

# SEXSCANDAL

The Private Parts of Victorian Fiction



WILLIAM A. COHEN



## SEX SCANDAL





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THE PRIVATE PARTS  
OF  
VICTORIAN FICTION

William A. Cohen

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FOR H & H

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## ACKNOWLEDGMENTS

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The moment the subject of scandal arises, the question of how to avoid it comes up as well. Since the surest means of keeping oneself from becoming scandal's victim is to be dutiful, a book that focuses on scandal might be expected to worry over the routine of meeting its own obligations. Such worry might be warranted were there not so much pleasure to be had in this particular diligence. It is to the readers for whose eyes these pages were initially written, in the form of a doctoral dissertation, that I owe my foremost intellectual debts. D. A. Miller, Catherine Gallagher, and Thomas W. Laqueur made immeasurable contributions to my thinking and writing, providing valuable guidance through both their comments on my work and the model of their own scholarship. Without the steadfast dedication of Laura M. Green and Elizabeth Young at every phase of its composition, this project would have been inconceivable. Members of the Victorian dissertation group at Berkeley supplied thoughtful comments on the work as it emerged, and continue to provide intellectual community. I am grateful to Laura C. Berry, Catherine Robson, Daniel Hack, Christopher Craft, and Kerry Walk for their contributions. Susan S. Lanser, Kathryn Bond Stockton, Hilary Schor, Jeff Nunokawa, and Joseph Litvak generously read and commented upon later versions of the manuscript, and Henry Abelove's advice has been important in bringing it to fruition.

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## SEX SCANDAL







# ONE

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## SEX, SCANDAL, AND THE NOVEL

Victorian Britain is mainly remembered for two things: sexual prudishness and long novels. This book considers the relationship between these two achievements—the one, which inhibited the Victorians from speaking, and the other, which occasioned their extraordinary volubility. The period from 1860 to 1900 witnessed both the consolidation of modern sexual categories and the height of the long novel's cultural authority. In these years, prudishness drove fiction in contradictory directions, compelling it to generate and to prohibit discussion of sexuality. Sex scandals, both as they appear in novels and as they form a cultural context for literary production, supply the clearest means of making legible these conflicting tendencies. Newspaper scandal stories show the nineteenth-century imagination of sexuality at its most dramatic and public. In so doing, they elucidate the operations of the novel, which offers a formally structured and covert aspect of this imagination. Through the combined effects of newspapers and novels, sexuality in the nineteenth century became the subject routinely and paradoxically signaled by its ineffability—a subject that consequently produces volatile effects at the moments when it approaches explicit articulation. Like the novel, the scandal story, which publicly broadcasts information ordinarily kept secret, supplies a rich vein of cultural material through which to investigate language about sexuality.

Sex scandal is a Victorian phenomenon, but anyone within range of



the mass media today needs hardly be told that it is not only Victorian. Nineteenth-century scandals establish the terms for, and supply the history of, the manifest absorption of contemporary Anglo-American culture in sensational stories of sexual exposure. Our own press tends to ignore the fact that scandal even *has* a history, treating each new case as if it sprang up *sui generis*.<sup>1</sup> The moment of scandal is a long one, and if its origins reach back in Europe and America at least to the eighteenth century, scandal stories continue today to propel mass aesthetic forms and popular-press reporting. While the discursive status of sexuality has indisputably changed in this period, sexual transgressions still provoke the most sensational media spectacles. Even if, as we often imagine, we have become inured to hearing news about sex, we are still shocked—or, at least, we are told that others are shocked—by sexual disclosures. Media reports insist that the public is outraged by the revelation of sexual secrets not necessarily because people *are* outraged, but because a consensus that sex ought not to be talked about in public continues powerfully to hold sway.

Foucault's analysis of power and pleasure in volume 1 of *The History of Sexuality* remains the most compelling demonstration we have that sexuality is constructed in language.<sup>2</sup> Even without Foucault, we might have suspected from the Victorians that silence about sexuality composes a strategic form, not an absence, of representation.<sup>3</sup> Anyone concerned with the language of sexuality must therefore pay attention to the manifold processes through which sex is made silent and its silence laden with meaning. The unspeakable status of sexuality is not added to sex, as a result of censorship or repression, but is the very condition for its modern discursive formulation. Consequently, rather than entertain

1. There have been remarkably few attempts to theorize scandal, and even studies that take it as their explicit subject provide no general account of the phenomenon; for instance, R. B. Martin, *Enter Rumour: Four Early Victorian Scandals* (London: Faber and Faber, 1962), and H. Montgomery Hyde, *A Tangled Web: Sex Scandals in British Politics and Society* (London: Futura, 1986). The criticism that does exist tends more to participate in the practices of scandalmongering journalism than to attempt an analysis of such operations; see, for example, Colin Wilson and Donald Seaman, *Scandal! An Encyclopedia* (London: Weidenfeld and Nicolson, 1986).

2. Michel Foucault, *The History of Sexuality*, vol. 1, trans. Robert Hurley (New York: Vintage, 1978).

3. For informative analyses of nineteenth-century sexual discourses, as well as capacious reviews of scholarship in the field, see James R. Kincaid, *Child-Loving: The Erotic Child and Victorian Culture* (New York: Routledge, 1992); and Roy Porter and Lesley Hall, *The Facts of Life: The Creation of Sexual Knowledge in Britain, 1650–1950* (New Haven: Yale University Press, 1995).



the question of ultimate causality—why is sex scandalous?—which presumes that sex can be explained (usually by naturalized categories of psychology or economy), this study pursues the question of how sex was made scandalous—or, better, how scandal helped to make sex, and how this process paradoxically produced it as unutterable.

Foucault leaves largely untouched the most professionalized institution for imaginative writing in the nineteenth century, and the principal beneficiary of this discursive situation: literature.<sup>4</sup> The readings I undertake in this book show that sexual unspeakability does not function simply as a collection of prohibitions for Victorian writers. Rather, it affords them abundant opportunities to develop an elaborate discourse—richly ambiguous, subtly coded, prolix and polyvalent—that we now recognize and designate by the very term *literary*. Like other restrictions upon expression, the conventions of sexual unspeakability serve writers as a productive constraint, contributing to a certain historical formation of the literary. Literature in turn supplies a culturally privileged repository for the production, and recognition, of sexuality as unspeakable. I emphasize the term *unspeakable* throughout this book, for it usefully condenses two meanings: something *incapable* of being articulated as well as something *prohibited* from articulation.<sup>5</sup> The term is especially apt for a literary project insofar as it indicates that, despite their exclusion from spoken language, sexual subjects might nonetheless find their way into written matter. This inscription is not always intentional, but its meanings are secreted in particular forms of writing where they could not be made in overt enunciations.<sup>6</sup>

4. D. A. Miller, *The Novel and the Police* (Berkeley: University of California Press, 1988), cites this as “perhaps the most notable reticence in Foucault’s work” (viii, n. 1).

5. Elisabeth Lyon offers a brief and provocative discussion of the term in her introduction to the special issue “Unspeakable Images” of *Camera Obscura* 24 (September 1990): 5–6. Lyon writes of how, in the definition of the word *unspeakable*, “desire and prohibition are plotted, from pleasure to displeasure to interdiction, from the subject to the law” (5). On the sexual unspeakability of the Victorian novel, see Ruth Bernard Yeazel, “Podsnappery, Sexuality, and the English Novel,” *Critical Inquiry* 9 (December 1982): 339–57, who writes, invoking Foucault, that “the silences of the novel are part of its discourse” (357). Eve Kosofsky Sedgwick writes of the ways in which the unspeakable in Henry James’s writing serves to cover the secret of the homosexual closet in *Epistemology of the Closet* (Berkeley: University of California Press, 1990), 201–5 (see also 163–67), and “Is the Rectum Straight?” *Tendencies* (Durham: Duke University Press, 1993), 75–77.

6. Ann Banfield, *Unspeakable Sentences: Narration and Representation in the Language of Fiction* (Boston: Routledge & Kegan Paul, 1982), suggests that a syntax that literally cannot be spoken may designate the literary itself in the modern period.



If the requirements for discretion about sexuality supply a resource for literary writers, the same might also be said of scandalmongering journalists, who must convey the sexual content of their stories without offending their readership. Given all the fanfare of revelation and indignation associated with scandal, it may seem odd to argue that it makes anything less, rather than more, speakable. One might propose that the Victorians were in some full sense capable of talking about sex—and nowhere would this garrulousness be more evident than in a sex scandal.<sup>7</sup> But in bringing forth sexual activities for public consideration, scandal announces them in such a way as to establish their status as private, rather than—as scandal discourse itself encourages us to believe—radically to violate that status. However pious and disciplinary the public narrative scandal produces about private sexual transgression, though, its effects cannot be predicted according to formulas for ideological containment.<sup>8</sup> While it inculcates an understanding of normative behav-

7. On Foucault's model, scandal is one of the discourses that exercises power, for power accommodates the resistance scandal offers. Miller writes, "Modern social organization has made even 'scandal' a systematic function of its routine self-maintenance" (*Novel and the Police*, xii). Foucault's notion of power is infinitely variegated and decentralized:

Discourses are not once and for all subservient to power or raised up against it, any more than silences are. We must make allowance for the complex and unstable process whereby discourse can be both an instrument and an effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it. (*History of Sexuality*, vol. 1, 100–101; emphasis added)

It is worth noting in this context that an older sense of scandal is precisely "hindrance" or "stumbling-block"; the earliest English work I have identified on the subject, H. H. Hammond, *Of Scandall* (Oxford, 1644), states that scandal "signifies any Obstacle or hindrance laydd in a mans way . . . a stone or blocke in the way, at which men are apt (if they be not carefull, or if they goe in the darke) to stumble and fall." Here, scandal is taken in a religious sense—"Scandall signifies either some sinne, the occasion of farther sinne in others; or else some what else, which though it be not sinne, yet occasions sinne in others, though very indirectly sometimes"—and its modern meaning, "slander or calumny or defamation," is treated as "a sense which is vulgar amongst us in English" and is too rare to "deserve to be taken into consideration" (emphasis in original).

8. For an analysis of problems endemic to the so-called subversion/containment paradigm, especially in the context of performativity, see Joseph Litvak, *Caught in the Act: Theatricality in the Nineteenth-Century English Novel* (Berkeley: University of California Press, 1992), which is at many points relevant to this study. Litvak "attempt[s] to gesture beyond, or perhaps beneath, the dichotomy of subversion versus authority, indicating the need for more plural and discriminate ways of analyzing theatrical (and literary) poli-



ior in its audience, scandal also provides the opportunity to formulate questions, discuss previously unimagined possibilities, and forge new alliances. A social drama that enhances the power of one group may at the same time disempower others; while it gratifies some, it terrorizes others. And while scandal teaches punitive lessons, often deliberately intended to induce conformity in its audience, its thrilling terrors always pose the danger of inciting disobedience to the norms they advertise.

The scandalousness of an act hinges upon the degree of secrecy requisite to its commission. The Victorian scandals most revealing about the imagination of sexual privacy are therefore those that concern the sexual activity construed as most insistently covert, sex between men. Male-male sex is literally unspeakable: sodomy—which, by the mid-nineteenth century, is identified principally as sex between men—is defined (in Latin) by English law as the crime not to be named. The period under consideration here saw categories of sexual identity emerging in medical, legal, and social-scientific thinking; the male homosexual occupied a cardinal place in this classification, and hence in the larger process of folding sexual into personal identity.<sup>9</sup> While misdirected and uncontrolled male sexuality generated public displays of disgust and horror, the Victorian ideology that desexualizes women also provoked numerous scandals. Feminist scholars have demonstrated the scandalousness of women who were seen in public to be overly or inappropriately sexual, and this project builds upon that work in analyzing the concurrent mechanisms of exposure that surround deviant male bodies, and in considering the differences that gender makes there.<sup>10</sup> While the willful effort to deny female sexuality resulted in celebrated adultery,

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tics. . . . The authority-subversion dualism itself, at least as it is often deployed . . . fails to be very useful, not to say very interesting" (115).

9. See Jeffrey Weeks, *Coming Out: Homosexual Politics in Britain, from the Nineteenth Century to the Present* (London: Quartet, 1977), and *Sex, Politics and Society: The Regulation of Sexuality Since 1800*, 2d ed. (London: Longman, 1989). The most thoroughgoing analysis of the conditions for the emergence of modern sexual identities, and of their effects, is Sedgwick, *Epistemology of the Closet*.

10. Newspaper sex scandals that focus on female subjects abound, and feminist scholars have convincingly demonstrated the scandalousness of the exposed and publicized female body; see, for example, Mary Poovey, *Uneven Developments: The Ideological Work of Gender in Mid-Victorian England* (Chicago: University of Chicago Press, 1988), chap. 3, on Caroline Norton; and Judith R. Walkowitz, *City of Dreadful Delight: Narratives of Sexual Danger in Late-Victorian London* (Chicago: University of Chicago Press, 1992), chap. 6, on Mrs. Weldon.



divorce, and illegitimacy cases, ironically it largely precluded lesbian scandals, which were less unspeakable than unthinkable; indeed, the refusal of lawmakers to believe in the possibility of sex between women is supposed to have exempted it from statutory prohibition.<sup>11</sup> Male homosexual scandals, by contrast, serve as an especially incisive point in Victorian culture for the production of sexual discourse, and the actual scandals I consider at length are consequently trials for sex between men.

In the Victorian period, scandals of all sorts proliferated in the popular press. In part as a result of the repeal of the stamp tax in 1855 and the paper duty in 1860, the number of newspapers in Great Britain multiplied, and they became cheaper, more widely available, and more national in scope. This burgeoning medium generated stories for popular consumption on a scale that had not been possible before, and the character of both newspapers and news itself changed significantly.<sup>12</sup> The papers' greater availability, coupled with increasing literacy, made scandals publicly accessible in new ways. As much as scandalous news may have exploded in the second half of the nineteenth century, however, this is not to argue that there were no scandals before 1855, nor that, characteristic as it is of this era, scandal is uniquely Victorian. Events from earlier periods, such as the South Sea Bubble, the Queen Caroline affair, and numerous notorious divorce cases, certainly fall under the rubric of scandal. Such antecedents notwithstanding, I suggest that scan-

11. For exceptions to the rule in the period prior to this one, see Emma Donoghue, *Passions Between Women: British Lesbian Culture, 1668–1801* (New York: HarperCollins, 1995).

12. Richard Altick's is the classic documentation of these shifts in *The English Common Reader* (Chicago: University of Chicago Press, 1957). Altick suggests the contents of the Radical Sunday papers, especially popular for shared reading in coffeehouses before the repeal of paper duties: "Exposés of governmental corruption, ministerial obstinacy, the stupidity or knavery of politicians, the greed of employers, and the sexual immorality reportedly endemic in the ruling class had a powerful appeal to multitudes who cared little for their specific political implications but relished their sensationalism" (345). Raymond Williams charts the growth of the popular press in *The Long Revolution* (New York: Columbia University Press, 1961), writing that "undoubtedly, in this period [1855–96], an attention to crime, sexual violence, and human oddities made its way from the Sunday into these daily papers, and also into older papers" (195). See also Lucy Brown, *Victorian News and Newspapers* (Oxford: Clarendon Press, 1985). On the more general capacity of newspapers (along with novels) to build consensus for nationalist ideologies, see Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (London: Verso, 1991), who writes of the "profound fictiveness" of "the newspaper as cultural product" (33).



dal assumes its modern form only once several conditions are met: that news media are national and accessible; that they distance the subjects of their stories from their audience enough to effect a divide between the exposed private life and the anonymous public reading about it; and that the audience itself is conceived in terms sufficiently capacious to encompass a wide range of class, gender, and geographical positions.

The term *scandal* is often used, in vaguely metaphorical ways, with regard to any public outrage.<sup>13</sup> My concern here, however, is with a social phenomenon that has determinable characteristics and a consistent structure. In terms of form, scandal is a densely plotted narrative, with relatively fixed constituent parts: an accuser exposes an indiscretion or iniquity in the life of an accused and broadcasts that secret for public consumption, and the accused responds with denials.<sup>14</sup> Even if it does not come to an actual trial, scandal still relies on the tripartite juridical model of plaintiff, defendant, and jury. The public interest evinced in a case is itself the product of several factors: the quality of the charges (how titillating they are felt to be), the symbolic status of the actors (how prominent a class or celebrity position they occupy), and the destructiveness of the proceedings (how much damage they have potential for). Dissemination and consumption of the scandal depends upon a popular press that finds it profitable to make news out of stories

13. The anthology *Victorian Scandals: Representations of Gender and Class*, ed. Kristine Ottesen Garrigan (Athens, Ohio: Ohio University Press, 1992), for instance, lacks a systematic definition of its announced subject matter; the essays cover topics that probably fall within the domain of scandal (the wrongful confinement of women by their husbands, a prominent case of breach of marital promise) along with several that do not (debates over the education of women, the representation of the actress). The afterword by Thaïs E. Morgan, however, addresses some questions about the general operations of scandal in the period.

14. Harriet Bridgeman and Elizabeth Drury, *Society Scandals* (Newton Abbot: David & Charles, 1977), make the only attempt I know of to delineate its properties.

Gossip and its more succulent and mature relation, scandal, are judgements made of a contemporary, exaggerated by the desire to entertain an audience or to injure the subject. The best scandal begins as rumour and develops gradually. It must falter through lack of information or invention, twist and turn and involve new and well known personalities. It is wittily delivered, contributing to the stature of its originator. It is engrossing because it entails a moral or social outrage; because it is competitive; because it strikes a blow at the socially secure or successful or because there are serious implications—a criminal offense or the possibility of severe disgrace or punishment. (7)

These generalizations are perceptive and mainly accurate.



about private life, and more generally upon conditions that Alexander Welsh has described as forming a knowledge industry.<sup>15</sup>

In temporal terms, scandal is composed of two discrete moments: the first comprises the alleged event that transgresses community moral standards and is therefore hidden; the second publicly recapitulates that earlier moment, lending the scandal its narrative form. The following letter from the Cleveland Street affair of 1889–90, which implicated prominent aristocrats in a homosexual prostitution ring, highlights this twofold process, displaying the distribution of the term *scandal*. In the letter, the director of public prosecutions expresses to the attorney general his dismay over the decision not to prosecute a nobleman for involvement in a male brothel:

The moral effect of [the evidence] leaves no reasonable doubt that Lord Arthur Somerset was a frequent visitor at 19 Cleveland Street for immoral purposes. The public scandal involved in a criminal charge against a man in his position in society is undoubted—but in my opinion the public scandal in declining to prefer such a charge—and in permitting such a man to hold Her Majesty's Commission and to remain in English Society is much greater.

In my opinion the attempt to avoid such publicity—even if such attempt was justifiable—which in my judgement it is not—must absolutely fail—and the public scandal will then be infinitely aggravated.

Whatever may be said, and much may be said—as to the public policy of allowing private persons—being full-grown men to indulge their unnatural tastes—in private—or in such a way as not necessarily to come to public knowledge—in my judgement, the circumstances of this case demand the intervention of those whose duty it is to enforce the law . . . and no consideration of public scan-

15. In *George Eliot and Blackmail* (Cambridge, Mass.: Harvard University Press, 1985), Welsh examines the relationship between secrecy and information/knowledge, refracted through Eliot's later novels, particularly as embodied in the blackmailer's threat to reveal someone else's private life and destroy his or her reputation. In a section especially useful for this project, "The Pathology of Information," Welsh documents the preconditions for blackmail: "The growth of knowledge and communication in the nineteenth century, the rise of publicity and division of public and private life, and attitudes toward evidence attendant upon the commitment to crime prevention" (29). Generally speaking, blackmail is the antidote to scandal (when it works) or its precursor (when it does not).



dal—owing to the position in society or sympathy with the family of the offender should militate against this paramount duty.<sup>16</sup>

The first potential scandal, over Lord Arthur's "immoral" behavior, works in the usual way, by transforming hidden information into public knowledge, but the case is made difficult by the Crown's reluctance to prosecute a man who holds "Her Majesty's Commission." Yet his secret, once revealed, cannot be ignored, and so another scandal—over a failure to act—hangs before the government. Not to expose the nobleman's actions would precipitate a "public scandal" about government protection of him; whether or not the case comes to trial, then, an exposé is certain. In giving past private indiscretions the form of a popular narrative, scandal enables so-called public morals to exercise social control, even as it threatens to run out of the control of those who wield it.

As scandal recasts secret activities into a public story of exposure, it makes questions about truth almost impossible to answer, however deliberately it mobilizes truth-determining institutions (police interrogation, trial procedures, legislative inquiries). For while the motor that keeps the scandal machine running is the detective and legal work of verifying accusations, conclusive demonstration of the truth is inimical to a scandal's sustenance. Unlike criminal charges in general, exoneration is rarely possible from charges of scandalous behavior. A scandal's success is measured not by its accuracy but by its popularity and the damage it does to the accused's reputation. A scandal has public effects regardless of a final determination of its truth or falsity, and it captures public attention only to the extent that such a determination is deferred.

While scandal does not by definition concern sex, in its quintessential and paradigmatic form it focuses on sexual transgression. Financial and political scandals abound in the nineteenth century, and they are related to sex scandals insofar as they too rely on the public exposure of private information that damages its subject's reputation. At a moment when distinctions between private and public life are increasingly scrutinized, however, and in which private subjectivity is consolidating around a core of sexual identity, scandals about sex come to be the characteristic type of the genre. The intensification of social purity movements, which drew on evolving medical and scientific ideas about sexuality, partly explains the preponderance of sex scandals in the second half of the nine-

16. Quoted in Lewis Chester, David Leitch, and Colin Simpson, *The Cleveland Street Affair* (London: Weidenfeld and Nicolson, 1976), 72–73 (emphasis in original).



teenth century.<sup>17</sup> In large measure through the agency of scandal, these movements extended a reign of moral conservatism and effected reform of the laws that govern sexual conduct. A variety of social dramas that involve the crossing of public and private boundaries are subsumed by sex scandals in this era, and scandals that explicitly concern sexual misconduct frequently turn out to simplify or to serve as a cover for the violation of other social boundaries. Even the most licentious scandal rarely arises solely in the wake of a sexual transgression; most cases involve the crossing of rigid class, national, or racial lines, as well as the highly ossified gender divide, which organize Victorian society.<sup>18</sup>

The forbidden status of sexual subjects, and the public enchantment by them, allows sex to dramatize other kinds of social conflict, and to make otherwise boring subjects seem interesting. Every journalist knows that the surest way to ruin politicians and celebrities is to raise a scandal over their private sexual indiscretions, however irrelevant such behavior is to the performance of their public roles. The adultery trial that destroyed Irish Home Rule leader Charles Stewart Parnell in 1890 is the outstanding example of a politically consequential scandal in the Victorian era, and it was performed on a stage of sexual misconduct. If the period's most important political scandal was sexual, the one most famous for being sexual may itself have been politically motivated—for Oscar Wilde's 1895 trials were, by some accounts, the direct result of a partisan conspiracy.<sup>19</sup> Political ends are not the only ones to which

17. See Frank Mort, *Dangerous Sexualities: Medico-Moral Politics in England Since 1830* (London: Routledge, 1987).

18. In *Allegories of Empire: The Figure of Woman in the Colonial Text* (Minneapolis: University of Minnesota Press, 1993), Jenny Sharpe writes about reporting of the Indian sepoy mutinies of 1857:

Operating behind a screen of decency that demanded it withhold details, the English press generated a narrative desire around what it did not say. The editorials divulged information in hints and innuendos, while the stories accompanying them were pieced together from the testimonies of eyewitnesses who were often not present at the scenes they describe. . . . The sensationalist stories, which are to be found in private letters, newspapers, and popular histories, all circle around a single, unrepresentable center: the rape of English women. Upon declaring the sepoy crimes to be "unspeakable," the Mutiny reports offer a range of signification that has the same effect as the missing details. (61–62, 66)

Sharpe's discussion of the politics of this scandal in the colonial setting accords with my analysis of the relationship among scandal, sexual unspeakability, and ideological fictions on the domestic front.

19. Lord Alfred Douglas and others had evidence that the Liberals scapegoated Wilde in exchange for protection of high-ranking homosexual politicians within the party. See



sexual means can effectively be used. The most prominent Victorian scandalmonger, journalist W. T. Stead, was undeniably sanctimonious, but his primary motivation for generating *causes célèbres* was to bolster sales of the paper he edited, the *Pall Mall Gazette*. On the grounds of sexual immorality, Stead demolished the promising career of Liberal M.P. and cabinet minister Sir Charles Dilke in the wake of a series of divorce trials in 1886, and it remains uncertain whether he was motivated by politics, profit, or prurience.<sup>20</sup>

While the press is the vehicle for such cases, and it profits from them, journalists serve a public culture that thrives on seeing secrets exposed. Beyond the moral outrage that typically confronts the accused person, the representation of scandal itself often becomes scandalous, redoubling the effect as it collapses into the originating event. Public indignation over such lurid narratives may explain why nineteenth-century scandals often reach the court in the form of libel cases and why news media are so frequently held responsible for creating the scandals they report. The press cultivates various techniques to protect itself against the backlash of such charges. An attitude of self-righteous piety like Stead's, for example, justifies sensationalistic reporting as a duty, and capitalizes on the shock ostensibly felt by the public. By contrast, the pose of urbane moral agnosticism frequently struck by the press simply assumes as its own the indifference to truth that belongs to the form of scandal itself; representatives of this position claim not to be surprised by the revelations they nevertheless trumpet as scandalous.

Whatever their inspiration and the means of their rationalization, scandals provide the opportunity for new types of knowledge about sexuality to circulate publicly. Victorian sex scandals, no less than those of today, are replete with the expert testimony of doctors and other spe-

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Regenia Gagnier, *Idylls of the Marketplace: Oscar Wilde and the Victorian Public* (Stanford: Stanford University Press, 1986), app. B.

20. On Stead's role in the Dilke affair, Roy Jenkins, *Victorian Scandal* (New York: Pyramid, 1965), writes:

It is impossible to read the files of [Stead's] paper for the weeks after the February trial without believing that his main interest was to print anything which would keep the case alive, and enable him to go on exploiting its sensationalism for some time to come. The *Pall Mall's* circulation had been dropping . . . and it badly needed to attract new readers. . . . [Stead] became seized with an abiding but self-righteous vindictiveness towards Dilke. He saw himself as the chosen instrument of public morality, protecting the innocent citizens of Britain against the impudent attempts of a shameless adulterer to climb back into their favour. (218)



cialists. If a case such as Dilke's appears in political history to be that of a man wronged in the public sphere, the fact that it occasioned reports of "French vices," such as *ménage à trois*, and of the loose sexual mores of London's high society, suggests how distinct its political effects were from its contributions to sexual ideology. Newspaper reports of the case made public the series of affairs carried on by four sisters in the aristocratic Eustace Smith family, who exchanged both lovers and venereal diseases. Such intelligence doubtless contributed to puritanical middle-class fantasies about the sexual depravity of the *haute monde*, but it may also have fostered notions of female sexual assertiveness, no matter how negative the portrayal of these particular characters. Similarly, the series of stories entitled "The Maiden Tribute of Modern Babylon," which preceded the Dilke affair in Stead's columns, both fulminated against the ease with which a young English girl could be purchased and included explicit directions for obtaining one. While the case eventuated in changes in the age-of-consent laws, it also feasibly put the idea of buying a virgin into the heads of men to whom it might otherwise never have occurred.<sup>21</sup>

Although scandal makes public the details of private life, the privacy at issue must be that of a person in whom the public has some reason to be interested. Usually the subjects of scandal elicit public curiosity because they are themselves, or are linked to, celebrities (that is, public figures), although those who symbolize a population under scrutiny for other reasons also become the subjects of scandal. The buggery trial I discuss in chapter 3, for instance, concerns young men who were not previously known to a wide audience, but both their connection to noblemen and their own symbolic status, as middle-class youths whose gender presentation had gone inexplicably wrong, made them the object of intense public attention. A case that ran concurrently in the newspapers with this one, however, the Mordaunt divorce, is representative of stories that make news primarily because of the fame of their participants. This case arose in 1870 when a young woman told her husband, a baronet and Conservative M.P., that she had committed adultery with several men, among them the Prince of Wales, and that their only child was illegitimate and infected with venereal disease. The husband, Sir

21. See Jenkins, *Victorian Scandal*, chap. 15, on Dilke; and Walkowitz, *City of Dreadful Delight*, chaps. 3–4, on the "Maiden Tribute." Walkowitz writes, "The 'Maiden Tribute' and its imitations, Stead's critics argued, actually encouraged the crimes it had set out to expose. . . . His publication simultaneously incited an interest in the sexual and helped to mobilize a new offensive against the obscene" (124–25).



Charles Mordaunt, sued for divorce, and his wife's family responded by pleading that she had been insane when she made the admission. When the case went to court for the first of five eventual trials, the Prince of Wales appeared on the stand as correspondent to deny the charges. In the divorce court, the presiding judge made the following comments on the public fascination with scandal:

There are those who will lament that matters of this kind, arising between husband and wife, should become topics of public discussion; and there may be some who think that such public discussion, carrying with it, as it does, knowledge of immorality and matters which every one would wish should be kept from the eyes of many, is not desirable. It may be said, and I dare say has been said, that the avidity of the public to take part in the interest of this trial is a thing that is to be deplored, as showing a desire to participate in the investigation of immoral questions. But, gentlemen, I am not quite sure whether that is a correct description of the reason why this trial has occupied so much attention. Those who stand in high places are always objects of attention. It is unfortunately true that in the proceedings of this court there is not a week or a day that passes which would not furnish materials that to such depraved tastes would be equally acceptable. It is on account of the position in society held by those who are implicated in this matter that it has excited and occupied so much of the public attention. And surely it is natural that those who stand in high places should be conspicuous; and those who are conspicuous naturally attract attention. It is that circumstance, and not the mere details connected with the case, which has excited such keen interest.<sup>22</sup>

The judge's statement raises a number of issues central to the formation of scandal. It points to the ways in which public interest in "immorality" is felt to be reprehensible, especially when this public requires moral guidance. Even though the judge presents himself as neutral on this question, the public airing of private indiscretions cannot but serve to instruct the audience in what is considered corrupting. When he dismisses concerns over the public's interest in the case by attributing them merely to the conspicuousness of "those who stand in high places," however, he betrays a certain disingenuousness. That the actors in the

22. *An Official Report of the Cause Célèbre Mordaunt v. Mordaunt, Cole, and Johnstone* (London: Evans, Oliver, 1870), 114.



trial are famous makes it a public matter, but the sexual content is what gives the case its interest. The popularity of the trial provides the occasion for discussing a host of questions: about aristocrats' sexual habits, about the veracity of a supposed madwoman's confessions (it was the first time the divorce court had to deal with an insanity plea), about postpartum depression (from which Lady Mordaunt seemed to be suffering), about venereal disease, and about the wrongful confinement of women in mental hospitals—not to mention the unmentionable details that surfaced of Lady Mordaunt's hysterical fits, involving everything from smearing herself with fecal matter to threats of suicide and infanticide.<sup>23</sup>

A case with such conspicuous participants and such tantalizing contents sponsors rumors that are in themselves often felt to be menacing. There is, however, an important distinction to be made between scandal and the related phenomenon of gossip. While scandals always generate and frequently originate in gossip, the latter is far less formally structured than scandal. Gossip, as the term is ordinarily used, takes place within a circumscribed community, and its objects tend to be known personally to those engaging in it. The modern scandal, by comparison, is a function of mass media, which rely on an anonymous audience far from the event's *dramatis personae*.<sup>24</sup> Even more closely related to scandal is sensation—and in some cases they converge—but I differentiate between them because sensation designates a public effect while not, like scandal, necessarily exposing incidents construed as secret by the nature of their commission. By contrast with scandal, which reveals the

23. See Hyde, *Tangled Web*, 98.

24. Max Gluckman, in "Gossip and Scandal," *Current Anthropology* 4 (June 1963): 307–16, does not make a sharp distinction between the two phenomena, largely because the domain of his inquiry is pre-urban and pre-industrial society. Gluckman understands gossip to bind communities together, demarcating insiders from outsiders: "A community . . . is partly held together and maintains its values by gossiping and scandalizing both within cliques and in general. . . . Gossip, and even scandal, have important positive virtues. Clearly they maintain the unity, morals and values of social groups. Beyond this, they enable these groups to control the competing cliques and aspiring individuals of which all groups are composed" (308). Patricia Meyer Spacks, *Gossip* (New York: Alfred A. Knopf, 1985), also considers her subject mostly in the context of self-contained communities. This purview allows Spacks to generalize about gossip's function as a community bonding agent, a subversive mode of discourse for subordinated groups, and a means of social control. Spacks's extensive comments on the affinities between gossip and imaginative literature (in particular, the novel) have bearing on my discussion of scandal's constitutive role in Victorian fiction, but the account of gossip is sometimes so general that it seems capable of serving any social function.



secrets of famous people, the sensation is what makes its subject noteworthy. Gruesome murder cases, for instance, create sensations, but no one can be said to be scandalized by them; they simply represent criminal activity that for various reasons makes tantalizing news. On the other hand, an adultery scandal—though its revelation may be sensational—gains its force by making public a particular person's private life.<sup>25</sup>

Through the information they circulate, scandals propagate new sexual knowledge, and they accomplish this task partly through their representation of the public imagined to receive such material. Newspaper battles over how much evidence to report make explicit the fantasy of embodied public opinion, and this public comes to be imagined in quite concrete ways.<sup>26</sup> Scandal reports make a vivid spectacle out of gender and class differences—features fundamental to the imagination of the public itself—and contests over sexuality in such accounts throw into confusion the preexisting categories for these stories' public reception. In the light of such cases, the usual nineteenth-century alignment of the bourgeois public/private dichotomy with respective male and female spheres appears to be an ideological fiction—one that feminist historians have shown is both variable and unstable.<sup>27</sup> Despite the usual construction of the public sphere as male, scandal's public is routinely portrayed as female, whether because of its penchant for gossip or its imagined need for paternalistic custody. At the same time, the abject private bodies that scandal puts on public display are by no means ex-

25. Studies of newspaper sensations and the sensation novels of the 1860s tend not to interrogate the relationship between their literary and nonliterary materials beyond general assertions about a Victorian Zeitgeist that produced both. See Richard Altick, *Evil Encounters: Two Victorian Sensations* (London: John Murray, 1986); Thomas Boyle, *Black Swine in the Sewers of Hampstead: Beneath the Surface of Victorian Sensationalism* (New York: Viking, 1989); and Winifred Hughes, *The Maniac in the Cellar: Sensation Novels of the 1860s* (Princeton: Princeton University Press, 1980). Ann Cvetkovich analyzes sensation fiction in relation to nineteenth-century sexual and class ideologies in *Mixed Feelings: Feminism, Mass Culture, and Victorian Sensationalism* (New Brunswick: Rutgers University Press, 1992).

26. On the formation of the concept of public opinion in the nineteenth century, and on J. S. Mill's critical contributions to this effort, see Welsh, *George Eliot*, esp. chap. 4.

27. The chapter on "new social actors" in Walkowitz, *City of Dreadful Delight*, as well as Leonore Davidoff and Catherine Hall, *Family Fortunes: Men and Women of the English Middle Class, 1780–1850* (London: Hutchinson, 1987), suggest how women materially entered the sphere designated public in the nineteenth century; Poovey, *Uneven Developments*, deconstructs the strict public/private alignment with gender division by showing how the very categories mutually inhabit each other. Jürgen Habermas discusses the emergence of the public/private opposition in *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge, Mass.: MIT Press, 1991).