

# Domestic Violence in Victorian and Edwardian Fiction



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By

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*To my intellectual mother, Holly Laird*



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# INTRODUCTION

This study will focus on the treatment of domestic violence in literary works of the early Victorian through Edwardian periods. I will concentrate on depictions of wife battering, including scenes in which women witness their children being beaten or children witness their mothers' beatings. By examining mechanisms of domestic violence through the lenses of gender theory and history of the law, crime and economics, my study will explore the relations between, on the one hand, domestic violence in the Victorian and Edwardian eras, and on the other hand, changing paradigms of masculinity and femininity at the time. The study will include both canonical and less canonical texts, including, in chronological order, William Makepeace Thackeray's *The Memoirs of Barry Lyndon, Esq.* (1844), Caroline Norton's *Stuart of Dunleath: A Story of Modern Times* (1851), Wilkie Collins' *The Law and the Lady* (1875), Ouida's (Marie Louise de la Ramé) *Moths* (1880), Mona Caird's *The Wing of Azrael* (1889), Sir Arthur Conan Doyle's *The Hound of the Baskervilles* (1902) and "The Abbey Grange" (1904), and Constance Maud's *No Surrender* (1911). Prior literary scholars have analyzed Victorian representations of marital violence in relation to the sensation novel, law, and psychoanalysis. This study builds on those critics' findings and extends their historical scope to include New Woman and Suffrage writers' political responses to the patriarchal culture of England at the turn of the century.

The Victorian and Edwardian periods are intriguing for study due to various historical breakthroughs improving women's social, economic, and domestic statuses, as well as attempts to restrain domestic violence. The Victorian government passed the first law approving married women's property rights, which instated them as social and economic agents. The Edwardian government later passed a Bill that expanded women's suffrage.<sup>1</sup> The Victorian regime also, for the first time in English history, clearly articulated specific standards proclaiming the intolerability of

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<sup>1</sup> The Fourth Reform Bill of 1918 enfranchised women over thirty years old. The 1928 fifth Reform Bill granted equal suffrage to women.

marital violence and created institutions to aid its victims.<sup>2</sup> Still, despite the fact that domestic violence was pervasive not only in Victorian culture, but also in Victorian literature, literary critics have largely ignored its persistent presence in texts of the time. By examining mechanisms of domestic violence through the lens of gender theory, therefore, my study aims to rectify that omission, proving that domestic violence in the Victorian and Edwardian eras was closely related to changing dynamics of masculinity and femininity.

The ideology of the family as sacred, in the Victorian period, was spread through education, cultural media, and political/social discourse. Needless to say, Victorian novels that featured marriage and domesticity, including the works of the Brontë sisters, sociopolitical narratives like Benjamin Disraeli's *Sybil* (1845), Elizabeth Gaskell's *North and South* (1855), and Charles Dickens' *Great Expectations* (1861) include discussions of love and family either as main or subplots. Such works urged the British people to see home and family as a source of genuine happiness, even though abominable abuses and cruelties occurred in many actual homes. As domestic violence experts Murray Straus, et al., explain, "With the exception of the police and the military, the family is perhaps the most violent social group, and the home is the most violent social setting" (15). Irreconcilable discrepancies exist between the ideal and the reality. Domestic violence is in fact so widespread and so long tolerated that it is practically a universal problem, one so deep-rooted that despite, for example, improvements in British legislation and social work over time, there can seem little difference between the past and the present.<sup>3</sup>

Regarding statistics on marital violence, existing reports, both past and present, are not necessarily reliable sources, because victims have often been reluctant to reveal their suffering; their abusers are their husbands, who are supposed to love and protect them and who are usually the only breadwinners in their households. Victims, including eye-witness children, often keep silent about household violence, which on the face of it is paradoxical since violence is abhorred and prohibited, but it is also congruent with the common social ideology about the family, for victims often want to protect their abusers as family members. An unrealistic concept of family sanctification forces domestic violence victims to endure

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<sup>2</sup> The Society for Prevention of Cruelty to Children (1884) and the Female Temporary Home (1852) were the places victims could go to escape their brutal husbands.

<sup>3</sup> Even today, more women are hurt by domestic violence than car accidents. Domestic violence experts argue that between one fourth and one fifth of modern women have experienced marital violence (Foyster ix).

sometimes brutal abuse; wives have been trained to cherish their families above all things—even their lives—and it often becomes impossible for them to break away from the holy bonds of matrimony. As a result of such social codification, as Elizabeth Foyster stresses, Victorian domestic violence victims kept silent more often, and except in the case of wife murder, the problem did not attract much public attention (x). Historical reports on marital violence especially are undependable, in part because such reports are rare and usually exist only in cases of the wife's death. When women survived, cruel husbands were likely to nullify their crimes either by locking up their battered wives or by appealing to them to withdraw judicial accusations, promising their wives not to use violence again and to become good husbands and fathers. The numbers of domestic violence reports are thus problematic, not because of the possibility of exaggeration but because of their partiality; they reveal only the tip of the iceberg.

## Historical Context

In Victorian literature, domestic violence was enshrined within a Christian framework as a man's right,<sup>4</sup> a belief that held until the twentieth century. In the long history of marital violence in literature, however, the Victorian through the Edwardian periods were particularly significant. Victorian England has conventionally been considered an exemplary space during which the concept of the inviolable sanctity of home and family was prominently espoused.<sup>5</sup> This ideology became particularly common in part because Queen Victoria modeled for the public a close relationship with her

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<sup>4</sup> *The Old Testament* condones male-on-female violence by naming women the "source of evil." English common law, too, recognized the right of husbands to dominate their wives using violence, albeit with some restraint. *The New Testament* places women in the same category as slaves: "Slaves, submit yourselves to your masters with all respect, not only to those who are good and considerate, but also to those who are harsh" (1 Peter 2:18) and "Wives, in the same way be submissive to your husbands" (emphasis added 1 Peter 3:1). *The New Testament* goes further, telling women and slaves to accept their beatings: "But how is it to your credit if you receive a beating for doing wrong and endure it? To this you were called, because Christ suffered for you, leaving you as an example, that you should follow His steps ... He Himself bore our sins in his body on the tree, so that we might die to sins and live for righteousness; by his wounds you have been healed" (1 Peter 1:19-24).

<sup>5</sup> In *A Social History of Housing, 1815-1985*, for instance, John Burnett describes the Victorian era as the most "family-conscious and home-centered" (98) society in English history.

husband and children.<sup>6</sup> Moreover, as the industrial revolution influenced a broad swath of Victorian society, middle-class people emphasized the need for wives to stay at home rather than work outside it, distinguishing themselves from the working classes and idealizing the domestic woman as the most virtuous feminine subject.<sup>7</sup> The foreign policy of the Victorian era also promoted family ideology. As a microcosm of the nation, the middle-class home was intended to produce civil agents who would propagate the racial and cultural superiority of the English over other countries and justify imperial expansion.<sup>8</sup> The “angel in the house” was needed to produce future civil agents and to care for domestic affairs, thereby supporting imperial business. Working-class homes also took responsibility for reproducing “hands” to increase British industry’s competitive power in global markets. Such cross-class emphasis on family ideology encouraged women to hide or tolerate domestic violence in English society.

At the same time, the Victorian and Edwardian periods are significant as a timespan in which the public began to acknowledge that a certain level of violence within the home was intolerable and should be made illegal. Politicians began to respond to cases of domestic violence more actively,

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<sup>6</sup> In “The Publicity of Divorce” in *The English Review* (10 Dec. 1911), E. S. P. Haynes describes Queen Victoria’s concern with the 1857 Divorce Act: “Soon after the Matrimonial Causes Act, 1857, came into operation Queen Victoria wrote to the Lord Chancellor of the day to complain of the demoralizing tendency of divorce cases being reported in newspapers, especially where the juvenile reader was concerned” (142). Queen Victoria was not only an exemplar of close family union but a believer in the ideal of family sanctity.

<sup>7</sup> In *Cruelty and Companionship: Conflict in Nineteenth-Century Married Life*, James Hammerton views the Victorian emphasis on family ideology through the lens of industrialization and provides five rationales for its widespread popularity: “The breakdown of village culture, the replacement of seasonal work-disciplines by those of the factory or workshop, the rise of wage-labour and the ideal of the male breadwinner’s ‘family wage’ capable of supporting a dependent family, together with new religious and secular controls over behavior, all placed enormous stress on family relationship in a domestic setting” (13).

<sup>8</sup> Ironically, the business of Victorian empire building also brought destruction to British homes and family units. As a result of foreign warfare, there was a drastic difference in the numbers of males and females; according to the 1891 census, there were 900,000 more females than males. Some of the disproportion was caused by the practice of sending mostly men to foreign territories for colonial business. By 1841, 40% of women were unmarried. Because of the depopulation, many women could not find men to marry and were hence called “odd women,” a title alluded to in George Gissing’s *The Odd Women* (1893). In 1858, one sixth of unmarried women between the ages of 15 and 50 were prostitutes. In 1851, 42,000 illegitimate children were born in London.

not only establishing laws to improve women's status, but also enacting specific provisions designed to reduce domestic assault. Activists achieved significant legal breakthroughs for the improvement of women's and children's lives. The Factory and Mine Acts of the 1840s limited women's working hours and occupations in order to reinstate women's position in the home. In 1850, Romilly's Act mandated that certain jobs previously occupied only by men, should be opened up to include women. The 1873 Health of Women Bill helped women to work less, at the same time reinforcing problematic domestic ideologies. The most substantial legislation occurred in 1870, however, with the passage of the Married Women's Property Act and its 1882 and 1884 amendments. As a result of these laws, women received equitable property rights and could for the first time function as social and economic agents, making contracts and disposing of their property of their own free will. In 1918, the Fourth Reform Bill enfranchised women over thirty years old, a culmination of the government's and numerous advocates' efforts in the nineteenth and early twentieth centuries to improve women's position in society.

Most importantly for the purposes of this study, the Victorian government was the first in Britain to pass legislation challenging marital violence. The government tried to tackle domestic violence and abuse in a direct and explicit way. As the famous "Judge Thumb" incident proved,<sup>9</sup> in the eighteenth century, people often believed that wife-beating was necessary for husbands to control and manage their households. While throughout "the period from the Restoration to the mid-nineteenth century violence was regarded by many as an acceptable way to resolve disputes and settle the balance of power within marriage" (Foyster 39), intolerance to violence began to increase after the French Revolution, facilitating legislation against domestic violence. In 1790, for instance, Lord Stowell declared in *Evans vs. Evans* that violence could be grounds for divorce, while Lord Ellenborough's Act of 1803 legalized capital punishment for attempted murder with firearms or sharp instruments, a law fortified by the 1828 Lord Landsdowne's Act, which dropped the weapons requirement. In 1822, the penalty for manslaughter was expanded to three years' imprisonment or transportation. Moreover, in 1828, higher court judges demanded that reluctant juries punish life-threatening violence against spouses.

These late eighteenth- and early nineteenth-century endeavors to increase awareness of domestic violence provided grounds for further legislation. In

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<sup>9</sup> In 1778, Sir Francis Buller, a judge of the Court of King's Bench, said that a husband could beat his wife as long as it was with a stick that was no thicker than the circumference of his thumb.

1837, at the start of the Victorian era, the penalties for many property offences were reduced while those for various kinds of assault were increased. Beginning with the Custody of Infants' Act of 1839, which enabled women to solicit custody of their children under the age of seven, several laws outlawed battery of wives and children. Judges also began to enforce strict penalties in extreme cases of domestic violence, dismissing the time-worn excuse of alcohol-induced assault. In 1839, Mr. Justice Parke in the Old Bailey declared to a wife slayer that the law "could never admit intoxication as an excuse for such heinous offence" (qtd. in *Men of Blood* 260). In the same year, another judge sentenced a wife murderer to death, despite appeals on his behalf from the sheriffs and aldermen. The 1844 Matrimonial Causes Act banned husbands from forcing their wives to return home, while in 1852, Mr. Justice Cresswell refused to reduce the charge of manslaughter against a wife murderer who pleaded reason of provocation by taunting language. Most importantly, the 1853 Criminal Procedure Act, also called the Act for the Better Prevention of Aggravated Assault upon Women and Children, set a clear limit for what was tolerable by way of family chastisement. The act extended summary jurisdiction to aggravated assaults and allowed magistrates to punish by up to six months' imprisonment, raised in 1868 to one year with hard labor or a fine not exceeding twenty pounds, for attacks on all girls and boys under the age of fourteen that resulted in bodily harm. According to this Act, the offender could be kept in prison for a period not exceeding twelve months.

Following the historic legislation of the Divorce Act of 1857, civil courts began to grant separations and divorces, abolishing the Ecclesiastical court's jurisdiction over divorce. However, since the Act accompanied social commotion over changing attitudes towards the sanctity of matrimony, the Act remained inadequate.<sup>10</sup> While simple adultery was enough for a man to obtain a divorce, women had to prove worse violations on the part of their husbands, including violence or desertion. Furthermore, as Mary Poovey explains, "absolute divorce was still prohibitively expensive ...

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<sup>10</sup> In "The Late Lord Gorell and Divorce Law Reform" in *The English Review* (July 1913), E. S. P. Haynes gives an account of other attempts to improve the 1857 Divorce Act: "The compromise of 1857 had satisfied few reformers. Lord Lyndhurst and Lord Palmerstone wished to make desertion, and such men as Henry Drummond cruelty, a ground for divorce. There was a strong body of opinion in favour of giving the County Courts divorce jurisdiction, and certain local facilities were actually given which became obsolete in 1861" (638). Haynes's explanation shows that more progressive ideas about divorce legislation existed, but that the English government ultimately stuck with more limited and partial standards for the first divorce Act.

[and the Act] did not protect women from marital abuse by making cruelty a sufficient grounds for divorce" ("Covered But Not Bound" 468). Further legislation made headway in allowing women more freedom over marriage and divorce. The Divorce and Matrimonial Causes Amendment Act of 1858 allowed middle-class people to obtain a divorce (though it remained the case that few could afford the process). The 1878 Matrimonial Causes Act enabled women to stay away from their brutal husbands and to receive a weekly maintenance for their support. A revised version of the same Act in 1886 gave women the right to sue their husbands for maintenance. In 1891, judges first declared that husbands did not have the right to beat or confine their wives. Later, the Summary Jurisdiction Act of 1895 extended separation and maintenance allowances in the case of a husband's persistent cruelty. These nineteenth-century efforts to mitigate and punish domestic violence continued into the twentieth century. The Royal Commission on Divorce and Matrimonial Causes, established in 1910, attempted to expand the grounds for divorce to include insanity, criminality and drunkenness. These Victorian and Edwardian laws passed on behalf of the battered angels of the house thus demonstrate English society's active attempts to intervene in the ubiquitous problem of domestic violence.

Moreover, public criticism of cruel husbands was expressed by a wide swathe of Victorian society: as Elizabeth Foyster explains, "Popular condemnation of violent husbands was voiced in newspapers and other forms of print, in church during sermons, in fictional literature, particularly in novels, and in the ballads or songs that were sung on street corners and in taverns and pubs" (x). Victorians propagated through various cultural media anti-domestic violence messages among all classes and age groups. Although newspapers frequently included divorce cases to augment their readership, they also incited people to blame violent husbands, and to condemn the use of violence as unmanly.<sup>11</sup> Several pamphlets and articles were published condemning in-home violence.<sup>12</sup> In 1869, John Stuart Mill published *The Subjection of Women*, the most prominent work of the era seeking to ameliorate women's treatment, while numerous Victorian, New

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<sup>11</sup> In the eighteenth century, publishers began to sell papers including divorce stories, usually focusing on narratives of adultery and abuse. Although the papers also provoked negative responses toward marital trouble, they reflected readers' tendencies to view divorce as entertainment; eighteenth-century divorcees frequently featured famous celebrities who could pay large sums of money for their freedom.

<sup>12</sup> Frances Power Cobbe's "Wife Torture in England" (1878) and Caroline Norton's *A Letter to the Queen on Lord Cranworth's Marriage and Divorce Bill* (1855) are representative examples of pamphlets that critique domestic violence.

Woman, and suffrage novels focused on unhappy married lives, including marital violence.<sup>13</sup> Likewise, Victorian activists endeavored to combat domestic violence among the illiterate by spreading ballads blaming abusers for battering their family members at home.<sup>14</sup> This evidence of Victorian and early twentieth-century attempts to condemn marital violence and to raise consciousness about spousal abuse makes the period fascinating and ripe for study.

Fictional works informed these efforts to propagate anti-domestic violence beliefs: Victorian and Edwardian novels centering on marriage and family affairs counted among the most popular forms of entertainment. In “Mr. Thackeray” published in *Fraser’s Magazines for Town and Country* (Apr. 1864), for instance, Sir James Fitzjames Stephen explains the novel’s status and ethical function:

Novel writing has become not only a business, but by far the most lucrative branch of literary industry ... Modern popular novels have far more influence over the morals of the public, and over their views of life, than the stage and the pulpit put together. Novels and newspapers have a sort of analogy to Church and State. The one represents to innumerable readers the active and business-like, the other the contemplative view of things. There are thousands upon thousands of young people no longer young, whose principal experience of argument and discussion is derived from leading articles, and whose notions of the character and prospects of the world in which they live, of the nature of its institutions, and, in a word, of the general colour of life, are taken principally from novels. (402)

By reading literary works, audiences became aware of the harm done by domestic violence and gradually developed new social norms as well as appropriate protocols for dealing with domestic hardship. Since literary works delve into the particularized and complex circumstances for such events, readers could better understand the situations of victims within their familial, cultural, and historical frameworks.

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<sup>13</sup> Domestic abuse is also portrayed in fiction such as Thomas Hardy’s *Tess of the d’Urbervilles* (1891) and *The Return of the Native* (1878), Anne Brontë’s *The Tenant of Wildfell Hall* (1848), Charlotte Brontë’s *Jane Eyre* (1847), and Joseph Conrad’s *Amy Foster* (1901).

<sup>14</sup> See, for instance, the ballads “A Word of Advice,” “The Cruel Cooper of Ratcliff,” “The Special Constables,” and “Pop him into Limbo,” which are available in the Madden Collection of Ballads of Cambridge University Library.



## Contemporary Research into Domestic Violence in the Victorian and Edwardian Eras

Prior scholars have conducted extensive legal research on the issue of Victorian marital violence: In *The Road to Divorce: England 1530-1987*, for example, Lawrence Stone provides much insight into marriage and its breakdown in England. Stone's analysis enables readers to understand Victorian marriage and divorce in the context of English legal history. Maeve E. Doggett's *Wife-Beating and the Law in Victorian England* presents a comprehensive legal history of spousal violence in the Victorian period, examining attitudes towards wife-beating in legal and other published documents. In *Marital Violence: An English Family History, 1660-1857*, Elizabeth Foyster offers analysis based on documentation of marital violence in church and secular court records, supplemented by newspapers, government documents, and private records such as letters and diaries. Since her argument is built upon the legal and cultural formulations of domestic violence, Foyster's book provides insights into marital brutality within the Victorian social milieu. In *Cruelty and Companionship: Conflict in Nineteenth-Century Marital Life*, A. James Hammerton examines the shift from patriarchal marriage to companionate marriage by analyzing divorce court records in the wake of the Matrimonial Causes Acts of 1857 and 1878. Hammerton attempts to explain the causes of domestic violence in terms of patriarchal ideology and the influx of industrialization during the Victorian era, and he interprets Victorian legislation concerning domestic violence as reflective of changes in social attitudes to marital struggles.

Literary scholars have also analyzed Victorian representations of marital violence. Arguing that sensation novels offered the first depictions of spousal violence, Marlene Tromp's *The Private Rod: Marital Violence, Sensation, and the Law in Victorian Britain* (2000) explores literary texts as a means of reflecting and anticipating cultural and legal changes. Tromp focuses on Charles Dickens' *Oliver Twist* (1837), Wilkie Collins' *The Woman in White* (1859), Mary Elizabeth Braddon's *Aurora Floyd* (1863), Margaret Oliphant's *Salem Chapel* (1863), and George Eliot's *Daniel Deronda* (1876), arguing that domestic violence is a sensational aspect of Victorian novels and exploring literary textuality as a means of representing and arguing cultural and legal changes. In *The Marked Body: Domestic Violence in Mid-Nineteenth-Century Literature* (2002), Kate Lawson and Lynn Shakinovsky offer psychoanalytic analysis of violated women's bodies in fiction and poetry. They read domestic violence in American as well as British fiction in Nathaniel Hawthorne's "The Birth-Mark" (1843),

Anthony Trollope's *Barchester Towers* (1857), George Eliot's "Janet's Repentance" (1857), Elizabeth Gaskell's "The Poor Clare" (1856), Elizabeth Barrett Browning's *Aurora Leigh* (1856), and Wilkie Collins' *Man and Wife* (1870), arguing that wives' domestic violence appears only sub-textually, revealed by marks on their bodies. Based on her considerable research into contemporary periodicals, Lisa Surridge attempts in *Bleak Houses: Marital Violence in Victorian Fiction* (2005) to define specific British novels as exemplars of certain phases of the Victorian period. Surridge builds her argument upon the early writings of Charles Dickens and Dickens' *Dombey and Son* (1848), Anne Brontë's *The Tenant of Wildfell Hall* (1848), George Eliot's "Janet's Repentance" (1857), Wilkie Collins' *The Woman in White* (1859), Anthony Trollope's *He knew He was Right* (1869), Mona Caird's *The Wing of Azrael* (1889), and Sir Arthur Conan Doyle's *The Hound of the Baskervilles* (1902). Surridge argues that Victorian novels were produced in close relationship with other forms of print culture and directly reflect divorce legislation of the era. These analyses offer extensive information about the correlation between social and cultural nonfictional texts and literary works.

This study will expand our understanding of nineteenth-century domestic violence by examining texts that Tromp, Lawson, Shakinovsky, and Surridge do not discuss (with the exception of Mona Caird's *The Wing of Azrael* [1889] and Sir Arthur Conan Doyle's *The Hound of the Baskervilles* [1902]), enabling me to strike a closer balance between lesser-known authors' novels and more canonical authors' texts. My study will also examine a broader chronological range of texts in order to examine the literary impact of the English government's endeavors to ameliorate women's position through legislation. A study of the broader period provides the opportunity to observe how the newly enacted laws influenced authors' perceptions of and responses to domestic violence. Although I do not think that legislation directly or magically solved the problem of marital cruelty, my chapters signpost significant phases of English authors' responses to domestic violence.

My first chapter thus centers on texts written before the 1857 Divorce Act in order to consider representations of the circumstances of conjugal violence and divorce before the English government's legislation. At that time, aristocrats were the only class that could obtain a divorce, by obtaining a writ from the high courts, while people of other classes could only separate from their spouses. The chapter thus compares William Makepeace Thackeray's *The Memoirs of Barry Lyndon, Esq.* with Caroline Norton's *Stuart of Dunleath: A Story of Modern Times* and exposes the impact of class on reactions to domestic violence. *The Memoirs of Barry*

*Lyndon, Esq.* depicts an aristocratic lady suffering from conjugal violence, a story that ultimately culminates in divorce. As Thackeray suggests, a socially and economically under-privileged husband's shame becomes a catalyst for his violence against his wife. Nonetheless, although the aristocratic wife holds higher titles and property and is more educated than her husband, she is subjugated to him once she enters matrimony because she is ruled by the patriarchal system. However, aristocratic laws finally protect her property, subsequently enabling her to obtain her divorce when she concocts a scheme to deceive her husband into escorting her to London where she purchases an expensive divorce writ. In contrast to the aristocratic class, Norton's *Stuart of Dunleath: A Story of Modern Times* features a middle-class wife's struggle to free herself from her violent husband. Norton's Eleanor is raised and educated to please her future husband, and she is sold to an upper-class husband in order to support herself and her mother. Unlike the well-educated Lady Lyndon, Norton's protagonist lacks an economic education; she is inculcated only with Christian principles, allowing her guardian and husband to manipulate her economic illiteracy.

Although no law existed that endowed middle-class wives with the right to seek a divorce, women in Scotland could rely on Scottish laws that treated husbands and wives relatively equitably. Eleanor, however, finally abandons the idea of divorce because of her Christian beliefs; she believes that her marriage vows are sacred and her union inviolable, showing how religion could trap women in violent homes. By contrast, Thackeray's aristocratic wife actively seeks to free herself by divorce. This difference between the two characters derives not only from the aristocratic lady's practical knowledge—she does not accept orthodox teachings unquestioningly—but also from Eleanor's economic predicament. Unlike the independently wealthy Lady Lyndon, Eleanor cannot support herself or her mother without her husband. A woman's dowry belonged to her husband under coverture, and even in the case of a separation, wives could not recover their money from their husbands. Thus *The Memoirs of Barry Lyndon, Esq.* and *Stuart of Dunleath: A Story of Modern Times* portray circumstances prior to the 1857 Divorce Act, when a high social class entitled aristocratic women to secure property and achieve divorce, while middle- and lower-class women risked scandalous separation or fell back on the solace of prayer.

During the mid- to late Victorian era, England made historical breakthroughs by enacting the 1857 Divorce Act and the 1870 Married Women's Property Act. Although these Acts did not prevent marital troubles from perpetuating themselves into the twentieth century, the

legislation certainly improved women's position in domesticity. Set in this context, my second chapter analyzes late Victorian texts to examine how this legislation influenced literary representations of wives' lives and choices regarding divorce. By and large, Victorian novels of the era do not portray divorce as a solution to domestic struggles. Since the Victorians continued morally and socially to advocate family ideology and wifely virtue, authors eschewed divorce as a handy solution in their narratives of abuse. Instead, Wilkie Collins' *The Law and the Lady* and Ouida's *Moths*, my chief examples in this chapter, depict proto-New Women figures who deploy alternative means of resistance to domestic violence, while traditional wife figures continue to fall victim to conjugal struggles. Collins depicts a relatively independent woman, a strong, intelligent, and capable heroine, who however also remasculinizes her effeminate husband. Valeria recklessly takes on the role of detective to exonerate her husband from the Scottish verdict of "not proven" for his first wife's murder. Though Valeria infringes on the masculine territories of criminal investigation and the law, the text condones her behavior, provided that she sacrifices her occupational achievements at her husband's need. Valeria thus uses her sense of independence to fortify her own domestic sphere, in contrast to Sara, the first wife, who fails as both a traditional and a more independent wife. Collins thus suggests that women's independence and intellect could shield a woman from abuse, provided she avoided behaving in ways that threatened patriarchal hegemony.

The woman author Ouida publically opposed New Womanhood and feminism. As a result, even though she, like Collins, portrays the New Woman as insulated from domestic violence, Ouida relegates her New Woman figure to the background and focuses instead on a traditional wife's victimization within domesticity. Here again, Christian devotion plays a critical role in leading a wife to endure domestic affliction without seeking a divorce. In the aftermath of the 1857 Act, both Ouida's brutal and unfaithful husband and long-suffering wife, Vere, recognize divorce as an option; however, Vere never considers divorce a viable possibility. Instead, she must suffer until her husband desires and obtains a divorce, at which point she is rewarded with a second, happy marriage. What Ouida prescribes as a solution for domestic violence is not legal relief, but a marriage with love, confirming companionate marriage from within the traditional parameters of the sanctity of love and patriarchal family ideology.

In my third chapter, I turn to fin de siècle and Edwardian texts that embody the effects of both the legislative guarantees and gender crisis on the cultural problem of domestic violence. The Victorian government's

legislation did not solve the problem of spousal abuse, largely due to its general inaccessibility and lack of enforcement. Disappointed by the failures of the legislation, Mona Caird and Sir Arthur Conan Doyle bring their own justice to bear on perpetrators of domestic violence. In contrast to the contemporaneous sentence of six months to three years' imprisonment for a wife murder—commonly reduced to manslaughter rather than murder—Caird in *The Wing of Azrael* and Doyle in *The Hound of the Baskervilles* and “The Abbey Grange” kill off wife batterers at the end. While women's advocate Caird depicts the murder of a brutal husband at his wife's own hands, however, Doyle allows male saviors to rescue battered wives. In her novel, Caird traces the circumstances that render women victims in society. Like Norton and Ouida, Caird shows how Christian doctrine operates to force women to sacrifice themselves and condone their abusers. However, Caird takes a more cynical stance towards Christianity and female piety than either of her forbears. Caird argues that Christianity implanted the idea of female inferiority and rendered women victims by classifying women as “weaker vessels.” Simultaneously, Caird implies that Christianity naturalizes the sacrifice of weaker or innocent parties for the glory of God and patriarchy. Caird's novel ends radically, with her protagonist Viola's murder of her violent husband, which serves also in this novel as a symbolic act of breaking the conventional fetters of gendered injustice. Significantly, this murderess was raised traditionally and without any prospects for her future, but she breaks the yoke of patriarchy restraining women. Furthermore, the ending sets the murderess dangerously, yet symbolically, free to seek her own future without any domestic and legal restraints, suggesting that for Caird, women in an abusive marriage could not rely on the law, but only on themselves for relief.

By contrast, Doyle opposed the idea of the New Woman and female suffrage, even though he was active in the effort to amend divorce laws. Like Caird, Doyle metes out harsh punishments to abusers and batterers of women. However, he takes a sarcastic approach to the New Woman figure in *The Hound of the Baskervilles*, suggesting that women in abusive situations must rely on chivalrous men for succor. In order to escape their husbands, Doyle's abused wives must line up their next marriages in advance. That is, like Collins and Ouida, Doyle still apotheosizes the ideals of marital love and family, even as he demonstrates through Holmes his disapproval of the ongoing problem of domestic violence.

By the end of the Edwardian era, it was clear that legislation could not solve the problem of domestic violence. My final chapter thus analyzes a suffragette novel: if legislation alone was not enough, then female suffrage

would, activists argued, provide a solution to the perennial problem of spousal abuse. Constance Maud's *No Surrender* encompasses many of the same themes as those discussed in previous chapters: property, custody, Christianity, education, and legal justice. Maud, however, adroitly links wife battering with public violence against suffragettes, exposing patriarchy as a system that victimizes women both in the British home and the broader British domestic economy. Maud also extends the settings of domestic violence to include the treatment of suffragettes in prison not only the streets, depicting acts of force-feeding as oral rape. To protest and ultimately breach the vicious circle of domestic violence and of public battery of women activists, including governmentally authorized oral rape, Maud demands women's enfranchisement. Woman has been ruled, judged, and punished by masculine standards and laws: thus female suffrage is a prerequisite of domestic, economic, and legal equality. In contrast to Victorian and Edwardian writers who offered marital love, family, and poetic justice as solutions for domestic violence, Maud takes a markedly practical approach to solving women's struggles.

Although previous scholars' analyses of the legal system and interpretations of Victorian texts about domestic violence remain invaluable resources for understanding domestic violence in the Victorian era, my study differs from their studies in a number of ways. First, I excavate the works of the previously unexamined female authors Caroline Norton, Ouida, Mona Caird, and Constance Maud—all of them contemporaries of the male writers in these chapters—and I contrast them with the works of canonical male authors—William Makepeace Thackeray, Wilkie Collins, and Sir Arthur Conan Doyle. By providing comparative analyses of non-canonical female authors and canonical male authors, my project exposes the ways in which gender inflected novelists' responses to women's issues. By examining the impact of primogeniture, imperialism, Christianity, the concept of the New Woman, and force-feeding of suffragettes on depictions of domestic violence, my project provides a wide-ranging social picture of the Victorian and Edwardian eras and enriches our analyses of texts written during these periods. Finally, unlike previous scholars' attempt to link literary works and the legal system and to analyze texts within that framework, this project interrogates the fundamental causes of domestic violence, including marriage customs, coverture, education, religion, and women's professionalization. By delving into depictions of domestic violence both in literary texts and theoretical and historical works, I argue that domestic violence is initiated, accommodated, tolerated, and perpetuated by a patriarchy that seeks to retain its hegemony in society. Patriarchy disguises its inhumane and irrational aspects under broadly

praised ideologies of marital love, consecrated marriage, sacred maternity, and inviolable family sanctity.





## PART 1:

# DOMESTIC VIOLENCE AND THE JUSTICE SYSTEM IN THE EARLY TO MID-VICTORIAN PERIODS

The early to mid-Victorian periods were marked by the first legal changes to register changing attitudes toward domestic violence, as the 1844 Matrimonial Causes Act and the 1853 Act for the Better Prevention of Aggravated Assault upon Women and Children limited husbands' rights. These changes culminated in the 1857 Divorce Act, which permitted a woman to divorce her husband on the grounds of domestic violence accompanying adultery, even though divorce remained unaffordable for nearly all women. Set in this context, William Makepeace Thackeray's *The Memoirs of Barry Lyndon, Esq.* (1844) explores an upper-class woman's struggles in seeking divorce through a writ from the high courts. The text interrogates an aristocratic woman's legal status in relation to her property and title. Upper middle- to lower-class women by contrast were forced to rely on private separation, which was accompanied by a settlement of alimony, as in the main plot of Caroline Norton's *Stuart of Dunleath: A Story of Modern Times* (1851). Taken together, the two texts represent the ways in which abused wives' options were determined and limited by social class.

Examining *The Memoirs of Barry Lyndon, Esq.* and *Stuart of Dunleath: A Story of Modern Times* alongside one another, I will make a comparative claim about the different ways in which women of different social classes experienced domestic violence and legal relief. Both texts are set before the legislation of the 1857 Divorce Act. Prior to the Act, people did not consider divorce a viable option for dissolving a marriage sanctified by the English Church. The only way to achieve a divorce was to gain a writ from a high government institution, and through paying large sums of money. As a result, only aristocratic people with substantial wealth could obtain a divorce. In other words, titles and money were prerequisites for seeking legal freedom from the matrimonial bridle. Still, while aristocratic women occupied advantageous positions in seeking divorces, their titles and

property did not protect them from marital violence, as they were automatically expected to be submissive to their husbands under the patriarchal system.

Upper- to lower-class women's circumstances were worse than those of aristocratic ladies. Women of those classes were deprived of the chance to divorce. The best resort for resolving domestic struggles was separation if their husbands consented. Since wives had neither private property under coverture nor the practical education necessary to support a profession, husbands needed to pay alimony to their wives from whom they separated. Within marriage, a wife was subjected to a coverture that bound her legally with her husband under his name. J. H. Baker explains the origin of the concept of coverture: "The earliest Canonists held marriage to be effected by the physical union of man and woman in carnal copulation. They became one flesh by *commixtio sexuum*" (255). Based on, as Doggett terms it, "the fiction of marital unity" (35), coverture deprived wives of their property rights and economic capability, including the right to make contracts. Besides, a wife did not have physical freedom due to her united status with her husband.

However, just as the domestic ideal was not manifest in all households, not all husbands paid their wives' maintenance allowances, an extended and continuous method of inflicting pain on estranged wives.<sup>1</sup> What Thackeray and Norton ultimately share, then, is the awareness that domestic violence is incubated and accommodated by a patriarchal system that guarantees a husband's absolute control over his family members. Likewise, the impossibility and inaccessibility of divorce aggravate violence in domesticity.

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<sup>1</sup> In *Road to Divorce: England 1530-1987*, Lawrence Stone argues that it is "notoriously difficult to extract full and regular alimony payments from an ex-husband who is either unable or unwilling to pay" (420). In *Marital Violence: An English Family History, 1660-1857*, Elizabeth Foyster supports Stone's argument: "Even if [wives] had achieved a judicial separation, and had been awarded alimony, evidence from the church courts shows that payments were frequently irregular or stopped altogether" (182).

# CHAPTER ONE

## AN UPPER-CLASS WOMAN ENCOUNTERS DOMESTIC VIOLENCE IN WILLIAM MAKEPEACE THACKERAY'S *THE MEMOIRS OF BARRY LYNDON, ESQ.* (1844)

William Makepeace Thackeray's *The Memoirs of Barry Lyndon, Esq.* deals with an upper-class woman's struggle to flee her violent husband.<sup>1</sup> Thackeray's critics have in general overlooked this early novel. Robert P. Fletcher, among the few scholars to treat the text in any detail, examines it in "'Proving a Thing Even While You Contradict It': Fictions, Beliefs, and Legitimation in *The Memoirs of Barry Lyndon, Esq.*," arguing that Thackeray's narrative style probes the boundaries between fiction and plausibility in its unreliable speaker. In "A Picaresque Historical Novel: Ireland in W. M. Thackeray's *The Memoirs of Barry Lyndon, Esq.*," Borislav Knezjević examines how a member of the dispossessed Irish aristocracy cons his way into the ranks of the British aristocracy. Barbara Hardy's "Thackeray: Inconstant Passions" examines the emotional aspects of *The Memoirs of Barry Lyndon, Esq.* Deborah A. Thomas interrogates Thackeray's attitudes toward slavery, reading the marital relationship between Barry Lyndon and Lady Lyndon as a form of slavery, a useful point from which to begin analyzing their relationship: Thomas considers Barry's Prussian army service a catalyst of his "enslavement fantasy" (36). But she reads Lady Lyndon as a "masochis[t]" (37), when briefly noting occasions of marital violence in this novel. Social science scholars, however, have long understood that "masochism" is not the primary root of domestic violence and have diagnosed the battered woman as suffering

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<sup>1</sup> William Makepeace Thackeray (1811-1863) was a prolific writer. Contributing mainly to *Fraser's Magazine*, *The Morning Chronicle*, and *Punch*, Thackeray published travel stories like *The Paris Sketchbook* (1840) and *The Irish Sketchbook* (1843) as well as numerous novels, such as *Vanity Fair* (1848), *Pendennis* (1848-1850), *Rebecca and Rowena* (1850), *Men's Wives* (1852), *The Newcomes* (1855), *The Virginians* (1857-1859), and *The Orphan of Pimlico* (1876).

psychologically from trauma, to the point of paralysis, as in the Stockholm syndrome. My study is the first to examine the treatment of domestic violence in *The Memoirs of Barry Lyndon, Esq.* I place this novel in the context of the legal landscape of the early Victorian era with regard to upper-class women's status in marriage and divorce in a patriarchal structure, exposing the relations of class to the dynamics of domestic violence. Thackeray's representation of socially and economically induced shame in a husband who aspires to his wife's upper-class status shows how it catalyzes violence against his wife. But while the aristocratic wife holds higher titles and property and is better educated than her husband, she is subjugated to him once she enters matrimony, because she is ruled by the patriarchal system. Although aristocratic privilege can be tapped to protect her property, subsequently enabling her to obtain a divorce when she purchases an expensive divorce writ, this becomes possible only after she has endured various tortuous abuses at the hands of her husband.

During the early Victorian period when *The Memoirs of Barry Lyndon, Esq.* was written, "silver-fork" novels<sup>2</sup> of upper-class fashionable life and "Newgate" novels<sup>3</sup> of lower-class criminal life dominated the publication market. In *English Fiction of the Victorian Period 1830-1890*, Michael Wheeler explains that such novels were "scarcely documenting low life or imaginatively entering the criminal mind at all ... sorely lacking in the heavyweight social-problem ... its overall effect works against any sense of a serious engagement with the theme of crime and punishment" (18). Thackeray was discontented with Newgate novels because they portrayed criminals and their crimes attractively, often acquitting criminals. In contrast to the fictional romanticization of crime in Newgate novels, Thackeray wanted to depict the world in realistic ways. In *British Novelists and their Styles: Being a Critical Sketch of the History of British Prose Fiction*, David Masson clarifies Thackeray's purpose in writing *The Memoirs of Barry Lyndon, Esq.*: "to represent life as it is actually and historically ... He will have no faultless characters, no demigods" (26). In

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<sup>2</sup> "Silver Fork novels" or "Fashionable novels" were a nineteenth-century genre dominant from the mid-1820s to the mid-1840s that depicted the lives of the upper class.

<sup>3</sup> "Newgate" novels were based on the Newgate Calendar, a compendium of famous criminals' biographies published during the late eighteenth and early nineteenth centuries. Early nineteenth-century Newgate novels include Thomas Gaspey's *Richmond* (1827) and *History of George Godfrey* (1828), Edward Bulwer-Lytton's *Paul Clifford* (1830), *Eugene Aram* (1832), and William Harrison Ainsworth's *Rockwood* (1834). Charles Dickens' *Oliver Twist* (1837) is an exemplary Victorian Newgate novel.

contrast to Charles Dickens' "characters [who manifest] ideal perfection and beauty, as well as ... ideal ugliness and brutality" (27), Thackeray, Masson notes, aimed to portray characters and events in naturalistic ways. In an 1848 letter to Paul Émile Daurand Forgues, written a year before *The Memoirs of Barry Lyndon, Esq.*, Thackeray expressed his desire to depict life as it is: "Why not accept all the conditions of humanity—? Why shamefully conceal some as unworthy of one, and parade others?—It is a lack of logic—a vain effort to put one's self above one's natural place" (*The Letters and Private Papers* 141). Wheeler argues that Thackeray pursued "his literary identity in working against these conventions [of the historical romance, the silver-fork novel, or the Newgate novel]" (22). As a result, Thackeray's characters, as Janice Carlisle explains, "have assumed for the reader an authenticity that will not allow them to be confined or completed within the realm of fiction. They refuse to become cardboard figures bound within the covers of a novel" (134).

Intriguingly, Thackeray found materials for Barry Lyndon in the life of a man named Andrew Robinson Stoney, thus "undermin[ing]," as Robert Fletcher argues, "the common sense distinction between truth and fiction" (493-494). While visiting Streatlam Castle with John Bowes in June and July 1841, Thackeray discovered *The Lives of Andrew Robinson Bowes and the Countess of Strathmore* in the annals of the Strathmore family, of which Bowes was an illegitimate descendant. *The Memoirs of Barry Lyndon, Esq.* resembles the life story of Stoney: Stoney was the offspring of a once wealthy and highborn family, served in the army, and married an ugly and rich heiress, Hanna Newton. He behaved, in Gordon Ray's words, like "a brute and a savage to his wife" (*Thackeray: the Uses of Adversity* 340), and after her death, Stoney remarried Durham heiress Mary Eleanor, daughter of George Bowes of Streatlam Castle and Gilbert Park. The details of Stoney's courting, marrying, and beating Mary Eleanor are almost identical to the story told in *The Memoirs of Barry Lyndon, Esq.* In particular, Mary Eleanor's intelligence and familial background are the same as those of Lady Lyndon:

The match was not a happy one, for this unintellectual and convivial gentleman was as much bewildered by his *bas bleu* wife's linguistic and scientific accomplishment as by her taste for poetry and sentiment. ... [Stoney] led her to consent to these depredations, to overlook his series of mistresses, and to bear cheerfully the loss of the comforts and dignities to which she was accustomed. But his brutality at last proved more than she could bear. He displayed 'a miserable sort of energy ... without any common and fair defined motive,' Foot relates, which found its outlet in 'beating, scratching, biting, pinching, whipping, kicking, imprisoning,

insulting, provoking, tormenting, mortifying, degrading, tyrannizing, cajoling, deceiving, lying, starving, forcing, compelling, and a new torment, wringing of the hear.' Early in 1785 Lady Strathmore escaped from her torturer, and within three months she 'exhibited articles of the peace in the Court of King's Bench, against her husband ... for ill treatment of her person.' ... In 1787 Bowes was sentenced to three years' imprisonment for this offence: and when Lady Strathmore was granted a decree of separation and divorce two years later, he was kept on in prison for indebtedness. (*Thackeray: the Uses of Adversity* 340-342)

Gordon Ray's four-page description of *The Memoir's of Barry Lyndon, Esq.*'s adaptation of *Lives of Andrew Robinson Bowes and the Countess of Strathmore* summarizes Thackeray's novel: Thackeray was fascinated with what Ray terms "the supreme example of what had been his main subject throughout his early fiction: the scoundrel-gentleman" (*Thackeray: the Uses of Adversity* 343). The concept of gentlemanliness was central to definition of nineteenth-century English manhood: as Robin Gilmour explains, it "harnessed the traditional elements of honour and disinterestedness to the Victorian values of work, self-discipline, energy, and perseverance" (167). According to Gilmore's definition, Thackeray's "scoundrel-gentleman" was inherently an oxymoron.

As a satirist, Thackeray set *The Memoirs of Barry Lyndon, Esq.* in the eighteenth century in order to criticize Victorian society. In Thackeray's biography, *The Buried Life*, Gordon Ray interprets the novel as "a rebellious book that reveals Thackeray's dissatisfaction with the standards of the society in which he lived" (29). Although neither his biographers nor his critics articulate what specific social norms or issues of Victorian England concerned Thackeray, Ray explains that Thackeray "wanted Barry's career to illustrate the fallaciousness of the world's estimate of "luck" or success. Hence he showed how completely Barry's prosperity failed to bring him happiness. And he desired to bring out the terrible change worked on the as yet plastic character of a young man by adherence to false standards of gentlemanliness" (*Thackeray: the Uses of Adversity* 345). Thackeray as a moral critic aims to criticize Victorian behavior. In the process, he reveals the domestic violence endemic to Victorian society.

As the text aims to portray Barry's luck or success in high society, aristocratic ladies are depicted in detail as enjoying relatively more power and prerogatives than women of the lower classes. Still, the depiction of aristocratic women's suffering despite their social and financial prerogatives provides insight into Victorian women's vulnerable position in English society. Although aristocratic women may have had an upper