This paper explores the intersections of love and the law as they appear in Charlotte Lennox's 1752 novel *The Female Quixote*. Criticised in literary circles for its treatment of the romance, it is argued that Lennox's satirical narrative has a more serious generic and legal argument, articulated in the constructed fantasies of her heroine, Arabella. Drawing on Peter Goodrich's writings on the Courts of Love and Luce Irigaray's work on the 'hysteric', this article looks to illustrate the way in which the patriarchal legal order has defined the limits of love within society, positioning it ultimately as an imaginary jurisdiction indulged in 'by the follies of the feminine mind'. By providing an account of how law functions and is represented within society, it argues that the novel seeks to expose this entrenched repression of the female (body of law) throughout history.

*Quixotic*: adj. 1 extravagantly and romantically chivalrous; regardless of material interests in comparison with honour or devotion. 2 visionary; pursuing lofty but unattainable ideals.¹

Before the tort of assault can occur there must be a reasonable apprehension of imminent contact. Is this why heroines in romance novels are constantly having their senses assaulted?²

**Introduction**

In 1752, Charlotte Lennox’s second novel, *The Female Quixote*, presented the masculine literary world of the eighteenth century with an uncomfortable paradox — a high-spirited satire of the romance genre with a deft swipe at the class and gender biases operational at the time packaged for the world by a woman. Through her adventurous and endearing young heroine, Arabella,

¹ *Australian Concise Oxford Dictionary.*

² Mietta Olsen, in conversation, 10 June 2001.
Lennox strategically exposes the gendered rhetoric of generic convention, using the tool of romance\(^3\) to articulate a disconcertingly ‘realistic fairy tale’.\(^4\)

Raised by her widowed, anti-social father in a remote castle in the English countryside, Arabella resorts to reading the luminously transgressive French romance novels stashed away in her father’s study. In the solitude of this Arcadia, Arabella becomes enraptured by the chivalrous tales and, mirroring her behaviour on the fifteenth century heroines, constructs for herself an elaborate and deeply romantic vision of her life.

However, when her father dies, Arabella’s inheritance becomes a harsh reality: if she is not to lose part of the estate, she must marry her cousin, Mr Glanville. But, having read her romances as canonical, true ‘histories’, Arabella has developed a different, private code of conduct that does not allow her to take any role but centre stage in the story of her own life. To Arabella, literary heroines are always in control and so too must she be.

In its transcendence of genre, *The Female Quixote* makes use of the romance/anti-romance paradox. Discredited and denied importance in the development of generic categories on the grounds that it does little more than reveal ‘both Lennox’s and women’s vexed relationship to the romance’,\(^5\) these readings overlook the key attribute of the text: Lennox’s exploitation of the term ‘romance’ and the way it functions within her novel. Writing in a generic tradition that elevates the novel and deprecates the romance, Lennox sets out to communicate in a discourse that confronts the established and canonical ways of writing and speaking for women.

It has been well argued elsewhere that romantic fiction foregrounds the central problematic of many feminist generic texts: the nature of female–male relationships in a patriarchal society and the constitution of the gendered subject. *The Female Quixote*, like Cervantes’ great model *Don Quixote*, has often been treated as a very simple work, merely exhibiting its author’s ‘desire to ridicule the French heroic romances, and to point out their potentially harmful effects on the minds of inexperienced readers’.\(^6\) Others have read it as a romance that ‘defies the tenets of novelistic expression in order to articulate resistance to the cultural situation of women in the later eighteenth century’.\(^7\) If it is accepted that *The Female Quixote* — as a literary inquiry into love’s order — is an articulated resistance, then the idea of approaching the novel from the perspective of law offers the possibility of a profitable exchange between two forms of experience: the demands of law and those of love.

One may ask about the relevance of a legal analysis of *The Female Quixote*, given that law figures so little in the novel. However, despite the direct juridical absence, thematically the law is a ubiquitous force in *The Female Quixote*, with the law of inheritance informing much of its character motivation and constituting the key plot mechanism driving its narrative.

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\(^3\) Gardiner (1996), p 1.

\(^4\) See Ross (1991), Ch 4.


\(^7\) Haggerty (1998), p 123.
action. Against an Aristotelian tradition that sees the female as subordinate to the male, and a legal regime that automatically privileges males purely by sex, Lennox, through Arabella, causes an internal disruption that creates a space to represent femininity within the masculine symbolic. Using aspects of Luce Irigaray’s ‘hysteric as counter-discursive strategy’ approach, Lennox’s work can be viewed as a challenge to the masculine nature of representations of the law and love, and the links between the two. Locating both love and law in The Female Quixote, we thus discover a buried critique of the ‘dispassionate’ law which the novel’s own resolution seems to praise.

The aim of this paper is not to champion a universal love to ‘trump’ all law, but rather to produce an account of the relationship of law and love as they appear in our tradition, and in particular in one of the works of love that we find in that tradition. This account may open a space where different political, legal and ethical relations can begin to be thought, a space that can be opened by questioning what is repressed in representations of woman’s life in The Female Quixote.

‘Her Father’s Story’: Male as Ruler, Female as Subject

The novel opens with a common romantic situation: Arabella’s father has been tricked out of favour at court and has retired to a remote English castle where, with his wife dying, he must bring up his daughter alone. In a fantasy of power born of frustration, the Marquis confines himself to his country sanctuary, there creating in solitude an ‘Epitome of Arcadia’.8 The estate becomes a metaphorical empire, born out of revolt by the Marquis, established against a backdrop of wild, uncultivated nature. It is within this castle that the Marquis builds his legal ‘Empire’ of which the law of inheritance and law of the father are the source of authority.

In this legal regime, Lennox highlights the traditional division between nature and culture, between the reproduction of mere biological life as against the production and regulation of social life, between masculine and feminine roles. As property is the key to maintaining power and authority, the law is inherently structured to privilege the male — Arabella’s mother produces Arabella, the Marquis produces and regulates his own empire. Within this society, then, man is ruler and female is subject.

Modern political theory typically conceives of political life as a state created by a contract, ‘entered into by rational decision and designed to ensure the protection and safety of the body and its needs’.9 Gatens notes that, ‘as it is a contract entered into by men only, one must surmise that it is a contract

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8 ‘This extensive Authority could not fail of making him many Enemies: He fell at last a Sacrifice to the Plots they were continually forming against him; and was not only removed from all his Employments, but banished the Court for ever’. ‘The Marquis … for a long Series of years, was the first and most distinguished Favourite at Court: He held the most honourable Employments under the Crown, disposed of all Places of Profit as he pleased, presided at the Council, and in a manner governed the whole Kingdom.’: Lennox (1989), p 5.

designed to secure the needs of male bodies and desires’. In *The Female Quixote*, Arabella’s mother never makes the transition from the mythical ‘state of nature’ to the body politic. Indeed, Arabella’s mother becomes nature — she is mere body, reproducing in the private familial sphere. When Arabella’s mother dies shortly after her birth, the legal body is conspicuously motherless and Lennox effectively situates the Empire of Arcadia as the classic patriarchal state.

Glanville’s desire to become Arabella’s husband, and inheritor of the Marquis’s estate, is what drives the plot of *The Female Quixote*. After the Marquis dies, Sir Charles, Glanville’s father, is entrusted with guardianship of Arabella. In his plotting to marry Arabella, Glanville is set to inherit the rule of the empire (a role he is destined for by virtue of his gender). As Freud writes: ‘All his [the son’s] instincts, those of tenderness, gratitude, lustfulness, defiance and independence, find satisfaction in the single wish to be his own father.’ This primal wish — to take the place of the father — is expressed in political terms by the fantasy of the generation of a man-made social body — a body that is motherless and thus immortal. The motherless body politic, product of the fecundity of man’s reason, is also a body untouched by death, ensuring that masculine legal authority continues despite the Marquis’s death. This fantasy of masculine auto-reproduction effectively posits women in a futile role.

Founded on the dualisms of nature and culture, private and public, woman’s subjectivity is clearly articulated within this masculine legal regime. It is evident that the masculine law of inheritance limits Arabella’s relation with the body politic to the corporeal, and to her use as a natural resource. She will continue to function, like her mother, as the repressed term ‘body’, thus allowing the fantasy of the masculine body politic to ‘live’. Read in this way, the relationship between the Marquis and Arabella effectively changes from one of mere father and daughter to one of ruler and subject.

Arabella is expected to acquiesce and convey her intention to marry Glanville. When she refuses, however, the Marquis reprimands her, expecting Arabella to obey him without reluctance. In her introduction to the Oxford reprint of Lennox, Doody observes that Arabella’s ‘mode of survival in adolescence is to make a fantasy of her own that will not subordinate her to her father’s story’ and that: ‘Through reading her romances Arabella frees herself from fearing, or even seeing, the dangers of her position in relation to the paternal inheritance.’

What Doody calls ‘her father’s story’, and what is more appropriately deemed the law of the father is the discourse of male exchange that the ‘marriage plot’ represents. The Marquis asserts that father knows best and that

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the clearest path to personal happiness is obedience to just authority: 'since you seem to be so little acquainted with what will most conduce to your own Happiness, you must not think it strange, if I insist upon directing your Choice in the most important Business of your Life'. As Haggerty notes, happiness for the Marquis is a ‘business’ and he makes his economically informed choice in terms that display the sex-gender system at its most virulent. Indeed, in 1740 Richardson wrote that ‘marriage, the end point of romance, is primarily a legal and economic relationship, not an intimate or personal one’.18 Despite her male relatives’ ‘incestuous and greedy demands’, Arabella retains the presence of mind that her reading instils. With a wholehearted belief in her own importance in the narrative of life, she resists the Glanvilles’ zealous quest for her to be married, disconcerting her cousin and her uncle by wishing them joy of the third of her father’s estate. Using her chastity and mourning for her father as weapons, Arabella refuses to enter any discussions of marriage: 'she cannot marry, she says, until she has mourned her father a year'.20

Yet it is in the Marquis’ ordering of duty and love in the opening chapters, and Arabella’s subsequent refusal to accept a love subordinate to duty, that the reader is exposed to the tension between love and law, and the possibility that the former cannot be translated into the latter. For her hectoring male relatives, the degree to which Arabella resists the ‘business of happiness’ is the degree of her romantic delusion.

‘Dangerous Tenets, Corrupt Passions, Criminal Desires’: Law as Reason Free from Passion

The seventeenth century was witness to at least two ‘births’, both of which are of particular significance to the eighteenth century symbolic legal order in the novel. The first was the birth of the human subject, who is both the subject of governance (subject to an internal relation of domination, where mind or reason should dominate the body and passion) and one subject to governance.22 The second was the birth of the modern body politic, which is represented as a product of reason, designed to govern, manage and administer the needs and desires of its subjects.23 Underlying Lennox’s representation of the legal regime in the novel is the Aristotelian premise that the great spiritual limitation upon man is reason. It is the duty of man to bring his passions under the control and the limitation of

18 Cranny-Francis (1990), p 183.
reason. The triumphalist tradition of law’s rule\textsuperscript{24} is the dominant theme in our secular culture. Within this tradition, before law --- and outside of law --- there is only the chaotic and brutish state of nature. As Kahn notes, ‘law brings order, stability and reason to what would otherwise be a very short, and nasty life. Law is, therefore, our highest accomplishment and, more important, our only real option.’\textsuperscript{25}

But there is an alternative source of power at work in \textit{The Female Quixote} --- love.\textsuperscript{26} Kahn, in his analysis of King Lear, argues that Western culture understands the rule of law as its highest political ideal, yet simultaneously imagines a community beyond law.\textsuperscript{27} It is within this imaginary domain that love (as passion) is the measure of action. That law defines the boundaries of love is quite clearly articulated by Glanville in \textit{The Female Quixote}: ‘“Pardon me, Madam,” said Glanville, “if I presume to differ from you. Our Laws have fix’d the Boundaries of Honour as well as those of Love.”’.\textsuperscript{28} Occupying a symbolic space of difference, love’s substance is thus imagination and not reality, a discourse of literature not law and, most importantly, a symptom of madness. Love is, after all, ‘the Business, the sole Business of Ladies in Romances’.\textsuperscript{29} The normative order cannot imagine or perceive the relevance of Arabella’s demand for love.

Women are excluded from the legal order because they are inescapably ‘passionate’. Indeed, Aristotle’s ‘categorical statement that women and slaves were possessed of an imperfect deliberative faculty compared with free men’\textsuperscript{30} perfectly encapsulates the basis for the gendered term of ‘reason’. Lloyd argues that reason is a masculinist myth despite the claim that it ‘knows no sex’.\textsuperscript{31} Thus, whilst reason has no sex, it would appear that passion does. And it is passion that negatively marks Arabella, very early on in the novel, within the tradition of the sovereign law. In recognising another set of laws (those of Romance), that have a history of their own, Arabella is raising a direct question of the positive law.

\textsuperscript{24} Kahn (2000), p xiii.
\textsuperscript{25} Kahn (2000), p xiii.
\textsuperscript{26} The discourse of love is not inscribed in property. In Arabella’s world, sacrifice — not ownership — makes love visible. Love’s authority, claims Arabella, its independent sovereignty, is found in the actors (heroes) themselves. Arabella states that: ‘Love requires a more unlimited Obedience from its Slaves, than any other Monarch can expect from his Subjects; an Obedience which is circumscrib’d by no Laws whatever, and dependent upon nothing but itself.’ In a dual sense, the logic of such a reliance on other values and possibilities raises questions of law.
\textsuperscript{27} Kahn (2000), p xii.
\textsuperscript{28} Lennox (1989), p 320.
\textsuperscript{29} Lennox (1989), p 381.
Women’s symbolic association with the disorderly and the non-rational has been repeatedly transmitted by mainstream male philosophers. As Naffine notes:

A salient feature of the division between public and private within the Western intellectual and literary tradition is the representation of the public sphere as superior to the private qua domestic sphere. The public sphere has been consistently represented as the sphere of rationality, culture and intellectual endeavour, whereas the domestic sphere has been represented as the sphere of nature, nurture and non-rationality.

In *The Female Quixote*, Lennox exposes the traditional designation of love as a feminine jurisdiction.

The title of the novel is the reader’s first hint that the female is not the one possessing ‘reason’. ‘Reason is privileged over non-reason, which includes corporeality, emotion, affectivity, and a constellation of values associated with reproduction and nurturing’. The ideal conception of the rational is, in other words, articulated in direct opposition to qualities typical of the feminine. As Arabella pleads with the Clergyman:

If therefore you have observ’d in me any dangerous Tenets, corrupt Passions, or criminal Desires, I conjure you discover me to myself. … Let me know this Evil which can strike a good Man with Horror, and which I dread the more, as I do not feel it.

Arabella’s constructed fantasy, wherein she is able to envision a provisional ‘self’ insubordinate to her father, is her sole means of surviving her lonely childhood and growth into adulthood. She discovers her mother’s ‘Store of Romances’, books which the deceased Marchioness had purchased to ‘soften a Solitude which she found very disagreeable’. The volumes of romances are Arabella’s only inheritance from her mother.

This female inheritance is presented by Lennox as dangerous or double-edged. As Naffine notes, the educational role of mothers is not theorised as abstract knowledge, but as ‘indirect, intimate and subterranean communication which is closer to the body than to discourse’. What is of legal value is the paternal inheritance, but that is usually — and this is indeed the case in *The Female Quixote* — surrounded by entail, prohibition or conditional restrictions:

Woman is never the proper inheritor, the truly desirable inheritor, of a paternal legacy. And paternal inheritance, composed of all aspects of public existence including name, home, and property, is in an oblique and unfavourable relation to the daughter.38

It is through reading her romances — books in which women are of great importance — that Arabella conceals from herself the sad truth that she is a pawn in the male game of property. After her father’s death, the discovery of the arranged marriage with her cousin is an unwelcome surprise. If Arabella does not marry her cousin Glanville, then she will lose part of the estate — as she is repeatedly informed by her cousin’s father, Sir Charles.

Even young Glanville, although he tells his father (Arabella’s guardian) not to compel the girl, wishes himself that ‘the Marquis had laid a stronger Injunction upon her in his Will to marry him’.39 As a daughter and subject, her lot is not to be one who is served, but to serve. The legal regime thus allows for love of the sovereign and love of the law. Conduct is ‘just’ when it creates and preserves happiness (the Final Good) for a whole political society. The final good in the Marquis’s society would be a marriage between Glanville and Arabella. The marriage would see the continuance of the law of the father.

The law’s desire to obliterate the chivalrous tales as texts — most literally when the Marquis attempts to burn Arabella’s romances — arises because romance novels, as discourses of love, ‘have the power to seduce men into believing these texts possess truth’ (perhaps of an account of feminine desire or jouissance) and an account of justice radically different from that of the law.40 As the Clergyman’s expostulation makes clear:

Books ought to supply an Antidote to Example, and if we retire to a contemplation of Crimes, and continue in our Closets to inflame our Passions, at what time must we rectify our Words, or purify our Hearts? The immediate Tendency of these Books which your Ladyship must allow me to mention with some Severity, is to give new Fire to the Passions of Revenge and Love; two Passions which, even without such powerful Auxiliaries, it is one of the severest Labours of Reason and Piety to suppress.41

When Glanville falsely imagines a romance between Sir George and Arabella, thus literalising the romance, he obeys Arabella’s romantic maxim that ‘the Law has no Power over Heroes’.42 In his attempt on Sir George’s life, Glanville acts in defiance (and disrespect), not only of the moral code of culture, but also the law of the father (sovereign).43 The narrative demonstrates

that those in seats of power, whether socially or legally, fear that any material reproduction of love’s passionate ideology will lead to lawlessness:

these Books soften the Heart to Love, and harden it to Murder. That they teach Women to exact Vengeance, and Men to execute it; teach Women to expect not only Worship, but the dreadful Worship of human Sacrifices.44

Thus, throughout the novel, says Gardiner, the language associated with women and the erotic discourse of the romance must be repressed in order for the language of control within the socio-economic, political and legal spheres — ‘middle-class patriarchy’ — to remain unscathed.45

Ultimately, Arabella demonstrates what Luce Irigaray was to articulate two centuries later — that female sexuality and passion cannot be articulated within Aristotelian language of masculine ‘reason’ except as a threat. When Irigaray writes of the ‘repression of the feminine’, she is also alluding to the repression of the body and passion in Western thought. In *The Female Quixote*, it is love that poses the biggest threat to the patriarchal legal order. As the source of Arabella’s refusal to marry Glanville, the basis for which Sir George infiltrates the sovereign authority over Arabella and the incitement of law-breaking, the influence of love has the potential to prevent the transference of property and thus challenge the law of the father.

**The Hysteric Love(r): Arabella, Irigaray and the ‘Vicious Circle’**

In romantic fiction, the male’s physical appearance is often fetishised, objectified, as female appearance conventionally is in the (male-centred, male-focused) texts of our society. If this objectification of the male is read as an articulation of female desire, questions then arise regarding the extent to which this female desire is constructed by patriarchal ideology and, even if that question is considered irrelevant, how much the articulation of that desire is used to coerce readers into an acceptance of patriarchal ideology. Indeed, Arabella’s marriage to Glanville at the conclusion of the novel is seen by many as a ‘tragic and complete capitulation to male power structures’.46

As Green notes, ‘the female Quixote’s perception of herself through the distorted mirror image of romance entangles her in an ominously fragile imaginary construct, for to be heroinized in romantic ideology is to value oneself only as reflected by the male gaze, as an object of pursuit’.47 So why then does Arabella lend herself to the reproduction of the discourse of love in seeming complicity with masculine desire and control? More importantly, why does Lennox lend her writing to the reproduction of romance in seeming complicity with masculine definitions and control?

Effectively, Lennox presents the true circumstance of woman in the patriarchal discourses of the novel — Arabella is damned if she does, damned if she does not. If she falls under the paternal authority, she is complicit in her own death as a subject — her mother demonstrates that obedience to just authority does not allow for the place of women bar the role of biological reproduction that ultimately will kill you. If Arabella disobeys the legal order, she effectively steps outside the realm of reason and into the imaginary construct of romance in which she is automatically deemed ‘mad’ or hysterical and is thus something to be feared.

Fear of female power and desire, law’s fear of passion, culminates in the relegating of Arabella to the sphere of madness. Whilst Arabella is not technically hysterical, her cousin and her uncle at times seem to attempt to interpret her odd behaviour as a form of hysteria, accusing her of ‘madness’ throughout the work. Her uncle, Sir Charles, says at one point — not atypically: ‘She is in a Delirium … I am persuaded her Head is not quite right.’

Arabella becomes, as the title of the novel implies, the ultimate female hysteric. Her nature is, by definition, extravagant and the radical trait of Arabella’s quixotism is her gender. In acting according to romances, Arabella has supplied the lack of an emotional life, created some room for libido, and taken upon herself the role of heroic protector of her own chastity. But the proper protector of a woman’s chastity in the eighteenth century (as traditionally) is assumed to be not herself, but a male, and Arabella’s hyper-reaction in defence of her honour is viewed as hysterically absurd in a society which wishes only to marry her off without further ado. Indeed, it is Arabella’s ‘hysterical’ leap into the Thames, in an attempt to emulate Clelia’s crossing of the Tyber, that cements her position as deliriously mad. However, if it is her obedience to love that places her within this sphere of ‘madness’, why then does Lennox continue to place her heroine in this ‘fragile imaginary construct’, in this ‘vicious circle’?

One answer, suggested in the text, is to view the vicious circle as a site of empowerment rather than repression. Irigaray refers to the ‘vicious circle’ as the logical possibility that woman is made hysterical, suggestible, by the discourse that she is forced to mime in patriarchal institutions. As a result of the failure of the law to recognise feminine desire (and thus love), the positioning of ‘woman’ entirely within a phallocentric world order forces her to adopt that masquerade of the feminine that is prescribed by a masculine world view. In The Female Quixote, Arabella has the choice between wife/mother and passionate hysteric. Lennox takes it upon herself to expose both.

Throughout the narrative, Arabella believes herself to be a romance heroine, and she sets about mimicking the heroine’s ‘great adventures’. Yet the reader is always aware of the fact that Arabella is not, in fact, a romance

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49 Lennox (1989), p 60.
heroine. Arabella’s ‘natural and artless beauty’, a sure signifier of a romance heroine, is artfully contrived: ‘Her fine black hair hung upon her neck in curls, which has so much the appearance of being artless that all but her maid, whose employment it was to give them that form, imagined they were so.’ In her dauntless self-fashioning, Arabella always appears en costume, highlighting the fact that she acts a self, invents herself, and has consciously chosen a part. Personality is a role, as the novel illustrates. It is as if Arabella is constantly at a masquerade.

Woman’s hysterical mimicry is a symptom of the way discourse functions differentially for the sexes, and not just a telltale sign of her repudiation of femininity: that women must mime discourse rather than speak it directly is the logical and structural condition of a language system affording only one sex positive representation. The number of times Glanville declares that she is driving him mad becomes a measure of his own inability to control his cousin’s behaviour — to fit her, that is, into the narrative he has prepared for her.

Arabella’s repeated mimicry of the hysterical feminine role of the romance heroine allows her to expose the contradictions within the male-oriented discourse of law. It demonstrates a break from the ‘vicious circle of women’s complicity’ that is represented most poignantly by Charlotte Glanville. It is precisely this hysterical mimicry that signifies Arabella’s potential to produce another mimesis — that woman could speak ‘not from the compromised positions as patriarchy’s feminized or masculinized “woman” but as woman’s woman’ — that incites fear within the masculine legal order. It is the possibility of Arabella moving from ‘speaking [as] hysterical’ to ‘speaking [as] woman’ that is sought to be repressed by the patriarchal law, but is celebrated and indulged by Lennox.

The benchmark of reason has enabled men to monopolise the legal and the cultural domains: ‘reason is what marks bodies in the masculinized public sphere, passion being the trope for the private qua domestic sphere’. Arabella’s hysterical mimicry of desire confronts this ‘trope’. As Naffine notes: ‘women’s subversive parody of their enforced roles as women is something they enact all the time, and it shows that things can always be different. Women keep putting their outsider status to good use by reflecting upon it and manipulating it. Many regard this as the very engine of the feminist enterprise.’

Irigaray asserts that, generally speaking, women lack access to language appropriate to the expression of their desire. She reminds us that the hysteric pantomimes sexual pleasure, an often tortuous display/displacement of a

53 That is, ‘if women are such good mimics, it is because they are not simply resorbed in this function’: Irigaray (1985) cited in Burke et al (1994), p 268.
feminine *jouissance* that cannot be admitted or even articulated in the symbolic order of the masculine. And who could blame Arabella for being hysterical? As Irigaray notes:

> How could [the little girl, the woman] be anything but suggestible and hysterical when … the father forces her to accept that, while he alone can satisfy her and give her access to pleasure, he prefers the added enjoyment to be derived from laying down the law, and therefore penalizes her for her (or his own?) ‘seduction fantasies’?

The result of the ‘vicious circle’ is moral ambiguity — the reader begins to lose the abhorrence of Arabella’s faults (as defined by the legal order) — if they are faults, and if they are really hers. For Ross, the strategy is clear. By officially labelling Arabella as ‘faulty’, Lennox leaves herself free to give Arabella realistic traits that, ironically, encourage the reader’s sympathy and identification.

**The Historians’ Fear of Relationship: Women as Lawgivers**

… the recollection of minor jurisprudences is a history of the dark side of law, of its other scene, of that which it does not know and so cannot control. It is in this sense a history of the desires that survived law. A catalogue of fictions, images and possibilities discarded or repressed by law. A register of imaginary laws which are imaginary for the simple reason that legal science and its history of power denied reality to those jurisdictions, fictions or laws.

Throughout history, there has been a continual repression of that which refers, or gives credence, to woman’s power. Within the novel, the history of the laws of romance is repeatedly denied by the other characters in the book, who become perplexed, anxious and confused when their view of history is questioned by Arabella. The histories Arabella relates to her audience are deemed ‘fictions’ — absurd and criminal. Like the discourse of love throughout history, Arabella causes incomprehension and confusion, fear and jealousy in the seats of legal power in the narrative. Her ‘follies’ are to be repressed as quickly as possible. Sir Charles makes the danger explicit when he reassures Glanville that ‘tho my Niece has some odd ways, yet, upon the Whole, she is a very accomplished Woman; and when you are her Husband, you may probably find the Means of curing her of those little Follies, which at present are conspicuous enough’.

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61 Indeed, Glanville spends a large majority of the novel ‘perplexed’.
It is at this point that Lennox’s rewriting of Cervantes’ Don Quixote — to give an account of the romance’s influence on female experience — becomes most poignant. Like her male counterpart, Don Quixote, Arabella poses a danger to other characters. However, unlike Don Quixote’s physical threat, Arabella’s danger lies in her possible power to ‘transform other characters into literal readers of feminine desire, ultimately restoring the legitimacy of love as a discourse of power and authority’.

Lennox’s specific reference to the Laws of Romance throughout the narrative suggests a confidence in women’s authority as law-givers. It is Lennox’s assumption that we are familiar with the French romances that she persistently refers to, which allows for both the readers’ and her own critique of the historian’s (and the law’s) repression of the discourse of love and the novel’s repression of the romance. This acknowledgment of a jurisdiction of love may be seen as pre-empting Peter Goodrich’s work, *Law in the Courts of Love*.

Looking outside the English common law, Goodrich brings to light the forgotten jurisdiction of the courts of love. Like Arabella’s romance novels, ‘the existence of the courts … has been doubted by many historians, who see them as a literary fiction, as fantasy’. However, it is precisely this quality that would relate the suppression of the courts to the erasing of the female from history. Goodrich contends that the banning of a treatise by Capellanus on the judgments of the courts of love in 1277 suggests that the treatise carried a sense of threat that, if it does not prove the actuality of the courts, is symptomatic of the need to write women out of history to produce the account of sovereign male reason. Similarly:

The ‘destruction of feminine genealogy’ is a facet of the definition and demarcation of sexual relationship as an indifferent, chaotic and destructive force. In these terms woman is still, both historically an epistemologically, as inexplicable and as irrational as passion. From the perspective of academic and legal reason, such passion — such lack of control — negatively marks the feminine from very on within the parallel traditions of history and law.

This destruction of feminine genealogy is ever-present in *The Female Quixote* — it is most articulate in the scene where Arabella offers to acquaint her ‘suitor’ Sir George with her ‘whole History’. Glanville’s reaction to this offer is barely civil — he ‘groans’ at the mention of Arabella’s ‘History’. Haggerty suggests that he does so not just because he is afraid that it will

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embarrass him with its depth of self-involvement, but at the very idea that Arabella might actually have a history to tell.\textsuperscript{69}

Gearey writes that ‘in a sense the power of the law is a fiction and its ultimate truth, the ground from which it speaks, has to be imagined and figured’.\textsuperscript{70} Sir George, with his mock-history, demonstrates the ability of ‘his’tory to be refigured in order to achieve a desired end. Indulging women with a language of experience or allowing women to be productive readers, argues Gardiner, would ‘also give them some measure of power and perhaps control within the economic world of work’, and subsequently within the political and legal sphere.\textsuperscript{71} Arabella must be reformed so that she reads only books that will teach her the value of keeping quiet.

Deborah Ross, in her work on women’s contribution to the novel, states that, at a literary level, one of the assumptions behind the critical distinction between romance and novel was the meaning of the ‘resemblance to truth’ that was supposed to separate them. However, ‘romance’ and ‘novel’ were difficult to separate, not only because every narrative wound up being a ‘falsehood’, but because the ‘truth’ that ‘excellent’ fiction was supposed to resemble was neither absolute nor universal.\textsuperscript{72} Whether truth meant history or current events, women as members of a subculture were equally removed from it. Ross argues that ‘history could seem to them a rather boring study, as Jane Austen’s Catherine Morland would later remark, with “the men all so good for nothing, and hardly any women at all”’.\textsuperscript{73} In a sense, official truth is merely verisimilitude for women, something lived secondhand.\textsuperscript{74}

‘The Only Excellence of Falsehood ... is Its Resemblance to Truth’;\textsuperscript{75} The Creation of a Feminine Sphere

Lennox’s treatment of romance in \textit{The Female Quixote} has been the focal point of most recent critical discussion of the work,\textsuperscript{76} with questions about the status of romance and its relation to the feminine at the fore. As Martin points out, such status questions and their association with women’s narrative are marked by their dependence on a series of reader identifications: ‘of Lennox with her heroine Arabella; of romance with women’s writing and thus with Lennox’s own fictional practice; and of romance with fiction itself’.\textsuperscript{77} Martin then expands on this link of dependence:

\textsuperscript{69} Haggerty (1998), p 130.
\textsuperscript{70} Gearey (1998), p 126.
\textsuperscript{71} Gardiner (1996), p 8.
\textsuperscript{72} Ross (1991), p 4.
\textsuperscript{73} Austen cited in Ross (1991), p 4.
\textsuperscript{74} Ross (1991), p 4.
\textsuperscript{75} Lennox (1989), p 352.
\textsuperscript{76} See Gardiner (1996); Martin (1997); Ross (1991).
\textsuperscript{77} Martin (1997), p 45.
These identifications are most compelling in rendering romance’s appeal — its association with female power, freedom, and consequence, and its singular status as a form of narrative that enables women to have, and to tell, stories.78

This link of dependence becomes problematic, however, in readings that see Lennox as ‘writing herself into silence, abdicating her “female” voice, or pulling back from the possibility of romance that she almost embraces’.79 One somewhat acrimonious commentator makes this connection in the strongest possible terms: for Lennox ‘to take her place in [the dominant tradition of the novel], to write at all, she must cease to be a woman writer’.80

In response to these claims, it can clearly be demonstrated that both Arabella and Lennox inherently bespeak a feminist subject position. Through hysterical mimicry, Arabella makes the ‘initial break from the vicious circle of women’s complicity’ within the patriarchal legal order. But, more importantly, her actions also signify woman’s repressed potential to speak for herself. In acting the hysteric, speaking as hysteric in the circles of law and political society, Arabella is not herself hysterical nor does she advocate hysteria as an idealised, alternative ‘discourse’. Instead, Arabella reproduces the ‘vicious and maddening logic of master discourses’ to prompt necessary and sufficient ‘disenchantment with the source of the masquerade’.81

Burke refers to Irigaray’s ‘mimicry’ of philosophy as a ‘strategy’:

To play with mimesis is … for a woman, to try to recover the place of her exploitation by discourse, without allowing herself to be simply reduced to it. It means to resubmit herself … to ‘ideas,’ in particular to ideas about herself, that are elaborated in/by a masculine logic, but so as to make ‘visible’, by an effect of playful repetition, what was supposed to remain invisible: the cover-up of a possible operation of the feminine in language.82

Lennox, through Arabella’s hysterical mimicry of romance heroines, draws on a reserve of culture, based on a reserve of power — ‘a power that is always repressed, by virtue of the subordination of feminine desire to phallocratism; a power constrained to silence and mimicry’.83 The reader learns from the ‘hysterical’ Arabella to ‘assume the feminine role deliberately’ in order to ‘convert a form of subordination into an affirmation, and thus to begin to thwart it’.84

The two types of marriage presented at the end of the novel articulate Lennox’s intention for Arabella to foil, to the extent possible in the eighteenth century, the female’s role in the marriage contract. As Haggerty notes, Arabella never sacrifices her sense of the value of her own experience:

even at the close, when she is arguing with the Clergyman, she remains self-possessed enough to resist his condescending tutelage and even to retain a degree of self-respect after he has clipped her wings and assured her of the tawdriness of her ‘female’ experience.

Although the humiliation of Arabella is costly, the heroine’s ‘retreat’ into objectivity at the resolution of *The Female Quixote* is not the only way to account for Lennox’s fictional practice. To say, as Langbauer does, that ‘Lennox herself, literally or figuratively, must disappear’, that Lennox and Arabella both must ‘lose [their] voices’, is to mistake the complex argument of *The Female Quixote*, both legal and generic. Martin writes:

As a woman writer, Lennox is not so much reclaiming romance, or lamenting its demise, as she is undermining the distinction between the old romance and the new novel. Deftly exploiting the traditional association of romance with female readers and writers, she also exposes the gendered rhetoric central to accounts of the new fiction.

Using the romance paradox to subvert the literary tenets of the novelistic genre, Lennox ‘claims the novel, too, as “women’s writing”’. Similarly, by utilising the discourse of love to satirise the gendered terms of the legal symbolic order, Lennox posits a strategy allowing woman to ‘speak [as] woman’.

Arabella’s actions, then, can be perceived as a ‘political intervention in law in the manner of interruption’. Indeed, Arabella herself is portrayed by both the Marquis and Glanville as an interruption in the authorised transfer of property between the two. Goodrich’s definition of interruption, then, as ‘rude, wayward and in a sense monstrous’, would appear to suit Arabella perfectly. However, her ‘technique’ of interruption is practised in the novel as a destabilising mechanism. She interrogates and criticises legal texts (the...
historian, Mr Tinsel’s, assertion of history and her letters from Glanville and Hervey) and institutions through the use of historical and literary techniques, and subversively ‘rewrites’ events within the novel (according to her world view). Undeniably, this interruption is dangerous. Arabella’s actions ‘threaten to subvert the genre, to mix the alien and the familiar, to pass without warning between spiritual and profane’.92

However, the concept of an interruption of law, of the rudeness of criticism, is not a universal and cannot itself avoid the law of interruption. In the novel, this interruption to Arabella’s ‘law’ occurs via different characters; however, none is as successful as the Clergyman. It has been argued that the Clergyman, who finally ‘reforms’ Arabella, curbs her desire at the same time as he undermines her sense of self and sense of possibility in the world.93 Yet, despite Arabella’s alleged ‘renunciation of romance’, it is impossible to ignore the disparity between the radically reformed Arabella of the closing chapter and the luminous, strong-willed heroine of the opening scenes. As Haggerty notes, ‘the novel’s resolution sits so uncomfortably on the action that has preceded it that the novel itself seems to challenge the very notion of a resolution’. Much speculation exists as to not only the ‘influences’ on Lennox that ultimately curbed her heroine’s will, but even on her authorship of the final chapter. Indeed, the abrupt conclusion has been attributed to Lennox’s advisers Samuel Richardson and Samuel Johnson, who were determined to keep the boundaries of romance and novel separate.94

For both Lennox and Irigaray, mimicry may be only an initial phase, but it is an integral one. With this in mind, Lennox’s narrative, with a logic of its own, can be viewed as ‘freeing’ Arabella from the dwindling position in which she finds herself at the novel’s close. Lennox, like Irigaray, does not assume it is easy to avoid the trap of merely reversing the balance of sexual power, exchanging the terms rather than fundamentally challenging the hierarchical model. Both engage in a rigorous interpretation of phallogocentrism precisely in order to challenge the symbolic itself — recognising that we do not escape so easily from mere reversal. For Goodrich, ‘the purpose is everywhere similar, it is that of lending a certain political force and social presence to the literature and the language of this imaginary domain, in this instance that of the feminine … that of the other, of difference, of the space of an alienated desire’.95

‘Sometimes It’s Hard to be a Woman, Giving All Your Love to Just One Man …’:96 A Discourse of Love Informing the Law?

What Subjects afford Matter for a more pleasing Variety of Conversation, than those of Beauty and Love? Can we speak of any

93 Haggerty (1998), p 133.
95 Goodrich (1996), p 42.
96 ‘Stand By Your Man’, written by Wynette and Sherrill 1969.
Object so capable of delighting as Beauty, or of any Passion of the Mind more sublime and pleasing than Love?97

A reading of the account of love and law in The Female Quixote demonstrates that the discourse of love belongs to a tradition that has always been threatening to positive law. Treated as subversive, and at times explicitly heretical, the patriarchal legal order has defined the limits of love within our society — positioning it ultimately as an imaginary jurisdiction indulged in by the follies of the feminine mind.

By providing an account of how law functions and is represented within society, it is argued, however, that the novel seeks to expose this entrenched repression of the female body — of law throughout history. By exposing the male power structures that are at work in both the legal regime and political sphere, love can be viewed for what it really is — a site of both repression and empowerment of the feminine.

It has been suggested that the denial of the authority of love lies in its ability to inform a public space of intimacy. As Goodrich notes, ‘the laws of love cross the line between public and private, intimate and extimate, affect and judgement, the relational and the legal’, and it is this crossing of established boundaries that makes the discourse of love so integral to both the law and our understanding of the law.98 The tension between Arabella and Mr Glanville can be reinterpreted in this context as representing the tension between love and the law. The novel’s conclusion, read in this way, takes on a profound meaning. The discourse of love enables subjects to rethink existing legal and social conceptions. For Arabella, in the eighteenth century, it enabled a rethinking of the marriage contract — Charlotte Glanville, like Arabella, gets her man in the end, but only after Arabella has rejected him and an extraordinary cost to her ‘self’ is readily apparent.

Ross notes that the foil to the disobedient heroine, the Countess, asks the young female reader to ‘look kindly on her oppressors, to re-examine the causes of her discontent, to decide that rebellion is quixotic: in other words, absurd, unnecessary, and unchristian’.99 Yet, without this (Arabella’s) rebellion, woman remains firmly within the patriarchal-defined gendered roles allocated to her. Woman remains oppressed and repressed, and her claims to experience, history (or perhaps herstory?) and value are rendered meaningless.

Whatever the virtues of a love beyond law that Arabella discusses, that love cannot be brought back into the political and legal order as it currently exists. From the perspective of law, it looks more like madness than an ultimate transcendence of finitude. The quixotism of the novel is in the attempt to breach the separation between love and power, to mould power by love, or to infuse love with power. The key to Lennox’s narrative, then, is not to overthrow the boundaries of love and law, but rather to expose the manipulations that occur within the language and practice of the two in order

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97 Lennox (1989), p 149.
98 Goodrich (1996), p 42.
to uncover the mechanisms by which the ‘subordinate’ is repressed. Thus love becomes an alternative site of experience from which the legal, political and social world can be viewed.

The importance of recognising the discourse of love as an alternative site of experience is accurately articulated by Goodrich:

It would equally create the possibility of removing the feminine from the space of male projection, from a space of otherness or alienation, a distance across which femininity is ultimately silenced. The feminine other has been the object of a discourse, not its subject. The feminine has been conceived as the space of lack, the site of a masculine desire without being in itself: that subsequent legal history should deny reality to the place, response or language of women … adds a further subjection to a history already replete with the silencing of ‘the other sex’.100

Ultimately, we need an account of both love and law and the relationship between the two because, as Goodrich argues, ‘to follow or reconstruct the narrative of the courts of love is to suggest that it may well be possible to specify spaces of subjective self-definition that have social value’.101 The positive revaluation of historical and mythical feminine cultures forms a significant aspect of the politics of contemporary feminist jurisprudence. Through the symbolic affirmation of feminine difference, Irigaray proposes not only to revalue the feminine within public space, but equally, to introduce law into the socially unconscious terrain of sexual relationship.102 Goodrich states that: ‘More than that, however, the negation of eros and of relationship, the displacement of desire and of love to space outside of serious social speech or law, raises questions of social justice as well as of justice in and of history.’103

The traditional dualisms — feminine/masculine, rational/non-rational, reason/passion — persist, even in contemporary culture. Whilst Lennox’s The Female Quixote may not have produced a revolutionary account of love’s ultimate triumph over the legal order, it does at the very least reinforce that justice requires an account of the values and the possibilities which are repressed through the denial of the history and literature of feminine culture as a species of reason or as form of legitimacy and so of law.104

Conclusion

In The Female Quixote, Charlotte Lennox explores both the social and legal position of women in the later eighteenth century by creating a heroine who, for several hundred pages, survives in an antagonistic world on her own terms.

100 Goodrich (1996), p 44.
103 Goodrich (1996), p 41.
104 Goodrich (1996), p 42.
and in her own way. By presenting a heroine who attempts to find a space for the imaginary domain of love within the symbolic forms of social life, Lennox is able to articulate a history of female power that is rarely matched in the eighteenth century.  

Whether one reads The Female Quixote as celebrating the reasonableness of the Clergyman’s success with Arabella, or lamenting its triumph in the heroine’s subsequent humiliation, the assumed power of the dispassionate law is unmistakeable. But to see The Female Quixote — even its infamous resolution — as necessarily evidence of either assimilation or capitulation is to mistake the status of the ‘passionate’ nature of love.

Throughout the novel, Arabella’s romantic notions turn out to have the power to preserve her in the various ways that a patriarchal culture might dispossess her — the ways, indeed, in which novelistic realism might find it convenient to sacrifice her to a ‘happy ending’. The discourse of love is thus transformed from an imposition of patriarchy that is to be rebelliously subverted by realism to a potential means of self-expression.

By locating her own work within these terms, Lennox successfully challenges the hegemony of the legal, social and literary order. Just as Lennox and other women writers of the period teach us, as their own works participate in the debates about fiction, challenging in their practice of writing the gendered distinction that would proscribe them from the novel, so too does Arabella challenge the gendered distinction of her ‘hysteric love’ that proscribes her from the reason of law. Using romance and the discourse of love strategically, Lennox is exploiting, and thus exploding, the very terms that gender both law and love, excluding women’s location from the tradition of the law. Lennox successfully imagines a place for feminine desire not by ‘restoring’ the feminine tradition of romance and love, but by challenging the very gendering of love (desire, and jouissance).

Arabella’s romances, unsuited as they are to the life she must lead in the world of this novel, have nonetheless formed her judgment and character, providing ‘the most shining Examples of Generosity, Courage, Virtue, and Love’. Arabella’s observation that ‘the World is not more virtuous now than it was in [Greek and Roman] Days, and there is good Reason to believe it is not much wiser’ certainly must remain unchallenged. Faced with the limited possibilities, both active and imaginative, that this world represents, it is no wonder that Arabella prefers romance:

> If the World … affords only these Kinds of Pleasures, I shall very soon regret the Solitude and Books I have quitted … What room, I pray you, does a Lady give for High and Nobler Adventures, who consumes her Days in Dressing, Dancing, listening to Songs, and ranging the Walks with people as thoughtless as herself? How mean and contemptible a Figure must a Life spent in such idle Amusements make in History? Or rather, *Are not such Persons always buried in Oblivion, and can any*

Lennox, as her feminist sisters would continue to do centuries later, set
about remarking women’s roles with deliberate satire, suggesting that women
must mimic and distort the available stereotypes of womanhood.107 The
rhetorical space opened for Arabella via her ‘hysteria’ is symptomatic of what
Nancy Armstrong terms ‘a general increase in attention to feminine
authority’.108 As noted above, the terms of this ‘passionate’ authority have
everything to do with the power of female sexuality and its historical sources.
As the Clergyman articulates: ‘these Books … give new Fire to the Passions of
Revenge and Love’ — passions that are clearly within the feminine sphere.

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106 Lennox (1989), p 279 (author’s emphasis added).


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