issue gradually disappear from the main plot. Instead, as the above quote shows, Mr. Harding's interior struggle to make a moral decision is foregrounded to solve the conflict. This significant movement from the external arena to Mr. Harding's interiority makes the novel's main issue lose its public hues as a communal matter.

This movement especially comes with the novel's critical attitude toward the capability of legal intervention in finding a justifiable solution.[91] In contrast to Mr. Harding's withdrawal, other characters pursue a legal battle to fix the problem. Mr. Bold thinks that narrowing the income gap between Mr. Harding and the bedesmen would fulfill the original purpose of Hiram's will.[92] Thus, he brings a legal suit against Mr. Harding, trying to investigate what Hiram

[90] In "'Unnatural Self-Sacrifice': Trollope's Ethic of Mutual Benefit," *Nineteenth-Century Literature* 58, no. 4 (2004), Ilana Blumberg also recognizes that the novel delves into "the very question of the accrual, possession, and circulation of surplus and emphasizes the cultural shifts occasioned by industrial capitalism" (519).

[91] In relation to the novel's negative attitude toward the law, Coral Lansbury points out that "Trollope had learned to reason like a lawyer and his rhetoric was legal," but, ironically, he always didn't trust the law's capability in containing reality and truth. Trollope thought that his fictional narrative "surpassed the law in veracity and reality." See Lansbury's *The Reasonable Man: Trollope's Legal Fiction* (Princeton: Princeton University Press, 1981), 130.

[92] Trollope, *The Warden*, 35.

truly proposes with the endowment in his will. However, interestingly, the novel does not introduce the full wording of Hiram's will. Readers' only access to the will is through several characters' different personal memories and interpretations. Even, according to the characters who have read the will, the wording of old Hiram's will ambiguously articulates the arrangement of the profits from the endowment. From the beginning, the novel questions whether Mr. Bold could enhance the bedesmen's material condition through the process of finding a juristic solution.

In addition, Dr. Grantly's legal consultant Sir Abraham adds a negative aspect of legal intervention because of his mechanical approach to the conflict. Based on his legal knowledge, Sir Abraham finds "a screw loose" in the case.[93] He provides an easy, evasive way for Mr. Harding to defend himself from Mr. Bold's legal attack without inquiring into the abuse of the church endowment. Sir Abraham clarifies that Mr. Harding is only a paid servant who does not have responsibility for the arrangement of the income. In Sir Abraham's mind, Mr. Bold takes a useless struggle. As Andrew Wright points out, Sir Abraham only cares about "what can be legally construed to favour the claims of the benefaction as it is now interpreted and carried out by the bishop and his representatives," ignoring "the issue of Hiram's intention."[94] The novel depicts the possible legal battle between Mr. Bold and Mr. Harding or Dr. Grantly as a fruitless dispute over a point of law that is not able to bring justice to the problem. The law's depicted incapability and mechanical understanding of the problem lead Mr. Harding's individual morality to take a decisive role to draw a desirable conclusion.

[93] Ibid., 80.
[94] With this observation, Wright argues that Trollope wants to show how lawyers do not care securing justice of the matters in their legal suits. See *Anthony Trollope: Dream and Art*, 35.

Therefore, the novel focuses on illustrating a moral drama of Mr. Harding's self-reflection to arrive at his final sacrifice of self-interests. As Ilana Blumberg points out, *The Warden* follows mid-Victorian novels' tendency to "dramatize the resolution of social conflict by resituating it within the individual conscience."[95] Sir Abraham's technical legal advice does not give any acceptable answer to Mr. Harding regarding his moral eligibility for the income. Sir Abraham says that in a legal sense "nobody now questions its justness," as Mr. Bold has already dropped the suit.[96] However, Mr. Harding's individual morality does not allow him to receive the income anymore. He says "one does question it . . . I question it myself."[97] Mr. Harding's self-inquiry indicates that the problem is relocated into Mr. Harding's inner space from the external public one, as he is highlighted to be the only person capable to solve the problem. Based on his self-inquiry, he finally decides to resign from the wardenship and keep only the precentorship that was initially assigned to him in addition to the former. He thinks that he can have a moral life by living on a small amount of income from his work as a precentor.[98] Responding to Mill's call for the recipient's individual morality to solve the problem of unearned wealth, Trollope makes Mr. Harding's inner moral questioning bring up an individual ethical solution.

However, Mr. Harding's laudable moral solution, I suggest, is carefully designed to preclude any chances to build a collective process to adjust different views on the fair distribution of surplus. Mr. Harding resigns from the wardenship because he cannot verify his

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[95] Blumberg, "Unnatural Self-Sacrifice," 515.
[96] Trollope, *The Warden*, 175.
[97] Ibid., 175.
[98] It is not surprising that many critics define Mr. Harding as a Victorian gentleman who can detach himself from his self-interests and his ecclesiastical party's views. In addition to the critics whom I mentioned at the beginning of this chapter, Best also praises Mr. Harding as one of the best products of the old church. In Best's mind, Mr. Harding had indeed never been pressed to wonder or worry about his vocation, his assumptions, and his job. However, Mr. Harding shows that he didn't lose his capacity for wondering and worrying. See "The Road to Hiram's Hospital," 150.

moral eligibility for the income. He also believes that the property was set for the comfort of the bedesmen. Mr. Harding clearly states his belief after a long self-reflection; "I do see – I cannot help seeing, that the affairs of the hospital are not arranged according to the will of the founder."[99] Based on this internal moral conviction, Mr. Harding concludes that he and his daughter should not "live in comfort on money which is truly property of the poor. . . . from tomorrow, I shall cease to be the warden of the hospital."[100] As Mr. Harding says that "now that it [my conscience] is awake, I must obey it," his conscience enables him to acknowledge that he is not entitled to the proceeds of the property and it should be managed for the bedesmen's comfort.[101] Despite his internal conviction, Mr. Harding does not take any actions for the bedesmen except the resignation. Coral Lansbury appropriately points out that Harding's resignation is an easy way out of the problem.[102]

The last meeting between Mr. Harding and the bedesmen deserves a close analysis. At this meeting, even Mr. Harding does not express his internal conviction to them, as he worries about further commotion by the bedesmen. Instead, Mr. Harding provides them a moderate reason for his resignation:

> "There has been lately some misunderstanding between us. You have thought, I believe, that you did not get all that you were entitled to, and that the funds of the hospital have not been properly disposed of. As for me, I cannot say what should be the disposition of

[99] Trollope, *The Warden*, 172.
[100] Ibid., 175.
[101] Ibid., 175.
[102] Lansbury points out that although the novel attempts to problematize "the irrational allocation of wealth and income within the church," Trollope does not allow Mr. Harding to question his church, but only his conscience (141). Thus, the novel never "examine[s] the reasons for one man's wealth and another's wretched poverty," leaving the problem unsolved (196). See *The Reasonable Man*.

these money, or how they should be managed, and I have therefore thought it best to go."[103]

As I discussed in the previous paragraph, Mr. Harding resigns to follow his inner belief that the affairs of the hospital have been ill-arranged and the endowed property should be used for the bedesmen. Nevertheless, the passage shows that Mr. Harding refrains from expressing his belief, he only mentions to the bedesmen that he does not know what should be the fair disposition of the endowment. One could say that his gentlemanly prudence drives him to take the resignation as a respectable option for him. However, we should be aware that the basic principle of liberal ideology underlies Mr. Harding's gentlemanly morality in this passage. The liberal ideology sets its fundamental emphasis on the protection of individuals' own rules to manage their life within their demarcated private territory as long as they do not hurt others. On this principle, Mr. Harding's limited version of morality directs him to seek a passive evasion from the problem rather than externally sharing his moral conviction with the bedesmen. That is, his individualized morality does not allow him to intervene in others' decision making processes or to take any collective actions that could cross each other's own territory. As Blumberg properly notes that "the distinction between the individual and the group . . . makes sacrifice appear necessary,"[104]

[103] Trollope, *The Warden*, 201.

[104] See Blumberg, "Unnatural Self-Sacrifice," 541. Blumberg understands Mr. Harding's self-sacrifice as a representation of individual egoism rather than altruistic selflessness. Mr. Harding's self-sacrifice "recapitulates the very problem of egoism that it is meant to solve" (515). In addition, she interprets that the novel intends to criticize Mr. Harding's ideal sacrifice. To prove her point, Blumberg pays attention to the negative result Mr. Harding's sacrifice brings to the bedesmen who do not gain any benefits from his sacrifice, instead, lose his kindness and personally arranged allotment. That is, the novel wants to show that sacrifice is "impossible because pain for one is pain for the other, and pleasure for one is pleasure for the other" (541). In this sense, she claims that the novel demonstrates how "sacrifice both marks social division . . . rather than healing it, perpetuates it" (538), and rejects "the sacrificial ideal . . . in order to challenge the demarcation of the autonomous individual" (541). I agree with her point of the egoistic character of Mr. Harding's sacrifice. However, if we consider that the novel mainly emphasizes Mr. Harding's self-reflexibility and noble morality in contrast to Mr. Bold's simple dogmatism and Dr. Grantly's self-interestedness, it's difficult to buy her reading of the novel's main message. The novel does not propose to describe Mr. Harding's ideal morality as an impossible one. In contrast to her, I argue that

Mr. Harding's individual sacrifice is the only acceptable choice that he can take under the liberal ideology.

Therefore, Mr. Harding's individualized morality prioritizes the protection of others' current rights instead of transforming his inner moral conviction into action. This feature distinctively differentiates Mr. Harding's morality from the other two characters' concept of morality. Dr. Grantly enthusiastically represents his party interests, considering it as his moral duty. In contrast, Mr. Harding's morality is truly "disinterested" from his party and class views. In addition, more importantly, he is "indifferent" to fix the problem, compared with Mr. Bold's morality, which employs every possible way to improve the social condition. Mr. Harding's morality is shaped as the opposite of the two characters' morality. In particular, the novel idealizes his morality, highlighting its indifference as its core feature rather than its disinterestedness. Hadley aptly points out that Mr. Harding's "disinterest relaxes into a longed-for indifference."[105] The below quote illustrates this specific character of his indifferent morality:

> I [Mr. Harding] had at one time an idea of keeping only some moderate portion of the income; perhaps three hundred a year, and of remitting the remainder to the trustees; but it occurred to me, and I think with reason, that by so doing I should place my successors in an invidious position, and greatly damage your patronage.[106]

In his letter to the bishop, Mr. Harding explains what leads him to take his final decision as an inevitable choice. Mr. Harding figures out another possible option, instead of resigning from the wardenship. He could reduce his income to a moderate level that Mr. Bold and the public accept as a reasonable one. However, he is not able to choose this alternative option because, to him, it

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the novel idealizes Mr. Harding's self-sacrifice as a possible individualized solution to social conflicts that is consistent with the principle of liberal society.

[105] See *Living Liberalism*, 114.

[106] Trollope, *The Warden*, 188.

means to violate others' rights by encroaching upon their own territory. His successors could have different opinions on the disposition of the surplus, believing that they are entitled to the current pay of the wardenship. If he reduces his income, it could unintentionally damage their interests. Even though Mr. Harding admits the mismanagement of the endowment, his individualized morality requires him to respect others' different beliefs and decisions. His moral decision should only affect his life. For the same reason, Mr. Harding does not want to intervene in the bishop's right to manage the endowment. Thus, Mr. Harding's range of activities he can allow on his moral values is significantly limited. He is not able to ask for the readjustment of the bedesmen's portion of the income and he is not allowed to share his moral conviction with them. The voluntary resignation is the only remaining option for Mr. Harding to minimally follow his moral conscience in a passive way.

Mr. Harding's limited morality eventually results in leaving the problem of unequal distribution in the current status quo without any attempt to change it.[107] After explaining the reason for his resignation to the bedesmen, Mr. Harding suggests a guiding principle for their future affairs:

> "Some gentleman will probably take my place here very soon, and I strongly advise you to be prepared to receive him in a kindly spirit, and to raise no further question among yourselves as to the amount of his income. Were you to succeed in lessening what he has to receive, you would not increase your own allowance. The surplus would not go to you; your wants are adequately provided for, and your position could hardly be improved."[108]

[107] William Cohen notes that the novel overall has a neutral view on substantial political questions. Thus, the novel does not seem to require "the novelist or the reader to commit to particular political positions." However, he asserts that this seemingly neutral position takes "a deeper and more thoroughly entrenched conservative advocacy for preserving established structures of power." See "The Palliser Novels," in *The Cambridge Companion to Anthony Trollope* (Cambridge: Cambridge University Press, 2011), 47.
[108] Trollope, *The Warden*, 201-2.

Mr. Harding advises them the current arrangement will not change. It would be better for them to be satisfied with the current share than to make further useless struggles to challenge the established order. Since his individualized morality restricts his capability in expressing his internal conviction in the public arena, he can only comment that the bedesmen's "wants are adequately provided for" considering their social position. Mr. Harding's limited version of individual morality, as Hadley points out, shows how the liberal subjects' freedom works primarily in "the inward domain of consciousness" rather than in "the liberal public sphere," nor in "process of opinionated exchange among diverse peoples."[109] Thus, Mr. Harding's awakened conscience only serves to reinforce the bishop's conservative idea on the distribution of the surplus, "the due difference in rank and income between a beneficed clergyman and certain poor old men."[110] Mr. Harding's so-called disinterested morality actually does not empower him to totally detach himself from the conservative religious institution's interests because his concept of morality is too limited.

Therefore, Mr. Harding's ethical subjectivity contributes to suppressing the rising demand for the fair distribution of the unearned surplus. At the beginning, the novel's main question is how to find a justifiable solution to the problem of unequal distribution of the surplus between the warden and the bedesmen. While Mr. Harding is idealized as an ethical figure, the issue of distribution fades away from our attention. Without any further discussion on possible ways of making a fair distribution, the novel ends with Mr. Harding's moral sacrifice. Mr. Harding's resignation of the wardenship and his decision "to support himself, however poorly, –

[109] See *Living Liberalism*, 80-1. To Hadley, Mr. Harding's ethical triumph remains questionable. Mr. Harding's sacrifice shows that disinterestedness, "a principled state of objectivity," is an essential character for the liberal individual. However, she contends that "this detachment is often adjacent to distraction and just short of indifference" (114). To her, Mr. Harding concretizes how "the isolation in which private opinion takes shape can render opinion unaffective, ineffective, and inattentive" (114).
[110] Trollope, *The Warden*, 30.

not to be supported on the charity of any one" are eventually suggested as model behavior for the bedesmen and Victorian readers as well to follow.[111] Indeed, the novel intends to cultivate the distinctive ethical subject that serves to relieve social tensions caused by the material inequality. Mr. Harding embodies this subject by not only voluntarily overcoming his self-interests and pursuing a peaceful harmony, but also refraining himself from taking any collective efforts in the public arena to secure a social justice.

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Before finishing the chapter, I need to note how the novel's idealization of Mr. Harding's moral awakening can also be situated in the mid-Victorian period's liberal stance toward the reform of the ecclesiastical institution, the Church of England. As I mentioned earlier, the issue of the institution's feudal prerogatives, in particular its misuse of church property, was intertwined with the problem of unearned wealth. From 1830 to 1860, there were many radical agitations declaring the church property as a public property to be disposed of by the state for the public interest, including non-ecclesiastical purposes.[112] Like the ambiguous nature of land and inheritance as private property, in radicals' mind, the church property could not be defined as a private institutional property because it was originally set for the interest of public use. A comprising liberal solution to the problem, however, helped the Church of England handle the long lasting radical challenges. As Mill ultimately necessitates the ethical awakening of individuals to solve the problem of unearned wealth, the British parliament prioritized the internal moral reform of the Church of England on its own efforts over the external state intervention in correcting the misuse of the church property.[113]

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[111] Ibid., 195.
[112] Brose, *Church and Parliament*, 26-30, 173-74.
[113] Ibid., 121. At that time period, many newspaper articles wrote about the radical ideas of diminishing "the anomalies which attended the distribution of the endowments of the church." The popular complaints

This liberal stance eventually led the gradual withdrawal of radical ideas about nationalizing the church property in this period. As Brose points out, the conservatives in the parliament appropriated the liberal emphasis on the individual and private property ownership. With this appropriation, the Church of England could successfully defend its inalienable right to its property as an independent institution from the state. To keep its privileges and avoid rapid changes, the institution stressed the internal gradual reform as a more desirable and effective way than the reform led by the external forces. Having some internal administrative reforms by itself, the institution could hold back the direct state intervention. The institution also could declare that it is publicly reborn as a moral educator of the people based on its internal reform by itself.[114] In this way, the mid-Victorian society's focus on the individual liberty and the principle of private property was broadly applied to stem the rise of radical approaches toward the mismanagement of church property.

The novel's ending mirrors and reinforces these mid-Victorian liberal politics in reforming the ecclesiastical institution as well as solving the problem of unearned wealth. Mr. Harding's final moral sacrifice contributes to defending the ecclesiastical institution's interests against the radical agitation that claims the drastic reform of the institution by the state intervention. Mr. Harding's highlighted moral awakening is deeply engaged with the institution's

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were focused on sinecures, pluralities, and vast endowments. Radicals' ideas to correct the problems varied from nationalizing all ecclesiastical property to taxing all benefices above 200 pound a year or reducing high rank clergies' annual income to a certain level. They proposed to use church endowments "to supply the wants of the working clergy, or to provide for some non-ecclesiastical purpose." See an exemplary article in *Daily News*, May 1, 1847.

[114] Brose, *Church and Parliament*, 34-5. According to Brose, many Benthamite liberals acknowledged the necessity of the state intervention in reforming the mismanagement of church property. However, Brose points out that Tory conservatives effectively appropriated utilitarian reasoning to depend the Church of England's interests from the attack of radicals. The conservatives argued that the church itself can better correct its own problems than any outsiders. Based on this utilitarian argument, the conservatives succeeded to compose the Ecclesiastical Commissions with church clergies rather than their opponent reformers and radicals. It resulted that the parliamentary investigations into the misuse of church endowments were performed by the Church of England's clergies themselves.

emphasis on the internal moral reform as a desirable way to solve the problem. With his self-reflected moral awakening, Mr. Harding can be an ideal moral figure for the bedesmen. If the problem was solved by a legal external intervention, Mr. Harding would not have a chance to have his moral awakening. In a broad sense, it means that when the institution is morally reborn by its internal forces without the state's external enforcement, it can better perform its role for the moral education of people as a religious institution.[115] Consequently, Mr. Harding's voluntary refusal of the unearned wealth, not by any legal intervention but by his moral self-reflection, demonstrates why the Church of England's institutional autonomy should be protected.

The novel's embedding in the above historical context leads us again to understand that the mid-Victorian liberal politics promoted the specific individual moral character. The mid-Victorian social focus on the individual and private property aimed at reforming the aristocratic feudal system grounded on inherited unearned wealth circulated along familial bloodlines.[116] However, more importantly, Victorian liberals had to deal with extreme communal ideologies that pursued a radical justice by fundamentally changing the condition of socio-economic inequalities. Facing the double challenge, feudalism and radicalism, mid-Victorian liberals valorized the individualized moral awakening that Mr. Harding embodies. This specific morality not only awakes liberal subjects from the outdated feudal values, but also moves them away from

[115] Facing the reformers' challenges since the 1830's, the church tried to defend its interests by emphasizing its important role as a moral instructress of the people. Ibid., 35-9.
[116] Mill announces that "the unit of society is not now the family or clan, composed of all the reputed descendants of a common ancestor, but the individual." This modern reformulation of the social unit necessitates the protection of the right to private property. Mill declares in the following sentence "[p]roperty is now inherent in individuals," as the institution of private property secures the material ground for each individual's autonomy. See *Principles of Political Economy*, 29.

any communal movements for a fundamental change. Indeed, the emergence of Victorian ethical subjects helped the gradual establishment of the liberal economy in the Victorian era.

Mr. Harding's self-cultivating morality guides him to recognize the problem of feudal privileges and unearned wealth he has enjoyed. However, he is also reluctant to participate in any communal actions to correct the problem because it could invade other individual entities' autonomous territories. His individualized version of morality sets much value on defending others' rights to make their own decisions and to protect their private property. It is the reason Mr. Harding's moral conduct cannot help being restricted to an alienated personal zone in his search for a solution to the social problem. Unlike his seemingly apolitical and gentlemanly moral nature, Mr. Harding's specific moral character was a politically promoted product, within the context of the unearned-wealth problem, to secure the institution of private property against the radical opponents' communal ideology. Intermingling its central topic of Hiram's legacy with the issues of land, inherited wealth, and mismanaged church endowment, Trollope's *The Warden* not only employs a crucial mid-Victorian socio-economic issue to develop its narrative, but also suggests a liberal solution to the problem of unearned wealth through its envisioning of the distinctive ethical subjectivity.

CHAPTER TWO

Not Quantity but Quality: Esther's Choice of the Higher Pleasures in George Eliot's *Felix Holt*

George Eliot's *Felix Holt* features its climax with the heroine's refusal of inheritance, as Trollope's *The Warden* ends with Mr. Harding's heroic sacrifice of self-interests. The female protagonist Esther is revealed to be the lawful heiress of the Transome estate. While she has dreamed of an elevation to the aristocratic class, she finally turns down the chance to inherit the estate based on her moral values. Esther's moral choice, at first, seems to embody the male protagonist Felix's vision of individual moral cultivation in relation to the novel's political concern about electoral reform. However, by reading this novel's inheritance plot within the pivotal mid-Victorian socio-economic issue of amending inheritance laws, this chapter argues that Esther's choice reflects J. S. Mill's peculiar liberal divergence from Benthamite classical utilitarianism. In other words, Esther's refusal of inheritance can be associated with Mill's shifted emphasis from quantity to quality in measuring the desirability of individual actions for the utilitarian principle of the greatest happiness for the greatest number of people. Mill's move away from hedonist utilitarianism provided a fundamental principle that guided the mid-Victorian liberals' compromised approach toward the reform of inheritance laws. Esther's refusal plays out Mill's belief that each individual's development of his or her own moral capacity leads him or her to choose higher mental pleasures that are incommensurably superior to lower sensual pleasures. He prioritizes this normative development of character or human progression in pursuing the greatest happiness principle over the quantifiable, otherwise material, improvement of individuals' condition. This shift leads him to suppress the radical demand for the redistribution of wealth through the restriction of testamentary power. With the narrative power

of showing literary characters' inner development, I argue, *Felix Holt* sought to internalize Mill's socio-economic belief, which guided the liberal reform of inheritance laws, in mid-Victorian subjects.

Felix Holt begins with the introduction in which a coachman sketches out the dismal changes that industrialization has brought into old England. In his narration of the most conspicuous social changes, as Norman Vance points out, the coachman pays attention to the land-ownership as well as the rising class conflicts.[117] The coachman "knew whose the land was wherever he drove."[118] In the coachman's mind, old England was a glorious time that enabled its observers, like "the happy outside passenger seated on the box," to narrate and share enough merry "stories of English life" in their slow coach riding.[119] But, as "the recent initiation of Railways had embittered him," industrialization removes this better way of living from the country, replacing the enviable old memories with anxious new concerns about social instability.[120] To the coachman, in this time of social upheavals, the traditional land-ownership is in the same unstable condition just like his precarious living status. He worries "that property didn't always get into the right hands."[121] In his prophetic apprehension about the bleak future of

[117] For Norman Vance's observation of the coachman's special attention to land-ownership, see "Law, Religion and the Unity of *Felix Holt,*" in *George Eliot: Centenary Essays and an Unpublished Fragment,* ed. Anne Smith (Totowa, N.J.: Barnes & Noble, 1980), 104-5. In this article, Vance points out that "George Eliot's coachman was more interested in the land than in railways" (104). Vance compares the coachman's interest with the one of a notable radical, William Cobbett, which he showed on his rural rides in the same period of the novel's setting (104). Vance notes that George Eliot sees "problems of land-ownership as an important index of social change in the 1820s and 1830s," as Willaim Cobbett observed "how estates had passed into the hands of the 'new men'" displacing the old landed gentry from their estates (105). As Vance also remarks that "the disputed ownership of Transome Court can be seen as a symptom of . . . instability in an era of reform" (104), we can assume that through the novel's theme of inheritance Eliot intends to question who should be the rightful new owners of English land and how to make this ownership transition in a more desirable way.
[118] George Eliot, *Felix Holt: The Radical* (London: Penguin Books, 1995), 8.
[119] Ibid., 3.
[120] Ibid., 8.
[121] Ibid., 9.

the country, the coachman presents the undesirable transference of the land ownership as a metonym for the fading glory of old England. It looks urgent to him to leave the land, the wealth of old England, in the hands of rightful successors. In this way, the coachman's initial interest in the landed inheritance and the social instability illustrates the novel's theme of inheritance before the beginning of the main story.

Despite the novel's beginning focus on the theme of inheritance, in fact, the theme has not been a central issue in the previous discussions of the novel. The novel's structural formation that contains two plots has mainly caused this indifference to the theme. The first plot can be named as Felix's plot that centers on a commotion engendered by an election in the fictitious town of Treby Magna. The plot highlights how a so-called radical candidate's corrupted electioneering provokes class-based self-interestedness among the uneducated mass. Portraying the tragic consequence of the electioneering, the novel, through Felix's voice, questions if the further expansion of the franchise would bring a real benefit to the working class and English society as well. In addition to this plot, the novel comprises of another plot that can be named as Esther's inheritance plot as it develops over the complicated ownership problem of the Transome estate. Overarching a critical attitude toward the Transome family's moral degradation, the novel questions who should be the rightful heir or heiress to the estate and what is Esther's desirable choice regarding her unexpected inheritance. Since the first plot dominates the public sphere with a clearer political inquiry, in comparison to the second plot's individual dilemma and domestic setting, most critics have attended to the first plot in their discussion of the novel's engagement with its contemporary political and social issues. Consequently, Esther's inheritance plot has been considered as a secondary plot that is added to support Felix's message in relation to the electoral reform.

Furthermore, in the focus on Felix's plot, many critics have interpreted that the novel pursues a nonpolitical vision deeper than any party-based political reforms, by valuing Felix's suggestion of individual moral and mental cultivation as an ideal pursuit of human progression. This dominant approach toward the novel's main message, in turn, has aggravated the lack of critical attention to the theme of inheritance as the author's socio-economic inquiry. For example, Lenore Horowitz contends that the novel problematizes any "conventional methods of political change" and, instead, provides "a more far-reaching vision of social change" as a desirable "solution of society's problems." [122] In this critic's mind, Felix urges, in a balanced perspective, society to move toward the future, while respecting the values in the past. In the agreement with Horowitz, Bonnie Zimmerman claims that the novel devalues "[p]olitical reform [as] the manipulation of institutions for the benefit of one class," but rather values "moral reform [as] the gradual progress of the human race as a whole."[123] In a similar sense, Stephen Greenfield maintains that the novel attempts "to restore a sense of community in novelistic worlds disrupted by problems."[124] Greenfield praises that Felix shows a "natural born leadership," because he

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[122] Lenore Horowitz, "George Eliot's Vision of Society in *Felix Holt the Radical*," *Texas Studies in Literature and Language* 17, no. 1 (1975): 175. Horowitz claims that the novel clearly seeks for a social change, although it rejects any political reforms that throw away the respectful values of the past. Horowitz believes that through Felix's message of the incorporation of the values of the past into the future the novel provides a vision of meaningful social transition rather than a superficial political change.
[123] Bonnie Zimmerman, "*Felix Holt* and the True Power of Womanhood," *ELH* 46, no. 3 (1979): 437-8. Zimmerman also points out that Felix's emphasis on moral reform can be associated with Eliot's approach toward the Woman Question as well as the electoral reform. To Zimmerman, Eliot's concept of ideal womanhood is grounded on her distinction between political reform and moral reform. Based on this distinction Eliot insists that with moral cultivation, rather than superficial political power, women, as Felix argues, can better serve themselves and "a healthy ordered society" (440).
[124] See "Transgression and the Problematics of Community in *North and South* and *Felix Holt*," in *Selected Essays from the International Conference on the Outsider, 1988,* ed. John Crafton (Carrollton: West Georgia College, 1990), 64. Comparing *North and South* and *Felix Holt*, Greenfield contends that both novels try to solve "the fictional community's disorder" which is troubled by "violence and rebellion" (64). He maintains that the novels envision a true measure to construct a harmonious community that any legal measures cannot accomplish. Greenfield thinks that in case of *Felix Holt* Eliot intends to suggest a true leadership that is embodied by Felix's self-educated character (70).

embodies himself as "the best self" that is free from any class based self-interestedness.[125] Lastly, Michael Lewis asserts that although the novel shows "a conservative denial of the vote," it provides "more radical solutions" by pursing the cultivation of a "democratic culture" for the real advancement of human civilization.[126] Felix's emphasis on the development of moral and mental capacity proposes to "create a democratic force" as this development enables individuals to do deliberative free-thinking and opinion-exchanging.[127] In these critics' mind, *Felix Holt* aims at promoting a human progression or establishing a harmonious democratic community as the most important phase of general historical development by focusing on individuals' nonpartisan mental and moral development.[128]

This dominant reading has led a few critics to consider Esther's inheritance plot as an embodiment of Felix's nonpolitical vision of moral cultivation without any attempt to situate the plot within a contemporary socio-economic issue. Surprisingly, even feminist critics' recent

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[125] Ibid., 70. There are many other critics who juxtapose *Felix Holt* with Matthew Arnold's concept of "the best self." As another exemple, Lyn Pykett argues that *Felix Holt* seeks to further "culture" and "public improvement" and to aid "[p]rogress in all directions" (234). Pykett points out that the novel contains "the voice of the class alien perfected, the voice of wisdom, of culture, of the 'best self' – 'united, impersonal at harmony'" (234). To Pykett, this voice fills "the vacuum created by . . . the anarchy of Treby (and national) social life" (234). See "George Eliot and Arnold: The Narrator's Voice and Ideology in *Felix Holt: The Radical,*" *Literature and History* 11, no. 2 (1985).

[126] Refer to "Democratic Networks and the Industrial Novel," *Victorian Studies* 55, no. 2 (2013): 243. In this article, Lewis explores how the genre of industrial novel offers "solutions to 'suffering and injustice,'" discussing several exemplary industrial novels including *Felix Holt*. Lewis opposes the previous understanding of the genre as a conservative literary reaction against political reforms. He argues that industrial novels aim at "deepening of democratic culture" as a more important task than the mechanical extension of the vote.

[127] Ibid., 250.

[128] As another defense of Eliot's conservative politics, see Christopher Hobson, "The Radicalism of *Felix Holt*: George Eliot and The Pioneers of Labor," *Victorian Literature and Culture* 26, issue 1 (1998): 20-5. Hobson interprets that Eliot's emphasis on the workers' moral cultivation is linked to "a broad sense of historical development," because it proposes to end "the paternalist conception of social power" (20-1). Hobson points out that it is *Felix Holt*'s crucial divergence from the previous industrial novels that "offered as an ideal – more or less realizable – either a fully-restored or a modified social paternalism" (24). To Hobson, Felix's stance "maintains his collective, class-based approach," aiming at promoting the working class's social and moral authority to be "an independent force in society" (21, 25). Thus, Hobson praises Eliot as a pioneer of the labor movement.

discussions of Esther's plot tend to repeat the above critics' approach toward Felix's plot. They interpret that Esther's refusal of the inheritance contains another, or more valuable, nonpolitical vision. They only define it as a slightly different feminine vision from Felix's one. For instance, Heather Milton maintains that Esther's moral improvement and self-discipline demonstrate how to achieve a greater power through self-development than the attainment of external rights. In her moral improvement, Esther shows a valuable feminine capacity to interpret and communicate "the other characters' inner lives . . . and inspires sympathetic fellow feeling in them and for them."[129] In a similar sense, Alison Booth contends that Esther's moral choice "implies that social progress relies on some form of fellow-feeling and on the sympathy that women are conditioned to extend rather than on practical measures . . . reserved for young men."[130] As another example of the feminist reading of Esther's plot, Michelle Weinroth claims that the novel pursues a social progress not "in class terms, but in moral values."[131] Esther makes this

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[129] See "Bland, Adoring, and Gently Tearful Women: Debunking the Maternal Ideal in George Eliot's *Felix Holt,*" in *Other Mothers: Beyond the Maternal Ideal,* eds. Ellen Rosenman and Claudia Klaver (Columbus: Ohio State University Press, 2008), 58. In this article, Milton explores how Eliot contrasts Mrs. Transome with Esther to criticize the traditional maternal ideal represented by the former. Through Mrs. Transome's troubled relationship with her son Eliot "insists that neither women nor children benefit from mothers attempting to live for and through their children" (55). To Milton, Esther is suggested as a new woman who overcomes this self-denying maternal ideal by adopting "middle-class values of self-control, discernment, and sympathetic identification" (60).

[130] Refer to "Not All Men Are Selfish and Cruel: *Felix Holt* as a Feminist Novel," in *Gender and Discourse in Victorian Literature and Art,* eds. Antony Harrison and Beverly Taylor (DeKalb: Northern Illinois University Press, 1992), 145. Booth argues that Eliot tries to "reconcile interdependent spheres, the private and the public" by altering "the scale of values" of both spheres (145). Eliot raises the values of the private, associated with women, while devaluing partisan politics, associated with "imperious men," as "a kind of institutionalization of unfeminine egocentrism and competition" (144).

[131] See "Engendering Consent: The Voice of Persuasion in *Felix Holt, the Radical,*" *Victorians Institute Journal* 33 (2005): 9. Weinroth defines the novel as "a philosophical commentary on persuasion, and a persuasive project itself" (8). She notes that Eliot evaluates "the merits of aesthetic modes of . . . communication" as an effective mode of persuasion to improve the quality of public opinion (8). The novel presents Esther's feminized delicate rhetoric as an example of the morally invested aesthetic medium (10). In a similar sense, Rita Bode also contends that Esther takes an important role in clarifying Felix's vision and extending it into the public sphere. Bode interprets that Esther chooses Felix as her marriage partner because of this important role she can take in realizing Felix's vision. See "Power and Submission in *Felix Holt, the Radical,*" *Studies in English Literature 1500-1900* 35, no. 4 (1995): 779.

progress possible because her "morally mature expression" produces "graceful persuasion."[132] Finally, Colene Bentley asserts that Esther shows her ability of "deliberating, justifying, and revamping" opinions to "re-evaluate her circumstances in the context of conflicting opinions" that is required for citizens to establish a democratic society.[133] Not unlike the above critics, these feminist critics depoliticize the novel in their reading of Esther's inheritance plot.

Even the critics who attempt to demonstrate how the novel's seemingly nonpolitical vision reflects a specific political ideology also neglect to read Esther's inheritance plot in political terms. For example, Carolyn Lesjak points out that Felix's moral vision can be associated with the mid-Victorian middle class's reluctance to the extension of the franchise to the working class, since they worried about losing their political power through the extension. Lesjak claims that "cultural criteria took precedence over what properly constituted an individual's right to representation" in this specific political context.[134] Although Lesjak provides an insightful historical reading of the conservative politics implied in the novel, she only attends to the issue of the electoral reform, disregarding Esther's inheritance plot and its socio-economic

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[132] Weinroth, "Engendering Consent," 8.

[133] Refer to "Democratic Citizenship in *Felix Holt,*" *Nineteenth-Century Contexts: An Interdisciplinary Journal* 24 (2002): 272, 284. Bentley maintains that "Eliot's novel as a whole, captures a vital sense of the controversies over democratic citizenship" (271). According to her, Victorian England "attempts to envision a model of [democratic] political society" that requires individuals to develop their autonomy and, at the same time, to participate in collective life (271). It was important at that time to reconcile the liberal focus on individual agency with the democratic ideal of participatory citizenship. Bentley contends that while Felix does not fully show his capacity of reflective thinking, Esther's capacity of deliberative moral self-reflection proves how these two ideals can function together.

[134] See "A Modern Odyssey: Realism, the Masses, and Nationalism in George Eliot's *Felix Holt*," *A Forum on Fiction* 30, no. 1 (1996): 87. In the same focus on Felix's plot, Evan Horowitz also points out that the author's conservatism can be situated within mid-Victorian liberals' and conservatives' shared reaction against the second reform bill. While the radicals believed that the electoral reform would promote social development, "but, what looked like social development to many radicals looked more like social cataclysm to most liberals and conservatives." See "George Eliot: The Conservative," *Victorian Studies* 49, no. 1 (2006): 14. These critics' insightful readings lead us to understand how a historical approach toward the novel in the political context of the time can enrich our discussion of the implied politics in the novel.

context. As another example, Ruth Yeazell contends that *Felix Holt* contains a cultural "anxiety about the growing division between classes and its potential for deadly violence" and Esther's inheritance or marriage plot "subordinate[s] its social and political story to a 'love interest'."[135] In other words, Yeazell maintains that the novel only employs Esther's plot to make "social and political anxieties . . . contained – and eased – in the narrative of such a courtship."[136] Like Lesjak, Yeazell ignores the novel's another important socio-economic inquiry through Esther's inheritance plot.

In the previous discussions of the novel, therefore, it is difficult to find a substantial reading and questioning of the novel's theme of inheritance in a specific socio-economic context. Although the novel reshapes its theme of inheritance as Esther's individual dilemma or her marriage plot, the theme cannot be separated from the economic aspect of inheritance as one of the most important transfers of wealth. Given the fact that Esther's legal and moral entitlement to the inheritance is not problematized at all by any reformers or laborers in the novel, the critics' lack of attention to the socio-economic context of the theme is understandable. Nevertheless, as the land symbolizes the national wealth at that time, Esther's individual dilemma implies a broad socio-economic questioning of how to distribute the national wealth that has been monopolized by the aristocracy.[137] As Felix's plot deals with the rising radical demand for the universal

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[135] See "Why Political Novels Have Heroines: *Sybil, Mary Barton*, and *Felix Holt*," *A Forum on Fiction* 18, no. 2 (1985): 126-7. In this article, Yeazell questions why female characters take an important place in mid-Victorian political novels. She concludes that each of these political novels "entertains the possibility of violence . . . only to take refuge at critical moments in the representation of female innocence exchanging a politically dangerous man for a sexually unaggressive young woman" (127).

[136] Ibid., 127.

[137] In a similar understanding with me, Christopher Hobson points out that "[o]n the level of symbol, the Transome estates are a metonymy for England's estate, the national patrimony whose inheritance and disposition were so important to Eliot." Eliot intends to suggest a "probable disposition of this patrimony" through Esther's inheritance plot. Hobson also interprets that Eliot suggests a possible way for the laborers' independent class unity and self-advancement through Esther's handling of the inheritance. According to Hobson, on one side, Esther's rejection of the title to the estate symbolizes Eliot's insistence "on the death of paternalist social relations." On another side, Esther's reservation of "a small portion of

suffrage, Esther's plot symmetrically intends to discuss another egalitarian radical demand for the redistribution of wealth. Unlike Felix's external engagement with the political issue, Esther's involvement with the socio-economic issue is just sophisticatedly embedded in a personal dilemma. We can even assume that Felix's plot is actually designed as a preparation phase for readers to delve into the novel's exploration of the more fundamental socio-economic issue than the political one. It explains why the coachman's prophetic gaze in the introduction finally arrives at the problem of the land-ownership after sketching out negative effects of industrialization and class conflicts on people's life.

In order to fully understand the novel's implied politics, we still need further discussion of its theme of inheritance in the context of contemporary socio-economic issues. Esther's inheritance plot should not be considered as a minor subplot that only mirrors Felix's message regarding the electoral reform. Not only Esther's inner decision making process but also Felix's idealization of moral cultivation capture the mid-Victorian liberals' distinctive socio-economic thought that was utilized as a basic principle for the liberal reform of inheritance laws. The two characters, in particular Esther, show a deliberative self-reflection on different kinds of pleasures and means in maximizing individual happiness and public good. Their self-reflection aims at counteracting the widely dispersed hedonist utilitarian principle that provoked the radical demand for the redistribution of wealth through the reform of inheritance laws. Addressing this socio-economic issue under the foregrounded political one and dramatizing Esther's

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the patrimony for herself, Felix, her father, and his mother" demonstrates Eliot's emphasis on the working class's class loyalty and self-advancement. See "The Radicalism of *Felix Holt*" 28. In contrast to his interpretation, this chapter examines how Esther's handling of her inheritance envisions Mill's prioritization of the working class's moral cultivation over their demand for a fair share of the national wealth in the context of reforming the inheritance laws. This prioritization, I argue, aims at producing an ethical subject who overcomes his or her class-based partisanship and self-interests in order to promote Victorian society's social security rather than a particular class unity.

internalization process of alternative moral values to the hedonist utilitarian ones, the novel sophisticatedly displaces the radical thoughts with the compromised liberal ones. The rest of this chapter juxtaposes the novel's theme of inheritance with contemporary debates over the reform of inheritance laws. Then, I demonstrate how the novel reproduces the mid-Victorian period's compromised liberal approach toward the problem of inherited wealth in a more subtle way than its outspoken conservative reaction against the electoral reform.

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In 1864, West Sussex Gazette published a pamphlet titled *The Land and The Agricultural Population*.[138] The pamphlet was a collection of social commentators' letters that responded to Richard Cobden's and John Bright's speech on Nov. 23 in 1863 regarding the reform of the two feudal inheritance laws, entail and primogeniture. As the introduction of the pamphlet mentions, these two famous reformers' suggestion to abolish the feudal inheritance laws and to break the aristocracy's land monopoly provoked a social debate in every newspaper in the U.K.[139] It shows how much English public were interested in the issue of reforming the feudal inheritance laws in the mid-Victorian period. However, the public interest was not the only reason their speech engendered an intense social debate all over the country. Another, more important, reason was that they connected the problem of the feudal inheritance laws with the destitute material condition of the agricultural laborers. Cobden and Bright claimed that "getting rid of those [feudal] . . . restrictions" would more improve the condition of "the English poor" than any other legal measures.[140] Their specific claim refreshed the existing public interest in the reform by adding one more reason that the laws should be abolished and by consequently making a new

[138] *The Land and the Agricultural Population: Letters by A. H. Hall, W. T. White and Others* (Arundel: West Sussex Gazette, 1864).
[139] Ibid., 3.
[140] Ibid., 2.

division of opinions even among pro-reformers. The letters regarding this specific claim reflect the powerful impact that the two reformers' argument brought to the public debate over the reform of the inheritance laws.

The pamphlet shows how the classical utilitarian theory framed the pro-reformers' approach to the reform and how much this theory appealed to the public in the mid-Victorian era. Cobden and Bright, as well-known classical utilitarians, attempt to justify their demand for the abolishment of the feudal inheritance laws on the basis of the utilitarian principle of the greatest happiness for the greatest number. They try to persuade the English public to acknowledge the necessity of the reform as an essential measure for the happiness of the majority population in the agricultural sector. They suggest that the abolishment of the laws would not only subdivide English land but also make it more accessible to poor farmers. In their speculation, the reform of the laws would eventually fulfill the utilitarian principle by improving the material condition of much more English people.[141] That is, the reform would increase the greatest number of people's satisfactions, even though it would bring some hardships to the current land monopolists. In this way, they try to establish a moral ground for their demand for the reform. This classical utilitarian background allows them to draw a substantial public attention toward the problem of the feudal inheritance laws by leading the public to consider that the reform of the laws is not only an economic matter but also a moral issue.

The debate in the pamphlet clarifies that this utilitarian framework serves for the pro-reformers to effectively defend their view against the conservatives. In the pamphlet, one opponent of the reform argues, "[t]he practice of entail, like that of primogeniture, arises out of

[141] A. V. Dicey notes that Victorian enthusiasm for the reform of the feudal inheritance laws was provoked by the utilitarian belief that "the more equal distribution of land among all classes of the community . . . would further the greatest happiness of the greatest number." See his famous article of the history of land law development from 1830 to 1900 in England, "The Paradox of the Land Law," 227.

our habits as a community."[142] He also complains, "[w]hat other member of society, or in what other country is any class, except avowed mendicants, so largely maintained out of other persons' pockets?"[143] These conservative opinions are easily rebutted by the pro-reformers' powerful rhetoric that elaborates how the reform of the laws could produce much more benefits to the most members of the community than keeping the current laws. The conservatives' reasoning inevitably sounds outdated with less moral values. We can guess that, for this reason, this kind of orthodox conservative opinion takes place in the first half of the pamphlet and gradually disappears as the debate progresses. The utilitarian pursuit of maximizing the greatest number of people's material interests and their happiness plays out as a powerful moral axiom for the pro-reformers to subdue the conservative voice.

However, a new reactionary counterpoint comes up around the middle of the debate that shakes the pro-reformers' utilitarian ground:

> To suppose that a labourer in this country could ever become the possessor of land, and cultivate it at a profit, is quite Utopian. Land in this country is a luxury enjoyed only by the rich and powerful. . . . but we fear that it can only be brought about in the natural course of progression and improvement. No sudden act of the legislature will accomplish it.[144]

An unnamed commentator takes a peculiar positioning between the conservatives and the pro-reformers. This commentator basically does not stand with the conservatives' defense of the feudal inheritance laws. He states the current situation of the land monopoly in a critical tone that English land is "a luxury enjoyed only by the rich and powerful." He implies that the subdivision

[142] *The Land and the Agricultural Population*, 10.
[143] Ibid., 5.
[144] Ibid., 13.

of this luxury to more people is desirable. Nevertheless, he proposes not to take any radical legislative actions to accomplish the redistribution of the monopolized luxury to laborers because he doubts that the subdivision would contribute to the utilitarian principle of the greatest happiness at this time. He does not suppose that a laborer would cultivate his land "at a profit," although he finally possesses small land. In other words, the redistribution of the land would never increase the general amount of happiness of the greatest number. While it is desirable to break the land monopoly, only "the natural course of progression and improvement" can make the reform work for the utilitarian principle. Other letters also express a similar concern. One letter asserts that "the labourer should emancipate himself in mind and body" before becoming a land owner.[145] On the same ground, but more importantly, another letter also contends that even though the reform improves poor laborers' material condition, they would not eager to meet "parochial and similar [community] claims" as like the current large land-owners.[146] Therefore, to this commentator, considering the poor laborers' current moral capacity, it is really doubtful that the subdivision of English land would promote the total sum of general happiness of English society.

The last point particularly deserves our attention because it indicates a shifting moment in the mid-Victorian period's utilitarian thought in terms of how to define moral action and how to maximize the general happiness. The classical utilitarians seek the best measure to increase the general happiness of the community without concerning English laborers' mental and moral capacity. They presume that the subdivision of English land into poor laborers would undoubtedly maximize the general happiness in English society. Thus, the pro-reform commentators in the pamphlet emphasize that the reform would transform poor agricultural

[145] Ibid., 16.
[146] Ibid., 19.

laborers into small land owners and, then, this transformation would increase their material condition and the national productivity as well. This utilitarian thought also cannot help leading the pro-reformers to ask for more radical legislation of new inheritance laws rather than the mere abolishment of the feudal laws to relocate English land in the free-market system.

However, the skeptical reasoning of the mental and moral capacity of poor laborers significantly shakes the classical utilitarians' basic supposition of the interconnection between the improvement of the majority's material condition and the promotion of the community's total happiness. Without the cultivation of laborers' mental and moral capacity, the maximization of the general happiness through legislative reforms could never happen. It cannot be assumed that the current laborers would increase the productivity of their land and their material condition as well. More importantly, if poor laborers do not emancipate themselves in "mind and body," they will only pursue their selfish bodily pleasures with their improved material condition instead of contributing to their community's demands. Therefore, to maximize the happiness of English society as a whole, these skeptical commentators urge us to rely on "the natural course of progression and improvement" of the laborers' mental and moral capacity rather than any "sudden act of the legislature." If the utilitarians define moral action as a pursuit to fulfill the greatest happiness principle, the action should focus on the development of the majority's mental and moral capacity not their material condition. I argue that the novel's emphasis on the working class's moral cultivation can be associated with this peculiarly positioned reactive socio-economic idea against the classical utilitarian theory that drove the 19th century English radical movement.

The notable mid-Victorian utilitarian J. S. Mill's divergence from Bentham's hedonist utilitarianism illustrates the above shifted focus in fulfilling the greatest happiness principle and

explains how his divergence weakens the mid-Victorian pro-reform radical force. In *Utilitarianism*, Mill partly accepts Bentham's classical utilitarian principle, writing, "actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness."[147] He also follows Bentham's definition of happiness as "intended pleasure," and unhappiness as "pain, and the privation of pleasure."[148] Therefore, a legal reform should aim at promoting happiness or pleasure of the greatest number of individuals to maximize the total amount of the general happiness. However, in contrast to Bentham, Mill conditions that "much more requires to be said" regarding "what things it includes in the idea of pain and pleasure."[149] More importantly, Mill contends that all kinds of pleasures do not share the same degree of quality. Mill asks us to "recognize the fact, that some kinds of pleasure are more desirable and more valuable than others."[150] In other words, a pleasure that promotes "a sense of dignity" and requires "higher faculties" in individuals is more desirable and valuable than a pleasure that merely meet a bodily desire.[151] Thus, Mill suggests that quality should be considered as well as

[147] See *Utilitarianism* (Oxford: Oxford University Press, 1998), 137.
[148] Ibid., 137
[149] Ibid., 137.
[150] Ibid., 138.
[151] Ibid., 140. David Brink points out that Mill employs his doctrine of "higher pleasures" to "provide a strong defense of an individual right to certain liberties on utilitarian grounds" (67). Classical hedonist utilitarianism is generally understood that it cannot accommodate individuals' moral and political rights, because it pursues the maximal amount of pleasures of the greatest number. According to Brink, to solve this conflict between utilitarianism and individual liberty, Mill reconceptualizes "human happiness whose dominant component consists in the exercise of one's rational capacities" (68). In Mill's mind, "no quantity of lower pleasures could ever outweigh the value of higher pleasures" that individuals can enjoy by exercising their higher moral and intellectual capacity (72-3). Refer to "Mill's Deliberative Utilitarianism," *Philosophy & Public Affairs* 21, no. 1 (1992). Daniel Jacobson also points out that Mill tries to provide a nonconsequentialist form of utilitarianism. Utilitarianism, as a consequentialism, identifies "right action as the best available option: the one that creates the greatest net good" (162). By redefining what is good, Mill intends to show "the possibility of a moral theory with some distinctive advantages over ordinary consequentialism" (164). See "Utilitarianism without Consequentialism: The Case of John Stuart Mill," *The Philosophical Review* 117, no. 2 (2008).

quantity in choosing appropriate measures to fulfill the utilitarian principle of the greatest happiness.

Mill's motivation for his revision of the classical utilitarian theory can be found in his concern about character-building. In "Essay on Bentham," Mill deplores that Bentham's classical utilitarian principle is based on his limited understanding of complex human nature as a very simple one. Bentham conceives man "as a being susceptible of pleasures and pains, and governed in all his conduct partly by the different modifications of self-interest."[152] In Mill's mind, Bentham's understanding of human nature could have negative effects on individuals' character-building because it would make society employs legal means that only focus on protecting "the material interests of society . . . [and] saving the question . . . whether the use of those means would have, on the national character, any injurious influence."[153] In contrast to Bentham, Mill asserts that man should be considered "as a being capable of pursuing spiritual perfection as an end; of desiring, for its own sake, the conformity of his own character to his standard of excellence . . . [in] his own inward consciousness."[154] Mill believes that we should be more concerned to "aid individuals in the formation of their own character" or their wish of "self-culture"[155] than to secure "the material interests of society." For this reason, Mill claims that the greatest happiness principle can be fulfilled only in the consideration of quality of pleasures.

In this different understanding of human nature from Bentham, Mill declares that the laws should serve as a tool of cultivating individuals' character. Mill notes that Bentham's utilitarianism, which is based on the simplified human nature, necessarily prioritizes the

[152] See Mill's "Essay on Bentham," 358.
[153] Ibid., 366.
[154] Ibid., 359.
[155] Ibid., 363.

amplification of the numerical majority's material interests over each member's incalculable enhancement of the quality of happiness.[156] According to Mill, "nor . . . even in the numerical majority itself . . . will the interest coincide, at all times and in all respects, with the interest of all."[157] Furthermore, if we value quality more than quantity in ranking different kinds of pleasures, the improvement of the numerical majority's material condition does not guarantee the best consequence in maximizing the general happiness. The uneducated majority would only seek the lower bodily pleasures. In this assumption, Mill asserts that the laws should focus on promoting the social influence of cultivated individuals on the majority's character-building. When an individual can set aside his or her personal interests and pursue "the collective interests of mankind," he or she would not cease to cultivate his or her higher mental faculties.[158] This individual, therefore, could enjoy a higher quality of pleasure that lasts during his or her whole life time. In addition, only the cultivated individuals would support not only his own happiness but also that of others by sacrificing their self-interests for the greater happiness of their community. Mill concludes that to materialize the greatest happiness principle "the institutions of society should make provision for keeping up . . . a perpetual and standing Opposition to the will of the majority."[159]

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[156] Ibid., 377. Colin Heydt points out that in the mid-Victorian period many conservative thinkers, for example Carlyle, criticized Bentham's focus on "'external circumstances' to explain the presence or absence of happiness, rather than to 'the mind which is within us'" (283). Many radicals demanded political reforms based on Bentham's focus, suggesting institutional reforms as "the concrete and available ways in which we can alleviate suffering and promote pleasure" (283). Heydt notes that "Mills advocacy for internal culture and . . . character education . . . was conditioned by a sympathetic attention to these [Carlyle's] criticisms of utilitarianism" (286). To both conservative thinkers and Mill, "the joy dependent on the internal state of the mind survives even when the pleasures dependent on political reform are gone" (293). See "Mill, Bentham and 'Internal Culture,'" *British Journal for the History of Philosophy* 14, no. 2 (2006).
[157] Mill, "Essay on Bentham," 377.
[158] Mill, *Utilitarianism*, 145.
[159] Mill, "Essay on Bentham," 380.

In the revised utilitarian principle, Mill approaches toward the reform of the inheritance laws in a different way from Bentham. Bentham establishes two important principles in formulating property laws, security and equality. He also presupposes that security should be weighed over equality, when they are in conflict, because security is "the foundation of life . . . everything depends upon it."[160] When security is threatened, there is no chance to promote equality. However, he makes an exception in case of legislating inheritance laws. Bentham assumes that these two staples, security and equality, can be reconciled in this exceptional case. When property ceases to have an owner by the death of the current proprietor, "the law can interfere in its distribution," without damaging the security of the property ownership.[161] At this time, "equality may do what is best for all without disappointing any" when the law "limit[s] in certain respects the testamentary power, in order to prevent too great an accumulation of wealth" or "regulat[es] the succession in favour of equality."[162] Bentham believes that the restriction of testamentary power on the principle of equality would contribute to increasing the total amount of the general happiness in the community because it would not conflict with the principle of security.

Mill opposes Bentham's egalitarian approach to the legislation of new inheritance laws. Instead, he replaces equality with liberty as the most important basic principle for the legislation.[163] Even though Bentham's objects sound desirable, Mill disagrees with any

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[160] See *Theory of Legislation*, 120.
[161] Ibid., 122.
[162] Ibid., 122.
[163] Sujith Kumar notes that Bentham does not indicate liberty as "an explicit goal" that the laws should protect. Instead, he makes equality as "one of his stated subsidiary ends of legislation" (80). Thus, Bentham's "instrumental valuation of liberty" allows institutions to "limit the scope of freedom individuals actually can in practice exercise" (82). Kumar explains that Bentham's different valuation of liberty and institutional intervention from Mill come from his different approach toward the sources of pleasures. Unlike Mill, Bentham does not set any grounds to rank various sources of pleasures "apart from the amount of pleasure they produce in each person" (83). Therefore, if institutional restrictions of

restrictions on testamentary power. In Mill's mind, the abolishment of the feudal inheritance laws should not be replaced with any compulsory legal attempts to distribute wealth into more people's hands. The governmental subdivision of inheritance on the principle of equality would only provide immediate and bodily satisfactions – the lower-level pleasures – to more beneficiaries, rather than encouraging them to develop their faculties for the higher pleasures. Therefore, new inheritance laws should be legislated in a way to actualize liberty and individuality. Mill envisions that, when these principles are promoted by the new laws, in the long-run, these laws would also establish a social environment that encourages each individual's character-building and faculty-development. If we endure this long-term project of the "natural course of [human] progression and improvement,"[164] we can also expect more cultivated heirs and heiresses who nobly refuse their inheritance. They would be willing to sacrifice their self-interests for the happiness of others, pursuing the higher pleasures on the exertions of their faculties. At that time, the maximal happiness for the greatest number can be realized in terms of both quality and quantity of pleasures.

I suggest that Esther's refusal of the inheritance can be associated with the particular mid-Victorian socio-economic thought that Mill's divergence from Bentham's utilitarianism represents. Esther's refusal of the inheritance should not be read as an embodiment of a non-ideological vision for human progression. Mill's revised utilitarian thought supports his specific political vision of the liberal society that disregards the principle of equality in actualizing social justice and human progression. In this vein, he also idealizes a normative subjectivity that

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some individuals' freedom produce more amount of pleasures in far more people, those restrictions can be justified regardless of the quality of pleasures in the individuals who are deprived of their freedom. See "Reassessing J. S. Mill's Liberalism: The influence of Auguste Comte, Jeremy Bentham, and Wilhelm von Humboldt" (PhD diss., London School of Economics and Political Science, 2006), ProQuest (AAT U220209).

[164] *The Land and the Agricultural Population*, 13.

contributes to maintaining his liberal ideology.[165] His definition of liberty and individuality is not an open concept. Individuals should cultivate their moral and mental capacity that enables them to prefer the higher mental pleasures to the lower bodily pleasures. In addition, their moral cultivation should lead them to avoid any immediate actions to increase the quantity of happiness of the mass public because it does not eventually meet the greatest happiness principle. The cultivated individuals' concept of moral actions should be restricted to improving their indirect influence on the public's character-building by displaying their exemplary sacrifice of self-interests. The rest of the chapter demonstrates how the novel thematizes a reactionary cultural force against the radical demand for the redistribution of wealth. For this purpose, I focus on how Esther embodies Mill's peculiar utilitarian thought and limited concept of moral action through her internalization of Felix's moral values.

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> Yet any one whose attention was quite awake must have been aware, even on entering, of certain things that were incongruous with the general air of sombreness and privation. There was a delicate scent of dried rose-leaves; the light by which the minister was reading was a wax-candle in a white earthenware candlestick, and the table on the opposite side of the fireplace held a dainty work-basket frilled with blue satin.[166]

The novel's fifth chapter begins with the narrator's above observation of an incongruent presence of a wax-candle in Mr. Lyon's sitting room. Before leading readers' eyes to the wax-

[165] Kumar points out that Mill's emphasis on character-building and human progression is influenced by the German philosopher Wilhelm von Humboldt's concept of human flourishing. However, Kumar contends that Mill is "committed to a more normative notion of human flourishing, one that is revealed by elites" (120), contrasted to Humboldt's "more subjective and unbounded conception of human flourishing" (125). Because of Mill's idealization of the higher pleasures, individuals cannot help experiencing a "higher order influence on their decision making process" (123). See "Reassessing J. S. Mill's Liberalism."

[166] Eliot, *Felix Holt*, 59.

candle, the narrator has begun the chapter describing a humble, but, highly spiritual atmosphere that Mr. Lyon's sitting room holds. The room is "dismally furnished" that makes "the general air of somberness and privation." The only ornaments are such as a simple book case and a map of the Holy land. This simplicity of the room all the more serves to underscore Mr. Lyon's frugality and, more importantly, his highly cultivated spirituality as a minister. Mr. Lyon reads "a missionary report," making a slight sound of humming of criticism and approbation. His cushionless armchair does not disturb his intellectual meditation on the text. The humble material condition of the room and his concentration on reading actually display a spiritual aura around the character. Indeed, the presence of luxuries such as "a wax-candle" and "a dainty workbasket frilled with blue satin" looks inconsistent with Mr. Lyon's spiritual character.

The first appearance of the novel's hero, Felix, follows the narrator's observation of the unexpected extravagant items in Mr. Lyon's sitting room. Felix's additional staring at the wax-candle also provokes the opening talk between Felix and Mr. Lyon that shows the former's distinctive ethical reasoning. Noticing sensitively Felix's gaze at the wax-candle, Mr. Lyon needs to explain to Felix that this inconsistent extravagant good is not for him, but it is paid by his daughter's earned money for her delicate taste. Mr. Lyon guesses that the presence of the wax-candle in his room could lead Felix to degrade his spiritual or cultural authority. Mr. Lyon attempts to make it clear to Felix that he does not enjoy any pleasures from the wax-candle's scent without blaming his daughter's delicate taste for the presence of the wax-candle in his sitting room. Felix immediately responses that he is equally indifferent to this luxurious item. But, in a sarcastic tone, Felix adds that he even "heeded not the candle," since he does not have a delicate "nose that takes note of wax or tallow."[167] To Felix, having a sensual taste itself for wax-

[167] Ibid., 60.

candle is something that degrades a possessor's moral dignity. Therefore, Felix makes his final comment that "'Tis the quality of the page you care about, not of the candle."[168]

What makes us closely attend to this opening scene is that it introduces a particular ethical thought that the novel intends to promote throughout the story. Felix's immediate criticism of the sensual taste for wax-candle defines the pleasures from an extravagant item as an undesirable one. Felix's final comment that the quality of the text is more important than the type of candle illustrates why he disdains these pleasures. His ethical reasoning implies that there are two types of pleasures: the higher mental pleasures, the quality of the text can produce for its reader's intellectual activity, and the lower sensual pleasures, the wax candle's delicate scent can bring to its possessor. Felix problematizes the sources of pleasures in determining the desirability of the produced pleasures. In his mind, the quality of higher pleasures from an intellectual activity may be incommensurate with the quantity of lower pleasures produced by stimulating a bodily sense. Felix's reasoning that underlies his critical response toward the presence of the wax candle also shapes moral action as a matter of individual choice between the two different types of pleasures. It explains why he plans to dedicate his life to cultivating the uneducated laborers' mental capability of preferring the higher pleasures to the lower ones as the most fundamental moral task.

Contrasting Felix's ethical view with the classical utilitarian theory leads us to understand the particularity of his reasoning. Sujith Kumar points out that in his utilitarian theory Bentham "makes no normative claims about the desirability of pleasure," because he focuses on "quantifying the dimensions of pleasure so as to weigh them."[169] In other words, Bentham's utilitarian theory does not problematize the sources of pleasures because he pursues to maximize

[168] Ibid., 60.
[169] Kumar, "Reassessing J. S. Mill's Liberalism," 99-100.

the total amount of pleasures in a community without concerning quality of pleasures. Thus, in the classical utilitarian theory, there can be no ground to rank pleasures, "if one takes pleasure from less intellectual activities, or even irrational ones, then we must accept these sources."[170] If an individual can increase the amount of pleasures from having a wax-candle than reading a book, choosing the former can be a natural and desirable decision for him or her in the classical utilitarian theory. In opposition to the quantifying utilitarian calculation, the novel introduces an alternative view through Felix's voice that takes into account the sources of pleasures and the quality of pleasures in determining the desirability of individuals' choices for their pleasures.

Felix's emphasis on the quality of pleasures is not the only difference from classical utilitarianism. More importantly, his response to the wax-candle implies a different approach toward the greatest happiness for the greatest number principle. As I mentioned in the previous part of this chapter, the classical utilitarian theory establishes its moral ground with its pursuit of maximizing the total amount of net pleasures or utility of the greatest number as well as the amount of pleasures in each individual. According to this principle, having a wax-candle can also be a problem to classical utilitarians. If only a few people can afford to purchase a wax-candle and if some people do not have even a tallow candle in the same community, the money for wax-candles should be spent on producing and distributing more tallow candles. In this ethical sense, a moral action should magnify the total amount of pleasures of the community as a whole. The novel intends to replace the classical utilitarian reasoning with Felix's revised one to prioritize the enhancement of the quality of pleasures in individuals over the increase of the quantity of pleasures in the community.

[170] Ibid., 83.

While Felix's interest in the quality of pleasures appears to foster a human intellectuality, it also disapproves of certain legal measures that are designed to meet the classical utilitarian principle. Felix's interest in quality over quantity explains his opposition to the universal suffrage. The expansion of the right to vote to the uneducated working class would empower them to increase only the amount of lower pleasures in them.[171] Thus, in advance to the electoral reform, Felix calls for the cultivation of the working class's mental and moral capacity. Moreover, through the idealization of Felix's emphasis on quality not quantity, I suggest, the novel implies its opposition to any legal reforms that could promote a rapid subdivision of wealth. Improving the material condition of the working class is not an important matter in comparison to the urgent task to cultivate their moral capacity. Esther's inheritance plot is carefully constructed to support this political opposition to the rising radical demand for the redistribution of wealth. While the novel does not directly handle this socio-economic issue unlike it does the issue of the electoral reform, the novel envisions its reactionary politics against the radical socio-economic thought in a sophisticated way through Esther's internalizing process of Felix' ethical reasoning.

Esther's inheritance plot revolves around her decision making process of whether to inherit the estate in the final volume of the novel. Her dilemma begins with the unexpected death of Tommy Transome, the last member of the original Transome family lineage, during the riot.

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[171] Similarly, Catherine Gallagher situates Felix's emphasis on individual moral cultivation in J. S. Mill's compromised approach toward the universal suffrage, more importantly, in his divergence from classical utilitarianism. Gallagher asserts that Mill represents a peculiar liberal thought in the 1860s, that is, "a radically anti-descriptive account of representation" (233). To Mill, representative politics should not be "a procession of thousands of individuals representing themselves," instead, it should be a procession of "producing transformations" of individuals from representing their self-interestedness into representing disinterested moral values (232). Felix's vision reflects this peculiar mid-Victorian liberal ideology and undemocratic anxieties of the majority public's voting power. See *The Industrial Reformation of English Fiction 1832-1867* (Chicago: The University of Chicago Press, 1985).

The Transome estate is devolved on Esther as the only lawful heiress of the Bycliffe family that is entailed to take over the estate with the extinction of the original Transome lineage. As Esther has not known this complicated legal story until the sudden announcement of her entitlement to the Transome estate, it makes her have an intense self-reflection of the actual effects of the unexpected fortune on her life. The below quote exemplarily shows her inner conflict:

> [T]his life at Transome Court was not the life of her day-dreams: there was dullness already in its ease, and in the absence of high demand; . . . She would not have been able perhaps to define this impression; but somehow or other by this elevation of fortune it seemed that the higher ambition which had begun to spring in her was fore ever nullified. All life seemed cheapened.[172]

When Esther is revealed as the lawful heiress, the Transome family invites her to stay at the Transome court. She has the above inner thought around the end of her stay. This passage reminds us of Felix's ethical reasoning that he shows in his response to the wax-candle. It is notable that his attitude has guided her final decision. Esther has day-dreamed of "a sudden elevation in rank and fortune."[173] Her day-dreams are filled with "the signs and luxuries of ladyhood" such as "the dried rose-leaves," "soft carpets," "the crystal panel," and "the marble-firm gravel of her garden-walks."[174] Her sudden inheritance could easily materialize her day-dreams by providing her with enough luxuries that produce a considerable amount of sensual pleasures in her as she once sought these pleasures from the wax-candle. However, Esther's stay at the Transome court leads her to realize that this kind of sensual pleasures does not last for long. She also recognizes that the increased lower pleasures can even make her life "cheapened."

[172] Eliot, *Felix Holt*, 407.
[173] Ibid., 360.
[174] Ibid., 360.

At the same time, Esther begins to acknowledge that there is another kind of pleasure she can achieve with the active cultivation of her higher faculties for "the higher ambition." Giving up the higher pleasures by accepting the estate may make her life "nothing less than a fall and a degradation."[175] The higher pleasures that she begins to feel can outweigh any amount of the lower pleasures that she has day-dreamed of. Therefore, she chooses the quality of higher pleasures instead of the quantity of lower pleasures for her ultimate happiness.[176]

Esther's above internalization of Felix's ethical reasoning leads readers to conceive her inheritance as like her wax-candle. It serves to displace her inheritance from the broader public questioning of the problem of concentrated wealth. As we can see in Esther's thought above, the novel portrays Esther's dilemma as an individual matter of choice between the two types of pleasures. It is not surprising that many critics interpret Esther's refusal of the inheritance as just a moment of her achievement of individual moral autonomy while overlooking the contemporary socio-economic context deeply embedded in her dilemma. For example, Fred Thomson points

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[175] Ibid., 465.

[176] In contrast to my observation of Esther' choice of the higher pleasures instead of the lower ones, Elizabeth Starr contends that Eliot intends to show how Esther's delicate taste and "her worldly sensibilities ultimately work in the service of humanist reform" (68). According to Starr's interpretation, Esther never gives up her delicate taste, instead, she employs it to carry out Felix's unworldly vision. Starr interprets that Esther's delicate taste enables her to note "the vacuity of Mrs. Transome's marriage and daily life" (68-9). In addition, her efforts to choose between Felix and Harold are depicted as "an exercise of taste" (69). Starr concludes that "Esther makes her decision as a result of the interplay between her aesthetic and moral standards, rather than a rejection of one for the other" (69). Refer to "'Influencing the Moral Taste': Literary Work, Aesthetics, and Social Change in *Felix Holt, the Radical," Nineteenth-Century Literature* 56, no. 1 (2001). In a similar sense, Seung-Pon Koo argues that Esther's delicate feminine taste empowers her to subvert "the dominant and patriarchal discourses of socio-political and economic powers." According to Koo, Esther "represents a hybrid of tastes that resists the homogeneity of Felix's idea of cultivating the mind and that challenges Harold's deceptive reason to transform the other into an instrumental object." Refer to "Esther and the Politics of Multiple Tastes in George Eliot's *Felix Holt, the Radical,*" *Feminist Studies in English Literature* 19, issue 1 (2011): 65-66. My reading of Esther's self-reflection opposes these critics' feminist approach toward Esther's delicate taste. We should note that Esther's final choice aims at dismissing her old self, that is, her old petty taste, and internalizing Felix's moral values. In addition, as Esther conceives Harold at first as a charming suitor based on her delicate taste, we cannot claim that Esther's petty taste helps her make her final moral decision on her marriage and the inheritance as well.

out that Esther demonstrates how one individual "[e]quipped with a moral nature . . . has the capacity . . . to choose right actions over wrong" by resisting the "determinism, tragically conceived as 'hereditary, entailed Nemesis.'"[177] That is, "[b]y the exercise of moral choice in determinism of character (contrapuntal to the external deterministic factors)," Esther displays her individual agency to determine her own character and life.[178] In a similar sense, Shannon McMullen maintains that Esther's moral decision proves "the possible ways that characters can override accidentals and make their own destinies, in defiance of what the law dictates, and achieve a higher morality."[179] Esther refuses "to settle for confinement and confusion" of physical conditions, instead, she creates her selfhood that can be more valued in "terms of mental and emotional, rather than physical, property."[180] In these critics' interpretations, the novel only proposes to show how individuals can freely build their dignified selfhood with their moral autonomy beyond any material conditions and confinements.

However, we should be aware that the displacement of Esther's inheritance plot from the public context can be interpreted as the writer's literary response to the contemporary socio-economic issue. Through this displacement, the novel actually undermines a social conception of inheritance as an important public economic matter. Esther's inheritance plot is structurally arranged to take place right after the eruption of public disorder caused by the laborers' riot. The novel plans to replace the public disorder with Esther's individual dilemma mainly happening in her interiority. Esther's ethical reasoning serves to calm down the political commotion.[181] In

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[177] See "The legal Plot in *Felix Holt,*" *Studies in English Literature 1500-1900* 7, no. 4 (1967): 692-3.
[178] Ibid., 693.
[179] See "Legitimate Plots, Private Lots in *Felix Holt* and *Daniel Deronda*," *George Eliot Review* 36 (2005): 43.
[180] Ibid., 43.
[181] In a similar sense, Franklin Jeffrey points out that, on the one hand, Esther's interiority is "marked as non-theatrical and characterized in terms of authenticity [and] realness." On the other hand, external political disorder is "marked as theatrical and characterized in terms of artificiality [and] falseness." He

addition to this structural replacement, more importantly, the novel contrives to denounce the classical utilitarian principle that is presented as a driving force for the riot. Esther's highlighted ethical reasoning displaces this principle. The below description of the laborers in the riot appears right before the beginning of Esther's inheritance plot:

> There was only evidence that the majority of the crowd were excited with drink, and that their action could hardly be calculated on more than those of oxen and pigs congregated amidst hootings and pushings. The confused deafening shouts, the incidental fighting, the knocking over, pulling and scuffling, seemed to increase every moment.[182]

The above description shows how the novel contrasts Esther's moral capacity with the laborers' uncontrolled bodily desire for sensual pleasures. The laborers are no "more than those of oxen and pigs" which can be easily "excited with drink." This excitement makes them lose their control on their endlessly increasing desire for another bodily excitement.[183] The novel's contrast of the laborers' animal-like impulsiveness with Esther's rational mental capacity visualizes the incommensurability between the quality of higher pleasures, which one individual can have in his or her inner cultivation, and the total quantity of lower pleasures, which the uneducated

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notes that the novel privileges the former figures, "and theatricality serves—at least at the first level of analysis—to stigmatize certain issues or groups opposed by the dominant discourses of the text, including . . . 'improvement' . . . class mobility, political activism in general and mob behavior in particular, and, of course, feminine vanity and desire." See "The Victorian Novel's Performance of Interiority: *Felix Holt* on Trial," *Victorians Institute Journal* 26 (1998): 69. David Kurnick also notes that the novel's "obsessive inward gaze" intends to make "an inward transformation take the place of outward agitation." Thus, the novel suggests interiority as "an alternative to democracy" and makes "inwardness function[s] as crowd control." See *Empty House* (Princeton: Princeton University Press, 2012), 80.

[182] Eliot, *Felix Holt*, 311.

[183] Carolyn Lesjak provides an interesting point about the novel's negative description of the working class. She observes that "[t]he way in which we learn what little we do about the workers in the novel is through negation" (84). According to Lesjak, this negation serves to exclude "working-class struggle from representation" as "a central precondition for this symbolic resolution of conflict" (81). Through this exclusion, Lesjak argues, Eliot tries to domesticate "'revolutionary' views such as those identified with an organized working class . . . within the confines of a national English culture" (94). In other words, Eliot wants to lead the working class to "recognize and perform its function in relation to the body as a whole" (94). See "A Modern Odyssey."

majority public enjoy in their uncontrolled bodily excitement. Through this contrasted visualization the novel challenges the classical utilitarian principle by raising a question if the increased total amount of lower pleasures in the majority public could eventually bring any recognizable benefits to English society as a whole. In this juxtaposition of the laborers and Esther, the novel also suggests Esther's moral choice of the higher pleasures as a desirable model that the mass public should follow. In this way, the novel justifies its reconceptualization of the issue of inheritance as an individual dilemma rather than as a public matter by narrowing the issue to an individual's concern about the quality of happiness that may positively influence the community.

This questioning, in turn, encourages readers to deprecate any radical ideas of redistributing the concentrated wealth to the unpropertied.[184] The laborers' fundamental concern that arouses the riot is on their fair share of the national wealth rather than the voting right. That is, the problem of the concentrated wealth underlies the apparent political issue of the electoral reform as the main cause for the public disorder:

> "We know what monopolists are . . . We know what that comes to: . . . a poor man can't afford to buy a spoonful of salt, and yet there's salt enough in the world to pickle every

[184] Deborah Luyster claims that Esther's refusal of the inheritance "leads thinking away from changing laws to changing individuals" (230). To Luyster, Eliot tells us that "individual moral consciousness supersedes positive law as a means to social reform" (226). That is, Esther's refusal symbolizes the novel's avoidance of "a drastic change that could have disrupted the Durfey-Transomes who have occupied the property for more than a century as well as her own life" (239). Instead, she chooses a gradual change that can be achieved by her moral improvement. See "Ways of Thinking about Law in Four Nineteenth-Century British Novels: *Orley Farm, Paul Clifford, The Woman in White, Felix Holt"* (PhD diss., Michigan state University, 2001), ProQuest (AAT 3021811). Agreeing with Luyster's interpretation, in this chapter, I delve into the interrelation between the novel's negative stance toward drastic legal changes and the compromised liberal reform of the inheritance laws.

living thing in it. That's the sort of benefit monopolists do to mankind . . . the greatest question in the world is, how to give every man a man's share in what goes on in life."[185] Right before the explosion of the laborers' violence, an unknown radical demagogue, pictured as a manual laborer, gives a speech to the public in the street that begins to provoke the listening laborers' emotional agitation. The speaker demands the extension of the voting right to the working class, wanting to send a person who will represent their interests in the parliament. But, this radical speaker suggests the electoral reform as one legal measure to solve the fundamental socio-economic problem of wealth monopoly. His speech begins with the above quote by directly delving into the broad socio-economic issue. The speaker's address of wealth monopoly shows a different ethical reasoning from the one that Esther shows in her approach toward the inheritance. On the basis of the classical utilitarian principle, he assumes that the subdivision of wealth would improve the material condition of poor people, that is, the happiness of the greatest number. Thus, any measures that expedite this subdivision should be defined as moral acts. According to the radical laborer's ethical reasoning, the quality of pleasures does not matter in estimating the desirability of actions. In his view, there cannot be a room to consider Esther's unexpected inheritance in terms of an individual's matter of choice between the higher pleasures and the lower ones. Unlike Esther, this radical speaker would immediately define her unexpected large fortune in political terms as a symbol of inherited English wealth that should be divided into more people's hands. Esther's ideal choice of the higher pleasures eventually displaces this radical speaker's demand for the laborers' fair share of the national wealth.

In addition to the displacement of the radical approach toward the problem of wealth monopoly, Esther's inheritance plot plays another pivotal role in envisioning Mill's alternative

[185] Eliot, *Felix Holt*, 288-9.

view to classical utilitarianism. As I discussed in the previous section, Bentham's utilitarianism defines self-interest as an essential motivation for all human actions and as a driving force to materialize the greatest happiness principle. As Mill criticizes in "Essay on Bentham," Bentham presupposes that "a motive by which mankind are influenced, and by which they may be guided to their good, [is] only personal interest."[186] Bentham does not deny the potential of sympathy and compassion in human interactions. But, he considers even these altruistic feelings as another kind of self-love.[187] On this core premise, Benthamite utilitarians assume that each individual's efforts to maximize his or her self-interests would eventually bring forth the general happiness of mankind in one simple condition that people do not harm each other's interests. The novel illustrates that the greatest happiness principle can never be fulfilled on this supposition and simple understanding of human nature. Through Esther's moral choice, it suggests individuals' disinterested moral commitments to others as the best measure for the greatest happiness principle. In doing so, the novel eventually underpins Mill's redirection of the reform of the inheritance laws toward the promotion of character-building from the redistribution of inherited wealth.

For this problematization of classical utilitarianism, the novel juxtaposes Esther's refusal of the inheritance with her rejection of the previous heir Harold Transome's marriage proposal. As Harold plans to recover his lost legal claim to the estate by marrying Esther, her possible acceptance of the inheritance also means her acceptance of his marriage proposal. Esther rejects Harold under the same ethical reasoning that she shows in her final decision making process to refuse the inheritance. At first, Harold looks like an attractive suitor to Esther. He has "a distinguished appearance and polished manners," and seems to suggest her a "brighter and more

[186] Mill, "Essay on Bentham," 363.
[187] Mill, "Essay on Bentham," 358.

luxurious life" than Felix.[188] Just like her unexpected entitlement to the Transome estate, Harold's marriage plan looks promising to Esther to fulfill her day-dreams of an elevated life. However, as she is disillusioned from the life of aristocracy during her stay at the Transome court, Esther begins to feel that "in accepting Harold Transome [she] must adjust her wishes to a life of middling delights, overhung with the languorous laziness of motiveless ease."[189] Esther finally realizes that the marriage with Harold would be a choice of the lower pleasures, as the inheritance may make her life "cheapened" with abundant sensual satisfactions for her frivolous taste.

Esther's conviction that Harold as her marriage partner has less quality comes from her observation of his hedonist utilitarian character. During her stay at the Transome Court, Esther discerns Harold's vulgar character in comparison with Felix. Harold virtually measures "the value of everything by the contribution it made to his own pleasure."[190] He is obsessed with calculating how much quantity of pleasures he can earn from his actions or from the things he can grab in his hands. In addition, Esther observes that his all actions, even his kindness to others, are grounded in his self-love. He never shows "any thorough understanding or deep respect for what was in the mind of the person he obliged or indulged."[191] He expects a returning respect from his unsympathetic "arrangement for the happiness of others," "like his kindness to his mother."[192] Based on his indifference to others' feelings, he even tells Esther that "a woman ought never to have any trouble," leading her to foresee the nullification of her dawning higher

[188] Eliot, *Felix Holt*, 194-5.
[189] Ibid., 426.
[190] Ibid., 410-11.
[191] Ibid., 411.
[192] Ibid., 411.

ambitions by marrying Harold.[193] She recognizes that Harold's self-indulgence can never enhance the quality of happiness in others except the quantity of his own happiness.

In addition, Esther's observation of Harold's hedonist utilitarian character makes her acknowledge "the same quality in his political views," that is, the broader negative effects of his self-interestedness on the public world.[194] Harold, as a self-announced radical candidate, proclaims that he wants "to stand up for every change that the economical condition of the country required," posing that his main concern is on the national welfare.[195] In his self-interested calculation, he originally plots to achieve "a just [political] influence by furthering all measures which the common sense of the country, and the increasing self-assertion of the majority, peremptorily demanded."[196] Harold's radical pose is motivated by his simple utilitarian belief that "an active industrious selfishness" may bring a better practical result in increasing the general happiness of a community, "though it may not always be quite scrupulous," than "impracticable notions of loftiness and purity."[197] The novel develops the plot to disprove Harold's self-interested political approach toward the public good by showing how his tacit approval of his corrupt agent's electioneering results in the public disorder. As Felix describes the riot as an assemblage of "the multitudinous small wickedness of small selfish ends,"[198] the novel blames Harold's utilitarian political views for engendering a great public mischief rather than the common good. Esther's rejection of Harold's marriage proposal leads readers to witness the limitations of Harold's self-interested political views built on hedonist utilitarianism.

[193] Ibid., 384.
[194] Ibid., 411.
[195] Ibid., 110.
[196] Ibid., 110.
[197] Ibid., 182-3.
[198] Ibid., 320.

Therefore, the novel dramatizes the reason the legislation of new property laws should have its primary focus on individuals' character-building rather than the redistribution of wealth. Esther's refusal of the inheritance and her marriage with Felix demonstrate how an individual's cultivated moral capacity can eventually promote the greatest happiness to both the individual and the community. In addition to her prioritization of the higher pleasures over the lower pleasures, a disinterested sympathy guides Esther to make her final moral decision. Esther realizes that her claim to the inheritance would cause "a humiliating loss which was the obverse of her own proud gain."[199] She should face the simple fact that if she possesses the estate, the Transome family must depart. This disturbance would produce a pain in her mind as well as in their life. In her pure sympathy, she decides to leave the estate to the current possessor.[200] This moral decision, as a result, improves the quality of happiness in her life, as it drives her "into something quite new – into a sort of difficult blessedness."[201] Esther' marriage with Felix also means her participation in his higher ambition to promote the welfare of the fellow laborers not by improving their material condition but by cultivating their moral capacity. The novel pictures her peaceful moral decision as a truly utilitarian choice that meets everyone's interest not only by decreasing the immediate pains but also by increasing the chances for her and others to pursue the higher pleasures. The increased chances, in the long run, would contribute to enhancing the

[199] Ibid., 361.
[200] Yeazell compares Esther's refusal of the inheritance and her rejection of Harold's marriage proposal with another heroine's marriage choice in *Mary Barton*. Yeazell points out that the two heroines' courtship story with their "humble lover precedes her [their] flirtation with his upper-class rival." Therefore, their marriage choice "marks not a departure but a return" to their original class. That is, Esther's refusal of the inheritance and marriage with Felix intends to avoid any drastic changes, keeping the current status quo in terms of social and economic conditions. See her article, "Why Political Novels Have Heroines," 141. In a similar sense, Luyster notes that Esther chooses "to extend the continuity of the past" rather than making a sudden change in her life. By marrying Felix she "returns to the continuity of her actual past," and, at the same time, by leaving the title of the estate to the Transome family she protects the "continued possession [of wealth] by the upper class." See "Ways of Thinking about Law," 239.
[201] Eliot, *Felix Holt*, 228.

quality of the total happiness in the community. In this valorization of Esther's moral capacity, the novel devalues any legislation of property laws that only focuses on solving the problem of concentrated wealth without considering its effects on individuals' character-building.

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Before concluding the chapter, I need to briefly discuss Mill's different methodology from classical utilitarianism in terms of how to motivate individuals to consider the happiness of others. To maximize the general happiness of community as a whole, it would be desirable to encourage people to think that others' increased happiness would promote their own happiness too. In his autobiography, Mill complains that the utilitarian predecessors only attend to external means like "the old familiar instruments, praise and blame, reward and punishment" in their simple understanding of human nature.[202] Thus, classical utilitarians always necessitate external sources that lead individuals to take others' interests into account in calculating the best means to increase their own happiness. They cannot help clinging to legal and institutional regulations. However, in Mill's mind, these external measures can create only an artificial tie between ourselves' and others' interests instead of "any natural tie" that makes people feel others' pleasures and pains as their own.[203] Robert Steward points out that Mill believes that "some sort of 'internalization' was needed in order to inculcate within the very psychological constitution of the agent a stable association between self and other regarding interests."[204] Mill wants to

[202] Refer to his *Autobiography* in *The Collected Works of John Stuart Mill,* vol. I (Toronto: University of Toronto Press, 1981), 141.
[203] Ibid., 141.
[204] See "Utilitarianism Meets Romanticism: J. S. Mill's Theory of Imagination," *History of Philosophy Quarterly* 10, no. 4 (1993): 372. Steward notes that in the early 19th century there were "two major philosophical movements: the Utilitarianism of Bentham and the early Radical movement, and the Romanticism of the Lake poets" (369). He believes that "John Stuart Mill sought to reconcile certain aspects of these two opposing movements" through his theory of imagination (369).

implant "internal sanction of duty" in cultivated individuals' mind "as the essence of conscience" that builds a natural tie between ourselves' and others' interests.[205]

Mill's emphasis on "internal sanction of duty" helps us understand why our discussion of Eliot's politics in *Felix Holt* can be enriched when we juxtapose the novel with Mill's revised utilitarian thought and his concern about normative character-building. Catherine Gallagher properly points out that Mill's distinctive liberal thought explains "why George Eliot took politics as her subject matter in the 1860s."[206] According to Gallagher, Eliot "attended very closely to the development of Mill's thought" and wanted to promote his new liberal politics differed from hedonist individualism.[207] Mill's prioritization of internal sanctions over external ones called for a new duty on the mid-Victorian intellectuals, like Eliot, who could exert a cultural influence on the public. Only could they perform Mill's project of internalizing disinterested moral values in the subjects' mind without using external legal measures. The novel could be the best medium for this project than any other literary modes. In its unique revealing of character development and its detailed narration of characters' inner thoughts, readers can closely witness literary characters' process of building internal conscience. Gallagher observes that accepting this new duty as intellectuals' burden, Eliot also reformulated her realism. She no longer tried to "merely represent the totality of society as it is," instead, she produces "the realm of pure value in which what should be comes into being."[208] Eliot's *Felix Holt* clearly shows her close engagement with Mill's peculiar liberal project and her reconceptualization of realism. The

[205] Mill, *Utilitarianism*, 161.
[206] See *The Industrial Reformation of English Fiction*, 233.
[207] Ibid., 233. For another article that mentions George Eliot's interest in Mill's liberal philosophy, refer to Suzy Anger, "George Eliot and Philosophy," in *The Cambridge Companion to George Eliot*, ed. George Levine (Cambridge: Cambridge University Press, 2001), 77.
[208] Gallagher, *The Industrial Reformation of English Fiction*, 233.

novel's dramatic focus not on the material reality of society but on a character's internal process of developing her moral capacity envisions Mill's project to her readers.

The novel's theme of inheritance deserves our attention. The theme deeply embodies Mill's liberal approach toward the reform of the inheritance laws. Mill's idea of new inheritance laws is based on his idealization of "internal sanction of duty." Removing external legal sanctions on the right to bequest, Mill designs to implant internal moral sanctions in the successors' mind that encourage them to refuse the unnecessary portion of inheritance in building their life on their exertions of higher faculties. Mill believes that cultivated heirs' and heiresses' moral sanctions would best regulate inheritance, while affecting positively the public's character-building and the general happiness of community as well. At this point, we should note that Esther does not refuse the whole inheritance. Reshaping Esther's final decision, exactly speaking, as an acceptance of a small portion of the inheritance, not the total refusal, Eliot proves how her "internal sanction of duty" draws up the best result in terms of cultivating her character and arranging her private economy for the maximal happiness of herself and others. The mid-Victorian liberals' compromised approach toward the reform of the inheritance laws embodies the complex interplay of political, ethical, social, and economic ideas at that time period. Through Esther's more complicated inheritance plot than Felix's one and her exemplary employment of internal moral sanctions, Eliot successfully produces a subtle reactional cultural force that the liberal reform of the inheritance laws needed against the radical demand for the redistribution of inherited wealth.

CHAPTER THREE

Morality and Property: Trollope's Questioning of the Reform of Inheritance Laws in *The Eustace Diamonds*

Anthony Trollope's novel *The Eustace Diamonds* thematizes a conflict over an inheritance, just like his *The Warden*. While *The Warden* asks a broader question of how to distribute unearned surplus produced by landed inheritance, *The Eustace Diamonds* delves into a more specific legal issue regarding the feudal regulations of inheritance. The novel sets its central focus on the two feudal laws, primogeniture and entail, which regulated the practice of handing down inheritance to the next generations in England throughout the Victorian era. These feudal customary and legal regulations generate the novel's thematic conflict over the ownership of the diamonds necklace, the Eustace Family's heirloom.[209] What makes the novel so compelling in relation to this specific legal issue is that it is deeply engaged with the mid-Victorian liberals' compromised approach to the reform of the feudal inheritance laws. In accordance with the liberals' view, I argue, the novel suggests that the desirable reform of the inheritance laws must contribute to promoting individual liberty and moral autonomy rather than material equality. Thus, the novel also reveals how the mid-Victorian social emphasis on individual morality and character-building is intertwined with the establishment of liberal economic system.

[209] Trollope seems to choose carefully the diamonds necklace as the novel's main subject to problematize the feudal inheritance laws that mainly regulated landed property. Diamond and land share similar characteristics as a property because they create their values in the same way. Even though diamond is a movable property unlike land, it produces its property values based on its scarcity as land does. In other words, the values in diamond and in land are not the product of labor. Although their values could be increased by the additional investment of labor, it cannot be the main factor in creating their whole values. Their value increase totally depends on their restricted supply. Choosing the diamonds necklace as the novel's main subject instead of land, Trollope may want to develop a more interesting story by utilizing its portability unlike land in order to raise a question of the desirable individual ownership over inheritance.

The English law overall allowed people to have testamentary freedom to dispose personal property and some portion of free-hold real property to whomever they pleased on their death.[210] This legal freedom traces back to the Statue of Wills in 1540. However, most English nobility did not exercise their testamentary power. As I mentioned in the introduction, they entailed their land on the eldest sons of their future family generations. The law of primogeniture also enforced all property owners' real estate, when they died intestate, to be devolved on their eldest sons or next heir-at-law male relatives.[211] The feudal inheritance laws also restricted the testamentary power of disposing personal property when it is settled as a family fortune called heirloom. As Alan RothSource points out that "heirlooms were a way for the aristocracy to extend restraints on alienation from real property to chattels," it was to impress a feudal hereditary nature on personal property as real property.[212] In this way, English nobility employed the feudal laws of primogeniture and entail to protect their family estate and personal property from the subdivision among their children and the possible alienation to non-family members. Thus, Victorian reformers attempted to abolish these feudal practices, precisely because doing so could weaken the power of the aristocracy.[213] Political tensions and public debates between the reformers and

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[210] For a brief summary of the history of testamentary freedom in England, see Wedgwood, *The Economics of Inheritance*, 90-7.

[211] Ibid., 93. And, for another detailed explanation of the customary and legal practice of primogeniture and entail, see Jamoussi, *Primogeniture and Entail in England*, 9-31.

[212] See Alan RothSource, "He Thought He Was Right (But Wasn't): Property Law in Anthony Trollope's *The Eustace Diamonds*," *Stanford Law Review* 44, no. 4 (1992): 883.

[213] One article in *Daily News* says how the repeal of the Corn Law draws the liberal reformers attention toward the laws of primogeniture and entail as their next main targets. It reads that "[t]he corn-laws are one branch of that aristocratic system, and those are drawing to their final hour. The energetic spirits of the time are devoting their attention to the other branch of the same evil – the laws of Entail, and, as upholding them, the laws of Primogeniture." See the article, "Law of Entail and Primogeniture," *Daily News*, March 16, 1846. And, for an exemplary discussion of primogeniture and entail earlier than the repeal of the Corn Law, see T. Winterbottom, *A Letter to Issac Tomkins and Peter Jenkins on Primogeniture* (London: William Pickering, 1835) and G. S. Tullis, *The Aristocracy of Britain and the Laws of Entail and Primogeniture* (London: G. & J. Dyer, 1844). The former book develops an argument why primogeniture should be repealed with the Corn law as they are designed "to flatter the vanity and increase the consequence of the rich and powerful" (4). The latter book introduces several French writers'

aristocratic conservatives continued over the reform of the inheritance laws in the latter half of the 19th century. Creating a story in this socio-economic context, Trollope responds to the social question of how to reform the laws.

The novel's plot revolves around a female character's resistance to the feudal inheritance laws. The story begins with its explanation of how this character, Lizzie, could possess the diamonds necklace, the Eustace family's heirloom, and why she considers it her property. In the beginning, Lizzie becomes widowed because of her newly-wed husband Sir Florian Eustace's death. Shortly before his death, Sir Florian temporarily withdrew the diamonds necklace from the family jeweler, and let Lizzie wear the necklace to a dinner party. The problem starts when he dies of illness without returning it to the family jeweler, but leaving it in Lizzie's hands. He does not leave a will to designate how to dispose of the diamonds after his death. Consequently, Lizzie's different understanding of the family property causes a tension with the Eustace family's lawyer, Mr. Camperdown, over the ownership of the diamonds. Lizzie believes that the diamonds necklace should be her own because her husband gifted it to her and she has kept it after his death, although the necklace has been considered a Eustace family heirloom for almost two centuries. She thinks that "the diamonds had been given into her hands by her husband without any terms as to their surrender, no one could claim them."[214] It is clear to her that, "[m]y husband's diamonds were my diamonds."[215] Because of her ignorance of the inheritance laws of primogeniture and entail that regulate the succession of heirloom, Lizzie believes that her husband had an exclusive right to transfer the diamonds to her upon his death, regardless of the diamonds' legal status as heirloom. Lizzie insists that any customary and legal regulations of

thoughts of the feudal effects of primogeniture and entail in England and of the benefits of the equal succession law in France.

[214] Anthony Trollope, *The Eustace Diamonds* (London: Penguin Books, 2004), 53.

[215] Ibid., 89.

heirloom are unacceptable as they violate her property ownership. Lizzie's claim can be associated with the liberal reformers' attempt to replace the entailed family property under the concept of private property.

In contrast to Lizzie, Mr. Camperdown represents the conservative hereditary view on inheritance. He contends that Sir Florian cannot transfer the diamonds necklace to his wife because it is under the regulation of primogeniture and it has been entailed as well. Sir Florian's grandfather purchased the diamonds for his wife on their marriage. The grandfather explicitly stated in his will that the diamonds must be defined "as an heirloom in the family, and had as such left them to his eldest son, and to that son's eldest son."[216] Therefore, Mr. Camperdown believes that Sir Florian doesn't have the right to endow the diamonds to his wife. To Mr. Camperdown, the diamonds necklace belongs "to the Eustaces, just like their estates."[217] The different understandings of inheritance, as one of the most important socio-economic issues in the time of the novel, clearly categorize Lizzie and Mr. Camperdown into opposing political groups.

Therefore, the conflict between the two political views that Lizzie and Mr. Camperdown respectively represent has been the central focus to many critics in reading *The Eustace Diamonds*. For example, McMaster points out that the novel dramatizes the conflict between two political tendencies around the handing down of inheritance: "a conservative tendency" to keep the property in the family and "a liberal tendency" to possess the property based on the principle of individual ownership.[218] This reading raises a question of how the story implies Trollope's position between the conflicting political views. Does Trollope advocate Lizzie's liberal

[216] Ibid., 185.
[217] Ibid., 90.
[218] McMaster, *Trollope and the Law*, 13.

understanding of inheritance or Mr. Camperdown's conservative one? This could be one of the guiding questions we have to answer in interpreting the novel. However, I argue that we cannot fully understand the novel's reflection of social and cultural anxieties, which the reform movements of the feudal inheritance laws engendered, if we only attend to the conflict between the two political views.

The novel's main concern is not to support one of the two characters' political views, simply structuring the story under their opposing positions. The novel's characterization of Lizzie especially reveals its complicated response to the reform of the inheritance laws. Because of the novel's main focus on exposing Lizzie's immoral character, at the first sight, the novel makes an impression that it sympathizes with Mr. Camperdown's hereditary understanding of inheritance. As the story ends with Lizzie's loss of the diamonds and her social relations as well, it apparently creates a moral judgment on Lizzie's deceptive attempts to possess the diamonds. However, the novel's criticism of Lizzie's immoral desire for the Eustace family heirloom does not mean that it upholds the hereditary view on inheritance. The novel actually intends to examine the interconnection of individual morality with the security of property ownership, beyond the simple opposition between the liberal and the conservative views. This explains why the novel focuses on highlighting the main heroine Lizzie's immoral character, at the same time, foregrounding her individualized understanding of the property ownership.

The novel's main concern is related to the cultural anxieties of a significant change that the reform of the feudal inheritance laws would bring to English society. More specifically speaking, the novel's characterization of Lizzie shows the cultural concern of the less qualified new participants in sharing the national wealth. The reform of the laws would result in more distribution of the national wealth to those who were deprived of their share, since the reform

would remove the enforced legal protection of the aristocracy's hereditary wealth. Lizzie, as a woman, represents these new beneficiaries of the reform.[219] Problematizing Lizzie's moral ineligibility for sharing the wealth, Trollope questions if the reform necessarily brings a good result to the new participants and English society as well, even though the necessity of the reform is not deniable. Trollope suggests that the reform would not guarantee social benefits without the cultivation of the new participants' moral capacity. If the reform simply proposes to attack the noble class's political power or only prioritizes the distribution of material wealth to more social members over the enhancement of each member's character-building, it would even jeopardize social security as well as the institution of private property ownership.

In this chapter, I examine how the novel engages the issue of moral cultivation in the contemporary socio-economic debates on the reform of the feudal inheritance laws. Through this examination, I will demonstrate how the novel reflects the mid-Victorian liberals' compromised approach toward the reform. To mid-Victorian liberals, the desirable reform of the feudal inheritance laws should give priority to the cultivation of individuals' moral capacity over the redistribution of the national wealth. In their mind, each individual's cultivation of moral capacity should be the necessary prerequisite to demand his or her share of the national wealth. The novel intends to convince us why this order of priority should be maintained through a story of an immoral character's deceptive struggle to possess a family heirloom.

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[219] The fact that Lizzie is a woman character encourages us to read the novel in relation to the Woman Question, in particular in the context of the Married Women's Property Act of 1870 that attempted to reform the male-centered property laws. However, the case of Lizzie does not fit into this context because she is a widow. In contrast to married women whose husbands are still alive, widows already had the right to own their property. Thus, Lizzie does not represent married women who were deprived of their property rights upon their marriage by the common law doctrine of coverture. Instead, she represents the group of people who were disadvantaged by the laws of primogeniture and entail.

> It was admitted by all her friends, and also by her enemies—who were in truth the more numerous and active body of the two—that Lizzie Greystock had done very well with herself. We will tell the story of Lizzie Greystock from the beginning, but we will not dwell over it at great length, as we might do if we loved her.[220]

Anthony Trollope's *The Eustace Diamonds* begins its story with the above narration that states how the main character Lizzie was recognized by her friends and enemies. This social recognition basically indicates Lizzie's successful worldly handling of two important events to her. First, she succeeded in marrying a rich eldest son from the noble class, Sir Florian Eustace. With this marriage, Lizzie could raise herself up from her destitute condition to a permanent economic stability. Second, more importantly, as the novel develops the story on this second event, she pertinaciously fought with the Eustace family lawyer, Mr. Camperdown, for the ownership of the diamonds necklace, the Eustace family heirloom. Even though Lizzie finally fails to possess the diamonds necklace as her own, at least, she does not yield it to the Eustace family, resulting in Mr. Camperdown's loss. She also succeeded in retaining her early gains through her marriage with Florian Eustace.

Although the quote tells its readers how successfully Lizzie managed her life, the narrator's sarcastic tone actually reveals his and others' dislike for Lizzie. Admitting her successful life management, the narration implies that Lizzie lost more than what she earned especially from her fight for the diamonds. She made her enemies "more numerous and active body" and led even her friends to be included as another main opinion group in this sarcastic assessment of her unfavorable character. Thus, the narrator purposefully uses the plural subjective pronoun "we" in telling the story about Lizzie's shrewd character and her worldly life

[220] Trollope, *The Eustace Diamonds*, 39.

management. As the narrator tells the story to readers, this narration also instigates readers at the beginning to be included in "we," or to be persuaded to participate in "we" after listening the whole story about Lizzie. This opening narration excludes Lizzie as the only other inside and outside of the story from the extensively enclosed social grouping of "we" that crosses the line between friends and enemies. Indeed, at the beginning, the novel goes beyond the simple oppositional political structuring for Lizzie's characterization.

To categorize Lizzie as the only other from the extensive social grouping, the novel focuses on exposing Lizzie's lack of morality in her desperate desire for the Eustace diamonds. The novel drives the story based on Lizzie's deceptions she made for the possession of the diamonds. To claim the diamonds necklace as her own, Lizzie repeatedly contends that her husband truly and permanently gave it to her as a gift. In fact, however, her husband wanted her to wear the necklace for a special dinner party, explicitly expressing to her the diamonds are family jewels. He also mentioned that he wants his future daughter-in-law to wear the necklace following the family tradition as Lizzie did, and planned to reset the diamonds in the family jeweler's safe.[221] Hiding his intention, she refuses to return the necklace to the Eustace family. Her lies continue to avoid Mr. Camperdown's legal process to retrieve the diamonds necklace back to the family. Lizzie's lies gradually isolate her from social relations and makes her finally lose the diamonds. Lizzie's deceptions provide dramatic moments for the interesting development of the story.

Therefore, Lizzie's immoral character has been the main issue for many critics in analyzing the novel's central message. They similarly read a moral message from the novel's main focus on Lizzie's falsehood. For example, Walter Kendrick points out that among all

[221] Ibid., 79-80.

Trollope's novels "*The Eustace Diamonds* exhibits the most intense concern with truth and falsehood."[222] Portraying "a world in which liars prosper and truth-tellers suffer," Kendrick argues, the novel shows the decline of the traditional British society based on truth and honesty because of the invasion of gold diggers.[223] As another example, Susan Macdonald notes that two contrasted female characters, Lizzie and Lucy, provide the novel's thematic structure: lies versus truth. Macdonald contends that, based on this structure, the novel demonstrates "a danger increasingly alarming to Trollope – the danger of preferring lies and dramatic display to truth or moral substance."[224] In agreement with Macdonald, Andrew Wright maintains that the novel focuses on criticizing Lizzie's "suicidal self-absorption."[225] Even though Lizzie finds it a great trouble that the diamonds bring to her, she refuses to yield them in place of the satisfaction she has by resisting and destroying others.[226]

In contrast to the above early criticism of the novel, recently, many critics have shown a sympathetic reading on Lizzie, based on a feminist approach to the novel. They argue that the novel focuses more on problematizing social problems that produce immoral characters than criticizing Lizzie herself. For example, Jane Nardin points out that Lizzie is an example of the effects of two social problems that "promote female dishonesty: women's exclusion from education and their commodification on the marriage market."[227] Nardin argues that Trollope

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[222] See Walter M. Kendrick, "*The Eustace Diamonds*: The Truth of Trollope's Fiction," *ELH* 46, no. 1 (1979): 154. Kendrick argues that Trollope's realism "lives on the energy of what it condemns" (156). To Kendrick, "a mendacious world," which Lizzie represents, leads "the truth to be told" (156). In other words, he maintains that to correct Lizzie's falsehood by a truth-telling is the main purpose of the novel and Trollope's realism.

[223] Ibid., 136-7.

[224] Macdonald, *Anthony Trollope*, 54-5. Macdonald notes that Lizzie serves as a touchstone "by which other characters in the novel are revealed and judged," since she is "a greater threat to the good characters in the novel" (57).

[225] Wright, *Anthony Trollope: Dream and Art*, 96.

[226] Ibid., 96-7.

[227] Nardin, *Trollope and Victorian Moral Philosophy*, 44. Nardin also points out that Trollope intends to problematize utilitarian ethics. Trollope believes that "truthfulness is vital to the preservation of social

wants to reveal how difficult it is "for the powerless and dependent to be truthful" in a harsh world.[228] Jen Sattaur also contends that Lizzie as a woman is "shaped by the demands that a commodity-driven society places upon her."[229] She defines Lizzie as a victim rather than a violator because Trollope's portrayal of Lizzie is designed to show that, "she is simply adhering to the expectation laid upon her by an unrelenting society."[230] As another example, Zubair Amir maintains that for a social climber lies serve as a convenient solution to disrupt preexisting class histories and to dissociate him or her from "a prior set of circumstances" and "a prior self as well."[231] To her, Lizzie's deceits and manipulation of truth are her inevitable choices to raise herself up from her low class and cultural status as a woman.

The above contrasted criticisms provide various interpretations of the novel's central focus on Lizzie's immoral character. However, both groups of critics disregard the important fact that the conflict, caused by the different understandings of the ownership of the heirloom, frames the novel's main story development. The novel's focus on Lizzie's character cannot be separated

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order" (41). Nardin argues that Trollope blames utilitarian ethics for declining veracity in Victorian society. To Trollope, utilitarian ethics' general supposition that the authority of a moral precept depends upon social utility causes this social danger (41).

[228] Ibid., 46.

[229] See Jen Sattaur, "Commodities, Ownership, and *The Eustace Diamonds*: The Value of Femininity," *Victorian Literature and Culture* 38, no. 1 (2010): 40. In this article, Sattaur examines how Trollope juxtaposes commodity objects such as books of poetry, hunting horses, the safe box, and the Eustace diamonds with "the contemporary discourses surrounding them to defend the essentially mercenary character of Lizzie" (39-40).

[230] Ibid., 45.

[231] See Zubair S. Amir, "'So Delightful a Plot': Lies, Gossip, and the Narration of Social Advancement in *The Eustace Diamonds*," *Victorian Literature and Culture* 36, issue 1 (2008): 188. Making a connection between the novel's content and form, Amir also argues that Trollope's dependence on lies and gossips in developing the story ultimately aims at unsettling "novelistic form, exposing the limits of nineteenth-century realism's capacity to apprehend and represent plots of upward mobility" (188). According to Amir, Lizzie's many lies metamorphose into the complex mixture of facts and inventions. The procedure of making deceit "begin[s] to resemble the process by which narratives come into being" (190). Lizzie's story eventually exposes the impossibility of full representation by the traditional realistic narrative convention "because the upward mobility it would depict depends on discourses that exceed the fictive structures available to contain them: gossip may continue indefinitely, but novels cannot" (201).

from this important socio-economic issue. Any readings of the novel cannot be complete without answering how the novel responds to this main issue, with its distinctive characterization of Lizzie. It requires us to historicize the novel, in particular its characterization of Lizzie, in the context of the mid-Victorian social tensions over the reform of the inheritance laws. Lizzie's understanding of the ownership represents the newly emerging liberal concept of the exclusive private ownership of the family property against Mr. Camperdown's hereditary view. However, Lizzie's immoral character ironically disqualifies her as a representative of the liberal ideology. Then, the novel relocates her outside of the oppositional political structure, as the above opening narration shows her friends' and enemies' shared sardonic attitude toward her. What does the novel want to tell us about the contemporary socio-economic issue with its ironic alienation of Lizzie from the political groups? Does the novel only criticize Lizzie's liberal concept of property ownership as immoral? We need a comprehensive analysis to examine the interconnection between the novel's characterization of Lizzie and its thematic socio-economic issue.

Several critics have attempted to differently interpret the purpose of Trollope's characterization of Lizzie in relation to the novel's main socio-economic issue. For example, Walter Kendrick points out that the novel's focus on Lizzie's immorality reveals Trollope's attachment to English noble society of gentlemen and ladies for which the system of the feudal inheritance laws provided a material ground.[232] To Kendrick, the novel contains a pro-conservative view regarding its political question of inheritance. William Cohen's broad research of Trollope's Palliser novels, including *The Eustace Diamonds*, supports Kendrick's point. Cohen argues that Trollope's novels are imbued with "a deeper and more thoroughly entrenched

[232] Kendrick, "*The Eustace Diamonds*," 154.

conservative advocacy for preserving established structures of power."[233] It can be said that the novel's focus on Lizzie's immoral character hints at its critique of the emerging liberal vision of the individualized ownership that threatens the feudal structure of property relation.

However, that the novel does not clearly side with Mr. Camperdown respecting his fight with Lizzie makes Kendrick's and Cohen's interpretations questionable. In the novel, to confirm Eustace family's legal claim to the diamonds as heirloom, Mr. Camperdown asks a well-known legal authority Mr. Dove's opinion on the issue. Mr. Camperdown considers, "[w]hen Mr Dove had once been positive, no man on earth was more positive."[234] Unlike Mr. Camperdown's expectation, Mr. Dove declares that the Eustace family cannot claim the diamonds as an heirloom because the grandfather, who died long ago, could not devise the will, designating the present ownership of the diamonds. In addition, according to Mr. Dove, only unalterable objects can be heirloom, but the diamonds necklace is not.[235] Mr. Dove's legal opinion brings a new phase to the conflict between Lizzie and Mr. Camperdown, leading the latter to realize his legal misconception of heirloom. Borrowing Mr. Dove's voice, the novel reveals that Mr. Camperdown's view on heirloom cannot be legally justified. Thus, the novel does not allow Mr. Camperdown to have the satisfaction of prosecuting Lizzie at the end of the story. Andrew Miller

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[233] See Cohen, "The Palliser Novels," 47. Cohen notes that Trollope's novels mainly explore how "the opposing forces of liberalism and conservatism regulate both individual desires and the domestic policies that govern relations within families and social worlds" rather than the public world of politics (46). It leads readers to interpret that his novels take a neutral position on political questions, even though the novels contain a conservative view on them.

[234] Trollope, *The Eustace Diamonds*, 261.

[235] RothSource inquires if Mr. Dove's legal judgment on the diamonds is correct according to judicial precedents at the time of the novel's publication. RothSource concludes that Mr. Dove is partially right and partially wrong. He is right in terms of his opinion that Eustace family cannot claim the diamonds as heirloom. But, he is wrong regarding his legal definition of the necklace as paraphernalia. Mr. Dove defines that Lizzie only can hold the diamonds for her life, thus, it cannot be her private property. However, RothSource argues that based on precedent cases Lizzie's claim to the diamonds is not as doubtful as Mr. Dove opined because she kept the necklace continuously after Sir Florian's death. To him, Lizzie's claim to the necklace is strong because of her constant possession of it. See "He Thought He Was Right," 892-4.

points out that Trollope seems to refuse to adjudicate between both characters' oppositional claims rather than to clearly support Mr. Camperdown's conservative view.[236]

The novel's dubious attitude toward Mr. Camperdown's view has led some critics to interpret that the novel critically envisions the established male-centered feudal laws. For example, Dagni Bredesen argues that Trollope intends to problematize the gendered feudal legal codes that do not allow women to make their own monetary decisions. [237] To Bredesen, Lizzie's lies manipulate the male-centered authoritative laws. He elaborates that "the legal justification proffered by the family solicitor for the return of the necklace to the estate is just one story, which she [Lizzie] counters with one of her own."[238] Lizzie attempts to set up competing narratives with her lies against the master legal codes. In a similar sense, Deborah Wynne contends that *The Eustace Diamonds* explores how a woman character can undermine the gendered feudal laws on property with her skillful lies. The novel demonstrates that the feudal laws forced women to be "display-cases for exhibiting the family property" as "symbols of their links to men," depriving them of the rights to own property.[239] Thus, to Wynne, the novel clearly shows its antipathy to the feudal inheritance laws that Mr. Camperdown represents, exposing their weakness through Lizzie's skillful manipulation of them.

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[236] Andrew Miller, *Novels behind Glass: Commodity Culture and Victorian Narrative* (Cambridge: Cambridge University Press, 1995), 167-8.
[237] Dagni Bredesen, "'What's a Woman to Do?': Managing Money and Manipulating Fictions in Trollope's *Can You Forgive Her?* and *The Eustace Diamonds,*" *Victorian Review* 31, no. 2 (2005): 100, 115. Bredesen argues that Lizzie's maneuvering of the legal, marital, monetary matters for the possession of the eponymous necklace "calls into question Victorian verities of law and gender" (100).
[238] Ibid., 117.
[239] Deborah Wynne, *Women and Personal Property in the Victorian Novel* (England: Ashgate, 2010), 30, 116. Wynne points out that Lizzie strengthens her ownership of the necklace through her performance of "wearing the diamonds during and after her marriage and keeping them about her person" (30). The novel demonstrates that "property ownership can only be realized as a performance," exposing "the laws on property as arbitrary" (30).

The above feminist critics, however, also do not provide a satisfactory answer as to why the novel focuses more on highlighting and dramatizing Lizzie's immoral character than problematizing the gendered legal and social structure. There is no doubt that the novel criticizes the male-centered feudal inheritance laws as one of the main factors to cause all disturbances over the ownership of the diamonds. Nevertheless, the novel does not show any favorable attitude toward Lizzie herself and her deceptions. Lizzie, as Christoph Lindner points out, does not resist the customary and legal restrictions on her possession of the diamonds in order to fight against the gendered social structure. [240] Instead, she deceives others for the "simple dirty question of money."[241] For this reason, Lizzie loses her friends' sympathy for her struggle to possess the diamonds; consequently, Lady Glencora, an influential woman political figure in the liberal party, takes back her support for Lizzie after being informed of her deceptions. Indeed, Trollope wants us to pay more attention to Lizzie's immoral character rather than to her skillful manipulation of the male-centered legal codes.

If the novel refuses to take sides between Lizzie and Mr. Camperdown, does Trollope take a neutral position toward the novel's political question of the ownership of inheritance? Trollope's seemingly neutral attitude toward the main characters' conflict actually indicates that his main concern is not to show his political ground between these two oppositional views. Trollope basically supports Lizzie's individualized understanding of the ownership, as the novel

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[240] See *Fictions of Commodity Culture: From the Victorian to the Postmodern* (England: Ashgate, 2003), 87. Lindner argues that *The Eustace Diamonds* basically calls into question the interplay between sexual politics and consumerism. The novel examines, challenges, and manipulates "commodity culture's economic constructions of the feminine" (65) that does not allow any roles "for women other than that of disenfranchised – even dehumanized – objects of exchange" (85). Lizzie attempts to "become 'player,' to seize control and exercise power in the thick of a nineteenth-century commodity culture" (70-1). But, her attempts are "less triumphant and optimistic," because she actually wants to participate "more fully, more complicitously, and more conspicuously in capitalist society's consumer practices" (81).

[241] Trollope, *The Eustace Diamonds*, 296.

blames the feudal laws as one of the primary factors for all unnecessary problems in the story. Nevertheless, problematizing Lizzie's immoral character, I argue, Trollope aims at establishing a guiding principle for the reform of the feudal inheritance laws. He agrees that the reform of the feudal laws is necessary. However, to achieve social benefits through the reform a desirable principle should keep the reform progressing in the right direction. In particular, with his story, Trollope requires that the successful reform should bring a favorable environment for the development of each individual's moral character and capacity. For this main concern, Trollope dramatizes Lizzie's immoral character and leaves her outside her "friends" social group at the beginning of the novel, although he approves Lizzie's liberal understanding of the property ownership.

This chapter demonstrates how Trollope's concern can be historicized in the mid-Victorian period's reform movements toward the feudal inheritance laws. At the beginning of the movements, there were nuanced, but significant, discrepancies among the reformers in terms of their reasoning of why and for what the feudal inheritance laws should be abolished. Politically, economically, culturally, and morally based arguments served for them as an ideological principle for their ideas of the reform. Despite having the same purpose, each principle could lead the reform movements in different directions that provide different answers on how to reform the inheritance laws. A more radical stance to the reform emphasized more distribution of wealth to decrease the unequal social and economic condition. Radical reformers pursued new inheritance laws that allow the governmental intervention in disposing property on the owners' death by restricting their testamentary freedom. On the other hand, this radical approach was problematic to moderate, so-called conservative, liberals like Trollope who define liberty as their ideological principle for the reform. If individuals' liberty is restricted again by new inheritance

laws as the feudal laws did, the development of each individual's moral autonomy as well as the national economy cannot be promoted. Thus, to the moderate liberals, a desirable inheritance law should strengthen absolute testamentary freedom. After exploring the historical context, the rest of this chapter elaborates Trollope's main concern to disprove the radical principle for the reform by illustrating Lizzie's moral ineligibility for her share of the wealth and the negative consequences that she brings to her community.

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> We demand just laws of inheritance. The mischievous laws and restrictions of feudal times have as yet been but partially removed from your majesty's dominions. The custom of primogeniture is still enforced in the case of landed property left intestate, and the law still permits the representatives of large estates to affect posterity through the medium of entails, by the same preferential and unjust distinction of the eldest born.[242]

On July 8 in 1848, a weekly newspaper *The Manchester Times and Gazette*, which was well-known as a mouthpiece for the Anti-Corn-Law League, published an article titled "The Argument for A New Reform Bill." Recalling the 1848 chartist convention in London and the imminent danger of revolution the convention engendered, the article calls upon the government to initiate the reform of current abuses. Otherwise, the article warns that the government will "practically resign[s] its functions to the populace" and "an interval of anarchy succeeds," as "the present experience of the continent" shows. Addressing the necessity for the reform, the article introduces *Westminster Review*'s "Draft of a Proposed National Address to the Queen" led by famous liberal philosophers, such as James Mill and his son J. S. Mill. The draft contains twelve demands for the reform of the present state of misgovernments and corruptions. The

[242] "The Argument for A New Reform Bill," *The Manchester Times and Gazette*, July 8, 1848.

twelve demands aims at reforming political, legal, educational, cultural, and material problems to promote democracy in Victorian society; for example, "a real representation of the people in the commons' house of parliament," "an extension of the right of local self-government," "a free press," "freedom for education," "law reform," "a just apportionment of the burden of taxation," "freedom of conscience in matters of religion," and so on. These various demands, prepared by the liberal reformers, seem comprehensive enough to mollify chartist radicals during the time of social upheaval caused by the continental revolutions in 1848.

Interestingly, the draft includes the above quoted demand regarding the reform of the feudal elements of inheritance laws, primogeniture and entail. Even though the demand does not sufficiently elaborate why the laws should be reformed, given the effects of primogeniture and entail on sustaining the feudal aristocracy, it is no wonder why the two feudal legal remnants were targeted as one of the crucial social problems. Primogeniture and entail made the title of the land and valuable personal properties almost non-transferable as they restricted the private ownership of family property. In particular, entail defined the current owner of family estates as a life tenant and the eldest son as heir and tenant in tail. The life tenant could not alienate or cut off the entailed land without the concurrence of the tenant in tail when they came of age.[243] As J. S. Mill points out, entails very rarely expired because heirs mostly "join[ed] with the existing possessor in resettling the estates, so as to prolong the entail for a further term."[244] Primogeniture and entail enabled the noble class to keep their hereditary wealth intact for generations by handing down family property only to their eldest sons and preventing them from alienating it.

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[243] Jamoussi, *Primogeniture and Entail in England*, 16-7.

[244] According to Mill, "[a] landowner can settle his property upon any number of persons successively who are living at the time, and upon one unborn person, on whose attaining age of twenty-one, the entail expires, and the land becomes his absolute property." However, Mill points out that this legal term is meaningless because most heirs customarily re-entail their family estate continuously. See Mill's *Principles of Political Economy*, vol. II, 507.

Abolishing the two laws could substantially weaken the hereditary power of the aristocracy. Land had long been associated with a special political importance because only the landed proprietors could represent their county in the parliament.[245] The removal of the two laws could increase chances to transfer the aristocracy's land to the other classes who had substantial capital for the purchase. At least, the abolition of the two laws could reduce the aristocratic conservative force's material ground by allowing the current owners to divide their family estates among their children, rather than leaving everything for the eldest sons.[246] France was already observing the expected effects of the abolition of the feudal inheritance laws and the establishment of the equal succession law that forced the equal division of inheritance to the deceased owner's children. This political calculation led the reformers to add the feudal inheritance laws on the list of demands for reform.

Because of the above political expectations, the abolition of primogeniture and entail began to emerge as an important socio-economic issue from the mid 1840's. However, there were significant differences among the reformers' views in terms of their main purpose of the reform and their formulation of new inheritance laws. The two feudal inheritance laws were designed to enable a few noble hands to possess most English wealth, in particular the land, the

[245] Until the second reform bill was passed in 1867, to represent a county, a male adult was required to have 600 pounds income a-year from only landed property. Accordingly, it was said "the term, landed proprietor, has always carried with it the notion of class distinction." See the newspaper article, "To the Members of the Chartist Co-operative Land Society," *The Northern Star and National Trades' Journal*, *Issue 447*, June 6, 1846.

[246] Early liberal reformers paid attention to the unfair distribution of inheritance among children to justify the reform of the feudal inheritance laws. This reasoning traces back to John Locke. He said that "the first-born has not a sole or peculiar right by any law of God and nature – his and his brethren's being equally founded on that right they had to maintenance, support, and comfort from their parents." See *Two Treatises*, 142. Adam Smith also contended that "[i]n every other respect, nothing can be more contrary to the real interest of a numerous family, than a right which, in order to enrich one, beggars all the rest of the children." Refer to *The Wealth of Nations* (London: T. Nelson and Sons, 1884), 158. However, in the mid-Victorian period, this family-based reasoning was gradually disappeared in the reformers' discussion of the feudal inheritance law. Instead, the reformers approached to the problem in relation to the management of the national wealth and heirs' character-building.

main resource of wealth at that time. Thus, the working-class oriented chartist reformers mainly expected that the abolition of the laws would bring more distribution of the national wealth to the unpropertied masses. For example, the chartist leader Feargus O'Connor, leading his well-known land reform in the 40's, argued that "the immediate interest of the working classes" had been neglected in the discussion of the reform of the inheritance laws.[247] The working classes' interest should be the primary concern for the reform. To O'Connor, the division of the noble classes' large estate, through the abolition of primogeniture and entail, could significantly increase the working classes' material condition. The abolition of the laws would promote the possibility for the working classes to possess a parcel of land, converting them from wage slavery to independent yeomen. In addition, it could raise the factory laborers' wage because the abolition of the laws could relocate many factory workers to the country for farming. Then, it would cause less labor supply in the factories.[248] The chartist reformers' demand of the abolition of the laws led by O'Connor focused on ameliorating the unequal economic condition of the working classes, as they hoped the working classes could be new proprietors of the national wealth.[249]

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[247] To O'Connor, most liberal reformers mainly concern the negative economic effects of the feudal inheritance laws on the production of national wealth. This tendency was prevalent throughout the mid-Victorian period. For example, there was a published book that contain various letters that elaborate the negative economic aspects of primogeniture and entail. One letter, written by an economist, explains in detail how primogeniture and entail make the land more mortgaged from generation to generation because of the imprudent expenditure of the current owners. The laws make "each succeeding owner finds himself more encumbered and more helpless than his predecessor" to be an improver of his land. See "Our Land Laws as Affecting Agriculture from the Economist," in *Primogeniture and Entail: Letters of J. E. Thorold Rogers, M. A., and Mr. Henry Tupper* (Manchester: Alexander Ireland and Co., 1864), 25.

[248] For Feargus O'Connor's main argument, refer to *A Practical Work on the Management of Small Farms* (Menchester: A Heywood, 1846), 3-6.

[249] We can find the same focus in many newspaper articles, in particular the articles published by a chartist newspaper, *The Northern Star and National Trades' Journal*. For example, one article titled "The Land" points out that the law of primogeniture stands in the way for creating the working class laborers who can be "masters of their own time, and whole, and sloe, and unrestricted possessors of the produce of their own industry." The article argues that the destruction of the law of primogeniture would transform the working classes "from hired slaves to independent labourers." See "The Land," *The Northern Star and National Trades' Journal*, January 10, 1846. Another article from the same newspaper contends that the abolition of primogeniture and entail would increase "the possibility of the working classes buying, or

More importantly, to the chartist reformers, the abolition of the feudal inheritance laws was crucial to the cultivation of the unpropertied people's morality. They maintained the distribution of wealth would bring the improvement of the working-classes' morality. In the chartist reformers' mind, the enhancement of material condition is the necessary prerequisite for each individual's cultivation of moral life. This reasoning was often employed to support their demand for reform. For example, a widely quoted article by the reformers, "Effects Produced in France by the Abolition of the Law of Primogeniture and of Entail," contains the final argument that, "the general distribution of property among the mass of the people . . . clearly tends to develop mental independence as well as ultimately to create habits of morality and virtue."[250] As another example, a chartist newspaper article repeats the point that when laborers become proprietors, "the principles of industry, frugality, and patience increase" among them.[251] "A revision of the law of primogeniture will become necessary" since another great advantage the reform would bring is "the moral and even intellectual elevation of the laboring man."[252] In other words, the chartist reformers believed that the unpropertied masses would enhance their autonomy and morality, if a chance to practice the property ownership is given to them through the reform.

Therefore, the radical reformers conceived new inheritance laws that could be forceful in expediting more distribution of the national wealth to decrease unequal social condition. A just

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even renting, as much Land as they could compass capital to cultivate." See "To the Members of the Chartist Co-operative Land Society," *The Northern Star and National Trades' Journal*, June 6, 1846. The articles show how radical chartist reformers connect the issue of the feudal inheritance laws with the material condition of the working classes.

[250] See Dupin, "Effects Produced in France by the Abolition of the Law of Primogeniture and of Entail," in *The Aristocracy of Britain and the Laws of Entail and Primogeniture* (London: G. & J. Dyer, 1844), 185.

[251] See "The Freehold Land Movement," *Liverpool Mercury etc*, December 3, 1850.

[252] Ibid.

inheritance law should allow governmental restrictions on testamentary freedom. The compulsory inheritance law in France might be an ideal model to the radical reformers. After abolishing primogeniture and entail, if the government forces the family property to be divided in equal portion to children, it would quickly break the aristocracy's land monopoly and compel a great subdivision of the national wealth. It would increase the transferability of the aristocracy's estates into the unpropertied classes for small farming. At least, it could drop the rate of rent. To the radical reformers, the governmental intervention in individual's testamentary freedom was a desirable way of expediting more distribution of the national wealth without critically damaging the institution of private property ownership because property actually does not belong to anybody upon the death of the current owners.

However, the mid-Victorian liberal reformers did not share the same ideal with the chartist radical reformers, and could not accept their idea of the compulsory inheritance law. In the liberal reformers' mind, the reform of the feudal inheritance laws should be "properly taken up, not as a revolutionary or chartist notion, but as a step in political economy."[253] The liberal reformers claimed that new inheritance laws should be devised in accordance with individual liberty in managing their property. Strengthening testamentary freedom can be a more desirable remedy than the radicals' idea of the governmental intervention. A compulsory attempt to divide the family estates into small parcels would promote a large number of people's possession of some property, but it could bring negative consequences to society rather than correcting the

[253] Refer to Arthur Arnold, "Mr. Cobden and the Land Question," *Fraser's Magazine for Town and Country*, July 1867, 79. Another newspaper article, which represents the liberal reformers' view, also claims that both French compulsory law and the feudal laws are "opposed to morals and to economical principles." "[T]he true principle" is that "the most unlimited freedom" to dispose of property should be given to the proprietors. See the newspaper article "Parliamentary Intelligence," *Manchester Times*, March 11, 1854.

problems of the feudal laws.[254] J. S. Mill developed this liberal approach to the reform. In the section of inheritance laws of his book, *Principles of Political Economy*, Mill criticizes both the feudal laws and the compulsory inheritance law in France. In particular, he argues that the French compulsory inheritance law achieved its purpose of the subdivision of wealth "at the cost of much mischief."[255] A compulsory division law would not reassign English wealth to eligible individuals and would not build a favorable environment for new proprietors' character-building.

In Mill's mind, each individual can better develop his or her mental and moral capacity when liberty is prioritized over equality as a primary principle to guide the reform. Mill points out, "to renounce liberty for the sake of equality, would deprive them of one of the most elevated characteristics of human nature."[256] This deprivation would "grind all down into a tame uniformity."[257] When liberty is not restricted in terms of individuals' control on their actions and private property, individuals are fully encouraged to develop their faculties and autonomy. Then, this encouragement would bring "diversity of tastes and talents, and variety of intellectual points of view" to society.[258] To Mill, these abundant mental activities, which the protection of individual liberty and property ownership could promote, actually are "the mainspring of mental and moral progression" rather than the material equality.[259] According to his fundamental principle in modernizing English society, Mill cannot accept any significant legal restrictions on

[254] The liberals' criticism of the possible enactment of the governmental enforcement of the subdivision of inheritance often can be found in articles of daily newspapers and magazines throughout the mid-Victorian period. For an exemplary journal article around the time of *The Eustace Diamonds'* publication, see "Systems of Land Tenure in Various Countries," *The Edinburgh Review*, October 1871, 449-483. The article argues that "[a] state may indeed make laws prohibiting the accumulation of capital, as well as the accumulation of land; it is even conceivable that a state might enforce such laws; but it is perfectly clear that it can only enforce them at the cost of destroying or banishing that industry by which alone our community subsists" (452).
[255] Mill, *Principles of Political Economy*, vol. II, 501.
[256] Mill, *Principles of Political Economy*, 17.
[257] Ibid., 17.
[258] Ibid., 18.
[259] Ibid., 18.

testamentary freedom that may critically damage the principle of liberty as well as the institution of private property.

Mill does not deny that some legislations need "to temper that inequality . . . to favour the diffusion, instead of the concentration of wealth."[260] Those legislations would help to solve the problems that the system of liberal economy causes. However, to fulfill the purpose of those legislations, Mill maintains that two conditions should be met in advance; "One of these conditions is, universal education; the other, a due limitation of the numbers of the community."[261] The two suggested conditions, especially the first one, show Mill's different prioritization of moral cultivation over material improvement unlike the radical reformers' one. In Mill's mind, the material improvement would not necessarily bring the development of intellectual and moral capacity to individuals. Instead, moral and mental capacity should be developed first by universal education. Then, we can expect the supposed social benefits that the material improvement of the unpropertied bring. Mill also assumes that unconditioned material improvement would increase the population to a level that the community would not be able to endure. Therefore, any legislations cannot "make the condition of the mass of mankind other than degraded and miserable" without cultivating their mental and moral capacity to a certain degree in advance.[262]

In the above view, Mill elaborates how the compulsory succession law in France would negatively affect the heirs' character-building and the national economy as well. Even though the law was designed for the subdivision of wealth, it could create in undesirable heirs a legal right to inheritance regardless of their moral and intellectual eligibility. Mill thinks that, while the

[260] Ibid., 15.
[261] Ibid., 16.
[262] Ibid., 18

feudal inheritance laws generally make the eldest sons have an improvident character, the compulsory division law would bring this negative consequence to all children's character-building. Thus, according to Mill, removing restrictions on the power of bequest would be more desirable. The current owners can better dispose their property than the inflexible law, considering each heir's different eligibility. The law cannot handle effectively diverse issues in each family, but only applies a general rule to them. Testamentary freedom would also allow property owners to lead their family members to a good order, that is, a socially desirable way of life. Individual liberty in will-making is the most effective method, which cannot be replaced with any legal interventions, in terms of promoting the heirs' character-building.

In addition to that, absolute testamentary freedom would produce a good economic result. When all sorts of property are under the rules of private property, more eligible individuals would achieve property by their faculties. Then, they would increase the national productivity.[263] However, the compulsory inheritance law would make the government authoritatively interfere in the property ownership, "not only on the occurrence of a death, but throughout life," since the government has to guard against the current owners' attempts "to frustrate the legal claims of their heirs" during their life time.[264] Therefore, Mill argues that "all owners of property should . . . have power to dispose by will of every part of it."[265] The government intervention should only be permitted in the case of intestacy that the owners die without will.[266] In this way,

[263] Mill points out that "[w]hatever facilitates the sale of land, tends to make it a more productive instrument for the community at large; whatever prevents or restricts its sale, subtracts from its usefulness." See *Principles of Political Economy*, vol. II, 508
[264] Ibid., 509.
[265] Ibid., 509.
[266] Mill's point served as a compromise between the two legal systems, the compulsory division law and the feudal hereditary law that were in exercise respectively in France and England. For example, one newspaper article, following the publication of Mill's *Principles of Political Economy*, argues that an acceptable solution can be found somewhere between the two legal systems. The article contends that French compulsory inheritance law "is probably not less evil in its tendency, as it certainly is not less

Mill calls for the protection of testamentary freedom by illustrating its effects on the character development, then, again, the effects of the character development on the national economy.

Trollope's *The Eustace Diamonds* is deeply associated with Mill's liberal approach to the reform of the inheritance laws. At the first sight, the novel seems an interesting story about a happening caused by an unexperienced character's ignorance of the social customs and laws on inheritance. But, the novel explicitly contains its concern to the prevalent discontent with the established feudal laws. Lizzie's desire for the Eustace family heirloom, which is not traditionally allowed to women to possess, represents this discontent. In addition, more importantly, problematizing Lizzie's lack of morality, the novel engages the issue of moral cultivation in the contemporary social attention toward the feudal inheritance laws, raising the question of desirable moral ownership. Mixing these all complicated issues together in the story, Trollope carefully implies that the reform of the inheritance laws should be enacted in a way of guaranteeing testamentary freedom. To Trollope and the liberal reformers, the desirable ownership is not automatically developed in the individual without the necessary pre-cultivation of moral capacity. Testamentary power could not only promote each individual's character-building, but also protect the family wealth and, in a broad sense, the national wealth by empowering the current keepers of wealth to select proper successors.

In the following analysis of the novel, I demonstrate how the novel's story development converges into the above liberal conclusion of protecting testamentary power. My analysis particularly focuses on the second half of the novel. This part of the novel highlights how

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false in principle, than that which is framed to secure its accumulation in large properties." According to the article, the middle ground is to guarantee the owners' freedom to bequeath their property to whomsoever they shall choose and to allow the governmental direct intervention only in the case of intestacy. See "Entails & Primogeniture—Mr. M'Culloch," *The Manchester Times and Gazette*, January 4, 1848.

Lizzie's uncultivated character jeopardizes her agency and the national wealth, resulting in the theft of the diamonds in two burglary attempts. Ending the novel with the final loss of the diamonds, from Lizzie and the community as well, Trollope implies his suggestion of how to prevent this unhappy ending from occurring again, in relation to the liberal reform of the inheritance laws.

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When the story comes to the climax of the fight between Lizzie and Mr. Camperdown over the ownership of the Eustace diamonds, the novel adds an interesting event and twists the plot. When Lizzie travels to London, she keeps the diamonds with her in an iron box because she fears that they might be stolen or retrieved to the Eustace family by Mr. Camperdown's legal process. Along her travel, a burglary of the diamonds happens. Interestingly, the thieves actually steal an empty box, as Lizzie kept the diamonds under her pillow. Hiding what truly happened, Lizzie pretends that the thieves ran away with the diamonds. At first, Lizzie is ashamed to tell that she was carrying the empty box. But, she has decided to keep the secret to make Mr. Camperdown believe that the diamonds were stolen.[267] What is more interesting is that, before the burglary happens, Lizzie almost won the battle with Mr. Camperdown as the authoritative jurist Mr. Dove concluded, "the Eustace estate cannot claim the jewels as an heirloom."[268] The first failed burglary brings a new phase to the story when a resolution was almost made to the struggle between Lizzie and Mr. Camperdown.

The burglary and Lizzie's following deception seem to move the story's main concern out of the thematic conflict between Lizzie and Mr. Camperdown, as Lizzie hides the diamonds from Mr. Camperdown's and the public's sight. Furthermore, this pivotal event changes the

[267] Trollope, *The Eustace Diamonds*, 441.
[268] Ibid., 263.

story's main stage from the external area, which shows the conflicts between the characters, into the internal conflict of Lizzie. This depicts her psychological anxieties in her struggle to keep the secret of the diamonds from all other characters. With this change of the setting, the novel intends to raise another important question. Before the burglary, the novel's main concern is on dramatizing the contradictory understandings of the ownership of inheritance. But, from the middle of the story, the novel delves into the more specific focus on the relation between the individual and the property as it foregrounds Lizzie and her hidden diamonds, while the conflict between Lizzie and Mr. Camperdown withdraws. Bringing these changes to the story, the novel begins to examine how the individual constitutes his or her property ownership and, conversely, how the property ownership shapes individuality.

In the case of Lizzie and her hidden diamonds, the novel, more exactly speaking, intends to thematize what will happen if an ineligible individual possesses a valuable property, in particular, the family or national wealth that the Eustace diamonds represent.[269] The situation caused by the failed burglary and Lizzie's secret keeping of the diamonds serves to explore the question. This situation allows the novel to illuminate Lizzie's undesirable property ownership and its negative consequences. For this exploration, the novel pays special attention to Lizzie's inner side. The below quote describes Lizzie's inner thoughts and feeling right after the failed burglary:

> [T]hough she [Lizzie] was awestruck by the danger of her situation, she nevertheless did feel some satisfaction in remembering that she and she only held the key of the mystery. And then as to those poor thieves! . . . As her mind went on making fresh schemes on the

[269] On the novel's publication, *The Saturday Review* comments that "[t]here is much not only to amuse, but to learn from, in *The Eustace Diamonds*, if people will accept the conduct of most of its actors as a warning" (376). See "The Eustace Diamonds," *The Saturday Review* 34, November 1872, 638. This contemporary response shows how Lizzie's story was accepted to the critics in Trollope's time.

> subject, a morbid desire of increasing the mystery took possession of her. She was quite sure that nobody knew her secret, and that nobody as yet could even guess it. There was great danger, but there might be delight and even profit if she could safely dispose of the jewels before suspicion against herself should be aroused.[270]

The quote depicts how Lizzie responds spontaneously to the situation that the failed burglary brings to her. Lizzie's inner response actually reveals her interiority that directs her to handle the situation poorly. Awestruck by the situation that follows her deception, she quickly recognizes the danger she could have at the possible disclosure of her secrecy. But, immediately, she feels "some satisfaction" following her recognition of the danger. Even she cannot suppress "a morbid desire" quickly taking "possession of her" that leads her to decide to increase the mystery rather than to tell the truth. She also expects emotional "delight" and economic "profit" that she can have if she successfully keeps the secret of the hidden diamonds. The quote articulates how Lizzie's inner decision-making process functions. Lizzies' uncultivated character overpowers her rationality that warns her of the peril of keeping the secret; her undisciplined character conjures up an immoral desire for the secret possession of the diamonds that were not truly given to her. This decision making process suggests that Lizzie's moral capacity is too flawed to discuss in her mind the possible 'pain' and 'loss,' rather than 'delight' and 'profit,' that she can have by keeping the secret.

The quote, more importantly, describes how Lizzie's limited moral capacity produces in her mind a false conception of ownership. Her calculation of "delight" and "profit" from keeping the secret actually imitates the proprietor's expectation of the psychological and economic benefits of property ownership. Lizzie's satisfaction of keeping the secret mainly comes from her

[270] Trollope, *The Eustace Diamonds*, 449.

illusion of the absolute ownership over the diamonds. Lizzie remembers that she is the only person holding "the key of the mystery." This secret holding of the diamonds create a mental feeling of the exclusive ownership.[271] As Lizzie's interior monologue tells "the ten thousand pounds' worth of diamonds was not really lost," instead they are safe in her hands.[272] Apart from Lizzie, nobody knows her secret; thus, "no human eyes could see them till she should produce them to the light."[273] This is a delight to Lizzie because it means that no one, including Mr. Camperdown, would intrude into the possessive relation between her and the diamonds from now on. Lizzie thinks that the diamonds now have truly become her own exclusively. However, Lizzie has actually disembedded the diamonds from social relation. As Jon Stobart points out that property cannot exist outside of social relation, Lizzie has actually damaged her proprietary benefits from the possession of the diamonds because of her false conception of ownership.[274]

Therefore, Lizzie's misconception of the ownership makes the diamonds lose their intrinsic property value at the moment of her secret hiding. As Lizzie pretends that the diamonds were stolen by the burglary, she cannot wear them anymore, she cannot alienate them, and cannot even give them to others. Her morbid desire for the exclusive ownership of the diamonds, by keeping the secret, symbolically transforms the diamonds from "the ten thousand pounds' worth" into nothing. Then, Lizzie's secret possession finally results in the permanent loss of the

[271] Sattaur points out that Lizzie's tenacious attachment to the ownership of the diamonds comes from her discriminated social status as a woman in the 19th century England that did not allow female possession. Sattaur notes that "Lizzie's ownership of the Portray estate can never have the value of permanence for her" (49). Lizzie can have only life interest from the estate. Thus, the ownership of the diamonds is important for Lizzie because it enables her to feel "a source of power and prestige unusual in the realms of nineteenth-century female possession" (49). See "Commodities, Ownership, and *The Eustace Diamonds*."
[272] Trollope, *The Eustace Diamonds*, 452.
[273] Ibid., 445.
[274] Refer to Jon Stobard and Alastair Owens, *Urban fortunes: Property and Inheritance in the Town, 1700-1900* (Burlington, Vt.: Ashgate, 2000), 16.

diamonds from her and the Eustace family as well. The second genuine burglary of the diamonds happens by the same thieves, the other secret holders. Interestingly, the novel ends with the diamonds being sold to a foreign princess by the thieves, rather than being recovered by police or sold to an English man or woman. It tells us how Lizzie's uncontrolled desire actually incurs an economic loss to her and the Eustace family, and, in a broad sense, to the national wealth as well.

The negative consequences that Lizzie's misconception of the ownership causes is not limited to an economic loss. It also damages her individual agency before her final loss of the diamonds accompanied with the disclosure of her secret to the public. The below quote shows how Lizzie's secret possession of the diamonds significantly restrains her autonomy:

> She thought of the necklace every waking minute, and dreamed of it when she slept. She could not keep herself from unlocking her desk and looking at it twenty times a day, although she knew the peril of such nervous solicitude. If she could only rid herself of it altogether, she was sure now that she would do so. She would throw it into the ocean fathoms deep, if only she could find herself alone upon the ocean.[275]

The quote depicts that Lizzie's inner delight produced by her secret holding of the diamonds turns into a nightmare. The secret possession of the diamonds keeps her checking on the diamonds' safety again and again in her solitude, risking the danger of her secret being revealed to others. She cannot rid her mind of the diamonds. The obsession persists every waking minute and even during the sleep. Lizzie is actually possessed by the diamonds, rather than possessing them. Lizzie's psychological nervousness, caused by her secret possession, shows that the property ownership does not always guarantee or promote all proprietors' autonomy. In essence, Lizzie does not need to hold the secret to own the diamonds. As one character says to Lizzie

[275] Trollope, *The Eustace Diamonds*, 478.

about the rumor "you have stolen your own diamonds," and as people admit that "she had an undoubted right to keep the diamonds," Lizzie was already getting an upper hand on the fight with Mr. Camperdown over the ownership before the first burglary.[276] Nevertheless, Lizzie, in her misconception of the ownership, thought that the diamonds would be truly her own through her secret holding. Thus, the reversed ownership relation between Lizzie and the diamonds signifies how an uncultivated individual could destabilize the relation between the proprietor and the property. More importantly, the reversed relation shows how she could unsettle the ideological ground for the institution of private property as a guarantor for individual autonomy.

Going through all these troubles, Lizzie fails to avoid an unhappy ending. Her friend, Lord George, concludes that "you have lost your property, and sworn ever so many false oaths, and have brought all your friends into trouble, and have got nothing by it."[277] Because of her uncultivated character, Lizzie loses everything: her property, reputation, and social relations. She has totally lost her chance to shape a desirable selfhood, even though she procured a substantial material ground for her independence. The burglary especially leads us to attend to Lizzie's uncultivated character as the main cause for all the conflicts and her unhappy ending. However, as I emphasized at the beginning of this chapter, the novel does not intend to send a simple didactic message by focusing on Lizzie's immorality. The novel tries to demonstrate the correct ordering between individual moral autonomy and the property ownership. To Trollope, the property ownership does not necessarily guarantee the development of self-reliant liberal agency. To produce desirable self-reliant proprietors, the cultivation of individuals' moral capacity should be the essential precondition, before they share the delight of the property ownership. As Lizzie's unhappy ending shows, only when this correct ordering is preserved, the institution of

[276] Ibid., 450, 540.
[277] Ibid., 722.

private property can be secured. Then, private property ownership will bring economic and cultural benefits to the individual and the society as well.

Demonstrating the necessity of the correct ordering, the novel also raises a question of how to achieve this ordering, in particular, in relation to the management of inheritance. The novel basically implies that the traditional legal regulations of inheritance cannot secure this ordering and cannot entrust the national wealth to the hands of proper individuals. It cannot be denied that Lizzie's immoral desire for the diamonds is the main reason for her isolation and disgrace. However, the novel also negatively depicts Mr. Camperdown's inappropriate legal intervention as another crucial cause for the gloomy ending of the story. Even though Mr. Dove concluded that the Eustace family cannot legally claim their ownership over the diamonds, Mr. Camperdown didn't give up his legal process against Lizzie until the final loss of the diamonds. Mr. Camperdown's traditional belief in inheritance, based on the feudal laws and customs, drives Lizzie to lie and deceive in order to run away from the traditional legal and customary boundary, even though her ownership of the diamonds was getting clearer. The final loss of the diamonds symbolically tells us how the traditional legal regulations engendered the unnecessary conflict between Lizzie and Mr. Camperdown. These regulations eventually not only damage the family and national wealth, but also deteriorate Lizzie's character.

The conflict between Lizzie and Mr. Camperdown also exposes the inability of the feudal laws to control individuals' emerging desire of managing property relations beyond the traditional customary and legal boundary. Mr. Camperdown's interior monologue below, right after acknowledging his misconception of heirloom, explicitly indicates the obsoleteness of the feudal laws in arranging the family economy:

> Up to this moment, though he had been called upon to arrange great dealings in reference to widows, he had never as yet heard of a claim made by a widow for paraphernalia. But then the widows with whom he had been called upon to deal, had been ladies quite content to accept the good things settled upon them by the liberal prudence of their friends and husbands—not greedy, blood-sucking harpies, such as this Lady Eustace.[278]

The quote implies the weakening power of the feudal customary and legal regulations of inheritance that were established on the natural law tradition. The feudal inheritance laws, primogeniture and entail, had actually functioned on English people's voluntary subjection to them rather than by legal enforcement. Even though the feudal inheritance laws forced individuals' property to be handed down to the eldest sons, English people also had a right to give their property to whomever they want on their death by will-making. However, most English did not exercise their testamentary freedom, leaving their property to be arranged by the feudal inheritance laws.[279] Thus, the feudal inheritance laws could not be maintained without people's customary subjection to them. The above quote shows how Lizzie's individual resistance to the feudal laws could easily make them malfunction. As Ayelet Ben-Yishai notes that the natural law tradition, which upholds the feudal inheritance laws, can be "immutable as long as the communality and customs which it serves are stable and coherent."[280] Lizzie's

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[278] Ibid., 292.

[279] McMaster points out that in the Victorian era "even when the owner is free to dispose of his property as it suits him, he will, on occasion, behave as though the estate were entailed and leave it to the next male in line." Refer to *Trollope and the Law*, 12.

[280] See "Trollope and the Law," 165. In this article, Ben-Yishai contends that it is a mistake to read the novel as Trollope's conservative yearning "for the times of old, before the advent of a more relativist legal culture of positive law" (166). To her, a close reading of the novel reveals that Trollope's "critique of natural law is just as strong" (166). She asserts that Trollope wants to show that the natural law, "through the mediation of common law," is also mutable as it depends on people's mutable concept of values, customs and commonality (166). That is, Trollope intends to suggest that "a society and culture [is] in flux, a flux that cannot be remedied either by a nostalgic appeal to older forms of the law" rather than showing his longing for the old times (166).

uncustomary individual desire for the Eustace heirloom signifies that English traditional communality and customs are being destabilized.[281]

As Mr. Camperdown acknowledges that his profession as a lawyer has been based on having experience rather than learning the law, his legal practice could be maintained on his clients' content to the customary tradition.[282] However, when a problematic client, like Lizzie, goes beyond the customary legal boundary for her interests, being supported by a never heard legal term "paraphernalia" to Mr. Camperdown, he is not able to manage the case in the way what he has taken. Although Mr. Camperdown condemns Lizzie as a "greedy, blood-sucking' harpy," she, as he admits, also represents "that portion of mankind who thought that property could be managed and protected without the intervention of lawyers."[283] These people's individualized understanding of inheritance and their desire to maximize material interests beyond the traditional customary and legal boundary are already prevalent. The novel's picturing of Mr. Camperdown's declining legal authority indicates the ineffectuality of the feudal inheritance laws in handling these social and cultural changes.

The novel's negative stance to Mr. Camperdown's legal intervention goes further to criticize the inability of the law itself to manage the family economy. As Mr. Dove declared the unclear legal status of the Eustace diamonds as heirloom, now Sir Florian's real intent of disposing of them would be the most important fact to decide the rightful owner. But, Sir Florian

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[281] Foregrounding Lizzie's uncustomary desire for the possession of the diamonds, Trollope refutes the conservative way of justifying the feudal inheritance laws. The conservatives often claimed that the laws of primogeniture and entail are strongly based on English national character and sentiment. For example, one conservative journal article says that primogeniture and entail are "based upon the ancient custom of England . . . which would not have been submitted to for these many centuries had it not been in accordance with our national character and sentiment." Lizzie's desire, which expresses the prevalent discontent with the laws, contradicts this claim. Refer to "Real Estates Intestacy Bill," *The Law Magazine and Review: A Quarterly Review of Jurisprudence* 27, March to August 1869, 65.
[282] Trollope, *The Eustace Diamonds*, 291.
[283] Ibid., 294.

just followed the custom of primogeniture without leaving a will regarding the disposition of the diamonds. Lizzie easily takes advantage of this case of intestacy, thinking, "[o]f the manner in which the diamonds had been placed in her hands, no one knew more than she chose to tell."[284] Although Lizzie's cunning character is well known to the public, she is the only person who holds the true answer to whether Sir Florian designed to permanently give the diamonds to her. Ben-Yishai notes that Lizzie's internal remark shows the unavailability of the empirical fact or the intersubjectivity of the determining fact for legal justice. Because of this inter-subjective character of fact-making, Lizzie can create "a different factual situation" that is suitable for her interests.[285] Lizzie's scheme of fact-making insinuates that there is no effective legal intervention to prevent individuals from manipulating the truth, unless an omnipotent surveillant oversees all events in their private areas. Accordingly, although it is clear to Mr. Camperdown that "Lizzie Eustace had stolen the diamonds, as a pickpocket steals a watch," he cannot help deploring that "in a country which boasts of its laws, and of the execution of its laws . . . there should be no means of punishing her."[286] While dramatizing the conflict between Lizzie and Mr. Camperdown, the novel intends to show how the law cannot effectively intervene in the family economy and cannot always secure a justice in the domestic sphere.

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[284] Ibid., 53.

[285] See Syelet Ben-Yishai, "The Fact of Rumor: Anthony Trollope's *The Eustace Diamonds*" *Nineteenth-Century Literature* 62, no. 1 (2007): 113-4. Ben-Yishai points out that "a prevailing fact will depend on the number and quality of people who adopt a certain story" (113). Lizzie shows her ability "to create a different factual situation from the same events, and subsequently to make her narrative the most socially desirable and effective one" (113). Ben-Yishai contends that the novel demonstrates fact as "a process of creating" rather than as "an empirical object" (113-4). In addition to her point, Bredesen also notes that Lizzie serves to expose how "legal structures are predicated on fictions of various kinds." Because of this fictitious character of legal structures, Lizzie is able to challenge the master legal codes with her created narratives. See "What's a Woman to Do?," 115.

[286] Trollope, *The Eustace Diamonds*, 289.

Therefore, the novel suggests each individual's will-making as the only appropriate solution to the ineffectuality of the legal intervention in preserving a good order in the family economy. Mr. Dove points out that:

> "The Law, which, in general, has in this matter bowed gracefully to the spirit of chivalry and has lent its aid to romance;--but it certainly did not do so to enable the discordant heirs of a rich man to settle a simple dirty question of money, which, with ordinary prudence, the rich man should himself have settled before he died."[287]

Mr. Dove maintains that the feudal law of heirloom, which was derived from primogeniture and entail, was not designed for the "protection of property."[288] The law, belonging to the feudal system, was crafted for the noble classes' chivalric spirit to maintain their hereditary family dignity and honor. However, "the discordant heirs" are interested more in satisfying their simple monetary desire than fulfilling the chivalric spirit of their family. When the current owners die intestate without leaving a will, there is no way to control effectively "a simple dirty question of money" after their death. The current owners should settle all property concerns before their death. Mr. Dove believes that will-making can be the only mean to control "the discordant heirs" and to protect the family wealth.

Suggesting testamentary power as the only alternative solution to the inefficient legal regulations, the novel ends with Mr. Dove's additional comments on the desirability of absolute property ownership over inheritance. Mr. Dove states that "the ultimate loss of the diamonds was upon the whole desirable, as regarded the whole community" since "the very existence of such property so to be disposed of, or so not to be disposed of, is in itself an evil."[289] In Mr. Dove's

[287] Ibid., 296.
[288] Ibid., 296.
[289] Ibid., 753.

mind, the unclear ownership status of the Eustace diamonds brought all the unnecessary disturbances to the community. When an individual cannot claim an exclusive ownership over his or her property, that property does not bring any economic or cultural benefits to the community. The unclear ownership not only damages the economic value of property, but also jeopardizes social security and the discordant heirs' character-building.

The novel actually intends to answer the question of – What is the desirable way of reforming the feudal inheritance laws? – by allowing Mr. Dove to close the story with his final comments. The just inheritance laws that will replace the feudal laws should not enable other ineffectual legal interventions to intrude upon individuals' liberty in managing their property. The just laws, instead, should contribute to strengthening testamentary power, thus, eventually the institution of private property. When proprietors can exercise their absolute property ownership even on their death, the economic benefits that private property ownership bring to the community can be maintained. More importantly, testamentary power also serves for the proprietors to control the "simple dirty question of money"[290] of immoral successors after their death. Dramatizing the loss and pain that Lizzie brings to herself and the community, Trollope leads his readers to consider the morally ineligible beneficiaries of the reform in legislating new inheritance laws.

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In contrast to my reading of *The Eustace Diamonds* in the specific context of the reform movements toward the feudal inheritance laws, several critics have situated the novel in the broader context of emerging capitalism in the 19th century. It is not surprising that a woman character's obsession of the precious jewelry provokes critics to read the novel in the broader

[290] Ibid., 296.

issue. However, the problem is that their readings often conclude that *The Eustace Diamonds* demonstrates the negative effects of capitalism on human agency or society. As a good example, Christoph Lindner interprets that the novel shows "commodity culture's fetishistic tendency."[291] She asserts that Lizzie's loss of agency, because of her obsession with the diamonds, exhibits "a distortion of vision in which the commodity appears to erase all trace of the human presence that animates it."[292] In other words, Lizzie's struggle to achieve a power through the possession of the commodity shows how much she is also entrapped in "the capitalist paradigm that frames and informs the whole of its account of society and its membership."[293] This reading also assumes Trollope's reactionary stance against the expansion of capitalism, as the novel dramatizes its negative consequences to the human life.

However, it is a misinterpretation that Trollope proposes to react against capitalism by describing how this economic system deprives Lizzie of her agency and deteriorates her character. As I elaborated on how Trollope's idealization of the ethical subject actually serves to stabilize the liberal economic system in the chapter of *The Warden*, Trollope aims at envisioning the fundamental principle that secures private property ownership in order to strengthen the liberal economic system rather than criticizing it in *The Eustace Diamonds*. The novel's illustration of the complementary relation between individual morality and private property ownership suggests that individual morality is the most essential component of this ownership and the liberal economy.[294] The novel does not intend to show how the liberal economic system

[291] Lindner, *Fictions of Commodity Culture*, 76.
[292] Ibid., 76.
[293] Ibid., 91.
[294] Based on Trollope's autobiography, Andrew Miller points out that Trollope embraced commodity culture rather than criticizing it. Trollope regards himself as a producer of marketable commodities (159-60). To Miller, Trollope is squarely in the tradition of British possessive individualism (161). In light of this understanding, Miller reads *the Eustace Diamonds* as Trollope's attempt to ease the tension between "the satirical representation of circulation commodities and his own identity as a producer of them" (162).

or capitalism produces a morbid desire in Lizzie for the precious commodity. It does not suggest individual moral capacity as an alternative power to emancipate individuals from the overarching influence of capitalism. Instead, Trollope wants us to understand that the cultivation of moral capacity should be a required qualification for an individual to participate in this new liberal economic society replacing the traditional feudal one. The novel's characterization of Lizzie leads readers to consider that all individuals are not ready to exercise private property ownership.

The novel particularly requires this moral qualification to new participants who will be newly entitled to share the national wealth by the reform of the feudal inheritance laws. Trollope emphasizes the importance of this requirement by dramatizing how Lizzie as an ineligible new participant ends with a disastrous consequence to herself and the community. As more textual evidence, Trollope's idealization of Lucy, as Lizzie's counterpart, witnesses his central message. Lucy is idealized not because she represents truth or sincerity but because she embodies Trollope's concept of desirable ownership. Lucy covets "no man's possessions—and no woman's! but she was minded to hold by her own."[295] She thinks that the one "which she had bought with the money she had earned, or the wit which nature had given her" is truly her property.[296] This concept of the ownership asks her to recognize that "Lord Fawn's title was his

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In other words, Trollope tries to establish a proper understanding of ownership, while developing a moral vocabulary of ownership centering on the terms of honesty (162-3). Thus, Trollope accepts Lizzie's desire for the possession of the diamonds or her individualized understanding of the ownership of inheritance, but, at the same time, he condemns her deceptions. To Trollope, "[t]o lie . . . is to steal and 'to own' is, of course, to tell the truth" (180). In this way, Trollope solves the tension toward commodity culture, developing "an honesty understanding of ownership" (163). Refer to his book, *Novels behind Glass*. Miller leads us to understand how Trollope engages morality in defining the desirable ownership. Elsie Michie also points out that Trollope avows people's material desire because "all material progress has come from man's desire to do the best he can for himself" and his happiness depends on it. In his fictions, Trollope implies his criticism of Victorians' "ambivalent reactions to money" as they both acknowledge and simultaneously disavow the material underpinnings. See "Vulgarity and Money," in *The Cambridge Companion to Anthony Trollope* (Cambridge: Cambridge University Press, 2011), 144.

[295] Trollope, *The Eustace Diamonds*, 63.

[296] Ibid., 63.

own, and Lady Fawn's rank her own."[297] She does not need to complain about her social and economic position as "the humblest little thing in the world" because she only minds the one that she has achieved by her exertions.[298] When she holds this principle, she feels that "nobody was her superior."[299] Lucy's idealized understanding of the ownership clearly shows that Trollope's emphasis on the moral cultivation is designed to preserve the established social order by securing individual property ownership. Indeed, this moral cultivation draws individuals away from the question of economic inequality and social injustice that the capitalist society makes worse.

By juxtaposing the novel's main theme of inheritance with the contemporary specific historical issue regarding the reform of the feudal inheritance laws, this chapter has attempted to explain the underlining liberal politics of the novel. Trollope's idealization of moral ownership is closely interconnected with the liberal approach to the reform of the feudal inheritance laws. To Trollope, the reform is desirable because the hereditary family wealth cannot provide a moral ground for the property ownership. Therefore, the property ownership should be individualized. In the same context, Trollope suggests that the reform should focus on promoting individual liberty in managing property. The possible material improvement that the reform could bring to the unpropertied should not be the primary concern at the expense of testamentary freedom. In Trollope's mind, testamentary freedom plays a pivotal role in cultivating individuals' mental and moral capacity. When the individual property ownership is secured, each individual will try to develop his or her faculties. In addition, property owners can contribute to preserving a good social order by leaving their property in the hands of cultivated successors. Trollope believes that it is a harmonic functioning with the md-Victorian period's social emphasis on each citizen's

[297] Ibid., 63.
[298] Ibid., 63.
[299] Ibid., 63.

self-reliant liberal agency. *The Eustace Diamonds*' seemingly popular story deeply reflects the mid-Victorian liberal politics and culture. The novel also serves to reproduce and reinforce these politics and culture by embodying the liberal ideology through a story of a woman character's desire for the diamonds without directly touching upon the most crucial class issue of the distribution of wealth.

CHAPTER FOUR

Protection but Not Equal Property Rights: The Sentimental Anxiety about Proprietary Woman in Wilkie Collins's *No Name*

Like Trollope's *The Eustace Diamonds*, Wilkie Collins's *No Name* dramatizes a woman character's struggle to retrieve an inheritance. While Trollope questions the feudal legal remnants that contradict the ideal of liberal society in regulating inheritance, Collins delves into the issue of women's social and economic marginalization under patriarchal property laws. The main character Magdalen's loss of family fortune represents mid-Victorian women's disadvantaged social status because the male-centered legal codes – primogeniture and coverture – disinherit her. By portraying sympathetically Magdalen's painful efforts to regain the lost inheritance, Collins seems to suggest the necessity to reform the laws. However, I argue that, as the plot develops, the novel reproduces cultural anxieties about the significant change that the total abolition of the existing laws would bring to women's assumed moral nature, then, to the concept of "natural" marriage association. The novel arouses in its readers' mind a fear of a "self-interested" independent woman who could subvert the "natural" marital union based on the traditional belief in gender differences. The novel eventually reinforces the mid-Victorian periods' compromised liberal approach to the reform of the patriarchal property laws that focuses on providing a moderate protection to women rather than establishing the total equality between men and women. In addition, I suggest that the novel reveals how mid-Victorian liberal reformers' emphasis on morality and character-building results in their ambivalent stance toward the individualist liberal pursuit of equal property rights for women.

The two English laws, primogeniture and coverture, to restrict women's property rights exemplify Victorian women's marginalized legal and social existence throughout the late 19th

century. As I introduced in the previous chapter, the law of primogeniture enforced all individuals' real estates and heirlooms, when they died intestate, to be devolved on their eldest sons or male relatives. Unless fathers set aside some portion of family fortune for their daughters, male heirs exclusively inherited the whole family fortune. Upon their fathers' death, daughters were doomed to seek a new economic protection from their male relatives or future husbands. Furthermore, the common law doctrine of coverture didn't allow married women, unlike single women, to have property rights and testamentary freedom. Through their marriage, women's property rights were legally transferred to their husbands. Whether they possessed it before their marriage or earned it after the marriage, married women's property belonged absolutely to their husbands. Even if they survived their husbands, their property went to the next male heirs.[300] In William Blackstone's words, "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."[301] Simply put, marriage degraded women to a non-existent legal entity.

Wilkie Collins's *No Name* deals with the Victorian women's legal and social marginality through a story of two women characters who are disinherited by the patriarchal property laws. The Vanstone daughters, Norah and Magdalen, had an ideal domestic life under their father Mr. Vanstone's paternal protection until his sudden death. For his wife and daughters, Mr. Vanstone made a will that would divide his fortune into two equal parts, that is, one for his wife and the other for his daughters. The problem occurs because he made the will prior to the official marriage with his wife. English common law nullifies any man's will that was made before his

[300] For a detailed explanation about the common law doctrine of coverture and the gradual reform of marriage laws regulating married women's property rights in the Victorian era, refer to A. V. Dicey, *Lectures on the Relation between Law and Public Opinion in England during the Nineteenth Century* (Indianapolis: Liberty Fund, Inc., 2008), 264-83.
[301] Ibid., 264.

official marriage, because it regards children of an unmarried couple as illegitimates for their family name and fortune.[302] Mr. and Mrs. Vanstones' unexpected deaths from respectively an accident and illness also prevent them from making another required will for their daughters. Because of the absence of an authorized will, a legal regulation intervenes in the Vanstone family's domestic economy. As they died intestate, the law of primogeniture disinherits the Vanstone daughters and enforces the family fortune to be transferred to Mr. Vanstone's old brother, Michael Vanstone, and upon his death, again, to his eldest son, Noel Vanstone. The male-centered common law of primogeniture has deprived the Vanstone daughters of their right to the inheritance, which was originally intended to be theirs by Mr. Vanstone.

The Vanstone daughters' suffering, in particular Magdalen's one, does not end with the unexpected disinheritance and impending poverty. The novel continues to dramatize how the common law doctrine of coverture adds a series of misfortunes to Magdalen's life. Magdalen audaciously plans to marry her cousin, Noel, for he refuses to share the inheritance with her and her sister, by disguising herself as someone else. Although her revengeful plan looks unrealistic and seems designed to produce a dramatic suspense, as Philip O'Neill notes, it insinuates that marriage is the only option open to the Vanstone daughters for their new economic stability.[303] In

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[302] Lilian Nayder appropriately points out that "while Collins is concerned with illegitimacy as a social and legal problem in *No Name*, he uses it to an ulterior end: to address the issue of married women's property rights and legal status." She suggests that Collins's treatment of the issue of illegitimacy of the Vanstone daughters and the laws that govern it serves "as a displaced critique of English marriage law and the disinherited condition of English wives." See *Wilkie Collins* (New York: Twayne Publishers, 1997), 88. Nicola Shutt also notes that "illegitimacy was worse for daughters than for sons." Illegitimate sons generally had a good education and didn't have any social discrimination "in terms of professional career or marriage." However, Illegitimate daughters had "to struggle with every disadvantage from their rank in life," because marriage was the only career open to them. It tells us that although illegitimacy begins to cause the Vanstone daughters' suffering, their disadvantaged social status as women becomes the actual main reason for their life struggle. See "Nobody's Child: The Theme of Illegitimacy in the Novels of Charles Dickens, George Eliot and Wilkie Collins" (PhD diss., The University of York, 1990), 9, ProQuest (DX94378).

[303] Philip O'Neill suggests that Magdalen's deceitful marriage plan shows why women have to be married to "win legal recognition and a place in society" as the only option for them. Refer to *Wilkie Collins:*

addition, the novel shows that even marriage does not provide an ultimate economic security to women by leading Magdalen's marriage plot to an unsuccessful ending.[304] Magdalen succeeds to marry Noel, but she fails to have the lost inheritance back upon his death. Being informed of his wife's real identity through his housekeeper, Noel disinherits his wife and bequeaths all property to his male cousin, George Vanstone. Unlike Scotland's law at the time of the story that guaranteed wives to take a half of husbands' property upon their death, English common law didn't protect married women's economic interests from their husbands' malicious wills. The common law doctrine of coverture only protected husbands' property rights. The law considered the wills of husbands to represent wives' interests, because the legal existence of married women was "consolidated into that of the husband."[305]

Many critics claim that the novel highlights the women characters' suffering as the author's literary strategy to demonstrate the need for the reform of the patriarchal legal codes. Furthermore, the novel's unconventional characterization of its heroine Magdalen leads literary critics to regard Collins as a radical novelist who resists the traditional belief in gender differences as well as the patriarchal laws.[306] Douglas Maceachen points out that the novel successfully drew the public's attention to "an injustice in the English legal system."[307] Nicola

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Women, Property, and Propriety (Totowa, N. J.: Barnes & Noble, 1988), 163.

[304] Nayder contends that "[w]hile Magdalen hopes to make her father's fortune 'change owners again', the means she employs to do so – matrimony – necessarily defeat her ends." Magdalen's marriage plot "is doomed to failure" because of the gender inequality in English common law. See *Wilkie Collins*, 90.

[305] Dicey, *Lectures on the Relation*, 264.

[306] Magdalen's bold reaction to the disinheritance differentiates the novel from other early 19th century novels' conventional representation of female characters who share the same suffering with Magdalen. For example, the heroines in Jane Austen's *Pride and Prejudice* accept their disinheritance and do not question the authority of male-centered legal regulations of inheritance. In contrast, Magdalen does not passively accept the disinheritance, unlike her old sister, Norah, and Jane and Elizabeth in Austen's novel. Instead, Magdalen passionately attempts to retrieve her father's fortune, displaying aggressive unfeminine characteristics.

[307] See "Wilkie Collins and British Law," *Nineteenth-Century Fiction* 5, no. 2 (1950): 123. Maceachen believes that Collins "deserves at least an honorable mention in the history of British legal reform" (139).

Shutt asserts that Norah and Magdalen's "suffering represents a wholesale repudiation of the patriarchal system."[308] Shutt also contends that Collins empowers Magdalen to redefine the established social ideas about "sex and marriage" by "hinting that more conventional ones like her sister Norah were basically powerless."[309] To Shutt, Magdalen's fraud and crime also should not be mattered because she employs these tactics to resist the oppressive gender structure on women. Philip O'Neill maintains that Collins deliberately shows "a very basic objection to the common representation of women in literature."[310] To O'Neill, Collins's subversion of the conventional literary representation expresses his critique of "how the law operates to maintain this [patriarchal] structure and the subordination of women in the interests of property."[311] In a similar sense, Deirdre David claims that Collins's "sympathy for a rebellious heroine in search of subjectivity" indicates his attack on the confinement of women by "Victorian codes of sexual and gender conduct."[312] David believes that Collins's sympathy for Magdalen proves his radical gender politics.

However, while I concede that the novel appears to have a pro-reform stance and sympathetic tone toward the unfortunate heroine, I argue that it ironically suggests an ambiguous attitude toward Magdalen's rebellion against the patriarchal property laws, more importantly, for

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[308] Shutt, "Nobody's Child," 199.
[309] Ibid., 199. Nicholas Rance also agrees with Shuttt's point, stating "whether the retrieval of the fortune derives from Norah's 'goodness' or Magdalen's 'evil' is left ambiguous." To him, this ambiguousness is to undermine Norah's "goodness" and to credit Magdalen's "natural firmness of will." See *Wilkie Collins and Other Sensation Novelists: Walking the Moral Hospital* (Rutherford: Fairleigh Dickinson University Press, 1991), 93.
[310] O'Neill, *Women, Property, and Propriety*, 5.
[311] Ibid., 8.
[312] See "Rewriting the Male Plot in Wilkie Collins's *No Name*: Captain Wragge Orders an Omelette and Mrs. Wragge Goes into Custody," in *The New Nineteenth Century: Feminist Readings of Underread Victorian Fiction*, eds. Barbara Harman and Susan Meyer (New York: Routledge, 2010), 33-4. In this article, David explores "an informing link between [Collins's] restlessness with dominant modes of literary form and fictional critique of dominant modes of gender politics" (33). He argues that the novel's complex shape of narration "is inextricably enmeshed with its thematic material," that is, its critique of Victorian gender politics (33).

the economic emancipation of women. Even though the novel develops its main plot on Magdalen's suffering and her efforts to restore the inheritance, Magdalen ultimately fails to retrieve her father's inheritance through her unconventional efforts. Instead, her passive sister, Norah, who accepted her disinheritance and a culturally enforced life for women, finally regains the family fortune:

> Norah, whose courage under undeserved calamity, had been the courage of resignation – Norah, who had patiently accepted her hard lot; who, from first to last, had meditated no vengeance, and stooped to no deceit – Norah had reached the end which all her sister's ingenuity, all her sister's resolution and all her sister's daring, had failed to achieve. Openly and honourably, with love on one side and love on the other, Norah had married the man who possessed the Combe-Raven money.[313]

The above quote shows that the ending of *No Name* even praises Norah's conventional feminine characteristic represented by her "courage of resignation" and "love." In contrast, the novel paints over Magdalen's "daring" efforts with negative words in a moral sense, such as "vengeance" and "deceit." What makes the ending more problematic is that the family fortune does not come back directly to the Vanstone daughters. Norah just "had married the man," the next male heir, who inherited the family fortune from Noel. Norah is not supposed to share her future husband's property rights under the common law doctrine of coverture. In addition, the novel ends with another idealized marriage of Magdalen with Captain Kirke to save her from a fatal illness that she suffers from after her miserable failure to recover the inheritance. The novel finally submits Magdalen to the patriarchal protection through her traditional marriage union. Laurence Talairach-Vielmas properly claims that "the closure of the story reasserts male

[313] Wilkie Collins, *No Name* (London: Penguin Books, 2004), 598.

supremacy over female transgressiveness."[314] The novel eventually creates a disciplinary effect on Magdalen's transgressive struggles. It appears to redress Magdalen's desire to reshape her oppressed life as a woman under the patriarchal culture. This disciplinary effect also functions as a literary tool to moderate readers' passion for the reform that is provoked by the women characters' suffering. Furthermore, it diverts readers from their demand for the reform to self-control within the established cultural boundary. Likewise, the novel's ending significantly contradicts its acclaimed critical pose against the patriarchal property laws and the gender differences. For this reason, we shall reexamine the real effects that the unconventional representation of Magdalen engenders.

Many literary critics even interpret the novel's ending in a defensive manner to uphold Collins's radical positioning. Richard Barickman asserts that "[t]his [the ending] is not Collins's quirkness . . . but his sharp insight into his culture's workings."[315] According to Barickman, the ambivalent ending is designed to show the reality of Victorian society "that few direct, radical assaults on Victorian culture were able to perceive."[316] Although Collins's gender politics is not clear at some moments, this critic maintains that the writer eventually pursues "a thorough

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[314] See "Victorian Sensational Shoppers: Representing Transgressive Femininity in Wilkie Collins's *No Name*," *Victorian Review* 31, no. 2 (2005): 71. Talairach-Vielmas explores Magdalen's "ambivalent engagement" with the market economy. She asserts that the novel proves how Magdalen's self-construction of her identity in the commercial society makes her enslaved to the market economy rather than empowering her. She argues that the sensation novels in the mid-Victorian period "embedded their narratives within a capitalist society where the construction of 'woman' subversively depended upon the market economy" (57). In the same understanding, Nayder also points out that the novel's conclusion could "blunt[s] his [Collins] critique of common law by suggesting that both Magdalen and Norah can be happily married, with their fortune regained for them by Norah's husband." See *Wilkie Collins*, 91.
[315] See *Corrupt Relations: Dickens, Thackeray, Trollope, Collins, and The Victorian Sexual System* (New York: Columbia University Press, 1982), 148. Barickman also points out that Collins employs the form of mystery to release "his unconscious perceptions . . . that even his unconventional mind was not ready to ratify consciously" (112). Developing an appropriate narrative form for his radical ideas, Collins effectively gives an expression to his unconscious rebellion "against the fragility and emptiness of conventional feminine identity" (120).
[316] Ibid., 149.

change in the sexual foundations of Victorian values."[317] Similarly, Lyn Pykett contends that the novel's ambiguous ending enables Collins "to offer a critique of modern marriage customs . . . while at the same time concealing that critique in the moral ambiguity of Magdalen's character."[318] Pykett believes that the ending represents a realistic aspect of Victorian women's fate. Magdalen's final failure of her revenge plot and her return to the traditional marriage union "anticipate the fate that was to befall the attempts of active and highly strong young women to flee the nets of restrictive gender and social roles."[319] As another defensive interpretation of the ending, Lilian Nayder claims that the ambivalent ending does not imply "a sign of Collins's mixed feelings about his aggressive heroine."[320] Instead, it intends "to soothe ruffled readers" by drawing "a moral lesson from a subversive story."[321] To Nayder, despite its gender-oppressive moralistic conclusion, "the daring Magdalen rather than the resigned Norah is [still] his central and heroic figure."[322]

In contrast to the readings of these critics, I argue that the novel's ending should not be disregarded as Collins's tactful handling of Victorian readers' embarrassment with Magdalen's unconventional character or as his realistic representation of women's marginalized condition in

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[317] Ibid., 149.
[318] Lyn Pykett, "Collins and the Sensation Novel," in *The Cambridge Companion to Wilkie Collins*, ed. Jenny Taylor (Cambridge: Cambridge University Press, 2006), 61. In this article, Pykett explores how sensation novels as a popular sub-genre have been discussed in relation to important contemporary social issues. In particular, she points out that many sensation novels "owe something to the debates about the rights of (middle- and upper-class) women and their changing roles both within and beyond the family which filled the pages of newspapers and periodicals throughout the 1850s" (52).
[319] Ibid., 62. Pykett also believes that although the ending looks disappointing to the twenty-first-century readers, it was shocking to the contemporary readers at the time of the novel's publication. Collins, at least, does not punish Magdalen's fraud and crime that she committed, even though she fails to recover the inheritance (63).
[320] Nayder, *Wilkie Collins*, 91.
[321] Ibid., 91. In a similar sense, Deirdre David points out that Collins could not help ending the novel with Magdalen's return to the domestic life because he was "eventually placed in the demanding custody of his serialized novel." See her article, "Rewriting the Male Plot," 43.
[322] Nayder, *Wilkie Collins*, 91

Victorian society. If we only pay attention to Collins's pro-reform pose and his sympathy for Magdalen, we cannot fully understand the novel's complicated engagement with the mid-Victorian gender politics. The novel's problematic ending is not an unexpected turn of its overall pro-reform pose. The novel begins with a destruction of an ideal home and ends with a reconstruction of two other homes through traditional conjugal unions. It puts a central focus on the construction of the ideal home. The novel's main events and unconventional representation of Magdalen are sophisticatedly crafted to match with this central focus. In fact, Collins draws our attention to what makes the ideal home malfunction and how to rebuild it in order to protect the "natural" marriage union constructed on the traditional gender divisions, rather than providing a vision of new domestic structure and gender roles.

To fully understand Collins's ambivalence toward Magdalen's unconventional reaction, this chapter contextualizes the novel within mid-Victorian liberals' compromise regarding the rising demand for the equal property rights between men and women. The process of amending the Married Women's Property Bill in the British parliament, dominated by the liberal party, around the time of the novel's publication reveals the liberal reformers' double stance toward the unequal economic and social condition of women. Mid-Victorian liberals didn't deny the necessity to reform the patriarchal inheritance and property laws that unfairly had governed women's property rights, in particular, those of married women. The existing laws contradicted the fundamental liberal principle for individual freedom and private property rights. However, at the same time, liberals were reluctant to abandon the patriarchal domestic structure and gender divisions. While liberals wanted new laws to provide a reasonable protection for women, they did not attempt to actualize the gender equality, for which they had to entirely invalidate the traditional gender divisions and the existing laws as well. In liberals' mind, the ideal of

domesticity is a peculiar arena, protected from market principles and state interventions, where individuals independently perform a moral cultivation and character-building. The myth of women's selflessness or disinterested morality takes an essential part in constituting that ideal domestic space. Collins's ambivalence reflects this compromise and anxiety about the radical reform of the patriarchal property laws.

To observe the connection between Collins's ambivalence and the liberal reformers' compromise, this chapter reexamines the unconventional representation of Magdalen that has been suggested by many critics to testify to Collins's radical position regarding the issue of gender equality. I suggest that the unfeminine characterization of Magdalen evokes readers' reactionary fear of the reform. In her vicious struggles to retrieve the lost family fortune, Magdalen shows her capacity of inventing her own identity to be aptly adjusted to the market world. Betraying the traditional assumption of women's selfless nature, she demonstrates how a woman can bear an alienable self that is required to embody the interest-driven market principles. In other words, she shows her ability to alienate herself for making an interest-pursuing contractual relationship. However, the novel's portrayal of Magdalen diverts readers' attention from the critique of the absurdity of established gender differences. Collins, rather, warns us how Magdalen's transgressive self-construction can entirely destroy the "natural" marital association. He does not aim at proving a possible subversion of the gender roles for the gender equality. This hints at the reason Magdalen cannot help being converted again to a traditional selfless feminine figure at the end of the novel to constitute an idealized marriage union. The rest of the chapter explores how Collins's ambivalent stance toward Magdalen's transgressiveness and his valorization of the ideal home eventually reproduce the mid-Victorian

period's compromised liberal approach toward the reform of the patriarchal property laws and the issue of gender equality.

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In August 1870, the British parliament passed a notable act in the history of feminist movement, that is, the Married Women's Property Act. The Act represents the first attempt of the parliament, dominated by liberals, to reform the common law doctrine of coverture that did not sanction married women's independent legal and economic existence. It took thirteen years to pass the Act since the original bill had been introduced in 1857 to the Commons. The bill drew a significant amount of social attention and provoked a debate on the reform of the male-centered property laws in the mid-Victorian era. [323] To pass the act, the Married Women's Property Committee, a feminist organization led by Lydia Becker and Elizabeth Wolstenholme, organized a remarkable campaign. The committee presented 141 petitions with 78,000 signatures to the House of Commons and distributed around 35,000 pamphlets in 1868-69.[324] Lee Holcombe notes that "the reform of the married women's property law was the most important of all the legal reforms won by feminists in the nineteenth century."[325] In her words again, it could be praised as "the first point in the women's charter"[326] to reshape the patriarchal feudal property laws under the liberal ideology for individual freedom and private property rights.

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[323] One newspaper article remarks that "[o]ne of the most important subjects, from a social point of view, lately debated in the House of Commons has been the Married Women's Property Bill." See "Married Women's Property – The Ladies' Column," *Penny Illustrated Paper*, April 24, 1869, 267.
[324] Refer to "Mr. Russell Gurney's Bill on the Property of Married Women – To the Editor of the Daily News," *Daily News*, July 28, 1869.
[325] See *Wives and Property* (Toronto: University of Toronto Press, 1983), 3. Holcombe comprehensively narrates the Victorian feminists' motivation and strategy that they showed in the process of achieving the Married Women's Property Act of 1870. Holcombe represents a traditional view that defines the Act as a victory of the mid-Victorian feminist movement. Holcombe believes that the Act brought tremendous effects on Victorian women's life.
[326] Ibid., 17.

However, Victorian feminists didn't regard the Married Women's Property Act of 1870 as a victory of their struggles. Mary Shanley points out that "[t]he friends of married women's property reform scarcely knew whether to regard the Married Women's Property Act of 1870 as a victory or a defeat."[327] As a matter of fact, the Act of 1870 looks far different from the original bill initially submitted in 1857 and re-submitted in 1868 to the House of Commons. The original bill proposed to give the same property rights to married women as men had. The first clause of the bill clearly announces its basic purpose: "I. From and after the passing of this act a married woman shall be capable of holding, acquiring, alienating, devising, and bequeathing real and personal estate, and of suing and being sued, as if she were a *femme sole*."[328] The original bill intended to enable married women to own and control their property, and to exercise testamentary freedom as the completion of the full property rights. In addition, it sought to empower married women to make an independent contract on their will without their husbands' consent, having them solely responsible for a legal suit. By guaranteeing a comprehensive economic independence of married women, the original bill aimed at promoting the equal status of married women with their husbands in the household.

Nevertheless, the passed Act of 1870 failed to retain the original bill's pursuit of the property rights of married women equal to those of husbands.[329] The select committee by the

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[327] See *Feminism, Marriage, and the Law in Victorian England* (Princeton: Princeton University Press, 1989), 68. Shanley discusses how Victorian feminists appropriated "the liberal values of individual autonomy and equal rights," but how their dependence on the liberal theory made them unintentionally reinforce the traditional gender divisions in labor and family relations (4). According to her, liberal thinkers "since the seventeenth century had assumed that there was a natural division of labor between men and women" (4). This assumption had established "[t]he presumed distinction between the 'public' world of politics and law and the 'private' world of the family" (4). Shanley argues that liberal theorists ultimately solidified the unequal social and economic status of women by exempting "family relationships from the rules of justice that were to govern human relations in the public realm" (4).

[328] See "Property of Married Women," *Lloyd's Weekly Newspaper*, May 24, 1857.

[329] Shanley points out that, "feminists had gained a married women's property law but failed to win legislative recognition of the principle that a married woman had a right to a legal status independent of and equal to that of her husband." See *Feminism, marriage, and the law*, 77. The contemporary feminists'

House of Lords significantly amended the bill. Just like one conservative newspaper article praised the amendment, the committee entirely re-casted the original bill: "About one half of the clauses of which it originally consisted have been altogether expunged . . . among them are those which were at once the most characteristic and the most objectionable."[330] Most importantly, the amended bill limited married women's rights to a "separate property" for their use that must be kept in somebody's trust, mostly their husbands' one, instead of giving them full property rights.[331] The parliament passed a technical law reform rather than solving injustice in the property relation between men and women. The Act focused on resolving "the long-prevailing conflict between the common law and equity . . . [by] superseding of the [common] law by equity in the case of conflict between them."[332] Despite the common law doctrine of coverture, equity had enabled rich people to set aside some fortune as a marriage settlement through an

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response to the amendment also shows how much the Act differed from the original bill. In one article of *The Leeds Mercury*, the Married Women's Property Committee organized by women activists declines to accept the present Act "as even a temporary settlement of the question." See "Married Women's Property – To the Editors of The Leeds Mercury," *The Leeds Mercury*, August 27, 1870. Thus, in another article, women activists announce to keep their organization intact "to continue to press the subject upon public attention" in order to achieve a complete measure "investing the married women with the absolute ownership of her property." To them, the act of 1870 is "a trap by which women should be led to imagine they had a right over their own property, and at the same time to deceive them by not giving them that right." The act was not grounded on the principle of justice and equality. The guiding principle for the parliament "seemed to be how much should be done, rather than what should be done – rather how much was demanded by the popular voice . . . than what was to be done to meet the demands of justice and right." See the article titled "The Property of Married Women," *Manchester Times*, September 23, 1871.

[330] See "The Married Women's Property Bill," *The Pall Mall Gazette*, July 21, 1870.

[331] In "Class, Gender, and Liberalism in Parliament, 1868 1882: The Case of The Married Women's Property Acts," *The Historical Journal* 46, issue 1 (2003), Ben Griffin contends that the measure of "separate property" proves how both supporters and opponents of the bill were not "prepared to accept the idea that women should be free to spend that property as they pleased" (73). According to him, this measure could only provide "some means of maintenance for women who were forced to separate from their husbands, but were not seen as providing women with a means of challenging their husbands' authority" (74-5). That is, the idea of "separate property" was to retain male authority in the household. Mary Poovey also points out that, "The principle of separate property . . . did not function to extend women's rights. . . . the woman was merely the representative or carrier of property." See *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England* (Chicago: The University of Chicago Press, 1988), 72.

[332] Holcombe, *Wives and Property*, 17.

expensive legal procedure for their daughters' separate use after their marriage. The amended Act extended the already established statutory rule by the Courts of Equity to married women of the poor. This moderate measure shows that, in spite of the ostensible effort to provide legal protection to married women in need of property for their livelihood, the parliament was ultimately reluctant to endorse the gender equality. It avoided establishing the equal property rights for women.

Therefore, the Act of 1870 did not significantly enhance married women's economic and social status. The Act merely confirmed that "all wages and earnings of a [married] woman in a trade or occupation, separately from her husband's, shall be held and settled to her use independent of her husband."[333] It was designed to protect a married woman from an inebriated or insolvent husband who squanders his wife's wages. Except this protection for poor working women in some extreme cases, the act overall supported husbands' control over their wives' property. The act required married women to get their husbands' written agreement in order to keep their property as a "separate property" that they had owned before their marriage. In other words, husbands could still confiscate their wife's property upon marriage. To have a legal protection for their "separate property," married women also had to go through a formal legal process with a lawyer's aid to have a stamp duty on their application for the protection.[334] The act still applied "the complicated rules and decisions of the Equity Courts respecting the separate estate of a wife to sums of the most trifling amount."[335] In addition, the act limitedly allowed married women to secure less than £200 for their separate use in terms of personal property or

[333] Refer to "Married Women's Property," *The Era*, August 21, 1870.
[334] See "The Married Women's Property Act – To the Editor of the Daily News," *Daily News*, January 16, 1871.
[335] Refer to "Married Women's Property – To the Editors of The Leeds Mercury," *The Leeds Mercury*, August 27, 1870.

money that comes to them as an inheritance. Any exceeding amount of the inherited money belonged to their husbands. Finally, the act did not grant a married woman a full contractual capacity, for her property rights were circumscribed as a "separate property." The contract she made could "not bind her personally but only her separate property."[336]

The parliament's compromise on the egalitarian pursuit of the original bill shows how the double standard of gender was deeply embedded in the Victorian society and culture. One conservative newspaper article reports that women's nature was assumed "by force of nature . . . timid, helpless, and dependent . . . less stable tempers, less calm judgment, less strength as well of brain as of body."[337] Based on this alleged weakness of women, the opponents of the bill claimed: "The present law is, on the whole, in accord with facts; the proposed law would be at variance with facts. As it is, we acknowledge the truth that women are not as men."[338] In the opponents' mind, married women even would lose the protection that they had under the traditional marriage union if they want to be in an equal position with men in the domestic realm. Therefore, the opponents contended that women rather would want to keep the current protection from their husbands "in their present state of proprietary impotence and irresponsibility than acquire the rights and correlative obligations of property which the bill proposes to confer and impose upon them."[339]

However, the conservative belief in the physical and emotional weakness of women was not the main reactionary force that drove the amendment of the original bill. Rather, it was a cultural anxiety stirred by the bill that the equal property rights could change the assumed nature

[336] Shanley, *Feminism, Marriage, and the Law,* 127.
[337] See the untitled article in *The Western Mail*, July 31, 1869.
[338] Ibid.
[339] "The Married Women's Property Bill," *The Pall Mall Gazette*, July 21, 1870.

of women and, consequently, the "natural" marital association.[340] In other words, the arising fear of a proprietary woman who would hold a strong autonomy in the marriage actually obstructed the reform of the patriarchal property laws on the principle of equality and justice. The novel's unconventional representation of Magdalen and its dramatization of her revengeful marriage plan can be explained in terms of this cultural anxiety. The below passage from an article in *Saturday Review* shows the shifted cultural concern from the assumed weakness of women, thus, their ineligibility for the equal property rights, to the possible change of women's nature and its negative effects on the marriage association:

> The various consequences of giving a married woman the rights and liabilities of a *feme sole* have perhaps not been fully considered by Mr. Lefevre. . . . Marriage is a partnership of a very peculiar kind, and it has not yet been ascertained that an indissoluble firm can prosper on principles of absolute equality. . . . The proposition that women are equal to men . . . would, among other results, convert marriage into an absurdity. Disparity is an indispensable condition of the closest possible union.[341]

Quoting various politicians' concerns with the bill, the above article states that the proposed bill on "principles of absolute equality" would "convert marriage into an absurdity." In more anxious words, the article warns that the bill would even "entail upon marriage the consequences of high treason."[342] Interestingly, the article does not rely on the traditional belief in women's weak nature to oppose the bill. Instead, it claims that a legal reform could bring a dangerous change to

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[340] Griffin points out that "[t]he most striking feature of the debates on the Married Women's Property Bills is how little time was spent discussing the principle of sexual equality, and how much time was spent discussing the idea that giving married women property rights would cause discord in the home." See "Class, Gender, and Liberalism," 62.
[341] "Married Women's Property," *Saturday Review of Politics, Literature, Science and Art*, June 13, 1868, 773.
[342] Ibid., 773.

the marriage relation if married women would not be subject to their husbands anymore under the changed legal circumstance. It obviously presumes that a legal change would make women be capable and powerful as men with the equal property rights. Thus, the article argues that to keep the marriage "indissoluble," "disparity is an indispensable condition." These anxieties were prevalent in the mid-Victorian period. When the original bill was submitted to the Commons in 1857, a newspaper article expresses a similar warning that the bill would "annul[s] the principle of identity" between husbands and wives when wives have a powerful autonomy pursuing their self-interests in the marriage union.[343] When the bill was introduced again around a decade later, the same warning occupied most newspapers and journals again, claiming that "a new general principle is introduced, which subverts the whole relation of husband and wife. . . . The whole tenor of the bill is to . . . break up or embitter family life."[344]

The liberal reformers' double stance toward the nature of women and the "natural" marriage association provoked the above anxieties. Since the late 18th century, English radicals pursued their egalitarian vision of gender relation based on the idea that external circumstances are more important factors in explaining individuals' behavior and character than their internal nature. Individuals' nature even can be alterable with a changed circumstance. Relying on this idea, as Barbara Taylor points out, many early radicals claimed that "women's apparent inferiority was a product of 'vicious circumstances' rather than innate deficiencies."[345] In agreement with their thought, many Victorian feminists contended that women would be capable

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[343] "The Married Women's Property Bill," *The Belfast News-Letter*, July 14, 1857.
[344] "Married Women's Property," *The Leisure Hour: A Family Journal of Instruction and Recreation*, Feb. 27, 1869, 142.
[345] Taylor points out that Owenite feminists fully developed this idea under Robert Owen's emphasis on "character formation." See *Eve and The New Jerusalem: Socialism and Feminism in the Nineteenth Century* (Cambridge: Harvard University Press, 1993), 25. In this book, Taylor explores how Owenite socialists integrated the vision of women's emancipation into a general social emancipation and how they "inspired attempts to construct a new sexual culture" (xi).

for the public roles that men take, since the current dependence of women on men is a culturally formed relation.[346] Many mid-Victorian liberal reformers shared the radical feminists' idea. J. S. Mill was the most important figure who represents them. In his book, *The Subjection of Women*, Mill argues that women's social and economic subjection to men conflicts with the principle of individual freedom. The emancipation of women would maximize the liberal principle and advance the progress of civilization. To support his argument, Mill repeats, throughout the entire book, an assertion that women's weak nature is "an eminently artificial thing—the result of forced repression in some directions, unnatural stimulation in others."[347] If women have an appropriate education and a favorable environment for their entry into the political and business world, they would be equally as capable as men are.[348] In short, he contends that the traditional gender differences and divisions could be alterable with necessary changes of external circumstances.

However, unlike the radical feminists who pursued the total subversion of the patriarchal social and domestic structure, Mill showed an ambivalent attitude to making a real change into the concept of "natural" marriage union. Leslie Goldstein points out that "he stopped dead short at the brink of radical alteration of the traditional marriage institution."[349] Despite his radical

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[346] As a good example, Harriet Taylor, based on the belief of women's capability, argued that women should be placed "on the most entire equality with men, as to all rights and privileges, civil and political." She also claimed that "[p]ublic offices being open to them alike, all occupations would be divided between the sexes." See "On Marriage and Divorce," in *Essays on Sex Equality*, ed. Alice Rossi (Chicago: the University of Chicago Press, 1970), 86.

[347] See *The Subjection of Women* (Oxford: Oxford University Press, 1998), 493.

[348] He states that "any of the mental differences supposed to exist between women and men are but the natural differences in their education and circumstances, and indicate no radical difference, far less radical inferiority, of nature." Ibid., 528.

[349] See "Mill, Marx, and Women's Liberation," *Journal of the History of Philosophy* 18, issue 3 (1980): 320. Goldstein points out that Mill's "plea for women's equality has been substantially overrated" (320). Because of his ambivalence toward the traditional marriage institution, "Mill ended up not as an advocate of full equality of opportunity for women, but only as an advocate of equality of legal rights for women" (320). For another article that investigates Mill's limits in his approach toward the gender equality, refer to Julia Annas, "Mill and the Subjection of Women," *Philosophy* 52, no. 200 (1977): 179-94. Annas

approach toward the unsubstantiated assumption of women's weakness, he insists that "[i]t does not follow that a woman should actually support herself because she should be capable of doing so: in the natural course of events she will not."[350] He does not want to bring any changes to the gender divisions in the domestic life in order to keep the "natural" marital relation:

> [T]he common arrangement, by which the man earns the income and the wife superintends the domestic expenditure, seems to me in general the most suitable division of labour between the two persons. . . . Like a man when he chooses a profession, so, when a woman marries, it may in general be understood that she makes choice of the management of a household, and the bringing up of a family, as the first call upon her exertions, during as many years of her life as may be required for the purpose.[351]

Mill suggests that "when a woman marries" her common arrangement should be the domestic work taking care of "the management of a household." In Mill's mind, marriage is a unique agreement between men and women. When a woman voluntarily comes into a marriage agreement, she has agreed to accept the arranged domestic works. He thinks that as long as a marriage is a voluntary choice for women, the gender divisions in the domestic life do not have a conflict with the principle of individual freedom. Because of his ambivalent gesture, the conservatives often mentioned Mill in the parliamentary debates, claiming that even Mill would not want to "reverse the relation of the sexes."[352] His ironic view on the "suitable" domestic

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contends that "[i]n *the Subjection of Women*, Mill is sure what he is against, but he is not sure whether he is committed to a radical or reformist approach, and in trying to have it both ways blurs what he is saying" (192).

[350] J. S. Mill, "On Marriage and Divorce," in *Essays on Sex Equality* (Chicago: the University of Chicago Press, 1970): 74.

[351] Mill, *The Subjection of Women*, 522-23.

[352] Griffin points out that many active liberal supporters of the bill shared the opponents' claim of husbands' authority over wives. For example, John Westlake, "one of the staunchest champions" of the bill, conceded that "it will always be necessary to preserve to the husband some degree of authority." See his article, "Class, Gender, And Liberalism," 65.

arrangements was also continuously utilized in newspaper articles opposing the bill. For example, one article in *The Pall Mall Gazette* contends that "[i]n a healthy condition of society the support of the family must be the care of the husband."[353] Another article similarly repeats Mill's point that "[i]t [marriage] is a voluntary contract between the man and the woman for certain well-defined purposes, which binds her to keep his house for him . . . and that she is to be entertained and attired as his companion."[354] For this reason, Jean Elshtain observes that "[e]ven as he [Mill] embraces full equality of rights and citizenship for women in the public sphere . . . Mill wishes to retain much of the traditional ambience of family life tied to women's domestication and men's assumption of public responsibilities."[355] Mill only hoped that a legal reform could bring an ambiance of conjugal equality to the marriage union based on a bond of affection, but, not the total alteration of the "natural" marriage association.

Why does Mill reverse himself in challenging the patriarchal structure of marriage? Mill's hesitation in reshaping the traditional domestic structure can be found in his project of the internal character development of liberal subjects. Cultivating self-governing moral subjects is the most essential pre-requisite to achieve his vision of liberal society that guarantees each individual's equal participation in representative politics and minimizes governmental regulations of the market economy. According to Mill's belief, only morally cultivated citizens can make a disinterested decision for representative politics and be self-regulated in the unrestrained market world. The domestic sphere inevitably becomes a more and more distinctive

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[353] "The Married Women's Property Bill," *The Pall Mall Gazette*, July 21, 1870.
[354] "Property of Married Women," *Liverpool Mercury etc.*, April 24, 1868.
[355] See *Public Man Private Woman: Woman in Social and Political Thought* (Princeton: Princeton University Press, 1993), 144. Elshtain argues that "the victory of liberalism" has been significantly limited in the modern world, if "one looks to the resistance of the family to the rationalization of its inner life and relationships" (129). To her, "the victory of liberalism" means to reject "all modes of naturalism . . . on the level of abstract theory and constitution making" (129). However, liberalism has been reluctant to rationalize the "naturalism" in the family life.

place from the public site in Mill's liberal vision. Individuals should be pre-cultivated within their private spheres prior to participating in both representative politics and the market world.

In particular, the liberal vision conceptualizes the domestic sphere as a counterpart to the market world. Individuals are encouraged to freely pursue their maximum self-interests in the market world through a network of interest-driven contractual relationships, since each individual's profit pursuing would eventually promote national prosperity. As Elshtain observes, the market world leads individuals to experience "alienation" and "impersonality" under the pressures of market principles.[356] In contrast, in Elshtain's words, the family functions "as a heaven and a reminder that human beings can transcend cash exchange relationships."[357] In the liberals' epistemology, the domestic sphere functions as the only locus where individuals build disinterested or selfless human relationships, internalizing the most important moral characters that they cannot develop through contractual relationships in the market world. In this sense, Mill defines that "the family in its best forms is . . . a school of sympathy, tenderness, and loving forgetfulness of self," that is, "a school of moral cultivation."[358]

The distinction of the domestic sphere from the public ones actually makes the liberals' dual stance toward the "natural" marriage association possible. The distinction justifies an assertion that the domestic sphere needs a different operation principle from the one for the public sphere for its fundamental role to cultivate the internal moral characters of liberal subjects. Thus, Mill does not strictly apply the liberal principles, which constitute the political and business arenas, to his conception of the ideal marriage relation. To cultivate "sympathy," "tenderness," and "loving forgetfulness of self" in the mind of liberal subjects at their private

[356] Ibid., 131.
[357] Ibid., 131.
[358] Mill, *The Subjection of Women*, 510, 517.

sphere, the relation between husbands and wives should embody these most important moral characters. In other words, the marriage relationship should be made on a selfless dedication to each other unlike an interest-driven contractual relationship in the market world. In Mill's mind, it is "natural" for women to take an essential role in constituting this selfless unique partnership:

> The great occupation of woman should be to beautify life: to cultivate, for her own sake and that of those who surround her, all her faculties of mind, soul, and body; all her powers of enjoyment, and powers of giving enjoyment; and to diffuse beauty, elegance, and grace, everywhere. . . . If she loves, her natural impulse will be to associate her existence with him she loves, and to share his occupations.[359]

Mill apparently mystifies women's role of cultivation as "the great occupation" for herself, more importantly, for "those who surround her." It is notable that, though he defines the selfless nature of women as an artificial product of social ideology, Mill idealizes women's great occupation in marriage which requires that nature. The occupation needs women's whole "faculties of mind, soul, and body" and "all . . . powers of enjoyment, and powers of giving enjoyment" to be cultivated. This cultivation eventually proposes to diffuse "beauty, elegance, and grace" to everywhere. When a woman dedicates and diffuses her every cultivated character to others in her domestic space, she can earn "affection of equality" from her husband. This affection overlaps the wife with her husband's identity instead of their mutual partnership based on each other's individuality and equality. Through the selfless dedication and diffusion, a woman becomes a permanently bound entity to her husband because her existence is always associated with her husband in an ideal marriage condition. Women's assumed selfless nature makes marriage ideal. It also enables the domestic sphere to serve as a moral school for cultivating "sympathy,"

[359] Mill, "On Marriage and Divorce," 76-77.

"tenderness," and "loving forgetfulness of self" in those who surround women, since women's nature is assumed to embody these moral characters. Indeed, in Mill's vision, women are defined to have "important agencies in the formation of the character" in the domestic arena.[360]

Mill's dual stance explains us why the compromising amendment of the original Married Women's Property Bill could be attributed to the limits of liberalism itself rather than to the conservative reactionary forces against the reform. On the one hand, admitting the necessity of reshaping the property relation between men and women under the liberal principle, the liberals suggested that women might be capable as men with a suitable change of circumstances. On the other hand, as Martin Pugh contends, the mid-Victorian liberals had "highly conservative emphasis on the centrality of family life and the role of women as the civilizing force within the family."[361] They couldn't discard the mystified idea of the traditional marriage relation, assuming women's selfless nature through which the domestic sphere could function as a private locus for the moral cultivation of liberal subjects. These contradictory views in the mid-Victorian liberal ideology highlighted the importance of the "natural" marriage relation more than any previous period. At the same time, it also blasted the cultural anxieties that the equal property rights of married women would dissolve the "natural" marriage association.[362] The proposed

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[360] Mill, *The Subjection of Women*, 563. Elshtain also suggests a similar point with me. She contends that Mill embraces "a traditional division of labor within the family," because, to him, women's "traditional softening effect upon men" as "an important agency of character development" is really important. Mill "fails to see . . . those source of male power over women that lie outside legal forms." Because of his failure and his emphasis on character development, Mill "embraces a traditional division of labor within the family based on males being actively employed outside the home. Women remain private albeit 'free' beings." Elshtain argues that "the pubic world of bourgeois liberalism was dependent upon a particular vision of the private world in which women played the role of softeners and civilizers, and the family was the heaven in a heartless world." See *Public Man Private Woman*, 144-5.

[361] See "The Limits of Liberalism: Liberals and Women's Suffrage, 1867-1914," *Citizenship and Community: Liberals, Radicals and Collective Identities in the British Isles, 1865-1931*, ed. Eugenio Biagini (Cambridge: Cambridge University Press, 1996), 51-2.

[362] This anxiety can be found in many newspaper articles at the time. For example, one article in *The Pall Mall Gazette* states that "if a woman capable of earning wages becomes dissatisfied with her husband . . . this will considerable loosen the force of the marriage tie." The article contends that although the existing

property rights as a change of important legal circumstances could alter the assumed nature and domestic roles of women, as Mill observes external circumstances that could manufacture women's nature. Therefore, as Ben Griffin maintains that "[i]ronically, it was a liberal political discourse that to a great extent facilitated the abandonment of a liberal individualist proposal giving women equal rights," [363] the liberal reformers' dual stance weakened the radical demand for the equal property rights between men and women. Finally, they could not be help agreeing to amend the original bill in the parliament under the pressure of the cultural anxieties.[364] The rest of this chapter demonstrates how Collins's ambivalence toward Magdalen's transgressiveness can be juxtaposed with the mid-Victorian liberals' dual stance and how the novel reproduces the cultural anxieties about the changeability of gender roles and the "natural" marriage relation.

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Just like the genre of sensation novels depends on family secret to develop its main plot, two domestic secrets in *No Name* take a pivotal role in driving its main story. One secret in the Vanstone family is disclosed by the Vanstones' family lawyer, Mr. Pendril, right after Mr. and Mrs. Vanstones' death. He informs Miss Garth, the Vanstone daughters' governess, of the unofficial, therefore, not legally sanctioned marriage of Mr. and Mrs. Vanstone to explain why their daughters cannot inherit the family fortune. This secret belies the perfect façade of the

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law looks "harsh and even cruel, but it is a natural consequence of that theory as to the nature of marriage, and its ineffable, mysterious, and indissoluble character." See the article titled "The Property of Married Women," *The Pal Mall Gazette*, April 22, 1868. Another article maintains that "[s]o long as husband and wife live together, it is impossible to separate their interests and liabilities without doing far greater injustice than is done under the present law." See the untitled article in *The Western Mail*, July 31, 1869.

[363] See "Class, Gender, and Liberalism," 87.

[364] Shanley contends that Victorian liberals compromised "to reconcile 'the paramount authority of the husband' with 'a reasonable protection to women who are tyrannized over and down-trodden." See *Feminism, Marriage, and the Law,* 72.

Vanstone family's domesticity. Mr. Vanstone began his unofficial marriage life with his second wife, the daughters' mother, before the first wife's death. Only upon his first wife's death, Mr. Vanstone was able to legally marry his second wife after having a long illegal marriage life. The disclosure of the family secret disinherits the Vanstone daughters because Mr. Vanstone's will was made before his official marriage to his second wife. Thus, the family estate goes to the next male heir. Collins employs the first domestic secret to show how the laws that govern the transference of property in the family and the institution of marriage as well operate inappropriately. The laws of illegitimacy and primogeniture mechanically disinherit the Vanstone daughters against Mr. Vanstone's personal arrangement of his property. As Christine Bolus-Reichert points out that "*No Name* reveals the injustice wrought by the machinery of institutions,"[365] the disclosure of the first secret and the Vanstone daughters' tragedy successfully call for the reform of the laws. Indeed, the beginning of the story leads its readers to conceive Collins's pro-reform pose against the established legal regulations of the family economy.

However, the illegal marriage life of the Vanstones is not the only secret that the first scene of the story reveals. With the disclosure of the first secret, Collins is actually trying to emphasize how the ideal marriage union between a man and a woman is built on the most "natural" human relationship that the mechanical legal regulations cannot maintain. Mr. Pendril's narration of the secret affair of the Vanstones implies Collins's emphasis:

> Having once resolved to sacrifice her [Mrs. Vanstone] life to the man she loved; having quieted her conscience by persuading herself that his marriage was a legal mockery, and

[365] See Christine Bolus-Reichert, "The Foreshadowed Life in Wilkie Collins's *No Name*," *Studies in the Novel* 41, no. 1 (2009): 32. Bolus-Reichert contends that "Collins assigns profound moral significance to the idea of home" (24), as the domestic life is "almost the sole determinant of physical, social, and mental well-being" (30). She also argues that the novel's whole plot pursues "the reconstitution of home," which is threatened and unbuilt by the attacks of "the legal institutions," through "his fallen heroine" Magdalen (25).

that she was "his wife in the sight of Heaven," she set herself from the first to accomplish the one foremost purpose of so living with him.[366]

In his sympathetic narration, Mr. Pendril emphasizes what motivates Mrs. Vanstone to keep her marriage to Mr. Vanstone secret and uses her motivation to defend their unofficial marital union. Mrs. Vanstone considers Mr. Vanstone's first marriage as "a legal mockery," although it still holds a legal validity, as no love binds Mr. Vanstone and his first wife. In contrast, Mrs. Vanstone's love for Mr. Vanstone more sanctifies her union with Mr. Vanstone as a "natural" humanistic tie between a man and a woman than a legal knot that confines Mr. Vanstone to his first wife.[367] The disclosure of the Vanstones' secret does not intend to draw from readers any moral judgments on their unlawful union.[368] Instead, it implies not only Collins's rebellion against the legal regulations of marriage, but also his central concern to the constitution of the ideal marriage union. As Carolyn Dever notes that Collins reminds us of "the fundamental presumption [upon which] the concept [of marriage] is founded,"[369] Collins highlights that the

[366] Collins, *No Name*, 103.

[367] Shanley points out that liberal theorists "depicted the family as an entity that preceded the formation of civil society and existed independently of state authority" because the family was constructed on a different principle from the one for the public worlds. The principle of the public worlds was justice. However, the principle of the family was "human sexual attraction . . . [or] love." Because of this assumed difference, Shanley contends that liberal theorists distinguished the family from the public worlds. And, according to her, "it was this distinction that muted the principles of equality and consent by making them seem applicable to the public realm, but not to the private realm, populated by women." See *Feminism, Marriage, and the Law,* 12.

[368] Jessica Cox notes that, throughout his entire fictions, Collins continued to show his "disapproval of society's condemnation of the illegitimate child [and] the unmarried mother . . . particularly in relation to the inheritance of both property and name." See "Representations of Illegitimacy in Wilkie Collins's Early Novels," *Philological Quarterly* 83, issue 2 (2004): 165.

[369] See "The Marriage Plot and Its Alternatives," in *The Cambridge Companion to Wilkie Collins* (Cambridge: Cambridge University Press, 2006), 112. Dever argues that in *No Name* "Collins's concern with marriage, moreover, goes deeper than attacking legal abuses" (112). Collins wants to remind us that "the fundamental presumption" of the concept of marriage is the affective union between a man and a woman. To Collins, "neither the moral nor the legal insures success or happiness" of marriage (123).

ideal domestic life, which the Vanstones had before the laws' intrusion, was based on this most "natural" human bond.

More importantly, with the disclosure of the first secret Collins insinuates that Mrs. Vanstone played an essential role in constituting this "natural" marriage union. Revealing the Vanstones' secret affair, Mr. Pendril only narrates how Mrs. Vanstone has made the secret marriage life possible, while neglecting Mr. Vanstone's part. To live with "the man she loved," Mrs. Vanstone "resolved to sacrifice her life" to him, facing all risks that the secret marriage life would bring to her. She hold "the all needful precautions" to keep the marriage intact.[370] Mr. Pendril's admiration for her courage, again, does not contain any blame on her for the illegitimacy of their affair. Rather, it leads readers to presume that an affectionate marriage union between a man and a woman needs a woman's sacrificial dedication to a man, that is, women's selfless nature.

In addition to Mrs. Vanstone, Magdalen is supposed to reproduce her mother's feminine virtue in planning her marriage with Frank. Magdalen falls in love with her childhood friend Frank and desires to marry him. In a worldly sense, as Magdalen's governess remarks, their marriage plan "was perplexing in the extreme."[371] Magdalen has "great personal attractions, with rare pecuniary prospects, with a social position."[372] Needless to say, she deserves "the best gentleman . . . in making her an offer of marriage."[373] Frank does not have a respectful and financially promising job. He is not supposed to inherit any family fortune. Frank is literally "a penniless idle young fellow."[374] However, Mrs. and Mr. Vanstone encourage Magdalen to marry

[370] Collins, *No Name*, 103.
[371] Ibid., 60.
[372] Ibid., 60.
[373] Ibid., 60
[374] Ibid., 60.

Frank, promising to leave her a substantial inheritance. Like her mother, Magdalen has resolved to sacrifice her whole life to him together with her property. Magdalen's selflessness contributes to producing another ideal conjugal union as her mother did with her father. As the laws take away the promised inheritance from Magdalen as well as her ideal marriage plan, Collins's criticism of the legal interventions in the Vanstones' domesticity is closely related to Magdalen's lost chance to fulfill the sacrificial role of woman.

Nevertheless, several critics have interpreted that Collins criticizes the Victorian ideal of home throughout the novel's first scene of Combe-Raven. For example, Sundeep Bisla asserts that Collins wants to reveal "the artifice inherent in" the Victorian ideal of home with the disclosure of the family secret of the Vanstones.[375] Instead, I argue that Collins reproduces the Victorian cultural concern that the ideal home could be easily destabilized by the inappropriate legal interventions. The disclosure of the first secret intends to debunk the absurdity of the legal interventions in the domestic life rather than revealing the artificiality in the Victorian ideal of home. While Collins demonstrates the necessity of the reform of the existing laws, at the same time, he wants to suggest a desirable direction for the reform through his emphasis on the distinctive basis for the ideal marriage that should not be touched by another mechanical legal regulations. To Collins, the sacrificial nature of woman is something fundamental, or natural, in

[375] Bisla asserts that in the first scene, Collins "is directly parodying . . . the 'homely style of the domestic novel" (2). By this parodying, Collins proposes to "disclose both the artifice at its basis, by extension, the artifice inherent in its models, the upstanding Victorian and pre-Victorian citizenry and society" (2). Bisla believes that the disclosure of the Vanstones' domestic secret aims at criticizing the Victorian domestic ideal. She notes that "[w]hile the estate at Combe-Raven headed by Andrew Vanstone seems at first to be the ideal . . . it will soon enough turn out that the master and mistress are, shockingly, not married and that their daughters Norah and Magdalen are illegitimate" (3). See "Over-Doing Things with Words in 1862: Pretense and Plain Truth in Wilkie Collins's *No Name,*" *Victorian Literature and Culture* 38, issue 1 (2010). In a similar sense, Stana Nenadic argues that *No Name* contains "the essence of the genre . . . that . . . overturns and subverts domestic reality and domesticity." See "Illegitimacy, Insanity, and Insolvency: Wilkie Collins and the Victorian Nightmares," in *The Arts, Literature, and Society*, ed. Arthur Marwick (London: Routledge, 1990), 143.

building the ideal domesticity. New laws should not aim at totally altering this whole structure of the domestic sphere. Collins's call for the reform of the laws still endorses the traditional domestic structure or gender roles. The existing laws should be reformed in accordance with the distinctively "natural" operation of the domestic sphere. In Collins's mind, any attempts to introduce principles, such as individual freedom, justice and equality into the operation of the domestic sphere would destroy the "natural" marriage union or ideal home itself.

Considering Collins's complicated pose toward the reform, we need to reexamine Magdalen's self-construction of her new identity in the second scene that focuses on her new experience of the market world. After the destruction of a domestic happiness at her home, Combe-Raven, by the laws, unlike her passive sister Nora, Magdalen audaciously enters to the market world that she has never experienced. She seeks her own way of life that fits her talent of theatrical performance regardless of the oppressive cultural shaping of women's life at the time. While discarding her old feminine self and her sacrificial marriage plan with Frank that were constructed at the peaceful domestic world, Magdalen successfully adjusts to the market world. Magdalen's success through her talented theatrical performance has provoked favorable feminist interpretations of the novel. For example, Richard Barickman points out that by "play-acting" Magdalen begins to "mock the traditional feminine roles she mimics."[376] The second scene shows how "play-acting" empowers Magdalen as "a symbol of choosing, acting, and manipulating rather than merely accepting the hardships shared by all the women of the novel."[377] Similarly, Lyn Pykett notices that "Collins's depiction of the theatricality of

[376] Barickman, *Corrupt Relations*, 126.
[377] Ibid., 126. In a similar sense, Barickman, MacDonald and Stark notice that "Magdalen's story contains two stages: first her observations of other women and the lessons she draws from them about women's options, and second, her own parodic repetition of their roles." These critics believe that Magdalen acts out "self-consciously and with revolutionary intent." Going through these stages, Magdalen realizes that all women characters in the novel cannot find "a way to achieve happiness or independence." Therefore,

Magdalen's career as a plotter . . . is a vehicle for an exploration of issues of identity and a critique of social and gender roles."[378] Collins shows that "social identity is performative," thus, Magdalen's impersonations of various women characters "serve to suggest that both social and gender roles are forms of impersonation or masquerade."[379] In agreement with Barickman and Pykett, Laurence Talairach-Vielmas notes that Magdalen proves herself as "an endlessly reconstructible self."[380] Magdalen performs "multiple identity" and "engage[s] in a process of self-representation that patriarchal society usually forbids them [women]."[381]

However, the above critics overlook that Magdalen's new identity construction in the market world comes to solidify the Victorian ideal of domesticity. It is undeniable that Collins displays an unconventional representation of a woman character that to some extent deconstructs the cultural stereotype of gender differences. It may have been a surprising challenge to the contemporary readers' conception of the nature of women. Nevertheless, I argue that this challenge after all strengthens the Victorian ideal of home based on the gender differences. The more radical identity Magdalen achieves, the more effectively it emphasizes how the destruction of a happy domesticity originally engenders the undesirable changes of Magdalen's external circumstances and her nature. Christine Bolus-Reichert properly points out that "Collins assigns profound moral significance to the idea of home" by deriving a sequence of events "from a single, awful fact—his heroine's homelessness."[382] Magdalen's homelessness always reminds

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she "mimics these roles, designedly and dishonestly, in order to gain power not otherwise available through acceptance or compliance." See Barickman, *Corrupt Relation*, 121.

[378] Pykett, "Collins and the Sensation Novel," 60.

[379] Ibid., 60.

[380] Talairach-Vielmas, "Victorian Sensational Shoppers," 63.

[381] Ibid., 64.

[382] See "The Foreshadowed Life," 24. Bolus-Reichert notes that the novel develops its main plot carrying the homeless heroine "through to the reconstitution of home" that "was unbuilt by the law" (25). That is, the Victorian ideal of home is at the central focus of the novel. According to Bolus-Reichert, in the Victorian period, "the perception of immorality" was interconnected with homelessness, classifying

readers of the necessity of returning her back to a domestic realm. With the unconventional representation of Magdalen, the novel intends to arouse readers' fear that the removal of domestic protection could bring a negative change into the moral nature of women and that this change could eventually destabilize the "natural" marriage union. The endless re-constructability of an individual's identity is not Collins's central focus.

Magdalen's relationship with Captain Wragge suggests what kind of undesirable world and relation Magdalen as a woman is exposed to because of her homelessness. In the second scene, the novel actually more focuses on Magdalen's interaction with Captain Wragge than Magdalen's success in "play-acting." In the first scene, Captain Wragge, a distant relative of Mrs. Vanstone, loiters around Combe-Raven, to beg some money from Mrs. Vanstone. Magdalen could be kept away from having any meaningful contact with this swindler under the domestic protection. Once the domestic protection has gone away, Captain Wragge gets into Magdalen's life, adding more anxieties in readers mind about Magdalen's homelessness. Captain Wragge represents the market world, as his all manners and language are filled with business-driven interests. He always calculates economic profits he can take from every relation. For instance, the novel interestingly narrates Captain Wragge's inner economic calculation in his accidental discovery of Magdalen in the street. As he weighs "three courses . . . open to him in connection with the remarkable discovery [of Magdalen] which he had just made," Captain Wragge instantly tries to find the best way to maximize the profits he can take from Magdalen.[383] He develops a relationship with her based on his economic principle that functions the market world. Thus, Magdalen's involvement with Captain Wragge symbolizes her entrance into a

people who don't have "any fixed place of residence" as "savage" or "nomadic" (37).
[383] Collins, *No Name*, 152.

different kind of world and profit-centered relationship that she didn't experience at the domestic sphere.

Under the influence of her relationship with Captain Wragge, Magdalen internalizes an alienable self as a core difference from her selfless woman nature shaped at the home of Combe-Raven. After being informed of Magdalen's disinheritance, Captain decides to take advantage of the situation by training and managing Magdalen's play-acting and her monetary gains. He offers his help to her, and Magdalen accepts it by promising to share her gains with him. As Captain writes down this acceptance in his account book, their relationship imitates a contractual bound. Through her first experience of a contractual relationship, Magdalen embodies a market principle, demonstrating the changeability of her selfless woman nature:

> Her answer was in the highest degree satisfactory. She would permanently engage herself to nobody—least of all to a man who had taken sordid advantage of her position and mine. She would be her own mistress, and share the profits with me, while she wanted money, and while it suited her to go on. So far so good. But the reason she added next, for her flattering preference of myself, was less to my taste. 'The music-seller is not the man whom I employ to make many inquiries,' she said. 'You are the man.'[384]

Magdalen promises to Captain that she would not "permanently engage herself" with anybody. She would share the profits with Captain as a consequence of the contract. But, her contractual relationship with Captain only lasts until it meets her self-interests. As Captain concerns, "[w]hen it ceases to be her interest, she plainly threatens to leave off at a week's notice."[385] The only reason that she chooses Captain as her business partner is that he suits best for her temporary self-interests, in particular for her future plan of recovering the lost inheritance. Any

[384] Ibid., 195.
[385] Ibid., 191.

kind of human affection is not involved with her contractual relationship with Captain. It is a totally different kind of relationship from the ties in the domestic sphere. In this contractual relationship, she alienates the commodity values from herself, then, trades them with her contractual partner only for her self-interests. She does not need to care the business partner's interests because his voluntary entry into the contract means that it also fits in his self-interests. At this moment, Magdalen abandons the culturally enforced non-alienable nature of women that dominated the domestic world of Combe-Raven, and internalizes an alienable self that she needs for her existence in the market world.[386]

What is at stake is that, after transforming Magdalen into an alienable self, the novel relocates her back within a domestic arena through her marriage to Noel. Once she has accumulated enough funds to implement a plot of recovering the lost inheritance, Magdalen plans to marry Noel under a fake identity. With Captain Wragge's help, Magdalen succeeds in masking her identity and enticing Noel to marry her. Magdalen's returning to the domestic sphere not for womanly affection but for her secret ambition intends to show how her transgressive unfeminine selfhood eventually destroys the traditional concept of "natural" marriage union. The novel's unconventional representation of the heroine is actually a reflection of Collins's anxieties that changes of external circumstances could reshape a woman's nature, in particular, through her participation in the market world and her internalization of the market

[386] In contrast to my reading of the relationship between Magdalen and Captain Wragge, Talairach-Vielmas points out that their relationship demonstrates Captain Wragge's power, as "the patriarch incarnate," over Magdalen's "transgressive femininity" or her "fictional character." That is, Magdalen's theatrical performance is double bound "between autonomy and subservience to [Captain Wragge's] male appraising gaze and direction." See "Victorian Sensational Shoppers," 65. However, I argue that the novel's description of the relationship between Magdalen and Captain Wragge is more focused on Magdalen's new experience of the self-interested contractual relationship and the process of her adjustment to the market world than her subjection to him. Describing how Magdalen keeps an upper hand in this relationship, the novel actually intends to arouse readers' anxieties of women's capability to control the contractual relationship in the market world.

principle. Moreover, Collins implies a warning that a woman's reshaped nature could lead her to instrumentalize marriage for her self-interests by dramatizing Magdalen's shocking marriage plan. He does not aim at demonstrating how a woman can bear an alienable self as like a man to be capable in the public world. While the first secret of the Vanstones serves for Collins's emphasis on the distinctive basis of women's selfless nature for the ideal marriage union, the second secret of Magdalen's revengeful marriage does for his warning about the dangerous subversion of the "natural" marriage association.

Magdalen's plan to seduce Noel vividly describes how her alienable selfhood makes her marriage with Noel possible, in a contrasting way to her sacrificial marriage plan with Frank:

> She was seated before the looking-glass, mechanically combing out her hair, while that all-important consideration occupied her mind. The agitation of the moment had raised a feverish colour in her cheeks, and had brightened the light in her large grey eyes. She was conscious of looking her best; . . . After a moment, she faced the looking-glass once more; plunged both hands deep in her hair; and, resting her elbows on the table, looked closer and closer at the reflection of herself, until her breath began to dim the glass. 'I can twist any man alive round my finger,' . . . she drew back from the glass, shuddering, and put her hands over her face. 'Oh Frank!' she murmured.[387]

The passage narrates Magdalen's inner thoughts that she has right after the first meeting with Noel. After failing to persuade Noel to share the inheritance with her and sister, Magdalen begins to develop her plan of marriage to Noel. Her looking at her own reflection on the looking-glass symbolizes the moment when she brings her new identity in the profit-oriented world into the domestic sphere. Magdalen has found the fungible value of her sexual beauty at her reflection on

[387] Collins, *No Name*, 248.

the mirror. Her cheeks are colored and her large grey eyes are brightened because of the agitation she had in her disguised meeting with Noel. Twisting "her lovely light brown hair," Magdalen actually calculates a potential value of her sexual beauty. Then, the idea of seducing Noel suddenly comes up in her mind, as she is confident in "twist[ing] any man alive round my finger." Magdalen's alienable self enables her to conceive the idea of seducing Noel for her self-interests. She prices her sexual beauty for the purpose of getting back the inheritance through the conjugal union with Noel.[388] As she successfully alienated herself to trade her talent of paly-acting, she attempts to make another trade in the domestic arena, while keeping her self-interests in the marriage partnership.

In the above quote, it is notable that Magdalen's plan to seduce Noel is immediately contrasted with her nostalgic remembrance of Frank. As "she drew back from the glass" with a feeling of remorse, Magdalen realizes that her happy domestic life and her selfless womanly nature fade away. This fallen image from her former self that she maintained at Combe-Raven repetitiously comes up until her marriage to Noel. In her letter to Norah, Magdalen expresses that she "feel[s] as if I had parted from my former self—as if the hopes, once so dear to me, had all gone back to some past time, from which I am now far removed."[389] Before making a final decision to marry Noel on a solitary shore, she also describes her feeling that "she had torn from her the fondest of her virgin memories, the dearest of her virgin hopes."[390] Then, her feelings

[388] In contrast to my reading of Magdalen's plan of seducing Noel, Deirdre David interprets that, "through the chilling picture of sexual bargain," Collins wants us to see that "disinherited middle-class women, deprived of paternal protection, assume an identity . . . that of sexual object." See "Rewriting the Male Plot," 37. However, we should observe that in the description of Magdalen's plan of sexual bargain, she is not objectified or victimized. Rather, Collins wants us to attend to how Magdalen's transformed self can powerfully destroy the concept of ideal marriage union at this moment rather than how powerless she is as a woman without paternal protection.
[389] Collins, *No Name*, 258.
[390] Ibid., 281.

turn into an image of death. The closer the time of marriage comes, the more Magdalen feels helpless. She even feels "Death the Tempter . . . at her heart."[391] And, finally, she wakes up on the day of the marriage with "her last waking thought—the image of Death."[392] The image of death in her mind indicates the metaphoric demise of her former self. Magdalen has originally struggled to reconstruct her old domestic life. However, ironically, she has closed a way back to the ideal domestic life at Combe-Raven. It is not surprising that the image of death is also compared with the death of her parents, signifying the total destruction of a possibility to return to her old domestic life by herself.[393] Magdalen's self-interested marriage to Noel means not only her final separation from her former self, but also the unexpected total destruction of the fundamental foundation for the "natural" marriage union.

Overlapping Magdalen's marriage to Noel with the image of death hints at Collins's opposition against Magdalen's contractual approach to her marriage union. She plans an unconventional marriage radically different from the one that she dreamed with Frank. Unlike her sacrificial marriage plan with Frank, her relationship with Noel only lasts until it meets her self-interests. She keeps her autonomy in the relationship to achieve her hidden purpose of retrieving the inheritance. Magdalen's alienable self makes this relationship conceived in her mind, as there are not any affectionate bonds between her and Noel. This implied opposition leads us to understand the novel's engagement with the mid-Victorian liberal reformers' dual stance toward the nature of women and the traditional concept of marriage union. Like the liberal reformers, Collins accepts the transformability of women's nature under the changes of external circumstances. However, he does not consider the reshaping of the male-centered domestic

[391] Ibid., 397.
[392] Ibid., 397.
[393] Ibid., 397.

structure as a desirable one. The principle of contractual relationship of the market world is not applicable to constitute a marriage union. Dramatizing Magdalen's revenge plan through marriage, Collins reinforces the mid-Victorian period's cultural anxieties about the disastrous result that the radical possibility of re-constructible women nature would bring to the "natural" marriage union.

Therefore, the novel converts Magdalen again to her former sacrificial self as a precondition for her re-admission to an ideal domesticity. Magdalen fails to retrieve the lost inheritance through her marriage with Noel. But, a final unexpected chance comes up to her to earn the half of the inheritance. Leaving all his property to Mr. George, Norah's future husband, Noel put the property in a trust conditioning that Mr. George must marry within 6-months after his death to be his legal heir. Noel worried that Magdalen could entice Mr. George again as she did him. Norah accidently found the document of trust and brings it to Magdalen. Magdalen "torn the Trust to pieces" that entitles her to the half of Noel's property, because Mr. George's failure to meet the condition nullifies Noel's final will. Magdalen gives up her share of the inheritance and grants everything to her sister Norah, more exactly, to Norah's future husband. Magdalen expresses her sacrificial act as a departure from her past life saying "I have parted with it [past life] as I have parted with those torn morsels of paper."[394] It means that she has parted, at this time, with her alienable self that destabilized the traditional concept of marriage. In doing so, she redeems her original self, the sacrificial non-alienable women nature. With this returning, she not only supports her sister's affectionate marital union with Mr. George, but also reconstitutes her own ideal union with Kirke.

[394] Ibid., 607.

Magdalen's recovery of the womanly virtue proves, again, the novel's engagement with the mid-Victorian liberals' dual approach toward the reform. On the one hand, the ending of the novel with Magdalen's retransformation confirms the necessity of the reform of the property laws. The ending leads readers to recover their sympathy with Magdalen that they had at the beginning of the story, that is, before Magdalen's falling into a transgressive self. As Christine Bolus-Reichert suggests, the ending drives readers to be "interested in reforming the legal circumstances that brought about Magdalen's downfall."[395] Thus, Collins returns the inheritance, at least, to Norah through her future husband to correct the mistakes made by the inappropriate legal interventions in the Vanstones' family economy. On the other hand, conditioning Magdalen's returning to her original woman nature for a happy ending, the novel reinforces the Victorian ideal of women's selflessness for the constitution of the "natural" marriage union. Magdalen's transformations between non-alienable and alienable self are carefully crafted under this gender politics. The implied duality in the ending actually represents the mid-Victorian liberals' compromise regarding the increasing demand for the equal property rights between men and women.[396] The necessity of the reform of the male-centered legal codes is not deniable for the reasonable protection of women, but the total overthrow of the "natural" marriage union through the establishment of equal property rights is not acceptable. The novel contributes to

[395] See "The Foreshadowed Life," 35. She points out that the novel's ending shows "Collins's insistence that Magdalen's sins were somehow 'justified by law' – a law that Collins believed had been cruelly applied in the disinheriting of the two sisters" (39).

[396] Anna Jones points out that Collins shows a duality in his manipulation of Magdalen and readers' sympathy to her. He carefully characterizes Magdalen as "neither a heroically noble and pure suffering heroine, nor a demonically conniving and evil villainess." Jones claims that this duality eventually contributes to producing an ideal reader "who is well-disciplined and deviant – one who understands and accepts literary and social conventions, even as he or she is driven by the affective power of the novel to feel at odds with those conventions." That is, in relation to the gender politics, this ideal reader is increasingly involved with "questions of Woman's agency and rights," but, at the same time, is "well-versed in the ideology of separate spheres and the sanctity of the domestic sphere." See "A Victim in Search of a Torturer: Reading Masochism in Wilkie Collins's *No Name,*" *Novel: A Forum on Fiction* 33, no. 2 (2000): 196-7.

producing reactionary cultural anxieties that led the significant amendment of the Married Women's Property Bill.

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Before finishing the chapter, I would like to discuss an interesting episode of Captain Wragge and his wife that is included at the end of the novel. In addition to Magdalen's suffering and her unfeminine characteristics, many critics have used the relation of the Wragges to evidence their interpretation of Collins's radical gender politics. In contrast to these critics' usage of the Wragges, I need to demonstrate how their episode fits into my analysis of Collins's compromising stance toward the reform of the patriarchal property laws and traditional gender relations. Captain Wragge met Matilda when she worked as a waitress in a restaurant. He married her because she had some savings and an expectation of an inheritance from a distant relative. The common law doctrine of coverture enabled Captain to confiscate his wife's savings and earnings through their marriage. In the marriage relation, Mrs. Wragge is also forced to meet Captain's domestic needs as she did for him in the restaurant. However, Mrs. Wragge's gigantic body always makes a problem for her to fulfill her husband's orders quickly. She also continuously misinterprets Captain's orders. Their relationship offers the critics a crucial evidence to prove Collins's radical gender politics. Laurence Talairach-Vielmas claims that Matilda's enforced financial and physical submission to Captain's rules "is a grotesque embodiment of the stereotypical Victorian wife."[397] According to this critic, Collins wants to add another reason that the patriarchal property laws should be reformed through Captain's exploitation of his wife's property and labor. At the same time, Deirdre David contends that Mrs.

[397] See "Victorian Sensational Shoppers," 66. Talairach-Vielmas also contends that "Matilda's inaccurate use of language, her confusion as to the meaning of words and her frequent gasping of words in their literal sense" typify how the "patriarchal discourse . . . deprives woman of a name, of a voice, and even of a language" (66).

Wragge's physical irregularity and unfitness into the domestic roles also imply Collins's "critique of dominant modes of gender politics"[398] in a different way because Mrs. Wragge represents a rebellious feminine self-assertion that resists and reuses the patriarchal normalization.

However, Collins brings Captain and his wife up again at the end with a different tone from his previous sarcastic attitude that he shows toward them before their withdrawal in the middle of the story. Captain Wragge returns as "the picture of a prosperous man."[399] He has actually become a prosperous capitalist by selling a pill for indigestion problems and scouring his agencies all over the country. As he celebrates himself as "a man with an income, at last," his financial success, through a more desirable business from "Moral agriculture to Medical Agriculture," recharacterizes him from a sly swindler to an entrepreneur depicted as "more respectable than ever."[400] In addition, unlike her former unconscious resistance to Captain's authority, Mrs. Wragge contributes to Captain's business success at this time. She provided the original fund for his business with the inheritance she finally received from her relative. Her gigantic body has been utilized for the advertisement of the pill. Captain engraves her portrait on all the wrappers, advertising that his pill led his wife to have her healthy body. While Mrs. Wragge's gigantic body looks "[a]s a physical release from the constraints of her wifely role,"[401] Captain's manipulation of her body finally makes her fit into not only the capitalist system but also the "wifely role": the wifely dedication to her husbands' success in the public world.

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[398]See "Rewriting the Male Plot," 40. David points out that the novel "contains an irregular, disruptive episode that functions as an important signifier for Collins's indictment of patriarchal law" (40). To her, Mrs. Wragge is at the center of this episode, demonstrating how her "illegitimate, irregular, symbolically political action[s]" invalidate her husband's patriarchal authority (40).
[399] Collins, *No Name*, 585.
[400] Ibid., 585.
[401] Talairach-Vielmas, "Victorian Sensational Shoppers," 68.

Captain's praise of his wife's contribution and his care of her interests, which he shows in the conversation with Magdalen, also give an impression that their marriage relationship now works in a better way than before.

The novel's inclusion of this episode at the ending additionally proves Collins's compromising stance toward the reform of the patriarchal property laws. If Collins only wanted to emphasize the absurdity of the existing laws and the necessity of the reform, his transformation of these characters and their relationship into an economically and morally better shape at the end would look inappropriate. Providing two different pictures of their marriage relationship, Collins suggests that the reform should be a remedy for exceptional cases not a subversion of the concept of "natural" marriage relation. As one newspaper article claims that "the ninety-nine cases where husband and wife live decently together, the present law is the right one," Collins insinuates that the corrected happy version of Captain and his wife's marriage, which looks normal, should be kept away from any legal interventions. Collins wants the reform to focus on amending "the hundredth case it works ill."[402] In other words, as another newspaper article claims, the reform should target the "cases in which the husband is an idle, dissolute scamp, living upon and squandering all the means and earnings of an industrious wife" that the former relation of the Wragges represents.[403] This restriction of the reform's main goal to the specific cases actually provided a reasoning ground for the parliament to amend the original Married Women's Property Bill. In the liberal reformers' mind, it would be "absurd and immoral to disturb the ninety-nine by a law adopted only to the hundredth, instead of providing . . . a more effective remedy for the exceptional case!"[404] In this logic, the parliament remolded the bill

[402] Refer to the untitled newspaper article in *The Western Mail*, July 31, 1869.
[403] "The Property of Married Women," *Liverpool Mercury etc.*, March 18, 1870.
[404] See the untitled article in *The Western Mail,* July 31, 1869. Many other newspapers and journals suggested a similar argument at the time. For example, one journal article contended that "[t]he spoliation

to focus on protecting the earnings of poor married women from their idle husbands, characterizing it "as being emphatically the poor women's bill"[405] not the one for the equal property rights between men and women.

More interestingly, the episode of the Wragges confirms how Collins's compromising stance toward the reform conforms to the traditional normalization of women's nature and their domestic roles. As the novel converts Magdalen to a feminine figure for her readmission into a marital protection, the Wragges' marriage life is transformed into a seemingly normal shape with Mrs. Wragge's fitting submission to her husbands' male supremacy and a wifely role. In contrast to the two women characters' confinement to the domestic sphere, Captain Wragge dominates the public world as a successful business man. Captain's domination of the public world also reminds readers of Magdalen's previous failure to blur the line between the domestic and the public world by introducing a contractual principle into the marriage union. The two different fates imposed on the characters depending on their gender express Collins's gender politics. As long as a husband financially and emotionally maintains his wife and family through his work outside of home, a woman's confinement to the arranged domestic roles looks "moral" and "natural." There is no need to change this normal division and domestic structure that have been secured for centuries. In addition, through Captain's success in the business world contrasted with Magdalen's failure to change the domestic structure, Collins emphasizes that the concept of "natural" marriage association works in a harmonious way with the emerging capitalist system.

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of poor industrious women's earnings by dissolute and idle husbands is a real grievance requiring a remedy; but under pretext of remedying this special wrong, a new general principle is introduced, which subverts the whole relation of husband and wife, as established by religion and law." See "Married Women's Property," *The Leisure hour: A Family Journal of Instruction and Recreation*, Feb. 27, 1869, 142.

[405] "Married Women's Property," *Penny Illustrated Paper*, April 24, 1869, 267.

The property laws should be reformed in a way to make this whole normalized “natural” mechanism functions in a more “natural” way.

CONCLUSION

Questioning literary critics' tendency to overlook mid-Victorian novelists' notable interest in the transition of the ownership over inheritance, this dissertation has situated this interest in the specific socio-economic concern of the time. Then, the dissertation has discussed their distinctive literary employment of the theme of inheritance in relation to the mid-Victorian liberal ideology and politics. My dissertation has juxtaposed the four well-known mid-Victorian novels about inheritance with the contemporary social debates between Victorian liberals and radicals on the reform of the customary and legal regulations of inheritance. I have argued that these novels reinforced a reactionary cultural force for the compromised liberal legislation of new inheritance laws that displaced the radical demand for the state's legal enforcement of the redistribution of inherited wealth. The novels contributed to inciting cultural anxieties about the radicals' extreme ideas of the drastic reform that could jeopardize both the institution of private property and the established order of English society.

Developing the dissertation's overarching argument, I have illuminated how the mid-Victorian liberals' and novelists' shared focus on the cultivation of individual moral capacity and character-building is intrinsically interrelated with their defense of absolute testamentary freedom. The dissertation has also examined how this interrelation generates a paradox or limit in the liberal ideology and the Victorian concept of individual moral autonomy. In doing so, my dissertation convinces us the importance of situating literary works in their contemporary political and economic contexts. Although mid-Victorian novels' theme of inheritance mirrors its contemporary people's concerns with economy and politics, the socio-economic aspects of the theme have not been a central issue for literary critics. By juxtaposing the literary theme of inheritance with the process of establishing the compromised inheritance laws, I have attempted

to address this lack of historical approach toward the theme of inheritance. My dissertation has shown how the dominant political and socio-economic thoughts shaped the notable mid-Victorian novelists' usage of the theme and their conception of the desirable transfer of property ownership on the owner's death.

On the basis of historical approach, my dissertation also intends to provide a new reflection on our time's habitual accommodation of inherited wealth. Inherited wealth has caused many social commotions in our history since the establishment of liberal society, because it conflicts with the principle ideal of liberalism or capitalism. Toon Vandevelde, in *Is Inheritance Legitimate?*, exemplarily inquires the problematic legal and moral status of inheritance. He points out that "the precise juridical status of bequests is unclear . . . [because] [i]nheritance is based upon a legal fiction . . . the fiction of uninterrupted ownership."[406] When a property owner dies his or her property becomes unowned, nevertheless, the right to bequest enables the owner to exert the ownership even after his or her death. Vandevelde also claims that "[w]hen everybody has to be rewarded according to his productivity, there is no room left for unearned wealth."[407] Borrowing his words again, inherited wealth is clearly inconsistent "with the implicit values of contemporary capitalism" that valorizes individuals' self-accumulation based on the labor theory of property or appropriation.[408]

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[406] See his article, "Inheritance Taxation, Equal Opportunities and the Desire of Immortality," in *Is Inheritance Legitimate?: Ethical and Economic Aspects of Wealth Transfers*, eds. Guido Erreygers and Toon Vandevelde (New York: Springer, 1997), 6.
[407] Ibid., 10.
[408] Ibid., 10. The labor theory of property claims that each individual's exertion of labor upon natural resources allows him or her to appropriate an unowned natural resource as his or her permanent private property. John Locke established this theory, in his *Second Treatise on Government*, as the fundamental ground for the liberal economic system. Inherited wealth is clearly in opposition to this labor theory of property.

Therefore, the redistribution of inherited wealth has been suggested by many social activists and radicals as an important solution to correct the problem of widening economic inequality in liberal society. The redistribution can "boost productivity and efficiency" on which the system of liberal economy depends.[409] In addition, it can ultimately improve people's well-being by significantly promoting equal opportunities for all members of society. Despite the critical inconsistency of inherited wealth with the liberal ideology and its insecure legal and moral status, the inheritance laws, protecting absolute testamentary power, have survived many challenges and protected the familial transition of inherited wealth. My dissertation traces the Victorian period to explain what has enabled this survival and how our cultural accommodation of inherited wealth can be still valid in this liberal society. I have demonstrated that the mid-Victorian liberals' distinctive prioritization of the internal moral improvement over the external material changes and the popular literary narratives' cultural idealization of this prioritization have upheld this survival and accommodation. I hope that this dissertation can contribute to awakening our uncritical acceptance of this prioritization as an essential humanist value through many cultural artifacts that serves to sooth social tensions regarding economic inequality and social injustices produced by the inherent inconsistency and paradox in liberal ideology.

The conclusion of my dissertation, however, must be advanced provisionally, in the hope that further investigation will bring more insight into the attachment of mid-Victorian popular novels toward the establishment of liberal ideology and economy. The scope of my dissertation is narrowly focused on a few well-known Victorian novels with the theme of inheritance because I find that these novels can reflect a larger picture of Victorian society. For the same reason, the dissertation's main argument on the mid-Victorian novels' engagement with the liberal reform of

[409] Ibid., 10.

the feudal inheritance laws may leave important questions unanswered. I need to continue this project by analyzing more Victorian novels of inheritance in comparison with other inheritance novels in different time periods to prove the distinctive involvement of Victorian novels with the contemporary liberal politics. In addition, I wish that the project could provide a deeper discussion on social aspects of novel as a genre of literature in order to thoroughly answer why the dissertation focuses on the novel to make a point about Victorian culture or conflict over ideas of wealth, morality, and politics. My future research will offer a tangible evidence regarding how Victorian readers' novel reading affected their perception of the contemporary politics.

Furthermore, I hope that further investigation can elucidate how the aesthetics of the novel genre is linked to Victorian liberalism in a holistic understanding of Victorian arts. Developing this project, I have acknowledged that even economic issues are often stretched beyond economic realm. The liberal economic system was established in multilayered interplays of political, ethical, aesthetic, and economic changes of Victorians' life. Without mapping broad social and cultural changes of the time, I cannot fully explain why a specific economic issue that literary narratives deal with deserves our attention. I have not embedded the dissertation's main point in a historical phase of the development of Victorian liberalism and arts. My future research will address how my dissertation traces a crucial change in liberalism itself or Victorians' concept of morality or representations in arts or a constant problem in mid-Victorian politics and arts. In this way, I can picture the complex network of aesthetics, politics, morality and economy that underlies mid-Victorian novelists' prevalent literary usage of the theme of inheritance and their attachment to the liberal politics. With further research, I can enrich this dissertation's overarching argument by explaining how our understanding of mid-Victorian

novels' engagement with the liberal reform of the inheritance and property laws fundamentally changes our discussion of Victorian novels.

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