

Spring 5-8-2018

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Brianna Bicho

brianna.bicho@student.shu.edu

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“Violent Love’: Jane Austen and Eighteenth-Century Marriage Laws”

Brianna Bicho

M. A. Seton Hall University, 2018

A Thesis

Submitted in Partial Fulfillment of the Requirements for the

Master of Arts

In

The Department of English

Seton Hall University

May, 2018

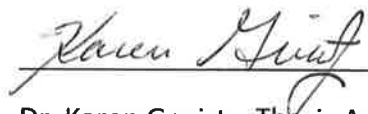
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Seton Hall University
College of Arts and Sciences
Department of English

This Thesis, “‘Violent Love’: Jane Austen and Eighteenth-Century Marriage Laws”, by Brianna Bicho has been approved for submission for the Degree of Master of Arts in English— Literature
by:

Approved by:



Dr. Karen Gevirtz, Thesis Advisor



Dr. Jonathan Farina, Second Reader

Abstract:

In several of Jane Austen's novels, her heroines are confronted more than once with the proposition of marriage. Many of the primary proposal scenes in these tales contain violent language seemingly at odds with the romantic context, and the romance convention, of a proposal scene. Austen's rhetoric of violence functions as a critique of contemporary laws defining and regulating marriage, particularly Blackstone's *Commentaries on the Laws of England*, published in 1765. These laws negated a woman's ownership – both personal and financial – upon her marriage: they outlined both the illegality of a wedded female to own property and the abolished existence of the bride, who post-ceremony would be identified no longer as herself, but as her husband. Such negation would undoubtedly affect a woman's sense of self, diminished upon submission to (and absorption by) a man. Austen defies this ruling by staging proposal scenes which fit societal expectations as acts of violence, therefore critiquing such marital laws as violent attacks on female agency and identity. By having her characters cast off these attacks in favor of a more equal relationship, Austen simultaneously rejects the marriage laws of her time while proposing an ideal alternative of legal matrimony: one that does not require her heroines to surrender their identities. In writing these conclusions, Austen calls for a revision of marital law to maintain the female's personal ability and overall sense of self. While the heroine's primary suitors are self-centered, the suitors which Austen's characters ultimately accept see and acknowledge the heroine's self. Because of this notable difference, each of Austen's characters ultimately obtain the ability to participate in a marriage while maintaining their identity. In this way, Austen delivers social commentary through her primary proposal scenes and proposes an ideal marital structure through her endings.

Several literary critics have argued that rather than tales of neat romance, Jane Austen's novels contain substantial social criticism masked by elegant syntax and seemingly happy endings. That she challenges the traditions of her time through her writings is not a revolutionary claim, yet different scholars offer varying approaches to dissecting how Austen crafts such a pointed critique. Annette Hopkins, in her 1925 article, "Jane Austen the Critic," draws attention to the author's penchant for satire, while William Reitzel (in his 1933 "*Mansfield Park and Lovers' Vows*") looks closely at Austen's careful craftsmanship by supporting her intentional placement of the play within the novel. In 1960, E. M. Halliday uses narrative theory to discuss Austen's irony and "artistic control" (Halliday 71) in his "Narrative Perspective in *Pride and Prejudice*." Years later, in 1995, Devoney Looser edited a collection of feminist critique on Jane Austen appropriately titled *Jane Austen and Discourses of Feminism*. In it, several scholars including Gary Kelly, Laura Mooneyham White, and Diane Hoeveler use feminist and gender theories to show how Austen's works function within such domains. Feminist theory has remained a popular approach to Austen criticism, though varying trends can be noted over the last few decades.

While much literature exists on Austen and feminism, little can be found on her use of violence within her works. The primary proposal scenes across several of Austen's novels incorporate violent language that shows her characters' struggles under the marriage laws of their time. By constructing these scenes as acts of violence against women, Austen harshly condemns the lack of female autonomy under marital union. In turn, I argue that she portrays her final proposal scenes as ideals, further criticizing her legal system by presenting a satisfying picture of marriage under alternative laws. Critic Karen Newman argues that it is in these final scenes that Austen pushes back against constructed and limited gender roles. She writes, "Far

from acquiescing to women's traditional role in culture, Austen's parodic conclusions measure the distance between novelistic conventions with their culturally coded sentiments and the social realities of patriarchal power" (Newman 208). Rather than conforming to these roles with the inclusion of a marriage, Newman says that "Austen's novels show us women confronting the limitations imposed by late eighteenth- and nineteenth-century English society" (205). She does so successfully, I argue, by constructing these familiar scenes outside of familiar parameters; she denies traditional proposals and ultimately grants the marriage ending on new terms. In the process, she reveals a discontent with marriage as it currently affects women and shows the benefits of an alternative structure by rewarding her more progressive characters. In several of her novels, Austen creates pairs of proposal scenes – scenes articulated in violent and in nonviolent language – to reveal how the current marriage laws eradicate female identity and to offer reforms to the legal system.

In his 1765 *Commentaries on the Laws of England*, William Blackstone outlines the marriage laws of eighteenth-century England:

By marriage, the husband and wife are one person in law: that is, the very being or legal existence of the woman is suspended during the marriage, or at least is incorporated and consolidated into that of the husband: under whose wing, protection, and *cover*, she performs every thing; and is therefore called in our law-french a *feme-covert*; said to be *covert-baron*, or under the protection and influence of her husband, her *baron*, or lord; and her condition during marriage is called her *coverture*. Upon this principle, of an union of person in husband and wife, depend almost all the legal rights, duties, and disabilities that either of them acquire by the marriage. I speak not at present of the rights of property, but of such as merely

personal. For this reason, a man cannot grant any thing to his wife, or enter into covenant with her: for the grant would be to suppose her separate existence.

(Blackstone 430)

In these lines, Blackstone explicitly states that upon marriage, the woman sacrifices all autonomy to her husband: her entire self is absorbed by her male partner. There are very few cases in which the wife is “separately considered; as inferior to [the husband], and acting by his compulsion” (432). In these instances, even while granted some vague sense of individuality, she is nevertheless portrayed as “inferior” and less than her husband; she is never permitted full autonomy or equality within marriage. To further this divide, husbands are granted the “power of correction” (432) over their wives, which allows physical punishment “within reasonable bounds” (432). “The courts of law,” Blackstone writes, “will still permit a husband to restrain a wife of her liberty, in case of any gross misbehavior” (433). Under these laws, wives are completely stripped of their autonomy, reminded of their inferiority, and treated as a husband would treat “his servants or children” (432). In this scenario, women become wholly objectified and consistently degraded.

Susan Glover dissects the law and its relation to self in her book *Engendering Legitimacy*. In it, she writes that “the common law virtually erased the identity of the married woman, particularly her capacity to own real property” (Glover 22). While they were used to create future heirs, they were refused any inheritance themselves. Glover writes,

Thus, along with regulating the lands and tenements of England, the law of real property also regulated the bodies and possessory capacity of women. Under the doctrines of the common law, a married woman (*feme covert*) was unable to hold real property in her own right (in contrast to an unmarried or a widowed woman, a

feme sole, who could), and could not own any personal property at all apart from her “paraphernalia” (clothing and necessary personal items). (29-30)

She points to the hypocrisy of the law in these lines – while females were prevented from owning anything, they were simultaneously expected to birth sons with the same right they were denied. Glover emphasizes this bodily control when she writes, “England’s common law established very visceral, physical, fleshly connections surrounding the transmission of real property and the elaborate legal regulation of what entered and emerged from the womb” (31). The law not only restricted female ownership and their access to a legal self, it infringed on their existence as a physical being. In this way, the laws acted as an assault on women – on their abstract and legal selves as well as on their bodily selves. Austen’s primary proposal scenes reflect this attack; her suitors show no regard for female autonomy, and her heroines feel disrespected by them. In many instances, the female’s sense of self – along with her physical self – becomes objectified and simultaneously threatened.

Claudia Johnson makes a similar claim in *Equivocal Beings: Politics, Gender, and Sentimentality in the 1790s*. She writes that through their assigned roles, “women [were] necessary to the production of morality, but that morality [was] not for them, and the moral pleasures that accrue to heterosexual affection turn[ed] out to be neither very natural nor very accommodating to them” (Johnson 88). While they played a vital role in their society, their work only assisted in furthering their own oppression and delaying any opportunity for success or autonomy. As Audrey Bilger expands, “By stressing the value of women’s activities, they criticize the workings of the present system that strictly limit the scope of those activities” (Bilger 53). She writes in her first chapter that “this circle of oppressive ideology bribed women into accepting male domination as the natural order of things” (25). The marriage laws of the

time reflected this idea, which went largely unchallenged due to this perpetuated belief. Bilger criticizes the eighteenth-century marriage market as the “inhumanity of selling off young women as if they were shaving goods or pieces of property” (159). Vivien Jones takes this argument a step further by noting that “comparisons between women and slaves were frequently drawn throughout the eighteenth century” (Jones 284). While abolitionists and women’s rights activists often used each other’s movements to further their own, the connection is not improbable. The act of objectifying and commodifying women occurred both in societal traditions and in marriage laws. With limitations surrounding them, women were unable to define themselves as anything other than what society labeled them.

Dror Wahrman notes that the abstract idea of the self, which he calls “a sense of stable inner core” (Wahrman 168) emerged “at the turn of the eighteenth century” (168). He writes that the identity that surrounds this core was considered malleable, and “at least in principle or under certain circumstances, could be imagined as unfixed and potentially changeable – sometimes perceived as double, other times as sheddable, replaceable, or moldable” (168). That the idea of the self was just beginning to develop in this time period perhaps offers an explanation for the delay in distinguishing and acknowledging a female identity. Rachel Carnell explores this in her introduction to *The Rise of the British Novel* when she writes,

The difficulty for these early liberal political theorists was that in their attempt to define an abstract political self in the person of the male head of household, they were confounded by the presence in their analogies of the wives, children, and servants, who were not yet conceived of as full citizens. For example, social-contract theorists such as John Locke and James Tyrrell refuted the patriarchalism of Robert Filmer’s traditional family model by elevating Eve from helpmate to joint

ruler over the household. However, this elevation was never intended to improve a wife's status in the home. (Carnell 12)

In these lines, Carnell explains the budding philosophy of individualism as defined by man and further explains Bilger's "circle of oppressive ideology" (Bilger 25) – women were made to believe that they had more power, at least in the domestic sphere, than they did, and their autonomy continued to be undermined and unacknowledged. Critics like Glover investigate this variance further by studying gender roles of the time period.

The disregard for the female self that Glover explores extends from the late seventeenth and early eighteenth centuries. In her book, *Women, the Novel, and Natural Philosophy, 1660-1727*, Karen Gevirtz defines the self as "the combination of body and mind that interacts with knowledge, whether that knowledge comes from authority or experience" (Gevirtz 2). While the scientific revolution would seemingly provide an opportunity for the development and recognition of female selves based on this definition, this was not the case. Inaccessible in reality, women turned to novels to explore these ideas through fiction. "In short," Gevirtz writes, "early novelists were grappling with ideas about the self available in the cultural mainstream but originating in the philosophical and epistemological revolutions of the seventeenth and early eighteenth century. Women authors' engagement renders particularly visible the problems inhering to these ideas of self and knowledge and the challenges to rhetoric that those ideas posed" (9).

By understanding the history of the self as it evolved, it is unsurprising that, by the time of Blackstone's *Commentary*, the idea of the female self had not fully developed. Women had a clear role in society but were denied individual identities. Gevirtz, like Glover, notes how they were used by their communities rather than seen as separate entities:

Women were expected to view themselves as constructed by and contributing to the group, obedient to parents, aspiring to marriage, and responsible for children. The pressures on women to conform to this notion of virtue were considerable, to put it mildly. Autonomous action and independent perception and analysis were not part of conventional femininity. Chastity, civility, compassion, generosity to the poor, obedience, and so on, all behaviors tying the female individual to her community, were... A woman was expected to see her self as woven into the fabric of a group, constituted by it and constituting it in turn. (29)

In this way, women acted as a functioning part of the system, never in control of it. A woman was restricted from “interact[ing] with knowledge” (Gevirtz 2) because her societally-driven purpose did not require intellect. Thus, the patriarchal community of eighteenth-century England continued to struggle with the concept of a female self, which Austen articulates through her contrasting primary proposal scenes, only rewarding those which successfully acknowledge and appreciate the female self. As time progressed, however, women were slowly granted more tangible, financial value.

While no significant legal change surrounding the ownership rights of married women occurred until the 1882 Married Women’s Property Act, “which acknowledged women as legally independent and responsible for their own debts” (Ablow 1), a shift in attitude began at the beginning of the century. In his study of wills in the nineteenth century, Richard H. Chused notes that

even if women were not consciously exercising control more frequently as the century progressed, men were becoming more willing to let them. Evidence of two sorts is available. First, data on the gender of beneficiaries demonstrate that both

male and female wills tended to favor women as primary beneficiaries. Second, use of the equitable estate for married women grew over time and changed in form to permit married women greater dispositional authority. (Chused 1376)

Regardless of the lack of legal entitlement, both men and women were beginning to recognize females as individuals worthy of investment and capable of financial regulation. Why then did laws remain unchanged despite these social shifts? Chused explains this delay in reform when he writes, “Legal education, which along with education generally, developed and grew from the 1790's through 1830, was heavily influenced by the treatise writers, English law, and Blackstone. Yet these very facts make it unlikely that Blackstone became the subject for public debate in the 1840's because contemporary law reflected his eighteenth-century ideas” (Chused 1384). Thus, since current law education relied on Blackstone’s *Commentaries*, coverture laws remained unchallenged until later in the century. Nevertheless, the ideology behind such laws began to wane.

Diane Wood rightly notes that “violence against women is not entirely swept under the rug in Victorian novels” (Wood xii). While she cites *Oliver Twist* as an example of an explicit attack, she does acknowledge that “overt violence against women is not the only way in which they are confined” (xii). Austen shows such violence through language in her primary proposal scenes; while not as explicit as some other Victorian works, this volatility does permeate throughout her novels. Julie Shaffer is one of several critics who argues that Austen and other like authors of her time “may have felt constrained to write marriage plot novels no matter what their opinions on reigning views of proper femininity” (Shaffer 52). Shaffer goes on to list a string of reasons one would feel such constraint before suggesting that these novels act “as a site for some women novelists to participate in constructing and disseminating an ideology that

granted women greater autonomy and respectability than that which viewed them as subordinate and inferior creatures” (52). Whether or not Austen felt restricted to write within this genre remains unclear, but she nevertheless uses it to her advantage. Shaffer’s ultimate claim remains plausible in the case of Austen, who constructs these plots in ways that both reveal the problematic nature of the current marriage laws and offer direction for change. Austen both critiques the system currently in place and plants the seed for reform. As Francesca Saggini notes, “a successful marriage proposal [in Austen’s novels] completes a process of mutual understanding and reform” (Saggini 208) between the two main characters. Austen uses the marriage plot to exemplify equal unions; she refuses to marry her couples until they have reached a mutual balance.

Scholarly critic Robert Ferguson notes this pattern as well, writing that “Marriage is at once a confirmation of the existing order and the creation of a new terrain, a different space in that order. A proposal to enter it juxtaposes individual desire to social convention, and a successful proposal requires that these separate understandings cohere” (Ferguson 284). He points out that since the male suitors of Austen’s primary proposal scenes are solely preoccupied with their own status, they consistently prove incapable of “consider[ing] how each participant’s identity will be reintegrated into the [marital] collectivity... [He] proposes while too blindly certain and fixed to his separate identity to have the ghost of a chance of succeeding in the mutual moment. The words of his always-elaborate proposal suggest that only the lady will have to change” (284). Ferguson’s wording in this final line fails to portray the extent of this issue: in these primary proposals, the suitor expects “the lady...to change” by expecting her virtually to cease to exist in any legal or abstract sense. Marriage under current laws involves an erasure of

the female self, which Austen reveals to be an act of violence against women through her descriptive language.

Arguably one of the more explicitly violent scenes in Austen's novels takes place between the main character and Mr. Elton in *Emma*. After wrongly assuming his affections for Harriet, Emma responds confusedly when he proposes to her instead. The setting for this primary proposal creates an uneasy atmosphere prior to any exchange in dialogue. Emma finds herself sharing a carriage with Elton on the ride home from a Christmas Eve party, and her discomfort shows through the narrative voice:

It would not have been the awkwardness of a moment, it would have been rather a pleasure, previous to the suspicions of this very day; she could have talked to him of Harriet, and the three-quarters of a mile would have seemed but one. But now, she would rather it had not happened. She believed he had been drinking too much of Mr. Weston's good wine, and felt sure that he would want to be talking nonsense.

(*Emma* 92)

Before the conversation begins, Emma reveals her suspicions of Elton. The narrator reveals Emma's intuition that Elton does not, in fact, have feelings for her friend, but to say so aloud would not be proper. In the carriage, Emma cannot escape from Elton or successfully deflect the conversation, which leads to her feeling trapped and wishing "rather it had not happened" (92). The scene is greeted with dread instead of excitement, an effect which mirrors the imminent exchange. When Emma attempts to avoid any inappropriate conversation by commenting on the weather, "she [finds] her subject cut up – her hand seized – her attention demanded, and Mr. Elton actually making violent love to her" (92). The language in this scene is explicit: Elton "seize[s]" Emma's hand and "demand[s]" her attention to professes his "violent love" (92). Elton

remains entirely selfish in his admission, and nothing about his approach shows that he cares for Emma.

The scene acts as an attack of character, as he “actually mak[es] violent love to her” (92) and assaults her both physically and verbally. This implication strengthens when the narrator continues, “Mr. Elton, the lover of Harriet, was professing himself *her* lover. She tried to stop him; but vainly; he would go on, and say it all” (92). By noting that Emma “tried to stop him” (92), the narrator clearly identifies a lack of consent. Mr. Elton overpowers her in conversation regardless of her attempts, however, and he pushes his affections on her repeatedly. Throughout this uncomfortable exchange, Emma “struggles for politeness” (93), which shows her increasing need to protect and defend herself more straightforwardly as the conversation continues. Even after she refuses him, he persists in his pursuit of her and says, “I am sure you have seen and understood me” (93). His certainty only increases the violent tone in this scene – rather than check his feelings against hers, he wrongly assumes that they share the same intentions. His blatant disregard for her feelings and his refusal to accept her rejection show him forcing his unwanted affection onto her in a confined space with no witnesses to his behavior. In observing his continued lack of understanding, Emma is “too completely overpowered to be immediately able to reply” (93), which shows his dominance over her in this moment. Taking her silence as a surrender, he pushes on once more and “trie[s] to take her hand again” (93). While he ultimately and angrily accepts Emma’s refusal, this persistence acts as an attack. Had the language used to describe such a scene been more playful or timid, the interaction might not convey such discomfort. However, Austen’s use of aggressive diction in this scene construct a violent assault rather than a harmless misunderstanding. The number of times she chooses violent language to describe this altercation, along with Elton’s repeated attempts to capture Emma’s hand, draws

attention to the intense discomfort of this physical and verbal offense, which deeply affects Emma.

In contrast, at the close of *Emma*, Mr. Knightley finally professes his feelings for the heroine but remains conflicted on “how to be able to ask her to marry him, without attacking the happiness of her father” (308). He knows how much her father means to Emma, and that she would never leave him: “the impossibility of her quitting her father, Mr. Knightley felt as strong as herself” (308). He concludes, after much deliberating, “that so long as her father’s happiness – in other words his life – required Hartfield to continue her home, it should be his likewise” (309). By compromising on this issue, Knightley at once acknowledges Emma’s desires and personal needs and participates in an equal relationship. By taking this action, he proposes an equal union in stark contrast to Elton’s violent attack. Once she is assured of Harriet’s happiness, Emma “could now look forward to giving [Knightley] that full and perfect confidence which her disposition was most ready to welcome as a duty” (327). She commits to him and accepts his progressive proposal. In the last line of the novel, Austen refers to the marriage as a “union” of “perfect happiness” (333), which contrasts the “attachment” (92) described in other dynamics, including that between Elton and Emma. While “attachment” implies an addition to a larger whole, “union” symbolizes a more equal match. Again, through her language, Austen reveals which of these dynamics are ideal and which are harmful.

In *Pride and Prejudice*, Elizabeth receives her primary proposal from Mr. Collins. While Austen describes this exchange as a less forceful assault, it nevertheless does consist of violent language. Mr. Collins first asks for privacy between himself and Elizabeth, a request which she protests to no avail. This again sets the tone for the scene – Elizabeth clearly shows her discomfort, though no one acknowledges it. In her attempt to avoid Mr. Collins, Elizabeth

“looks, about to escape” (*Pride and Prejudice* 72) before Mrs. Bennet prevents her leaving. “Escape” in this sentence evokes a sense of panic and communicates that Elizabeth already feels trapped by Mr. Collins. Elizabeth reflects on her mother’s orders, and thinking that “it would be wisest to get it over as soon and as quietly as possible, she [sits] down again, and trie[s] to conceal by incessant employment the feelings which were divided between distress and diversion” (72). Once she acknowledges the inevitability of this interaction, she desires to end it as quickly as she can. Unlike in *Emma*, this decision grants Elizabeth some control in this exchange. However, Mr. Collins still causes her “distress” in his arrival. She listens to his proposal, which insults her character on several levels. He remains selfish in his speech, listing the reasons why marriage in general – not to Elizabeth specifically – would be beneficial to him and disregarding any reasons why she should accept his offer. When he does turn to her benefits of such a match, he begins by stating,

But the fact is, that being, as I am, to inherit this estate after the death of your honored father, (who, however, may live many years longer,) I could not satisfy myself without resolving to chuse a wife from among his daughters, that the loss to them might be as little as possible, when the melancholy event takes place – which, however, as I have already said, may not be for several years. (73)

He focuses on her father’s death and uses it as a primary motivation in his speech, all while continuing to fail in identifying his love for Elizabeth.

When he does turn his speech to his care for her, he states, “And now nothing remains for me but to assure you in the most animated language of the violence of my affection” (73). This brief statement is the only sentence in Mr. Collins’s entire lengthy proposition that touches on the subject of love. While he structures this statement as a topic sentence that should lead to

further explanation of his feelings toward Elizabeth, he then turns back to a much less romantic topic – her small inheritance. He spends one long sentence describing the little amount she will receive upon her mother’s death, and another promising not to discuss such matters after their union. Again, while Elizabeth remains in control of this interaction, and Mr. Collins’s actions are arguably less damaging than Mr. Elton’s, he nonetheless acts with violence. He professes the “violence of his affection” (73), and, like Elton, refuses at first to accept Elizabeth’s rejection. Even when she addresses him with a stern voice and direct insult, he does not acknowledge her decline. After several attempts to communicate such, she tells him, ““If what I have hitherto said can appear to you in the form of encouragement, I know not how to express my refusal in such a way as may convince you of its being one”” (74). He continues not to take her seriously and refuses to believe that her words reflect her desires. This ignorance affects Elizabeth even more than his original speech.

Austen’s commentary becomes clear when Elizabeth tells Mr. Collins, “Do not consider me now as an elegant female intending to plague you, but as a rational creature speaking the truth from her heart” (74-75). In separating “elegant female[s]” from “rational creatures” (75), Elizabeth attempts to appeal to the male ego. While she is a witty, independent character, Mr. Collins represents societal treatment of women as objects incapable of thinking or forming opinions. Elizabeth realizes, when even this statement fails to grasp Mr. Collins’s attention, that nothing she says will be taken seriously by a man who does not view women as individuals. Thus, she resigns, “if he persisted in considering her repeated refusals as flattering encouragement, to apply to her father, whose negative might be uttered in such a manner as must be decisive, and whose behavior at least could not be mistaken for the affectation and coquetry of an elegant female” (75). The effect of Mr. Collins’s continued ignorance clearly shows in this

closing line of the chapter. Elizabeth comes to terms with her value – or lack thereof – as a female in a male-driven society, and she realizes that the only way her voice can be heard is through a male body. Thus, Mr. Collins attacks the independence and agency of Elizabeth’s character by refusing to listen to her, which takes the form of a violent act.

Mr. Darcy’s initial attempt, while less vehement, is just as aggressive. The language throughout his proposal remains ego-centric with no regard for Elizabeth’s desires: “‘In vain have I struggled. It will not do. My feelings will not be repressed. You must allow me to tell you how ardently I admire and love you’” (125). In his profession of love, he is only concerned with his own wants and refers to himself throughout. When he does mention Elizabeth, it is only to tell her what she “must” do. Rather than a conversation, Darcy presents a declaration to Elizabeth that assumes her acquiescence, much like Mr. Collins. Judith Lowder Newton recognizes that each of these suitors is unsuccessful in their proposals because they “are so immersed in their sense of control that they blindly offend the woman whose affections they mean to attach” (Newton 128). By having both proposals result in steadfast rejections, then, Austen criticizes such an approach. In revising Darcy’s proposal, Austen, as Newton notes, “attempt[s] to give [Elizabeth] marriage but to alter what marriage means” (141). She remains in favor of a happy ending, but challenges its very definition. Nevertheless, Darcy’s initial proposal remains self-centered; he addresses her as an object of his affection, not as a human being, and in doing so, reflects the law’s disregard for female autonomy.

In the amended proposal Darcy offers several chapters later, he approaches Elizabeth with significantly less force, and he acknowledges her agency within the relationship by recognizing her right to refuse him:

“If you *will* thank me,” he replied, “let it be for yourself alone. That the wish of giving happiness to you, might add force to the other inducements which led me on, I shall not attempt to deny. But your *family* owe me nothing. Much as I respect them, I believe, I thought only of *you*... You are too generous to trifle with me. If your feelings are still what they were last April, tell me so at once. *My* affections and wishes are unchanged, but one word from you will silence me on this subject for ever.” (*Pride and Prejudice* 238-9)

In this scene, Darcy communicates his feelings for Elizabeth while respecting her boundaries and acknowledging her sense of self – an important difference from his or Mr. Collins’s first proposals. As Ferguson notes, “Darcy is shaken by the rebuff of Elizabeth in a way that [Collins] is not. Darcy agonizes and seeks to correct himself while the unchanged professional men immediately seek other recipients of the same proposal” (Ferguson 284). This change is vital to Elizabeth’s acceptance, and her approval reveals Austen’s desire for legal change. Darcy also communicates Elizabeth’s power over him in this moment when he tells her that “one word from [her] will silence [him] on this subject for ever” (*Pride and Prejudice* 239). He values her as a person and makes his affections known while relinquishing any hold over her that he previously thought himself entitled to. Moreover, in this proposal, Darcy remains focused on Elizabeth’s wants and unconcerned with his own. This attention reflects a proposal of an equal union, which contrasts his initial attempt. By having Elizabeth “receive [this proposal] with gratitude and pleasure” (239), Austen praises a union of two people over the absorption of one by the other. Therefore, she identifies Darcy’s behavior in this scene, which represents an equal legal marriage system, as ideal.

Such violent scenes could have been influenced by gothic fiction, a genre popular in the eighteenth and nineteenth centuries. As Joel Terranova writes, “One of the most popular devices seen in the eighteenth-century gothic romance were the banditti, . . . outlaws prone to violent and insidious acts” (Terranova 38). By incorporating such elements, gothic fiction normalized or sensationalized violence against women. While the genre approaches violence more explicitly, both physical and symbolic restraint also exist as key elements. Kristin Girtten points out that many scholars view “the meaning of the gothic edifice . . . as a phallic representation of patriarchy” (Girtten 714) and therefore as a “symbol of women’s domestic captivity and subjugation” (714). She cites a scene from the 1797 novel *The Italian* as an example in which “a gothic architectural feature, in this case a convent, again operates as an agent of her oppression, presenting her with perplexing labyrinthine passageways and preventing her exit” (724). Just as buildings act as forces of constraint in gothic fiction, marital laws and expectation do so in Austen. As these novels were published and popularized in her lifetime, Austen would have read them as contemporary fiction. Realizing this influence, Christopher Miller writes that Austen “parodies the shock effects of gothic fiction while absorbing their perceptual syntax” (Miller 142) and argues that the genre “offered Austen a narrative vocabulary that she readily adapted” (145). Fern Pullan offers a more direct connection between *Blackstone* and gothic fiction by noting that “the confusing issue of female identity within the law is wholly bound up with the notion of the propertied woman as being property herself” (Pullan 493) and that “the Gothic adapted these concerns into its own key tropes – forming the themes of the inheritance of landed estates, primogeniture challenges, and the female property issue that began to dominate the genre” (495). Gothic fiction reflected *Blackstone* in more than its resistance to grant women the right to own property, however. Kristin Kalsem expands on the genre’s element of captivity and

its relation to marriage laws when she writes, “In Gothic novels, characters (usually heroines) often find themselves blocked off from something to which they ought to have access... Such was the experience of a nineteenth-century woman upon marriage, when she suddenly was denied access to rights that society had determined to be proper, natural, and necessary to all but married women” (Kalsem 21-22). With this connection, the influence of gothic fiction on Austen shows through the physical constraint of Emma by Elton and that of Fanny by Henry.

In *Mansfield Park*, the primary proposal scene that takes place between Fanny and Henry also uses violent language. When describing their interaction, the narrator writes, “But this could not be suffered. The opportunity was too fair, and his feelings too impatient. He was after her immediately” (*Mansfield Park* 205). That he would “suffer” in her absence sets a scene of aggression and discomfort. Further, Austen’s word choice in stating that “he was after her immediately” (205) structures a scene of pursuit that mirrors the primary proposal scenes in both *Emma* and *Pride and Prejudice*. The heroines in each of these scenes attempts to physically distance herself from her suitor, only to become restrained by him. Continuing this pattern, Henry tells Fanny, “She must not go, she must allow him five minutes longer,” and he “[takes] her hand and [leads] her back to her seat, and [is] in the middle of his further explanation, before she [suspects] for what she [is] detained” (205). The language here evokes capture rather than proposition. He tells Fanny that she “must” stay, demanding rather than requesting her presence. Further, before waiting for a response, Henry initiates contact, literally restraining Fanny by physically moving her to his desired position. Lastly, the narrator recognizes that Fanny is “detained” (205), which draws attention to her being held against her will. Instead of using another word that would avoid any negative connotation, Austen chooses this one, which signifies confinement, reflective of the gothic element of restraint. In this scene, Henry acts as

the “gothic edifice” (Girten 714), preventing Fanny’s escape. In this way, he disregards her autonomy and threatens her sense of self.

When Fanny listens to Henry, she becomes aware that “every thing he had done for William, was to be placed to the account of his excessive and unequalled attachment to her” (205). That Henry only chose to help William in order to get closer to Fanny lessens the gesture; it reflects his character and reveals to Fanny his selfish, rather than selfless, motivations. His actions in this scene reveal his manipulative and sinister character. The word choice in this statement also points to Fanny’s unrequited feelings. His affections are described as “excessive and unequalled” (205), which clearly identifies his advances as unwanted. Further, he has “attached” (205) himself to Fanny, an image which evokes parasitic affection rather than mutual love. In understanding Henry’s intentions, Fanny is “exceedingly distressed, and for some moments unable to speak” (205), which noticeably shows the effect of Henry’s advances. The forcefulness of his confession leads her to believe that it is a joke, which leaves her with a feeling of “displeasure” (205). Like Emma and Elinor, she resists Henry repeatedly: “[H]aving twice drawn back her hand, and twice attempted in vain to turn away from him, she got up and said only, with much agitation, ““Don’t, Mr. Crawford, pray don’t. I beg you would not. This is a sort of talking which is very unpleasant to me. I must go away. I cannot bear it.” But he was still talking on, describing his affection, soliciting a return, and, finally, in words so plain as to bear but one meaning even to *her*, offering himself, hand, fortune, every thing to her acceptance” (205). Again, the suitor ignores completely the desires of who he claims to love, therefore showing that his actions are rooted in violence, not affection. His effects are further shown once Fanny separates herself by “burst[ing] away from him (206) and has a moment alone. “She was feeling, thinking, trembling, about every thing; agitated, happy, miserable, infinitely obliged,

absolutely angry” (206). She shows a confused and unstable reaction to her interaction with Henry, but she generally responds negatively. While her happiness and obligation most likely derive from William’s promotion, she remains agitated, miserable, and angry towards Henry despite her thanks. The negative effects of Henry’s offer resonate clearly within Fanny, which show his proposal as an act of violence towards her.

At the end of *Mansfield Park*, the narrator reflects on Edmund’s admiration for Fanny by stating that he “became as anxious to marry Fanny, as Fanny herself could desire...Her mind, disposition, opinions, and habits wanted no half concealment, no self deception on the present, no reliance on future improvement. Even in the midst of his late infatuation, he had acknowledged Fanny’s mental superiority... She was of course only too good for him” (319). In these lines, the narrator reveals that Edmund perceives Fanny as a complete entity, not merely an addition or accessory to his own self. He remains aware of her “mental superiority” and that she is “too good for him,” which points not only to his recognition of her as her own person, but as one that far exceeds his own. The narrator simultaneously points to Fanny’s feelings, who equals Edmund’s desire in wanting a marriage wherein she can fully maintain her identity. A union with Edmund, she realizes, would require “no self deception” or “reliance on future improvement.” By allowing Fanny to escape any personal sacrifice, Austen represents a legal system that recognizes both individuals in marriage – one in which the female maintains just as much agency as her male partner. She supports the effect of such a union when she describes the couple in the closing paragraphs: “With so much true merit and true love, no want for fortune or friends, the happiness of the married cousins must appear as secure as earthly happiness can be” (321). She communicates their mutual joy to portray the success of an equal marriage; while Fanny refuses to surrender her character, this does not lead Edmund to become despondent, emasculated, or

financially worthless. She and Edmund remain blissful in the equality of their union, through which Austen shows the plausibility of a new legal structure which reflects the same in marriage.

It is important to note that the *Oxford English Dictionary* defines violence as “great intensity or severity, esp. of something destructive or undesirable” (“Violence” 1). The primary suitors of *Emma*, *Pride and Prejudice*, and *Mansfield Park*, cause an intense negative effect on the heroine through tangible force. While each suitor clearly communicates his intensity through language or action, the violence in *Persuasion* shows most noticeably through its destruction. Through the popularization of gothic fiction and sensationalism, the act of expressing of “violent love” became simultaneously emptied of impact and dangerously emptied of meaning. Perhaps because of this, Austen primarily describes these scenes in less direct detail. Instead, she carefully imbeds violent language throughout her scenes and ultimately shows the effect of her male characters’ affronts on her heroines. Emma, Lizzy, Fanny, and Anne show great distress both during and immediately following these interactions — a reaction that identifies each of these proposals as undesirable. Hence, even when Austen presents the violence of these proposals as implicit, these scenes fit the current definition and can be appropriately labeled as violent acts.

In *Persuasion*, the primary proposal scene occurs as a retelling, and the responses of both her father and Lady Russel greatly affect Anne’s character. While Anne does not need to contemplate her love for Wentworth, she does first consider the impact of such a union on her family. The proposal constructed in the novel, therefore, does not occur between Anne and Wentworth, but between Anne and her guardians. Anne proposes the marriage to each of them, and their individual responses cause Anne to decline Wentworth’s hand. This rejection continuously affects both characters for a majority of the novel. As Angela Leighton points out,

“The idea of ‘violence’ is usually too large for Austen’s prose to contain it, and so it is presented only as exaggerated action or emotion” (Leighton 58). In the case of *Persuasion*, Austen portrays the violence of the primary proposal in such a way, exemplified through Anne’s emotional state. While Austen structures the violence of this proposal differently than in her other novels, she creates the same effect with the same social critique – in this case, it is her parents, rather than her suitor, that have no regard for her character.

Upon being asked for his permission to marry, Sir Walter “gave it all the negative of great astonishment, great coldness, great silence, and a professed resolution of doing nothing for his daughter. He thought it a very degrading alliance; and Lady Russell, though with more tempered and pardonable pride, received it as a most unfortunate one” (*Persuasion* 20). This description of both her father and mother’s disapproval foreshadows Anne’s reaction to her inescapable refusal of Wentworth’s proposal. In responding with “great astonishment, great coldness, great silence” (20), Sir Walter shows the severity of his character. He exudes vanity to such an extent that he must confirm his position by belittling others with no regard to the consequences. He does “nothing for his daughter” (20), showing how little he cares for her in comparison to his reputation – he will not sacrifice his reputation for her happiness. By marking it as a “degrading alliance” (20), he asserts his priority of power and status over love. His reaction to Anne’s proposal therefore shows his fierceness towards her; he scoffs in the face of her potential happiness.

Lady Russell’s agreement that the match was “a most unfortunate one” (20) only furthers this injury. While Anne’s relationship with her father is far from flawless, she values the opinion of Lady Russell, and only gives in to the refusal upon her disapprobation. This influence is apparent when the narrator states that “it might yet have been possible to withstand her father’s

ill-will, ... but Lady Russell, whom she had always loved and relied on, could not... be continually advising her in vain. She was persuaded to believe the engagement a wrong thing – indiscreet, improper, hardly capable of success, and not deserving it” (21). Lady Russell’s successful persuasion of Anne to refuse the marriage leaves Anne hopeless and feeling as though she does not deserve happiness. This primary reaction signals the effects of Lady Russell’s actions. Unlike her father, Anne sees the partnership as a degradation not on her part, but on Captain Wentworth’s. Having been shown very little affection in her lifetime, she feels unworthy of him and of love in general. Anne’s self-identification as inferior directly results from Lady Russell’s “deprecat[ion] of the connexion in every light” (21). While her temper remains even and her appearance unaltered, Lady Russell manipulates Anne in a smart but aggressive way. She uses her admiration as leverage to convince Anne to leave Wentworth while remaining cognizant of Anne’s reluctance to do so. Whether or not Lady Russell acts in what she believes to be Anne’s best interest does not change how her words affect Anne. She continues to devalue herself, only able to rationalize such a refusal by blaming herself and labeling herself as less than. This guilt becomes clear when the narrator writes, “The belief of being prudent, and self-denying principally for *his* advantage, was her chief consolation, under the misery of a parting – a final parting; and every consolation was required, for she had to encounter all the additional pain of opinions, on his side, totally unconvinced and unbending, and of his feeling himself ill used by so forced a relinquishment” (21). Anne only enables herself to refuse Wentworth by imagining that he is better off without her.

Austen’s language in this scene also reveals the violent nature of Lady Russell’s reasoning; the passage includes several words that allude to Anne’s anguish, such as “misery,” “pain,” and “forced” (21). These words echo Anne’s sentiments, so broken by the refusal that she

hides inside of herself. Anne suffers the loss of a love and potential future at the hands of the one person she admires, which causes her great pain and in turn shows the violence behind Austen's language. She paints persuasion as an act of careful and gradual convincing for another's benefit, as she does earlier in the novel when Anne helps to convince her father to rent their home, but she also structures it as an act of violence that has traumatic effects on Anne and shelters her into a small girl who refuses to believe that she deserves to be loved. Anne's injuries are signaled again through her acknowledgement that "she should yet have been a happier woman in maintaining the engagement, than she had been in the sacrifice of it" (22). She admits her current regret in calling off the engagement and labels her refusal as a "sacrifice" (22). This confession confirms that she turns down the Captain's offer solely to appease Lady Russell, and the decision to do so still hurts. Austen clearly structures this instance of persuasion as a violent act through the language used throughout the scene as well as Anne's obvious effectiveness. While Anne remains certain of what she wants, she nevertheless yields to Lady Russell's seemingly innocent guidance, in turn further devaluing herself. Her reaction along with Austen's word choice structure this acquiescence as violent and manipulative.

When Captain Wentworth finally reveals his feelings for Anne, he hands her a letter, parts of which read: "I offer myself to you again with a heart even more your own, than when you almost broke it eight years and a half ago... Too good, too excellent creature!... A word, a look will be enough to decide whether I enter your father's house this evening, or never" (167-8). In this proposal, Wentworth "offer[s]" himself rather than demanding or assuming her acceptance, and, like Edmund in *Emma*, acknowledges that Anne is "too good, too excellent" for him. By recognizing her superiority and submitting himself to her, he acknowledges Anne as her own person, rather than just an object of his affection. Moreover, by telling her that he will quit

his pursuit with “a word, a look,” he grants her agency in both the proposal and their relationship. He respects her boundaries, and while he communicates his love for her, he simultaneously surrenders the power to act on those feelings in this final line. Austen again reinforces such a union by revealing its success. Upon their marriage, she writes, “they returned again into the past, more exquisitely happy, perhaps, in their re-union, than when it had been first projected; more tender, more tried, more fixed in a knowledge of each other’s character, truth, and attachment; more equal to act, more justified in acting” (170). In this point of the novel, Anne and Wentworth display their equal affection as well as their equal respect for each other, and their delight in each other solidifies this union. By constructing the scene in this way, Austen shows that such a matched relationship not only allows the female partner to maintain her identity, but serves as an ideal to both party’s happiness.

Austen shows in each of these primary proposal scenes how her heroines are verbally, emotionally, and physically assaulted by their initial suitors, who represent the current system of marriage with its assumed expectations of sacrifice. None of these men consider the possibility of being rejected because according to society’s standards, they do not need to; Mr. Collins, Mr. Elton, and Mr. Crawford each have more wealth and status than Elizabeth, Emma, and Fanny, and therefore these men are correct in assuming the benefits of such a match on a practical level. However, Austen constructs the male characters in these scenes so that they approach each female transactionally. They fail to consider any emotional appeal, marking an attack on women’s sexuality (or a claim of it as their own) rather than an equal union. Thus, Austen comments on the harmful effects that the current marriage laws have on the pursued. Her use of violent language serves to critique the present but normalized disjunction between gender roles and expectations in marriage. That these individual interactions so deeply distress Austen’s

heroines shows her discontent and disapproval of the marital construct as it is valued in her world. She presents her corresponding final proposal scenes in favor of legal reform, and she shows the benefits of such a change by rewarding her main characters with the ultimate happiness they crave while avoiding any degradation in male or female autonomy upon marriage.

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