

1999

Born and Made: Sisters, Brothers, and the Deceased Wife's Sister Bill

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Recommended Citation

Gruner, Elisabeth Rose. "Born and Made: Sisters, Brothers, and the Deceased Wife's Sister Bill." *SIGNS: Journal of Women in Culture and Society* 24, no. 2 (1999): 423-47.

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Born and Made: Sisters, Brothers, and the Deceased Wife's Sister Bill

But were another childhood-world my share,
I would be born a little sister there.

—George Eliot, “Brother and Sister Sonnets” (1874)

We are—almost all—born into families, born into relationships. Like Mary Ann Evans, I was born a little sister—but had I encountered her “Brother and Sister” sonnets at twelve, I might have thrown the book across the room. George Eliot’s fantasy of a perfected brother-sister relationship in these sonnets rings hollow and yet resonates profoundly with me. As a little sister myself, I wonder what could make the relationship—so often fraught with competition, envy, and neglect, yet potentially so richly rewarding—seem so powerfully right, so important to an adult woman’s self-identification? For the narrator of the sonnets is certainly an adult woman, even if she is not George Eliot. Within the fantasy of the sibling relationship, Eliot invents and articulates female desire in the sonnets: desire for power, identification, and autonomy, mediated through memory and connection. Yet—and this is the source of my imagined anger at these lines—the sisterhood that Eliot chooses, younger sister to an older brother, seems simply to reinscribe existing power relations between men and women; older brothers, to put it bluntly, dominate younger sisters. What compensates, in Eliot’s fantasy, for that fact (acknowledged implicitly in the sonnets, overtly in her better-known sibling fantasy/nightmare, *The Mill on the Floss*)? The sonnets’ speaker places herself in the position of the unseen auditor in a Wordsworth poem, the recipient of and sharer in the poet’s vision, and finds herself empowered through boyish games, lost in her own daydreams without paying any price for inattention. The brother, in other words, provides imaginary access to a world of power and freedom without cost. Yet costs, outside of fantasy, are never absent from fa-

Thanks to the many friends, colleagues, and teachers (many in more than one category!) who have read and commented on versions of this essay: Robert Aguirre, Roxanne Eberle, Mark Gruner, Anne Mellor, Chris Mott, Ruth Yeazell, and the editors and anonymous readers at *Signs*.

[*Signs: Journal of Women in Culture and Society* 1999, vol. 24, no. 2]

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miliar relations. The speaker also envisions her own position as enhancing her brother's life: "His years with others must the sweeter be / For those brief days he spent in loving me" (Eliot 1874, 431; sonnet 9, lines 13–14). In a letter to her publisher, William Blackwood, Eliot wrote that "life might be so enriched if that relation were made the most of, as one of the highest forms of friendship" and also lamented that recent discussions of Byron had raised the specter of brother-sister incest, thus tainting the relationship with sexuality (Byatt and Warren 1990, 426).

This suggestion of a "taint" is at least part of what interests me in Eliot's idealization of the sibling bond, for in the years when she was writing her sonnet sequence the relationship was inevitably tinged with sexuality—Byron or no Byron—through the legal cause célèbre of the Deceased Wife's Sister Bill. The bill, which prohibited a widower's marrying his sister-in-law after his wife's death, was ostensibly an anti-incest bill, designed to bring English common law in line with canon law of the Anglican church. Although it was supposedly a tool for regulating male sexuality, the bill exposed and raised anxieties about female sexuality and subjectivity as well, demonstrating the internal contradictions of the Victorian ideal of an asexualized domestic space. Although Eliot's sonnet sequence is about success, laws are about failure: the need to regulate arises only in the face of perceived, anticipated, or recurrent problems (in this case, problems with the operations of the family). Most commentators at the time agreed that there was not an enormous problem with men marrying their sisters-in-law; nonetheless, the thought that they might want to do so (and the even more troubling thought that the sisters-in-law might want it, too) was enough to spark a seven-decade debate. Brothers and sisters, whether by blood or marriage, are not the uncomplicated creatures that nostalgia and fantasy may want them to be, as Eliot well knew.

The debates over the Deceased Wife's Sister Bill (1835–1907) exemplify the broader cultural anxieties over the positions of women and the family in the period and demonstrate the Victorian elevation of the brother-sister bond. The odd formulation by which the sister-in-law is universally known in these debates—"deceased wife's sister"—distinguishes her from any other sister-in-law a man might have, such as his brother's widow.¹ At the

¹ Lev. 18:16 specifically proscribes marrying one's brother's widow; opponents of marriage with a deceased wife's sister argued by analogy that marrying one's wife's sister was similarly proscribed. Of course, the fact that Onan is enjoined to marry his brother's widow (though he refuses), in Gen. 38:8–9, contradicts this proscription. Arguments from the Hebrew scripture were notoriously ineffective in the case of marriage with a deceased wife's sister: one has only to think of Jacob's polygamous marriages to Rachel and Leah to dispute the argument from Leviticus. I have not uncovered much discussion of liberalizing the ban

same time, the term obscures the constructed nature of the relationship between a man and his sister-in-law by stressing her biological relation to her sister rather than the legally significant relation to her sister's husband (whereas "sister-in-law" would stress the latter and call attention to the legal construction of the bond). Moreover, it sensationalizes the whole issue with the reminder that someone must be deceased before the relationship becomes significant. A protracted argument about whether a man may marry his sister-in-law after his wife's death may seem an unlikely case, but the debate raised issues central to the Victorians' sense of themselves as rational, moral, and domestic.

The deceased wife's sister question focuses attention on that most sacred, yet most fragile, of Victorian institutions, the heterosexual, nuclear family. It also interrogates masculine desire: why would a man want to marry his sister-in-law, anyway, and what are the issues involved in remarriage? Most importantly, the debate enacts the common "shifting" that woman's identity always undergoes when it is conceived primarily in relation to others; the deceased wife's sister, like most Victorian women, has no single self-identity but is always (potentially or actually) a sister, a wife, a mother.² Writ large in her anomalous position is the preference Victorian England expressed for all of its daughters: that they become (and remain) sisters, safely defined through a family relationship, yet asexual, undesiring. This insistent yearning for an asexualized domestic relationship haunts Eliot's sonnets as it haunts the debates over the deceased wife's sister. The sister is caught, then, in a web of relationships mediated by nature and culture, biology and law, and in the conflicts between them we see the solid structure of the family unraveling. Caught in those shifting definitions, the sister cannot contain all the roles a woman might desire or be required to undertake. And while the deceased wife's sister may indeed become sister, wife, and mother all in one, the significance of her originary, defining relationship to her sister is lost in the shuffle—as are her desire, her freedom, and her voice. The seven-decade debate over marriage with a deceased wife's sister offers an unparalleled glimpse of the ways Victorian culture dealt with female sexuality and suggests as well the origins of some of the abiding present-day anxieties about the family and incest. It further demonstrates the centrality of the sister-brother bond in Victorian culture; the sister becomes the unsung heroine of Victorian life, the ideal woman be-

on marrying a brother's widow, and I suspect that the focus on the deceased wife's sister is a focus on the status of a presumably virginal, sexually inexperienced female—one more way that this discussion is really about sexual desire rather than marriage laws.

² See Gruner 1997 for a discussion of role-shifting mothers.

hind the popular image of the Angel in the House. Analyzing pamphlets, speeches, and novels published to promote either side of the debate, I first map out the ground occupied by liberals and conservatives in the debate, especially in relation to a shifting definition of family, and then demonstrate how the winning liberal argument actually entraps women into the role of the asexual “little sister” whom Eliot idealized in her “Brother and Sister Sonnets” and who became a particularly insidious version of the Victorian feminine ideal.

Prohibited by canon law since Elizabeth I, marriage with a deceased wife’s sister was nonetheless an occasional, and generally acceptable, occurrence over the centuries, a sister-in-law making a convenient replacement for her dead sister as both wife and (step-)mother.³ Despite the church’s official disapproval, such marriages were rarely challenged in the ecclesiastical courts that regulated marriage and were therefore effectively legitimated—until 1835 and Lord Lyndhurst’s Marriage Act. This act, bringing parliamentary law in line with canon law, rendered null all unions outside the “prohibited degrees” after August 31, 1835, while at the same time legitimizing those made before that date.⁴ The ostensible reason for the act was to legitimate the issue of a nobleman’s marriage with his own deceased wife’s sister; the addendum nullifying later marriages was inserted to placate the bishops in the House of Lords and was widely expected to be revoked the following year. In fact it remained on the books for seventy-two more years.

The issue of the deceased wife’s sister engaged the Victorian imagination not only in the public debates over the issue but in literary representations as well. The deceased wife’s sister mediates between two important roles in the family. In her family of origin, she is her sister’s sister, her boon companion and closest female friend.⁵ In her sister’s new family, she is cast as the husband’s sister as well, thus becoming the brother’s sister, a figure of vital importance in a wide range of Romantic and Victorian literature.

³ See esp. Behrman 1968 for a review of the theological arguments regarding marriage with a deceased wife’s sister. The primary justification for the ban lies in the “one flesh” doctrine, which holds that as husband and wife are made one flesh in marriage, the relatives of one become at once the relatives of the other. Much ink was spilled over the question of whether this state of affairs continued after the death of one of the partners.

⁴ The prohibited degrees are those people with whom the Church of England determined that marriage would be incestuous: parents, children, siblings, uncles, aunts, in-laws; it might even be said that the table of prohibited degrees constitutes a definition of the family.

⁵ Relations between sisters are not the focus of this study, but they have been central to many recent feminist rereadings of nineteenth-century literature, including Helena Michie’s *Sororophobia* (1992). Davidoff and Hall claim, “Of all relationships in this period, sisters may well have been the closest to each other” (1987, 351).

A brief survey of brothers' sisters in nineteenth-century literature shows how widespread and multivalent the image of the sister was. For Wordsworth, the sister is the ideal listener, the passive complement to the active poet/brother.⁶ For the later Romantic poets Shelley and Byron, she is a spiritual twin, the fulfillment of a split androgynous self, but also, at least for Byron, the locus of sexual guilt.⁷ In conduct literature, Romantic poetry by men, and novels by Scott, Dickens, and Thackeray, women cast as sisters are often self-sacrificing helpmates to heroic men, or even solipsistic reflections thereof. The Dorothy Wordsworth of her brother's poems, *David Copperfield's* Agnes Wickfield, and Laura Bell of Thackeray's *Pendennis* are notable examples of these tendencies. Such a sister, or sister figure, often becomes the domestic ideal, representing the hero's rejection of childishly romantic-heroic ideals and his attainment of sober domesticity.

The sister is an important figure in canonical fiction by women as well; characters such as Maggie Tulliver and Catherine Earnshaw (of Eliot's *The Mill on the Floss* and Emily Brontë's *Wuthering Heights*, respectively) are particularly relevant examples of heroines defined by their relationship to a brother or brother figure.⁸ The wife's sister fits right into this pattern, subordinating herself to a sister and a brother-in-law in order to have a place in that all-important unit, the family. The sister is an extreme version of that Victorian ideal, the "relative creature" or relational self found in conduct literature and fiction alike (Ellis 1839, 123).⁹ But this relational

⁶ Homans reads the brother-sister relationship of Eliot's sonnets through and against Wordsworth. She sees the relationship in both the sonnets and *The Mill on the Floss* as providing an ambivalent security of identity to the sister; by focusing on the brother, she can be someone, have an identity, even if that identity is rooted in pain, loss, and rejection. Homans reads the sonnets as a specifically female revision of Wordsworth, in which the sister must learn to embrace realism rather than the romanticism that such scenes engender in Wordsworth's male narrators (1986, chap. 6).

⁷ On siblinghood in Romantic poetry, see esp. Richardson 1985 and Thorslev 1965. On incest and the deceased wife's sister controversy, see Anderson 1982. Other helpful discussions of siblings may be found in Mintz 1983 and Davidoff and Hall 1987.

⁸ Nancy F. Anderson usefully catalogs a significant number of Victorian brother-sister pairs, noting that the relationship was central to the development and/or self-representations of figures such as Elizabeth Barrett and Robert Browning, the Brontës, and Benjamin and Sarah Disraeli (1982, 71).

⁹ The work of Carol Gilligan (1982) and Nancy Chodorow (1978) is most closely associated with the term "relational identity" in feminist theory, and each offers a largely positive view of a female identity formed in relation to others. Jessica Benjamin's work also powerfully suggests the value of a relational identity (she uses the term "intersubjectivity") that preserves "freedom to be both with and distinct from the other" (1986, 98). See Hayles 1986 for a powerful critique of Gilligan's use of *The Mill on the Floss* in her discussions of relational identity.

identity can both empower and imprison, depending at least in part on the flexibility of the family within which it is defined.

Definitions of the family underwent a shift from a fluid network of family relations in the early part of the nineteenth century to an increasingly naturalized nuclear unit by about the middle of the century. The negotiation between seeing the family as an affiliative network of friends, neighbors, servants, and distant kin and seeing it as a privatized domestic unit was neither easy nor complete by midcentury.¹⁰ Yet increasingly the latter version was seen as “natural.” The novel—especially the domestic novel—participated in this naturalization process by creating a domestic space in fiction that was realistic and idealized at the same time. Burney’s *Camilla Tyrold* and Austen’s *Fanny Price*, for example, are domestic heroines who are able to reconstruct their families to suit their needs; their successors, characters such as *Catherine Earnshaw* and *Maggie Tulliver*, are bound into their biological families and cannot alter them to suit. That is, while the particular domestic spaces of, for example, a *Camilla Tyrold* or a *Fanny Price* may seem as conflictual and troubled as anyone else’s family, the conclusion of their stories in happy marriages implies that with the right combination of family, luck, and love, including a healthy dose of sisterly self-sacrifice, anyone can create a domestic idyll. *Catherine* and *Maggie* struggle within their predecessors’ definitions of sisterhood and find them lacking but are rarely able to challenge the framework of families in which they are placed. They are both born sisters, unable to build new relationships that will either transcend the oppressiveness of family life or remove them from it altogether. In the earlier domestic comedies, which focus so tightly on courtship, the figure of the sister herself is inevitably lost as she becomes a wife; the sister’s tragedy, in the later naturalized family, is in her inability to reshape herself into a wife or mother in a new family. What all these examples also suggest, and what the debate over the deceased wife’s sister controversy made particularly clear, is that the brother-sister relationship became in some ways the normative male-female relationship in the nineteenth century. Allowing for emotional closeness but also suggesting (*pace* Byron and the other Romantic poets) a safe asexuality as well, the brother-sister relationship provided a space for intergender communication that could, at its best, prefigure or prepare for marriage.¹¹ When Edmund Ber-

¹⁰ Lawrence Stone discusses this shift in detail (1979). Davidoff and Hall 1987 offers a useful corrective to Stone’s often class-blind and Whiggish analysis, while concurring generally with his larger conclusions.

¹¹ Joseph A. Boone and Deborah E. Nord offer a provocative reading of the varieties of brother-sister relationships in Victorian fiction, arguing that “the sibling ideal . . . becomes the matrix, the mediating structure, through which an array of psychosexual and social forces

tram greets Fanny Price as “my only sister now,” we know that she is not far from being his wife (Austen 1814, 347). Yet close public scrutiny of the relationship—brought about at least in part by the debates over the Deceased Wife’s Sister Bill—brought to light a discomfort with unspoken assumptions about Victorian marital and familial relations that took most of the century to resolve.

The sister, in most discussions of the bill, is a silent participant in the conflict. Defined more by her relationship to the dead than to the living, to the past rather than to the present or future, she figures most often as an object of exchange between men, as in the following anecdote about a man who was widowed in January 1840, after twenty-four years of marriage. He had five daughters, two “grown up” (in their twenties) and three in the schoolroom. The eldest daughter married, and the second died, so he was left with a family of three young daughters. Also residing in the house was the girls’ aunt, his wife’s sister, who had lived with her sister and brother-in-law since their marriage in 1816.¹² In October 1844, this widower married his children’s aunt, thus, in the eyes of current British law, committing incest by marrying a member of his immediate family (Hope 1849, 56–58). The anecdote became a matter of public record in an 1849 pamphlet, in which, as in most discussions of the deceased wife’s sister, the woman herself does not speak. Instead, the marriage is urged by her own brother, who, in a remarkable letter to his brother-in-law, writes, “It would be one of the happiest days of my life, in which I can congratulate you as the husband of my sister”—as he had presumably already done once, some twenty-eight years earlier (57).

Novels of the time did, however, represent and occasionally even give voice to the deceased wife’s sister, thus providing another avenue for insight into the often vexed relationships among law, family, and subjectivity. For the deceased wife’s sister does not, in some sense, even exist until the law creates her, constructing her as not just any sister-in-law but a particular one, not just any sister but a desired and desiring one. As Judith Butler notes, paraphrasing Michel Foucault, “Juridical systems of power *produce* the subjects they subsequently come to represent. . . . The subjects regulated by such structures are, by virtue of being subjected to them, formed, defined, and reproduced in accordance with the requirements of those

intrinsic to nineteenth-century family life and culture uneasily mix and collide” (1992, 167–68).

¹² One important, and overt, element of the deceased wife’s sister debate is the concern, expressed in varying degrees throughout the nineteenth century, over the so-called redundant woman, the middle-class spinster who failed—through demographic shifts, personal attributes, or familial responsibilities—to find a suitable mate.

structures” (1990, 2; emphasis in original). The deceased wife’s sister, ostensibly represented and protected by Parliament, has no real substance until the passage of a law regulating her marital choice. Through the juridical power of Parliament, a new family relation is born, and through the debates over the sister’s definition, her rights, and her often suppressed or sublimated desires, the nature of the family and the woman’s position within it come under scrutiny.

Felicia Skene’s *The Inheritance of Evil*, published anonymously in 1849, centers on the desires of a sister and their construction through the law and its discourses. Skene is best known as a Tractarian philanthropist, and her novels, including this one, reflect her evangelical commitment to the Oxford movement (Sutherland 1989, 583–84). *The Inheritance of Evil* focuses on the ways women are victimized by what Skene sees as the family’s instability in the face of legal interventions. It concerns two orphaned sisters whose lack of a religious upbringing dooms them to unhappiness and envy. Elizabeth, the elder, marries Richard Clayton on the condition that her younger sister, Agnes (whom he has not met), be allowed to live with them. He agrees, but when he first sees Agnes, Elizabeth experiences a shock of jealousy: “Her future husband was standing with his eyes fixed on Agnes, gazing at her with a look of the most warm and unqualified admiration, a look such as had never been bestowed on herself?” (Skene 1849, 30). Elizabeth calms herself with the thought that “in a very few days, Richard Clayton would hold for Agnes Maynard the sacred name of *brother*. They twain [Richard and Elizabeth] were about to be made by a most holy ordinance ONE FLESH, and from that hour *her* sister must be *his* sister also, in the sight of God and man” (31; emphasis in original). For Elizabeth (and, I would argue, for Skene), an in-law is real family: a new family relation will be constructed through her marriage. Although her jealousy is misplaced, the reassurance that she chooses fails her, for, after overhearing her husband take the liberal side in a conversation about the Deceased Wife’s Sister Bill some years later, she can no longer contain her jealousy. She becomes sick (presumably with jealousy), gives birth to a premature son, and dies, leaving her husband with the baby and an older daughter. Agnes steps in as devoted caretaker to her brother-in-law and to her sister’s children. The narrator comments, “This state might have continued long, and their contentment would doubtless but have increased as they saw the children improving in health, and Richard acquiring great influence in the county; but they were doomed to suffer by that fatal laxity of principle, which has caused it to be considered as a *possibility* in Christian England that a man should become the husband of one who is virtually his sister!” (66; emphasis in original). Once the possibility is raised, however,

Richard and Agnes marry, and their lives rapidly disintegrate. After Agnes bears a son (Edward), Richard's first-born son by her sister dies. Years later, Richard himself dies in an attempt to save his daughter, Mary, from suicide; Mary then succumbs to a brain fever that leaves her an idiot; Edward dies of dissipation. At the end of the novel, the deceased wife's sister herself, a bereaved and outcast widow, is left to care for her sister's idiot daughter and repent her misspent life. Finally penitent, she turns to the church and accepts her miserable lot.

In this novel, as in the pamphlets, the deceased wife's sister is portrayed as both a victim of male lust and a maternal substitute for her sister. Although the novel centers on her, she is often oddly blank; her own feelings are rarely addressed except in her final penitence. Indeed, for the most part, women's voices — those of the sister or any other woman — are remarkably absent from the debate. A. J. B. Hope seems to have believed that women would be on the anti-reform side when he enlisted their voices in the cause: "Why is it that we hear so little of the women? Is this only a man's question?" (1849, 37). It appears from the evidence of the pamphlets that it was; indeed, Margaret Gullette suggests that the controversy might more accurately have been titled "the Case of the Widower's Convenience" (1990, 147). Matthew Arnold too agreed that it was a "man's question," casting it as an instance of "that double craving so characteristic of our Philistine, and so eminently exemplified in that crowned Philistine, Henry the Eighth — the craving for forbidden fruit and the craving for legality" (1891, 172–73). Arnold argued that women's "subtle instinctive propensities and repugnances" should "enlarge [their husbands'] spiritual and intellectual life and liberty" and thus convince the husbands to oppose the ban's repeal (174). Arnold is rare, on the side of the ban's proponents, in his appeal to woman's nature; yet, like other entrants into the debate, he considers women only as private "influences," not as public participants.

Rather than giving voice to the women, Skene's remarkable novel relies primarily on ungendered authorial commentary to make its point in favor of the ban, presenting an argument that is standard in the pamphlets as well: permitting marriage between these relations will permit sexual attraction between them, rendering illicit and immoral what had been an innocent and useful arrangement for all concerned — an unmarried woman living with her married sister's family. Indeed, the cornerstone of the anti-reform movement was the notion that the prohibition of marriage prevents sexual attraction. Hope, one of Parliament's most outspoken proponents of the ban, quoted the Archdeacon of London on the subject: "[The prohibition] has, I think, extended the feeling of brotherhood and sisterhood to those who are not 'consanguinei,' but only 'affines'; and it is for

the sake of this feeling of relationship, which is of the purest kind, and the existence of which appears to me, on the whole, so much more beneficial to society than the non-existence of it would be, that I should be very sorry to see this pure relationship destroyed for the sake of persons who do not value it" (1849, 50).

An American opponent of marriage with a deceased wife's sister, the pseudonymous Domesticus, argued the same point with a rhetorical fervor common to the defenders of the prohibition: "Abolish this law; expel this household God: let it be publicly and distinctly understood that the body of a sister-in-law, is no more than *any other* female body, and to do this, you need only let the parties understand that after the death of the present wife *they may marry*; what will follow? Why, I will tell you sir, what will follow. — We shall hear by and by, tales that will make our ears to tingle" (1827, 31; emphasis in original). The "tales that will make our ears to tingle," which Domesticus subsequently recounts, turn out to be fairly similar to the plot of Skene's novel, in which a loving sister is transformed into a homewrecker (wittingly or no) by the possibility that she and her brother-in-law may marry. This law, in other words, produces their relationship as family; without the law, and a common faith in the law, the family will fall apart. Domesticus goes even further than this, claiming that "the Law of Incest is the great moral safeguard appointed by Providence for *protecting the laws of Marriage and Chastity*" (12; emphasis in original). Indeed, the antediluvian world, in which there was no incest prohibition, becomes for Domesticus a sink of depravity: "Children sucked in the seeds of pestilence, when lying on their mother's bosom. Viewing each other as fit instruments of mutual gratification, from which they were only debarred by the want of a form called a *marriage ceremony*; every interview, instead of fanning the sacred flame of sisterly and fraternal love, lighted up fires of hell, which the devil would soon put them on a method of extinguishing. . . . Every family was a hot bed of pollution" (15; emphasis in original). Domesticus's prurient fantasy of unbridled familial desire anticipates Freud in its stress on the pervasive influence of sexuality. And, like Freud, Domesticus argues for the necessity of repression — here not an internal psychological mechanism but a civil law.

As Skene's novel and these comments show, conservative defenders of the family were forced by the Deceased Wife's Sister Bill debate to acknowledge the constructed nature of family bonds: despite the scriptural frame of reference in Domesticus's argument, for example, a single law seems finally to bear the whole weight of creating brotherhood and sisterhood. While Skene similarly attributes the creation of family to God in

Elizabeth's first meditation on the possibility of her fiancé's attraction to her sister, this line of reasoning does not predominate in the novel. She carefully demonstrates Richard and Agnes's happiness in living as brother and sister after Elizabeth's death and the destruction of that happiness by the mere consideration of marriage (and, implicitly, sexuality). Family relations, the plot line implies, can be created and destroyed by forces external to the family. The earl of Selbourne argued in this vein in 1895: prohibitions of marriage between relatives exist, he claimed, "to fence round the family and the domestic relations by making that impossible in law the possibility of which would alter, or might in many cases alter, the character of the family" (*Debate* 1895, 19). And women, presumably, are safer within the fence. But by 1895 (and probably even earlier) Selbourne's was a minority view. In 1873, a proponent of the bill bluntly answered an earlier speech by Selbourne: "Men will not regard their sisters-in-law as their sisters, let the Statute book and the Prayer-book together affirm it never so strenuously" (*Deceased Wife's Sister Bill* 1873, 7).

To prove its case, the other side—the liberal, reforming side—consistently invoked nature in its opposition to the legalistic position of the anti-repealers. Incest, in their view, applied only to blood relationships; thus, as one early clerical proponent of the bill wrote, "A sister-in-law is not even the next link to a man's wife in the chain of nature, which, in fact, subsists only between him and his children" (Denham 1847, 8). He went on to argue that "no evidence exists that *marriage with a deceased wife's sister was ever considered a violation of the law of nature*" (59; emphasis in original). A later writer, commenting on a second reading of the bill, insisted that "if we wished to make real incest seem less horrible than it is, we could do so by treating as illegal and incestuous, unions which the common sense and common conscience of mankind can, at the *worst*, look on as socially mischievous and undesirable" (*Deceased Wife's Sister Bill* 1873, 4; emphasis in original). This writer had a clear sense of what "real" incest is: sexual intercourse between consanguineous relatives.¹³ The conservatives in this case, then, had a much better sense of the constructed nature of human relationships than did the liberals. The conservative family is a constructed family,

¹³ Nonetheless, definitions of incest were contested during the period, with some decrying cousin marriage while others embraced it, some sticking closely to the prohibited degrees while others spoke in favor of relaxing them. It is of interest in this context to note that the first divorce granted to a woman in England, in 1801, "was for her husband's incestuous adultery with her sister, his sister-in-law; it was granted because any further intercourse with her husband would have been incestuous by the rule that intercourse creates affinity" (Wolf-ram 1987, 28).

built out of natural relationships but highly developed through law and custom. The liberal family is natural, biological, essential.¹⁴ Yet both families are surrounded by a threatening morass of unbridled desire, and both sides locate the sister in the unthreatening, innocent center of that protected family circle.

Arguments in favor of changing the law tend to agree with those opposed in one important particular: neither wants to admit to the centrality of sexual desire in the formation of the family.¹⁵ For the conservative side, this means banning sexual relationships between all but husband and wife within a family. For the liberals, it almost suggests banning them entirely. Rather than focusing on sexual desire between a man and his wife's sister—which might raise the specter of incest, as it does for the conservatives—the most common argument for altering the law sidestepped the question of incest entirely, using another blood tie, motherhood, to promote the bill as a “children's relief bill.” A sister-in-law, this argument goes, will make the best stepmother for her dead sister's children, because she is already related to them (*Debate* 1895, 22n.). Real stepmothers (those imported, as it were, from outside the family circle) are wicked, according to this line of reasoning, but an aunt would never be a real stepmother because of the preeminent bond of blood. One supporter of the bill put it bluntly: “The advantage of bringing into play the affection of an aunt to neutralise the natural harshness of a stepmother has been recognised by all mankind, with the exception of the early Fathers” (*Debate* 1895, 59). Another anonymous writer expanded on the idea: “Where there are young children, no second marriage can be so likely to restore the happiness of families as that of the husband with the sister of the deceased wife. In any other marriage the children become so many incumbrances to the stepmother, and the feeling between them is rather one of duty than affection. Affection may grow up,

¹⁴ Although the use of the terms *liberal* and *conservative* here may seem counter to contemporary usage, it amply demonstrates the shifting nature of these seemingly stable terms. Victorian Tories were, of course, far more likely than Liberals to have recourse to custom for their justification, while Liberals often looked to more scientific—but essentializing—rationales such as biology and physiology.

¹⁵ This is not, of course, to argue that the Victorians were so prudish as to deny sexuality or so ignorant as to be unaware of its relationship to family life. As Michael Mason helpfully puts it, there are differences—often wide—between behavior and belief when it comes to sexual matters (1994, see esp. chaps. 2 and 3). My argument here, then, has little if anything to do with the actual practices of Victorian sexuality, and everything to do with its representation. It is also clear that the attempts to ban sexuality, or the appearance of sexual desire, within the family are largely about the control of female sexuality. The husband is always expected to desire, and to marry; the sister/wife's status is the only thing at stake.

but experience shows that more frequently discord takes its place, especially where there are children by the second wife” (Antiquary 1880, 28). The construction of the “natural” family that can never fully accept a stepmother is premised on another “natural” fact: women are naturally maternal and will naturally nurture children of their own blood. These “facts of nature,” of course, bear further examination.

In pro-reform pamphlets, articles, and speeches, and especially in Dinah Mulock Craik’s novel *Hannah* (1872), the deceased wife’s sister becomes the best wife a man could want: a sympathetic helpmate, a mother without having given birth, even an assistant in a cult of the dead. Seemingly trapped in unrewarding domestic drudgery, she instead embraces her “maternal nature” — which seems all the purer for its freedom from biological mothering and biological messiness — and risks all to marry the man who has brought it out. Indeed, the literature on both sides of the debate reveals certain gender assumptions that come as no surprise. For example, a man needs a wife, all seem to agree; the only question is, which one? The issue is not reciprocal; few participants in the debate believe that a widow needs to remarry, either for her own convenience or to obtain a father for her children. The debate thus points up an interesting contradiction in Victorian ideology about women: these dependent creatures, so often cast as vines clinging to the male oaks around them, are in fact supporting the oaks and are perfectly able to continue on their own.¹⁶ Craik’s *Hannah* makes this clear by casting Mr. Rivers as a near-helpless sorrowing widower who, months after his wife’s death, is unable to take an interest in his child or his surroundings until his sister-in-law comes to keep house (and, not incidentally, to nurse him back to psychic health).

Those in favor of lifting the prohibition, granting the male need for a wife, often argue for the sister’s inherent superiority to any other wife as a stepmother (and, secondarily, a companion); those opposed question why the aunt, rather than any other, need be chosen. A “working man,” James Cunningham, described his happy second marriage to his deceased wife’s sister as follows: “The advantages [of the marriage] are such that could not be obtained under other circumstances: my child has not experienced the want of a mother’s love; neither have I had to contend with a strange disposition; and those relics which are calculated to call up the remembrance of my late wife, are as sacred to my present wife as they are to myself; we can both mourn over her loss, and sprinkle flowers over her grave — it is

¹⁶ Elizabeth Langland nicely demonstrates the ideological constructs that underpin such stereotypes in her recent book *Nobody’s Angels* (1995).

almost bringing the dead to life" (1864, 2).¹⁷ The sister-in-law, a willing participant in Cunningham's cult of the dead, becomes a sexless, but familiar, mother-substitute. Hope, on the other hand, is so suspicious of step-mothers as to argue that an aunt will make the worst of all guardians for her nieces and nephews:

[S]o long as the wife's sister continues the unmarried guardian of her nephews and nieces, they will be to her the nearest and dearest, and only objects of love and care, but as soon as she marries their father she incurs the risk of having children of her own, who will be much nearer to her than her former charge. . . . A good aunt may often be changed into, if not a bad, at least a less devoted step-mother; a step-mother perhaps, on account of the very relationship previously existing, more jealously alive to trifles than a stranger would have been. (1849, 75)

Both sexuality and maternity are at issue in Hope's argument; women must mother, it seems, but will always mother their own in preference to another's. Hope seems to assume that an unmarried aunt can go on sexlessly, tirelessly mothering her sister's children, yet, once married, she will inevitably reproduce and thus be reduced to the biologically determined maternity that his argument otherwise so insistently denies.

Hope's fears go unanswered in the pro-reform literature; most deceased wives' sisters in the pro-reform literature seem to be conveniently beyond childbearing age. Instead, the reformers simply assert that the deceased wife's sister is the devoted (asexual) aunt whom Dr. Charles Cameron lauds in a speech to the Marriage Law Reform Association: "To me it seems to the credit of human nature that in the invidious position in which our law has placed them, these women [deceased wives' sisters] should be found so imbued with love for their dead sister and her offspring that for their dear sakes they are willing to defy the sneers of a scandal-loving and calumnious world, and risk their reputation on the shrine of a sacred duty. (Applause.)" (1883, 15). Like Cameron's hypothetical women, Craik's Hannah goes to live with her previously unknown brother-in-law solely to care for his and her sister's child and finds love in their mutual parenthood. Her maternal impulses lead her slowly and reluctantly to love: "To my mind there is nothing more natural than that a man and woman thus thrown

¹⁷ This oddly macabre scene may call to mind the one in which Lucy and Stephen Guest, now married, visit Maggie's grave at the end of *The Mill on the Floss*. Lucy, Maggie's cousin, functions much as a sister to her in the novel and is said to be modeled on Eliot's own sister Chrissy. (I am indebted to an anonymous reader at *Signs* for pointing out this interesting connection.)

together, fighting together unselfishly the battle of life, with common ties and common interests, their affections centered in a family which the woman treats and loves as her own — to me there is nothing more natural than that sentiments should arise between them which impel them irresistibly to marriage” (Cameron 1883, 15).

Craik’s novel seems to have influenced all of the pamphlets that followed it, and, as Gullette has argued, her construction of the “nice generic midlife couple” (1990, 155) finally won the day (in conjunction with the growing anticlericalism that Mary Elizabeth Braddon taps in her novel on the subject, *The Fatal Three*). *Hannah*, indeed, provides the best-case scenario in favor of marriage with a deceased wife’s sister: Hannah is safely “middle-aged” (Craik’s term for her thirty-year-old heroine); she doesn’t meet her brother-in-law until her sister is dead; she and her brother-in-law have impeccably religious upbringings (he’s a clergyman); and she seems safely untouched by sexual desire, having previously loved only a tubercular cousin, “who, from his extreme gentleness and delicacy of health, was less like a brother than a sister — ay, even after he changed into a lover” (Craik 1872, 47).¹⁸ Above all, like the pamphleteers, Craik carefully establishes Hannah’s “natural” love for her niece as the source of her love for her brother-in-law; maternity here leads to (barely) romantic love, rather than the more usual sequence of events recollected in the nursery rhyme, “First comes love, then comes marriage, then comes Hannah with a baby carriage.” If, as Nancy Anderson says, “the Wife’s Sister Bill was opposed . . . because it was feared that it would introduce into the family circle the unwelcome element of sexuality, whether incestuous or not,” *Hannah* argues that, in fact, marriage to a wife’s sister can (almost) keep sexuality out of the house, creating a domestic sanctum based on mutual affection, shared parenthood, and, most importantly, female maternal nature (1982, 77).

Sexual passion, if it is present at all, appears in the reformers’ writings primarily as a dangerous threat to family happiness — and not fit grounds for marriage. In William Clark Russell’s 1874 novel *The Deceased Wife’s Sister*, the narrator, Maggie Holmes, is her sister Kate’s (unacknowledged) rival for Major Rivers before he and Kate are even engaged. Russell’s didacticism does not take the form, as Skene’s does, of overt authorial comment. He instead allows the plot to carry his pro-reform message — and a strange one it is! For while the narrative would seem to condemn marriage with a deceased wife’s sister by demonstrating the difficulties encountered by the

¹⁸ This passage again demonstrates the seeming necessity for the novelist to turn a lover into a sibling in order to make him acceptable, even as a part of Hannah’s past.

couple, it finally valorizes a cousin-marriage (usually agreed by both sides in the debate to approach incest) and punishes only the cynical brother-in-law who uses the law to rid himself of a no longer desirable wife. Maggie makes a common argument in favor of lifting the prohibition when she says of her “husband”: “I do not doubt for a moment that his sentiments towards me had been wholly modified by the conditions under which he found himself in regard to me. Had I been his wife, I might never have found occasion to shed a tear; but being his wife only by that law which he professed to recognise as the true and only one, he found himself in opposition to society; and this made him act like a slave utterly at the mercy of the master he professed to despise” (1874, 2:78–79). The law needs to be reformed, Russell’s novel argues, to prevent wife abandonment; the intimacy of shared domesticity, however, as in Craik’s novel and so many canonical nineteenth-century novels, provides ample — indeed, perhaps the only — basis for marriage.¹⁹

Russell, best known as a “nautical novelist,” daringly tangles with the central anti-reform issue of female sexual desire in his pro-reform novel. His heroine confesses early in the first chapter, “I loved as I lived: secretly, confusedly, wrongheadedly. But I loved truly” (1:8). When Kate marries Major Rivers, Maggie refuses their offer of a home and remains with her tyrannical aunt, whose son she also refuses to marry, suspecting him of mere sympathy, not love. When Kate dies giving birth to a son, Maggie and her aunt take the baby in, and Maggie refuses for a second time the offer of a home with her brother-in-law. Her continuing love for him finally erodes her determination to avoid him, and when he proposes — after discerning her feelings for him — she accepts. This illegal contract is clearly no marriage of convenience; Maggie claims that “for the first six months of my married life my days were a perpetual honeymoon. Major Rivers was all tenderness, all passion. . . . I gloried in his praise, and the reciprocal passion urged me into never wearying efforts to sustain his love at the mark where I had found it” (1:215–16). But eventually the honeymoon ends. Maggie finds herself rejected by society and her husband misanthropic, cynical, and decidedly un-Christian; her sister’s son dies suddenly; and her own child, a daughter, is born blind and deformed. When Major Rivers abandons her for another woman, Maggie, legally unwed, has no recourse.

¹⁹ Novels in which shared domesticity becomes the basis for marriage include Austen’s *Mansfield Park* and *Emma*, Charlotte Brontë’s *Jane Eyre*, Emily Brontë’s *Wuthering Heights* (if we privilege the second ending), Dickens’s *Great Expectations* (the marriage of Biddy and Joe), and Gaskell’s *Wives and Daughters*, to name only some obvious and canonical examples. Most of Eliot’s novels could serve as counterexamples, in which a lack of intimacy before marriage proves disastrous (most obviously, *Middlemarch* and *Daniel Deronda*).

Near suicide after her baby's death (seemingly of malnutrition), Maggie encounters George Gordon, the cousin with whom she was raised and whose proposal she had earlier rejected. (One wonders if the barely buried allusion to Byron in his name is intentional.) She marries him after learning of Major Rivers's death in a duel and closes her narrative in the present time of a happy marriage: "I stand between the living and the dead; and the shrill merriment of my living little ones tempers into resignation the lingering gaze I fix upon the imagined presence of my poor dead babe" (2:199).

Maggie Holmes is young, passionate, and bright. Russell carefully establishes her age (eighteen at the beginning of the novel) and preexisting love for her brother-in-law to make a nearly worst-case version of the deceased wife's sister story. And Russell reverses the roles of *The Inheritance of Evil* in one important respect: Rivers, unlike his predecessor, marries the pretty sister first; Kate Holmes Rivers, unlike Elizabeth Maynard Clayton, does not die of jealousy. But other parallels remain, especially in the sisters' situations. Both sets of sisters are orphaned and lack religious upbringings: presumably a family, or the church, or both, are necessary to combat the predations of an unscrupulous brother-in-law. And both Agnes and Maggie find their children punished for their mothers' sins: Agnes's son is a dissipated wastrel, while Maggie's daughter has the kinds of birth defects one might expect to find in the offspring of consanguineous incest. But while Agnes, who is consistently described in terms of her beauty and her sensual appreciation of the world, is merely a sensualist whose love for her husband seems purely the result of his attentions, Maggie's love is established before her marriage. Violating all of the rules of courtship, she acknowledges to herself and finally even confesses to her brother-in-law the love she bears him. It is this most unsisterly passion, not her marriage, that the novel punishes. Passion turns to jealousy when Major Rivers pays attention to the woman for whom he finally abandons Maggie, and it is almost extinguished in her second marriage, which seems motivated by gratitude and a recognition of George's "tenderness, his devotion, his never-failing amiability" (2:191). But while Maggie's language is far more circumspect in describing this second attachment than the first one, it is clear that not all passion has been extinguished: the children she mentions at the end of the novel and her confession of "a feeling towards [her cousin George], such as I had thought I could never have experienced towards any man after my betrayal by Major Rivers," indicate some residual passion (2:191). Her feelings occur, however, within the context of a familial courtship that again valorizes the quasi-sibling relationship the two have established as friends, cousins, and even childhood housemates. Foster siblings, as in *Mansfield Park*, make the best spouses.

Rivers's change of heart after his rejection by society is comparable to the misery Agnes and Richard suffer in Skene's novel, but it leads him to a course of action—abandonment—that provides a variation on the argument, common in the pamphlets, that the only people benefiting from the prohibition are the men who want to marry and then abandon their sisters-in-law. Indeed, Major Rivers might be the man of whom a *Vanity Fair* correspondent cynically wrote: "It is conceivable that a man may love two charming sisters. He will be happy with either when the other dear charmer is away; and one day in the absence of the younger, he will get engaged to the elder. Suppose that he marry her and that she presently die; will he not then want to marry the second?" (*Debate* 1895, 104). This rather bald suggestion that one sister may easily substitute for another (or one woman for another) merely states what is implicit in the career of Major Rivers and many of the fictitious men created as examples by debaters on both sides of the issue.

Hannah is explicitly concerned with what the woman in the case, the deceased wife's sister herself, wants and needs. Thus Bernard Rivers must, it seems, prove himself a worthy husband through years of shared domesticity, during which both parties accept their relationship as a sibling bond. As the Reverend Joshua Frederick Denham had pointed out some years earlier, marriage requires—and, implicitly, a marriage with a deceased wife's sister provides—"that all-predominant pre-requisite for happiness in married life—a sufficient opportunity of ascertaining each other's real character, disposition, and temper before they were so indissolubly united" (1847, 16). He continues, "And how can all these be so assuredly ascertained as by the displays of them by a female in her own family, to her own relations, and in her daily unpremeditated conduct, and under all circumstances, from year to year; and *whose* conduct is so likely to be unpremeditated and natural as the female's who has only the bare possibility before her, supposing her ever to think of such a thing, that if she outlives her sister, she might, if *both* parties felt a wish for it, be married to her deceased sister's husband?" (16; emphasis in original). Craik adroitly avoids the pitfalls of this argument—which makes marriage to a consanguineous sister look even better than marriage to a sister-in-law, with whom the period of acquaintance would necessarily be shorter—by making Hannah and Bernard Rivers virtual strangers until after her sister's death. Like Denham and Abraham Hayward, however, Craik does argue the importance of mutual knowledge to make a marriage work: "It is not merely because the husband and [second] wife have a mutual interest in the children, that such unions hold out a surer prospect of happiness, but because they are formed on a more complete knowledge of tempers and habits . . . which has led many

a man to marry the humble companion or dependant of his wife" (Hayward 1839, 18). Craik, not surprisingly, sees this benefit as accruing especially to the wife: "In this case the woman's experience of the man was close, domestic; more like that which comes after marriage than before. She knew Mr. Rivers perfectly well, as a brother, before she even thought of him as anything else. Loving him, she loved him open-eyed, seeing all his weak as well as his strong points as clearly as he saw hers" (2:255).

In presenting the sibling relationship as a normative model for male-female relations, such an argument may seem to signal the victory of "companionate marriage" or "affective individualism."²⁰ But in *Hannah*, Craik continues to try to attribute the growing attachment between Hannah and Mr. Rivers less to the circumstance of their shared domesticity than to nature — to a female nature that transcends the sibling tie. Hannah's maternal instincts arise even before she meets her future husband: "She was quite aware of one great want in her nature — the need to be a mother to somebody or something" (1:9). As Gullette remarks, "This *donnée* would appeal to all those who felt deeply that motherhood was a woman's greatest blessing, to those who felt that being a mother took the sting out of dangerous femaleness and female sexuality, to those who wanted woman represented in fiction as safely enamored of her sphere" (147).²¹ Indeed, I would argue that this *donnée* made the triumph of the reformers possible. One typical speech argues that, because two sisters would necessarily share a concern for each other's children, a dying wife would likely urge her husband's remarriage to her sister:

What is the feeling of a woman at that time [death]? I do not believe it is jealousy of the sister who may take her place. (Hear, hear.) Women are not so selfish as men are. (Cheers.) A woman would not do the cruel and wicked act that men are every day committing when they, by the terms of their wills, endeavour to prevent the wife from ever being happy again in married life. I believe to the woman it would be a consolation, and not an affliction or sorrow, to think the children she has loved would find their most appropriate protector

²⁰ Lawrence Stone discusses the rise of companionate marriage, which he links to Protestantism and dates to the eighteenth century (1979, esp. chap. 8).

²¹ I differ with Gullette's reading of the novel in that she finds Hannah, and the "generic midlife couple" of which she forms one half, to be "sexual, but patient; sexual, but devoted to the children; sexual, but religious; sexual, but anxious to function within the law; sexual, but sentimental; older, but vulnerable to the temptations of propinquity; older, but sexual" (1990, 158). In my reading, the "generic midlife couple" of the pamphlets and the novel is almost nowhere sexual, and, as my discussion of Russell's novel makes clear, the reformers were not above condemning sexuality as a basis for marriage.

and the husband find his best companion in one who should bring back to husband and to children the memories of her who had gone. (Clarke 1884, 6)

This speaker's easy assumption of an essential difference between men and women, with women clearly cast as naturally self-sacrificing, not only argues for passage of the Deceased Wife's Sister Bill but prevents any counterargument that allowing this marriage will allow other marriages between affines, especially those involving widows. The uniquely female bond between sisters is kept alive after death in the reformers' fictions; it transcends and tames masculine desire as it operates to ensure the continuation of the family.

Craik's heroine similarly keeps alive the memory of her sister, both in the person of her sister's daughter and in her care for the widower, Bernard Rivers. But her role as surrogate mother is not without its blessings; if Craik will not allow her heroine sexual passion, she does replace it with another: "There are women in whom mother-love is less an instinct or affection than an actual passion—as strong as, sometimes even stronger than, the passion of love itself; to whom the mere thought of little hands and little feet—especially '*my* little hands, *my* little feet,' in that fond appropriation with which one poet-mother puts it—gives a thrill of ecstasy as keen as any love-dreams. . . . And such a one was Hannah Thelluson" (1:44; emphasis in original). In fact, Hannah's love for his daughter, Rosie, is a stumbling block to Rivers's love for her; anxious to avoid any shadow of ill repute falling on the child, she flees England (and Rivers) near the end of the novel to bring up Rosie alone. "Bernard's one rival, and no small one, was his own little child" (2:7). Rivers finally concedes to his daughter-rival by agreeing to repatriate himself in France, where, as French subjects, he and Hannah may marry legally.

In Craik's reformist imagination, Hannah's maternal nature is stronger than both her own and Rivers's desire. Even when she first recognizes that she does, indeed, love him, Craik's insistence on the role of nature is evident in Hannah's reflections on the developing attachment. As in Skene's novel, a crisis of gossip is required to bring the nascent attachment into the open: James Dixon, previously "married" to his deceased wife's sister, the nursemaid, has accused Rivers of conduct worse than his own. (Dixon has abandoned his "wife" on the pretense of a reawakened conscience.) Once the possibility of an attachment is raised in Hannah's hearing, she cannot ignore it:

Had her sister lived, he [Rivers] would have been nothing to her at all; regarded with the sacred indifference with which every pure-

minded woman regards every other woman's husband. Now what was he? Not her brother—except by a legal fiction, which he had himself recognised as a fiction. Nor her lover; and yet when she recalled his looks and tones, and a certain indescribable agitation which had been upon him all evening, some feminine instinct told her that, under other circumstances, he might have become her lover. Her husband he could never be; and yet she had to go on living with him in an anomalous relationship, which was a compound of all these three ties, with the difficulties of all and the comfort of none. Her friend he was; that bond seemed clear and plain; but then is it customary for a lady to go and keep the house of a male 'friend,' be he ever so tried and trusted? Society, to say nothing of her own feelings, would never allow it; and for once society is in the right. (2:2–3)

To this point, Hannah's musings seem to align her with the anti-reform contingent, who recognize that families are built by "legal fiction" and believe that such fictions must be maintained to preserve the family and society at large. But the reverie continues in a way that gives primacy once again to nature in the development of love and familial attachments: "Hannah felt it so—felt that, stripping off the imaginary brother-and-sister bond, Bernard and she were exactly in the position of a lady and gentleman living together in those Platonic relations which are possible certainly, but which the wicked world never believes to be possible, and which Nature herself rejects as being out of the ordinary course of things, and therefore unadvisable" (2:3). Slipping into indirect discourse in this odd characterization of a female Nature as a disapproving middle-class gossip, Craik makes the important distinction between the "imaginary" bonds created by law and the "real" bonds of nature. Ironically, it takes Craik's fiction, and the fictional creations of the pamphlet writers, to make the case against the fictional creation of familial bonds.

Craik puts the most explicit defense of the proposed change in law into the mouth of Lord Dunsmore, the husband of Hannah's patroness, who is working in support of the bill. His words echo Hannah's: "Let a man have his natural mother, sister, wife, but no anomalous relationships which, pretending to all, are in reality none of the three" (2:128). Craik works hard to make Hannah into the oxymoronic "natural wife" of Dunsmore's speech, attributing every maternal and domestic virtue to her rather than acknowledging sexuality as a central component of wifeliness. The novel and many of the pamphlets insist that marriage with a deceased wife's sister is not biological incest; ultimately, however, the same works make a strong case in favor of incest, when it is defined as marriage be-

tween nearly-related people, or people who share a household. Indeed, this version of incest seems to promote “family values,” in that the marriage of two people who are already related, already close, already connected upholds the family. The “natural” bond of mother to child, seen here as the cornerstone of family, is best maintained through marriages that preserve blood relationships, even when they are uncomfortably close, potentially incestuous.

Both Russell and Craik thus rely on a discourse that reveals its own limitations and contradictions. Only in fiction do these “natural” families exist, and even in fiction “Nature” itself becomes a character, a construct, the middle-class gossip who so haunts *The Mill on the Floss* and other mid-century texts. Such an appeal to nature must fail and yet it seems the only successful strategy for changing a law that had, by all accounts, become an embarrassment and a focus of comedy long before it was finally repealed.²²

The repeated appeal to nature in these texts would be almost amusing if it were not also somewhat threatening—if it were not made by the side that won the debate. The rhetoric of “nature” haunts even current discussions of family, especially in debates over surrogacy, abortion, the rights of adoptive versus birth mothers, and similar issues. Maternity is still a, if not *the*, central role for women, the defining value even when it takes on the negative valence of “unwed” or “welfare” motherhood. If this seems a hopelessly antiquated view of women’s desires and roles, or a bald attempt to camouflage sexual desire by representing safer, maternal passion instead, consider Jessica Benjamin’s discussion of the difficulty of identifying female desire within a psychoanalytic context: “Woman’s sexuality is primarily portrayed through her object status, her ability to attract. The closest we have come to an image of feminine activity is motherhood and fertility. But the mother is not culturally articulated as a sexual subject, one who actively desires something for herself—quite the contrary. And once sexuality is cut loose from reproduction, once woman is no longer mother, we are at a loss for an image of woman’s sexual agency. What is woman’s desire?” (1986, 83).

With Benjamin’s question still unanswered, the 1907 victory of the “liberal” forces in the deceased wife’s sister debate signals a defeat for women, codifying notions about women and nature that “naturally” relegate women to the home and family and promoting maternity as the culmina-

²² Behrman’s title, “The Annual Blister,” refers to a throwaway rhyme in W. S. Gilbert’s comic operetta *Iolanthe* (1882); cartoons in *Punch* and bemused commentary in *Vanity Fair* further demonstrate the bill’s status as cultural caricature. See “Our Neighbours’ Deceased Wives’ Sisters” (*Punch*, March 22, 1862) for one cartoon in particular and *Debate on the Second Reading of the Deceased Wife’s Sister Bill* (1895) for commentary from *Vanity Fair*.

tion of female nature. The shape of Hannah's progress through Craik's novel mirrors that of many other heroines whose suitors are not their brothers-in-law: her marriage, like those of heroines from the independent *Jane Eyre* to the isolated Catherine Linton, validates an already familial relationship in which the heroine has grown into a nurturing, quasi-maternal figure. And in novels such as *Wuthering Heights*, *The Mill on the Floss*, and *Wives and Daughters*, the analogy between a sibling attachment and a marriage continues simultaneously to empower and bind the sisterly heroines. While the brother-sister bond becomes the model for heterosexual relations in such fictions, the insistent nature/culture binary that both defines and masks the origins of family relations makes the sibling tie a complex interaction, full of desire and sublimation, that often erases the sister through her gradual elision into the mother (like Molly in *Wives and Daughters* or Catherine in *Wuthering Heights*) or her destruction by the force of her unacknowledged desires (like Eliot's Maggie). For Hannah, as for heroines as disparate as Gaskell's Ruth and Eliot's Romola, maternity itself is redemptive. The naturalized family's reliance on law and custom is masked by pervasive celebrations of domesticity in fiction, poetry, and art, and even in the debates over laws that create that family. "Nature" and "maternity" triumph — and "family values" reign.

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