

Sarah Austin: A Biography

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The portrait of a woman now hangs among those of the two or three hundred judges, barristers, and law writers that adorn the walls of Harvard's law school. Its presence is the recognition of the labors of the widow John Austin, the English law writer. [After his death] Mrs. Austin was unwilling leave her husband's work unappreciated, and made efforts to secure some one to prepare the new edition, but there was no one, and her friends urged that she take up the task herself. At last she did so spending several years in the accomplishment of the difficult work. . . . At length, however, the work was done, the book was published, and now, after having gone through five editions, remains the authority on the subject. "The hanging of Mrs. Austin's portrait, then, is a recognition of her husband's value, her own ability, and her extraordinary labors. It also testifies to the capacity of the woman's mind for the reach of jurisprudence..." says the *Springfield Republican*.

— *Chicago Legal Times*, 31 March, 1900¹

Sarah Austin's portrait was hung at Harvard Law School in 1900, 33 years after her death in 1867, and 37 years after she organized, edited, and published her husband's work posthumously. Her achievement is striking in part because Sarah, widow of the late John Austin, eminent British professor of jurisprudence, had not been part of the legal world herself. She was neither formally trained in the law nor held any occupation related to the law. Rather, her life was one of wife and mother, of social idealism and activism, as well as of a burning ambition for her husband.

Sarah married John in what she perceived as a whirlwind of romance and passion, convinced at 21 that her role in life should rightly be as "helpmate" to John while he practiced law and developed and proliferated theories of jurisprudence. As she would discover, his ill health and perfectionist tendencies would prevent him from ever reaching the heights of fame she had envisioned for him, and by extension, for herself. She considered her own intellectual work, that of translating books from the French and German into English, of secondary importance to his work, and sought neither fame nor fortune from it. Ironically, Sarah was more well-known during their lifetimes as a result of her line of work, and she provided the income by which the Austins supported themselves as John's legal career faltered.

Sarah Austin is worthy of legal biography because her story is deeper than her mere achievements. She was more ordinary than extraordinary, and many women, both past and present, might easily identify

¹ *Chicago Legal Times*, 3/31/1900, p98, column 4.

with her. Raised to think for herself, she nonetheless married a man she hoped she could somehow change; she wanted to draw out the successful barrister and prolific writer from behind the rebellious and dark, brooding intellectual facade. In both cases she was disappointed. Emotionally and sexually unfulfilled by her marriage, she had a secret affair of sorts that she eventually though reluctantly ended to save her own marriage. She raised a daughter as she had been raised – well-educated and headstrong. Sarah forged out an unplanned career to her intellectual satisfaction and financial success, and she died proud of the fact that her marriage had lasted despite troubled times. She was an intelligent, capable woman who found herself at the fray of the legal world for most of her life, and who eventually made a contribution to that world: she published her husband’s work after his death, enabling the proliferation of her husband’s brainchild: “legal positivism.” As many women before her and many after her, her accomplishments in the legal world would only be possible under the rubric of “helpmate” to her husband.

While researching Sarah’s life, it was suggested that I read George Eliot’s *Middlemarch* in order to get a sense of a type of Victorian woman whom Sarah Austin seemed to resemble. The resemblance between Sarah and the novel’s central character Dorothea is uncanny. While of course there is literature on *Middlemarch*, and on possible real-life analogs for Dorothea and her husband Casaubon, no one has presented a theory for which I argue in this paper: that George Eliot drew upon Sarah and John Austin’s lives as she developed the characters.

In their biography of Sarah, Lotte and Joseph Hamburger devote a paragraph to the similarities between the two women, using Dorothea as a model of a Victorian woman that might shed light on Sarah. But, the Hamburgers do not consider the possibility that Sarah and John Austin served as models for Eliot’s Dorothea and Casaubon. The Hamburgers write,

If Sarah’s idealism, ambition, and self-deception seem at times to have been extreme, it is worth recalling that George Eliot in *Middlemarch* depicted a fictional heroine whom readers have for decades recognized as reflecting some truth about one type of Victorian woman. Like Sarah, Dorothea embarked on marriage with ardour, idealism, submissive affection, and unrealistic visions of her husband’s and her own character. She wanted to devote herself to him and share and promote all his great ends.²

As such, this paper argues the likelihood that George Eliot might have based the *Middlemarch* characters Dorothea and Casaubon on Sarah and John Austin. It is true that George Eliot and the Austins

shared the same political, intellectual, and social circles. Though 20 years apart in age, it seems highly unlikely that Eliot would not know of Sarah, though Sarah might arguably have been unaware of Eliot until late in Sarah's life. However, this paper is not a re-examination of Middlemarch, nor an exposition of Victorian life, nor a literary critique of Dorothea and Casaubon's characters. It is instead a contribution to both law and literature. It is both a biography of Sarah Austin, a tracing of her contribution to legal history, and a contribution to the literature concerning the real-life analogs for Dorothea and Casaubon, the pivotal characters in George Eliot's most acclaimed novel.

Part II is a biographical examination of Sarah Austin. It covers in detail her childhood, her marriage to John Austin, her work as a translator of books and articles, and her work to posthumously publish John's lectures on jurisprudence. It traces her life as well as that of her husband, John Austin, since her life was greatly affected by his temperament, career, and ill-health. As Phyllis Rose wrote, "[m]arriages, or parallel lives . . . hold a particular fascination for the biographer-critic because they set two imaginations to work constructing narratives about experience presumed to be the same for both."³ Part III tries to sketch a picture of the world of Victorian intelligentsia which Sarah Austin and George Eliot must have shared though they were 20 years apart in age. Having established in Part III the strong possibility that George Eliot knew of Sarah and John Austin – given their common political and social circles as well as common intellectual interests – Part IV is an argument that has not been posited before: that Sarah and John Austin may well have been the real-life analogs for Eliot's central characters in Middlemarch, Dorothea and Casaubon.

II. Sarah Austin: a biography

A. Early life and marriage

Sarah Taylor was born in Norwich, England, in 1793, one year after Mary Wollstonecraft published A Vindication of the Rights of Woman. The Taylors were an East Anglican family of Unitarians, and were related to the well-known Martineau clan. They raised seven children in all though Sarah was the

² LOTTE HAMBURGER, TROUBLED LIVES 152.

most handsome and gifted, an intelligent, vivacious, attractive girl, and much admired.⁴ From her parents she acquired intellectual curiosity, moral earnestness, liberal sympathies and a strong taste for politics.⁵

Her parents, members of the liberal Presbyterian party and opponents of the Independents and Tories, were particularly affected by new, socially liberal ideas. In particular, as the Taylors were close friends with those who knew Mary Wollstonecraft well, they were among those who were pushing for women's rights, such as they were. "It is thus not surprising that Mrs. Taylor impressed on her daughters the advantages of intellectual companionship in marriage or that Sarah, who had received a better education than most of the men of her day, was drawn to a plan of life that seemed to her more noble than that aspired to by the run-of-the-mill of her contemporaries."⁶ Sarah's mother took an active role in her daughter's upbringing.⁷ She expected Sarah to master domestic management in conjunction with a solid education. She often told Sarah, "Besides the intrinsic pleasure to be derived from solid knowledge, a woman ought to consider it as her best resource against poverty."⁸

Thus, while Mrs. Taylor prepared Sarah for the duties of domesticity, the Taylors also grounded Sarah in a classical education. This included learning not only the more conventional languages such as French, Italian, and Latin, but also German. This was a bold move, for "in the early years of the century the study of German literature was confined to comparatively few persons, many of them from the provinces."⁹

Sarah's days were not devoted exclusively to preparation for domestic life nor to intellectual endeavors. "Rational pleasures – sociability, travel, music – were all part of her parents' scheme of education."¹⁰ In addition, Sarah visited family in Bath, Yarmouth, and Diss, was a good rider, swimmer, and fencer.¹¹ Her family enjoyed spending time together, they were a good-natured bunch, and they "had

³ PHYLLIS ROSE, *PARALLEL LIVES: FIVE VICTORIAN MARRIAGES* 6.

⁴ JOSEPHINE KAMM, *JOHN STUART MILL IN LOVE* 18.

⁵ HAMBURGER, *supra* note 2, at 15-18.

⁶ HAMBURGER, *supra* note 2, at 21.

⁷ HAMBURGER, *supra* note 2, at 18.

⁸ HAMBURGER, *supra* note 2, at 19, citing to HARRIET MARTINEAU, *AUTOBIOGRAPHY* 20 (Maria Weston Chapman, ed., 1877).

⁹ HAMBURGER, *supra* note 2, at 20.

¹⁰ HAMBURGER, *supra* note 2, at 21.

¹¹ HAMBURGER, *supra* note 2, at 21.

much zest for life and relished all sorts of simple enjoyments, such as games, singing, sailing up the river Wensum, and large convivial gatherings.”¹²

Sarah was a lively, happy girl, whose beauty as well as flirtatious nature was well-known. M. Barthelemy St. Hilaire described her as extremely handsome, with a dazzling complexion.¹³ Thus, it came as a surprise when in 1814, at the age of 19, Sarah decided to marry John Austin, a serious, almost brooding type.

When Sarah Taylor announced her engagement to John Austin in 1814, it created quite a stir in some Norwich circles. The triumphs of 'Sally' Taylor had been tea-table gossip for some time. The youngest of seven children, endowed with striking beauty and abundant mental gifts, she was, after some incautious entanglements, making a choice that surprised nearly everyone. Her friends found it incongruous that this exceedingly lively, flirtatious twenty-one-year-old-girl should prefer the sombre, austere, John Austin to all her other admirers. He was undoubtedly a man of compelling intelligence; admittedly he was handsome – slender, on the tall side, with large, deep-set hazel eyes and the erect carriage of a former military man. That his hair had gone white, though he was only twenty-four years old, gave a distinctive look to an already emphatic personality. Temperamentally, however, they seemed strangely matched. Sarah was self-confident, 'dazzling, attractive, imposing,' with an impulsive, warm manner and a love of society in which she could display her charm and intelligence. Austin, on the other hand, was diffident yet proud, often appearing arrogant and icy; his occasional vehemence, dogmatism, and arresting eloquence in conversation alternated with a despondence and lassitude that bordered on melancholia.¹⁴

Austin was a particularly “grave and solemn young man, diffident and self-critical,” who “celebrated the betrothal with a pious letter, praying that the Lord might give them strength ‘to bear up under those privations and disappointments’ against which they would all too likely be ‘destined to contend.’”¹⁵

In fact, all of John’s letters indicated a certain solemnity, and lack of creativity. His literary style might be attributed to his experience as a legal apprentice to an equity draftsman. He wrote to Sarah in 1817 that he could not send a letter “unless it be laboured with the accuracy and circumspection which are requisite in a deed of conveyance.”¹⁶

¹² HAMBURGER, *supra* note 2, at 21.

¹³ BRUCE MAZLISH, JAMES AND JOHN STUART MILL: FATHER AND SON IN THE NINETEENTH CENTURY 196, citing to JANET ROSS, THREE GENERATIONS OF ENGLISH WOMEN: MEMOIRS AND CORRESPONDENCE OF SUSANNAH TAYLOR, SARAH AUSTIN, AND LADY DUFF GORDON v, viii.

¹⁴ HAMBURGER, *supra* note 2, at 3.

¹⁵ KAMM, *supra* note 4, at 18, citing GORDON WATERFIELD, LUCIE DUFF GORDON IN ENGLAND, SOUTH AFRICA AND EGYPT 32.

¹⁶ JOHN AUSTIN, LECTURES ON JURISPRUDENCE (Robert Campbell ed., J. Murray 1885).

Indeed, John’s initial letter of engagement strikes modern readers more like a contract than a confession of passion or love. Lotte Hamburger writes,

In what must be one of the unlikeliest of such letters ever written and accepted, John Austin, in a painfully stilted, legalistic, and naïve document – something between a draft of a contract and a confession – catalogued the reasons against his suit. “Primo,” there was the long wait till they could afford to marry and live off his earnings – a wait, according to his calculations, of between nine and twelve years. “Secundo . . . it is also very probable that my profession may never bring me into one shilling” . . . “Tertio,” there was the possibility that he might, out of caprice or disgust with poverty, “damn [him]self to wealth and contempt in the arms of age and ugliness and folly.” Only in the occasional sentence did he permit himself an approach to romance . . .¹⁷

Having told her what he might bring to the arrangement, he asked certain admissions of her as well as certain changes in her own character.

She was to look into her past conduct, not so much for “those slight stains” upon her reputation which would wear away under “a more guarded deportment” and his “*protecting* attachment,” but to determine by an “ordeal of self examination” whether her soul was “really worthy to hold communion” with his. He also wished to know whether she was “that volatile, vain and flirting thing, hackneyed in the ways of coquetry, and submitting its light and worthless affection to the tampering of every specious coxcomb; -- or [whether she had] really *nerve* enough for the deep-toned, steady, and consistent enthusiasm, upon which both his pride and his tenderness might securely rely.”¹⁸

“Two people more unlike it would have been difficult to find – John Austin, habitually grave and despondent; his wife, brilliantly handsome, fond of society, in which she she shone, and with an almost superabundance of energy and animal spirits.”¹⁹ While society seemed shocked that Sarah might choose so sober, though handsome, a man as John Austin for a husband, it was society that perhaps forced Sarah into the marriage. As John’s helper, Sarah might live out her own ambitions, ambitions which were thwarted by a Victorian worldview that dictated and enforced strict gender roles. In John, Sarah saw tremendous intellectual potential, and, “obviously impressed with his mental genius, she believed that she would be his salvation, and it seemed that she was.”²⁰

In John, Sarah saw a future for herself, for Sarah had absorbed one of Mary Wollstonecraft’s ideas in particular: that a woman “should prepare herself to be more than merely serviceable or pleasing to her

¹⁷ HAMBURGER, *supra* note 2, at 12, citing GORDON WATERFIELD, *supra* note 15, at 25-29; also citing to JOHN AUSTIN, *supra* note 16, Preface.

¹⁸ HAMBURGER, *supra* note 2, at 12, citing to GORDON WATERFIELD, *supra* note 15, at 24-5.

¹⁹ JANET ROSS, THREE GENERATIONS OF ENGLISH WOMEN: MEMOIRS AND CORRESPONDENCE OF SUSANNAH TAYLOR, SARAH AUSTIN, AND LADY DUFF GORDON 58.

²⁰ MAZLISH, *supra* note 13, at 194.

husband. She should aim to be a companion to him – friendship was the sublimest of the affections. . . . Influenced by such ideas of a marriage of companionship, Sarah regarded herself as one who would be the partner, intellectual equal, the friend, and helper of a husband who would make a name for himself by serving society.”²¹

Though Sarah and John were engaged in 1814, Sarah patiently waited until 1819 before they were married, “sustained by her belief in John Austin’s elevated character and talent, and by her conviction that he would distinguish himself.”²² During their five-year engagement, Sarah and John corresponded with regularity, and Sarah’s ambition to be her husband’s intellectual companion, or at least apprentice, seemed to be taking form. The five intermittent years provided Sarah with the opportunity to read and learn all she could in order to be of the utmost assistance to her future husband. John explicitly asked of her that she prepare herself for the task of being his helpmate, and during their engagement, he took over Mrs. Taylor’s role as Sarah’s tutor. He asked her to read the same books he was reading and studying, in order that they should be able to talk about them. In a letter Sarah wrote to Barthelemy St. Hilaire in July of 1860, after John’s death, Sarah recalls their correspondence during their engagement:

I have been reading my husband’s letter to me before we married. How you would admire them! Full of love and of reason, of wise and high-minded advice. He begs me to read the books he is reading – Adam Smith, Matthews, Blackstone, Bacon, Locke; he exhorts me to Latin, and to read Tacitus attentively, ‘for I shall desire to talk with you on all subjects which engage my attention.’ It is the love of a great heart, and a greater soul.²³

Sarah did indeed read all that John suggested, including Hume and Helvetius.²⁴ The groundwork Sarah acquired in languages was “indicated by her reading during the studious, self-deisciplined five years of her engagement. . . She read not only Tacitus and Cicero but Goethe’s drama *Iphigenie in Tauris*, some of Bentham’s works in their French editions, and Machiavelli in Italian.”²⁵

B. John Austin’s work and the Austins’ intellectual circles

²¹ HAMBURGER, *supra* note 2, at 22.

²² HAMBURGER, *supra* note 2, at 11-12.

²³ ROSS, *supra* note 19, at 364.

²⁴ HAMBURGER, *supra* note 2, at 23.

John qualified for the bar in 1818, and in 1819, Sarah and John were married. Their only child, a daughter they named Lucie, was born in 1821. Shortly after their marriage, the Austins moved to London, and became neighbors of Jeremy Bentham and James Mill. The windows of their house “looked into Mr. Bentham’s garden, and just round the corner lived Mr. James Mill. This close neighbourhood, and a strong congeniality of tastes and opinions, led to a great intimacy between Bentham, the Mills, and the Austins.”²⁶

“Bentham was the intellectual leader of the utilitarians and no one did more than Mill to spread the gospel. Austin’s friendship with them thus placed him at the heart of a vital reform movement.”²⁷

Bentham and Mill’s circle of Radicals included MPs David Ricardo, Joseph Hume, Henry Brougham, and Sir Francis Burdett, as well as intellectuals such as the historian George Grote, Sir Samuel Romilly, Major John Cartwright, and in due time, legal philosopher John Austin.²⁸ Thus John began his work in legal philosophy as a result of exposure to Bentham’s Philosophical Radicalism, though as time wore on, John strayed away from the theory and became more interested in legal positivism.

Utilitarianism (Philosophical Radicalism, as it came to be called) advocated a radical legal reform, based on the codifications of Bentham, which insisted that law and legislation ought to aim at, and be measured by, the principle of ‘the greatest good of the greatest number.’ Utilitarian doctrine espoused vigorous free trade and industry, appealing to the theories of Malthus, Ricardo, Bentham, and James Mill as well.

Though John had begun a career as a lawyer, his ill-health forced him to retire as a barrister in 1825.²⁹ He now dedicated his efforts to utilitarian thought, legal positivism, and the theory of jurisprudence, a career well-suited to one whose real interests were politics and legal philosophy.³⁰ A crucial event in this process was his appointment in 1826 as Professor of Jurisprudence at the new University of London. Jurisprudence may be defined as the science of law in general. The historical method of jurisprudence, which traces a rule as far as possible from its original source, rose by way of revolt against the traditional philosophical school.³¹ John claimed to belong to the historical school of

²⁵ HAMBURGER, *supra* note 2, at 20.

²⁶ ROSS, *supra* note 19, at 92.

²⁷ JOHN AUSTIN, *THE PROVINCE OF JURISPRUDENCE DETERMINED* viii (Wilfred E. Rumble, ed., Cambridge University Press 1995).

²⁸ MAZLISH, *supra* note 13, at 93.

²⁹ LESLIE STEPHEN, *THE ENGLISH UTILITARIANS* 317-19.

³⁰ HAMBURGER, *supra* note 2, at 31.

³¹ E.C. CLARK, *PRACTICAL JURISPRUDENCE: A COMMENT ON AUSTIN* 1.

jurisprudence, which appealed to “experience” and held that a “body of law cannot be spun out of a few general principles, considered a priori.”³²

John’s shift towards the study of jurisprudence resulted in the desire to take on an enormous project: the classification of the law. He wanted to classify the entire corpus of law, for he considered jurisprudence to consist of “the elucidation of fundamental notions to be achieved by the analysis of the distinctive vocabulary of the law and by the classification of its terms in such a way as to bring out their logical interconnexions.”³³

As the University of London was not due to open until 1828, John and Sarah moved to Bonn, Germany, where John could fully prepare his lectures and learn from German scholars of jurisprudence.³⁴ In Germany, John increased his knowledge of Roman law, a subject which was experiencing a burst of interest.³⁵ The impact of the German connection was significant, as it pushed John away from his earlier political radicalism and was first step in his movement towards conservatism.³⁶

Most importantly, “his exposure to German jurisprudence reinforced his drive for the systemization and classification of law,”³⁷ a project that would keep him occupied all his life, and which would remain incomplete upon his death. He wrote to Sir William Erle in 1844,

. . . I shall now set to work in good earnest, and, if my unlucky stars will allow me a little peace, I hope I shall turn out something of considerable utility. I intend to show the relations of positive morality and law (*mos* and *jus*), and of both, to their common standard or test; to show that there are principles and distinctions common to all systems of law (or that law is the subject of an abstract science); to show the possibility and conditions of codification; to exhibit a short scheme of a body of law arranged in natural order; and to show that the English law, in spite of its great peculiarities, might be made to conform to that order much more closely than is imagined. The questions involved in this scheme are so numerous and difficult, that what I shall produce will be very imperfect. I think, however, that the subject is one which will necessarily attract attention before many years are over, and I believe that my suggestions will be of considerable use to those who, under happier auspices, will pursue the inquiry.³⁸

However, his ideas on classification would be left to Sarah to piece together and publish after his death.

³² STEPHEN, *supra* note 29, at 320.

³³ JOHN AUSTIN, THE PROVINCE OF JURISPRUDENCE DETERMINED xv.

³⁴ STEPHEN, *supra* note 29, at 318.

³⁵ AUSTIN, *supra* note 27, at ix.

³⁶ AUSTIN, *supra* note 27, at ix.

³⁷ AUSTIN, *supra* note 27, at ix.

³⁸ ROSS, *supra* note 19, at 201

In 1828, the Austins returned to England, and became a central part of London's Victorian intelligentsia. John Stuart Mill wrote in his autobiography,

The influences of German literature and of the German character and state of society had made a very perceptible change in Mr. Austin's views of life. His personal disposition was much softened; he was less militant and polemic; his tastes had begun to turn themselves towards the poetic and contemplative. . . . He had a strong distaste for the general meanness of English life, the absence of enlarged thoughts and unselfish desires, the low objects on which the faculties of all classes of the English are intent. . . . He never ceased to be a utilitarian . . .³⁹

Owing to ill-health, John postponed his courses, scheduled to begin in November of that year, for one year.⁴⁰ When he eventually gave his lectures, they were well-attended at first, but enrollment dropped off over the next few years, and he was forced to give his last lecture in 1832.⁴¹ Appointed to the Criminal Law Commission in 1833, he soon resigned. Lord Brougham, who had appointed him, ruminated that Austin "differed from his colleagues as to the mode in which they were attempting to perform their duties. It is deeply regretted that an arrangement could not have been made for his forming a complete map of the whole field of criminal law. He was, of all others, the man most capable to do this."⁴² Thus, no longer a member of the Commission and no longer a professor, he resigned from the University in 1835.⁴³

In 1832, however, he did publish his first and only book (while alive), The Province of Jurisprudence Determined, after some prodding from Sarah.⁴⁴ The idea to publish his introductory lectures as a book was initially Sarah's. She wrote to her sister, Susan Reeve, in April of 1831,

. . . I entreated [John] to publish the earlier part of his course, containing the basis of Jurisprudence, which I knew to be separable from the less generally interesting details. At first he quite rejected the idea; but on my placing him before him many arguments which appeared to me weighty, he consented, only saying that he could incur no risk, neither could he send for a publisher, but that if I would find one and negotiate everything, he would print them. You may imagine I was not slow to undertake nor to accomplish this. . . . I cannot express to you the approbation this move of mine has received from all his and my friends; the Romillys, Street, Booth, Mill, Duckworth, Empson, Erle, and many others have told me it was the best thing I ever did, and could not fail to establish his reputation.

³⁹ ROSS, *supra* note 19, at 74, citing to JOHN STUART MILL, AUTOBIOGRAPHY.

⁴⁰ AUSTIN, *supra* note 27, at ix.

⁴¹ STEPHEN, *supra* note 29, at 317-19.

⁴² ROSS, *supra* note 19, at 95-6.

⁴³ AUSTIN, *supra* note 27, at x.

⁴⁴ WILFRED E. RUMBLE, THE THOUGHT OF JOHN AUSTIN 40.

“But even as he was publishing his introductory lectures, the idea of creating a larger manual for codification was never far from John’s mind. Ever mindful that he wanted to create a whole legal classification system, John conceived of The Province as merely prefatory to a much larger collection, Lectures on Jurisprudence. The essence of Austin’s doctrine in The Province may be shortly stated. His object in this avowedly preliminary work is to identify the distinguishing characteristics of positive law and so to free it from the perennial confusion with the precepts of religion and morality. . .”⁴⁵ As The Province was a merely prefatory work, John accordingly published along with The Province an elaborate outline of the full course of lectures.⁴⁶ Sarah wrote to Susan Reeve in 1831, just before The Province came out, “[John] at present seems rather to think of Paris, where he says he would devote himself entirely to constructing a complete Corpus Juris – such an one as might live for ever and be a text-book for all future codifiers.”⁴⁷ Ever ambitious, Sarah continued, “You may imagine that I could willingly make any and every sacrifice to so noble a project.”⁴⁸

Meanwhile, the 1830’s were a time of social and intellectual popularity for the Austins. The Austins and John Stuart Mill were neighbors in Regent’s Park in London,⁴⁹ and Sarah’s salon was admired by many.⁵⁰ “Though the Austins were poor, the learning and glowing eloquence of John Austin and the talents and beauty of his wife made their house a resort of the most remarkable and cultivated people of that time.”⁵¹ Sarah “used her charms and good sense to gather about her a circle of writers, lawyers, and wits, Carlyle, James Mill and Bentham among them. This comely, popular young woman very soon became one of the toasts of London society.”⁵² Future Lord Advocate Francis Jeffrey of the Edinburgh Post called her his “best and brightest;” Sydney Smith called her “dear, fair and wise;” Carlyle wrote she was “sunlight through waste weltering chaos.”⁵³ In fact, Jane Carlyle (Thomas Carlyle’s wife) once wrote of Sarah to her brother in law, John Carlyle: “If I swear everlasting friendship with any woman here, it will be with her.”⁵⁴

⁴⁵ AUSTIN, *supra* note 33, at x.

⁴⁶ AUSTIN, *supra* note 33, at ix.

⁴⁷ ROSS, *supra* note 19, at 83.

⁴⁸ ROSS, *supra* note 19, at 83.

⁴⁹ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, xxii (Oscar A. Haac, trans., ed., Transaction Publishers, 1995).

⁵⁰ MAZLISH, *supra* note 13, at 195.

⁵¹ ROSS, *supra* note 19, at 62-3.

⁵² KAMM, *supra* note 4, at 18.

⁵³ KAMM, *supra* note 4, at 18.

⁵⁴ KAMM, *supra* note 4, at 49.

In contrast, upon meeting John Austin for the first time, Thomas Carlyle wrote that he was “a lean grey-headed painful-looking man, with large earnest timid eyes and a clanging metallic voice, that a great length set forth Utilitarianism steeped in German metaphysics. . .”⁵⁵

Carlyle asked Sarah to introduce him to John Stuart Mill, and wrote to his wife Jane after the meeting, “The Frau Austin herself was as loving as ever – a true Germanical spiritual Screamikin.”⁵⁶

Besides being the Mills’ neighbors, the Austins had a substantial relationship with John Stuart Mill. In the winter of 1821-1822, at the urging of friends, James Mill sent his son to study Roman law with John Austin and to learn German from Sarah Austin. At the time, John was 31, and James Mill’s neighbor in Queen Square.⁵⁷

John served as a broadening influence on J.S.Mill, as well as an alternative intellectual model to that of James Mill. J.S.Mill wrote in his autobiography of John,

On me his influence was most salutary. It was moral in the best sense. He took a sincere and kind interest in me, far beyond what was to be expected towards a mere youth from a man of his age, standing, and what seemed austerity of character. My intercourse with him was the more beneficial to me owing to his being of a different mental type from any of the other intellectual men whom I frequented, and his influence was exerted against many of the prejudices and narrownesses which are almost sure to be found in a young man formed by a particular school or a particular set.⁵⁸

John’s brother, Charles, also had an impact on J.S.Mill. In his autobiography, Mill wrote of Charles, “None of [my teachers] had any effect on my development except [Charles] Austin: whose influence over me differed from that of the persons I have hitherto mentioned, in being not that of a man over a boy but of an older contemporary. It was through him that I first felt myself. . . a man among men.”⁵⁹

John Austin and J.S.Mill’s friendship lasted until Austin’s death, and Mill wrote highly laudatory reviews of both of Austin’s books during John’s life, as well as after his death.⁶⁰ J.S.Mill devoted more than a few pages of his autobiography to summarizing John’s life and their friendship.

⁵⁵ MAZLISH, *supra* note 13, at 197, citing to JAMES ANTHONY FROUDE, THOMAS CARLYLE: A HISTORY OF THE FIRST FORTY YEARS OF HIS LIFE 1795-1835 2; 153-4.

⁵⁶ KAMM, *supra* note 4, at 48.

⁵⁷ MAZLISH, *supra* note 13, at 194.

⁵⁸ MAZLISH, *supra* note 13, at 195.

⁵⁹ Early draft of Autobiography by Mill p82-3.

⁶⁰ AUSTIN, *supra* note 27, at xiv.

Sarah, too, was a broadening influence on J.S.Mill, and the two developed a relationship which resembled that of mother and son.

She found the handsome, precocious John Mill immensely appealing. He was thirteen years her junior and she was soon calling him her “dearest child and friend.” . . . During the year John Mill spent in France Mrs. Austin had obligingly taken over his role as his sisters’ teacher. . . . In the long letter he had written her from France John had addressed her formally as “Madame”; but very soon he was writing in German to his ‘Liebe, Mutterlein”, signing his letters ‘Thre Sonchen”. Sarah, who now wrote to him as her “dearest John”, signed her letters “Your Mutterlien.”⁶¹

John Mill and Sarah’s idyllic friendship continued for little over ten years. As they were neighbors in Queen Square and Regent’s Park, “John was in and out of the Austin’s house, talking to Sarah as he could never have talked to his own mother; and, when they were apart, they corresponded and made numerous plans to meet.”⁶²

Sarah was influential in John Mill’s intellectual as well as emotional development. In fact, it may well have been Sarah Austin who first discussed with him the idea of a system of universal education with equal opportunities for boys and for girls. In fact, in the preface of a report on the Prussian educational system that she translated from the German, Sarah argued for such a universal system.⁶³ Later in life, she was “noted for her advanced views on women’s rights” and was thought to have “most probably fostered John Mill’s latent interest born of an adolescent urge to rebel against his father. As a boy, he must have heard James Mill arguing against the enfranchisement of women with Jeremy Bentham, who took the opposite view.”⁶⁴

While it is obvious that Sarah and John Mill felt very close, as mother and son might, there is the possibility that there was a latent sexual undercurrent to their relationship, and that this current might be the ultimate undoing of their friendship. In the early 1830’s, John Mill began a relationship with Harriet Taylor, a married woman, who resembles Sarah in beauty and intelligence. “Mill admired and partly identified with [John] Austin, and entered into a ‘motherly’ relation with Sarah . . . [Having already] noted the latent significance of that relationship; it is now possible to see how Harriet Taylor took the place of

⁶¹ KAMM, *supra* note 4, at 18.

⁶² KAMM, *supra* note 4, at 19.

⁶³ KAMM, *supra* note 4, at 19.

⁶⁴ KAMM, *supra* note 4, at 19.

Sarah . . .⁶⁵ Mill had always been subservient, writes Josephine Kamm, “he had needed a mother-substitute, and had found her first in Sarah Austin; then, to perfection, in Harriet, who was both mother and wife.”⁶⁶

It was John Mill’s relationship with Harriet Taylor that seemed to be the catalyst for the decline in Mill and Sarah’s friendship. In fact, Harriet disliked many of Mill’s friends, and she intervened dramatically in his social life, preventing him from keeping up with many male and female friends.⁶⁷ In a letter to him dated July 9, 1849, she wrote, “[Alexis de] Tocqueville is a notable specimen of the class which includes such people as the Stirling, Romillys, Carlyles, Austins – the gentility class – weak in moral, narrow in intellect, timid, infinitely conceited and gossiping. There are very few men in this country who can seem other than more or less respectable puppets to us.”⁶⁸ Yet, the names she lists are those very people with whom Mill had established himself intellectually and socially! John’s circle, in addition to those men in his father’s circle, included M.P. John Arthur Roebuck, William J. Fox (the Unitarian minister and editor of the *Monthly Repository*), Charles Austin, and John Romilly (Samuel Romilly’s son), to name a few.⁶⁹ In addition, after Harriet’s husband died and she and Mill married, she caused him to practically break with his mother and family.⁷⁰

Despite Harriet Taylor’s interventions, Mill and Sarah remained on good terms for the first few years of Mill’s relationship with Harriet. However, in the late 1830’s, their friendship seems to have soured a bit, as the tone of his letters suggest. Thus, their correspondence “continued for several years, albeit on a fare less intimate note.”⁷¹ The demise of Sarah and Mill’s friendship revolves around his clandestine affair with Harriet. Mill and Taylor accused Sarah of spreading gossip and of indiscretion regarding their love affair.⁷²

It seems . . . that at some time in the middle ‘forties Mill and Mrs. Taylor had suddenly become aware of the talk that was going on about them and not only broke radically with those whom they suspected of gossip but altogether withdrew from society. . . . His

⁶⁵ MAZLISH, *supra* note 13, at 284.

⁶⁶ KAMM, *supra* note 4, at 205.

⁶⁷ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xvi.

⁶⁸ F.A. HAYEK, JOHN STUART MILL AND HARRIET TAYLOR: THEIR CORRESPONDENCE AND SUBSEQUENT MARRIAGE 156.

⁶⁹ MAZLISH, *supra* note 13, at 93.

⁷⁰ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xvi.

⁷¹ KAMM, *supra* note 4, at 54-5.

⁷² THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xxiii.

intimate motherly friend Sarah Austin, who had taught him German when he was fifteen and whom for twenty years afterwards he had regularly addressed as his *Liebes Mutterlein*, he seems to have regarded, probably with some justification, as the chief offender. She was not only well known as a gossip but also in a special position to know since for some years the Austins had lived at Regent's Park with their garden adjoining that of the Taylors.⁷³

Her accusations were perhaps unfair, as Mill and Taylor attracted attention and invited gossip wherever they went; the two were carrying on a love affair while Taylor remained a married woman. For example, at a party given by the Austins, Mill and Taylor "soon attracted universal attention, and a suppressed titter went round the room."⁷⁴ Some writers suggest that Harriet was jealous of Sarah's continued success as a hostess and writer, and that she may have resented the longstanding affection between "mother" and "son." At any rate, "she disliked Mrs. Austin personally and, as always, where she led John Mill followed."⁷⁵

During John Austin's lifetime, Mill maintained a relationship with him despite his growing dislike of Sarah. In a letter he wrote to Harriet in January of 1849, he said:

Austin called yesterday . . . Austin said he was going to prepare a new edition of his book on jurisprudence on a much enlarged plan and should wish to consult with me on various matters connected with the application of induction to moral science. Of course I could not refuse and indeed saw not reason for doing so – but as this will lead to his coming again, sending MSS. And so on it both gives an occasion and creates a necessity of defining the relation I am to stand in with respect to them.⁷⁶

Yet after [Harriet Taylor's] death, when John Austin died in 1859, Mill could "still not bring himself to write to [Sarah] an ordinary letter of condolence but wrote instead to her granddaughter Janet Duff Gordon . . . who later described how 'the evidently intentional slight cut her to the heart.'"⁷⁷

Mill's anger may have softened towards Sarah at the end of their lives, though he never rekindled the friendship. An early draft of his autobiography reveals that he had written unflattering prose about Sarah, only to leave it out of the final version. In some of the early draft, he stigmatized Sarah as a social climber and pseudo-intellectual:

⁷³ HAYEK, *supra* note 68, at 89.

⁷⁴ LIFE AND LETTER OF JOHN ARTHUR ROEBUCK, PC, QC, MP 38 (Robert Eadon Leader, ed., Edward Arnold 1897).

⁷⁵ KAMM, *supra* note 4, at 54.

⁷⁶ HAYEK, *supra* note 68, at 131-2.

⁷⁷ HAYEK, *supra* note 68, at 89, citing to JANET ROSS, THE FOURTH GENERATION 73-4.

Having known me from a boy, she made great profession of a kind of maternal interest in me. But I never for an instant supposed that she cared for me; nor perhaps for anybody beyond the surface; I mean as to real feeling, not that she was not quite ready to be friendly or serviceable . . . [She possessed] a very mischievous tongue, which sowed medisance far and wide by expressions so guarded as almost to elude responsibility for any distinct statement.”⁷⁸

C. Sarah comes into her own

As has been mentioned above, John suffered from self-criticism and self-doubt, and these neuroses, in combination with his ill-health, caused a kind of impotence in him. He was unable to produce much work, and that which he did produce and publish was often at Sarah’s urging. As we have seen, Sarah had wanted to be her husband’s helpmate, but ended up being his main “prop, comforter, and literary agent (of sorts).”⁷⁹ As John’s income was small for most of their married life, Sarah’s income as a reviewer and translator became important for their support.⁸⁰ Years of training in languages as a young girl became extremely useful to Sarah, beginning in the late 1820’s. An excellent linguist, Sarah “helped to balance the family budget by working as a translator and, later, as a writer on Germany and on the education of girls.”⁸¹

John Stuart Mill may have accused Sarah Austin of being a pseudo-intellectual, but Sarah was a scholar in her own right. She carved out a career as an important and well-known translator, attaining recognition in English circles. While she was indiscriminating at first, her personal and political interests soon became clear through the material she chose to translate into English.

During the years (1827-1828) John and Sarah spent in Germany, Sarah’s reputation as a translator grew. It was while she was there that she translated her first important work: Falk’s work, Characteristics of Goethe, though it would not be published until 1833.⁸² As a translator, Sarah had a vision, a theory of translation. She wrote, “. . . I would fain add a few words on the only matter . . . in which I have a personal

⁷⁸ THE EARLY DRAFT OF JOHN STUART MILL’S AUTOBIOGRAPHY 148 (Jack Stillinger, ed., University of Illinois 1961).

⁷⁹ AUSTIN, *supra* note 27, at viii.

⁸⁰ AUSTIN, *supra* note 27, at viii.

⁸¹ KAMM, *supra* note 4, at 18.

⁸² THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xxii

interest – the theory of translation.”⁸³ In her translator’s introduction to Falk’s work, Sarah wrote, “I affect not to explain anything in Goethe; only to suggest the chief causes which, as it seems to me, render him difficult to understand in all countries, and more peculiarly in this [country].”⁸⁴

In fact, like in most of her introductions to translated work, she offers an apology and a caveat for any liberties she may have taken. Convinced that translated works must be kept as close to the author’s original intent, Sarah tried always to preserve a book’s integrity. She writes in the introduction to Falk’s book her theory of translation which she applied to all her work:

The praise, that a translated work might be taken for an original, is acceptable to the translator only when the original is a work in which form is unimportant. . . . Where the form and colour of an author is important, a translation which so fare obliterates them as to “substitute the dress of diction the author would have used had his language been English,” is, to my way of thinking, a failure. . . . I could never prevail on myself to read Pope’s Homer. Before I have read ten lines I feel that it is a cheat, and I find it impossible to take the least interest in a work in which the very peculiarities I want to know are effaced, and replaced by others. The truth is, that I want to know not only what, but *how* Homer wrote.”⁸⁵

“By the mid-1830’s [Sarah] had transformed herself from a ‘poor, unknown’ young woman who did hack work from necessity into a literary translator, especially of German.”⁸⁶ Sarah’s translations from the 1830’s demonstrates her amazing efforts and adaptability.⁸⁷ These works included Selections from the Old Testament (1833), Friedrich Wilhelm Carove’s Story Without an End (1833), Sismondi’s (from the French) The History of Italians Republics (1832) and A History of the Fall of the Roman Empire (1834), Cousin’s Report on the State of Public Instruction in Prussia (1834), Raumer’s England in 1835 (1836), Heinrich Hase’s The Public and private Life of the Ancient Greeks. In addition she wrote articles on education and contributed to a variety of quarterly journals. The 1840’s brought with them much more work, the most important translations being that of Ranke’s The Ecclesiastical and Political History of the Popes of Rome during the Sixteenth and Seventeenth Centuries (1840), and History of the Reformation in Germany (1845-7).⁸⁸

⁸³ JOHANN FALK, CHARACTERISTICS OF GOETHE xxix (Sarah Austin, trans., Effingham Wilson, 1833).

⁸⁴ FALK, *supra* note 83, at xxvi.

⁸⁵ FALK, *supra* note 83, at xxxiv-xxxv.

⁸⁶ HAMBURGER, *supra* note 2, at 69.

⁸⁷ HAMBURGER, *supra* note 2, at 69.

⁸⁸ HAMBURGER, *supra* note 2, at 69.

Two of Sarah’s translations would affect her life profoundly: that of Prince Puckler-Muskau’s A German Prince (1832), and Cousin’s Report on the State of Public Instruction in Prussia (1834). The former would put her in a state of emotional turmoil, while the latter would ignite her interest in educational system reform and spark a string of activism.

1. An affair from afar

As a result of her work translating Prince Puckler-Muskau’s book, Sarah found herself becoming infatuated with the Prince. A romantic at heart, Sarah ultimately carried on a passionate love affair entirely by correspondence with the “profligate” Prince.⁸⁹

He was a German nobleman, the ruler of forty-five villages, a man with the most extravagant tastes and an unceasing need for money to indulge them. Handsome, eccentric, flamboyant, he had at various times served in the army, a dashing cavalry officer living in a whirl of daredevilry, dissipation, and debt. Women, horses, gambling, and displays of reckless courage occupied one part of his early life. A legend in his time, this extraordinary man’s character was paradoxical, and he was no mere dilettante. In fact he was to prove himself a talented writer who worked diligently at his craft, and he had a wide range of other interests. Thus, though it would seem that he was entirely absorbed with countless romantic conquests, one of his most abiding passions was an obsession for designing and planting magnificent parks and garden – parkomanie, he called it – and he is still revered as one of Germany’s distinguished landscape gardeners. His imaginative flair also inspired his literary productions; he was a superb romantic illusionist – in his life, his park designs his books, and of course, his letters.⁹⁰

Puckler-Muskau, after spending all his wife’s money, divorced her and set off to England in 1826 in order to find another unsuspecting wealthy woman who might ease his debt. He spent time on the social circuit, traveled throughout the countryside, and eventually returned to Germany without a new bride. Upon reviewing his chatty, intimate letters to his former wife, Lucie, full of detail about upper-class English society, he chose to publish them in the form of a book that became a best-seller.⁹¹ “Puckler was compared to Heine, and his letters earned him the largest publisher’s cheque of any author in Germany other than Goethe.”⁹²

⁸⁹ KAMM, *supra* note 4, at 18.

⁹⁰ HAMBURGER, *supra* note 2, at 79-80.

⁹¹ HAMBURGER, *supra* note 2, at 81.

⁹² HAMBURGER, *supra* note 2, at 81.

Sarah was enchanted by the book, and she took a fancy to the Prince without having once met him. She wrote a “breathless endorsement” to the publisher John Murray,⁹³ charmed by “the peculiar and interesting mind of the author – the philanthropy, freedom from all prejudice, and the gentle and somewhat melancholy philosophizing mingled with a strong sense of the ludicrous and great power of describing it.”⁹⁴ Murray was hesitant to publish it, so Sarah quickly contracted with the publishing house of Effingham Wilson for the translation.⁹⁵

The book was a commercial success in England, and Sarah wrote to Puckler to inform and congratulate him. Soon after, the two developed an uninhibited correspondence. Yet, “no matter how much she savoured the spontaneity and zest which made him such an appealing contrast to her husband, Sarah’s public attitude to Puckler was naturally guarded and her praise circumspect.”⁹⁶

By 1832, their letters were no longer light-hearted; their correspondence was emotional and intimate.⁹⁷ Sarah had fallen under his spell despite her doubts about his character (given his reputation with women) and yearned for his affection. She wrote to him in one letter, “Hermann, Beloved . . . I forget you? Thank God you do not know yet how uninterruptedly my thoughts are with you – how tender, how passionate my longing is for you.”⁹⁸ Tenderness was one thing John did not give Sarah. After John’s death, Sarah wrote to Guizot, a long-time friend, that John “had not always been a very tender husband to me, not easy to please. Ill-health, disappointment, and anxiety had naturally made all things distasteful to him.”⁹⁹

As her letter to Guizot suggests, Sarah’s unhappiness stemmed from her marriage which left her emotionally and perhaps even sexually dissatisfied. She wrote to Puckler, “I have all your tastes, animal, social, intellectual – above all, the urge for living and being loved, au supreme degre; and in the which is the life of life and the sense of my whole being. Oh! How have I been bitterly disappointed. No more of that, but you would not disappoint me.”¹⁰⁰ John’s constant ill-health, and his psychological inability to overcome self-doubt and a perfectionist tendency, left Sarah not only carrying the economic burdens alone

⁹³ HAMBURGER, *supra* note 2, at 82.

⁹⁴ Sarah Austin to John Murray, Dec. 25, 1830, from the Archives of John Murray.

⁹⁵ HAMBURGER, *supra* note 2, at 82.

⁹⁶ HAMBURGER, *supra* note 2, at 84.

⁹⁷ HAMBURGER, *supra* note 2, at 86.

⁹⁸ E.M. BUTLER, THE TEMPESTUOUS PRINCE, HERMANN PUCKLER-MUSKAU 20.

⁹⁹ ROSS, *supra* note 19, at 360.

but also the emotional burdens. If Sarah was ever worried about their letters becoming public, that fear did not stop her from writing. It is, however, interesting to note that she did have opinions about publishing letters, generally, as she subtly hinted in her introduction to her compilation of Reverend Sydney Smith's letters: "I entirely concur with [Smith's daughter] in the opinion, that the conditions which alone can justify the publication of private letters are, 'that they shall neither hurt the living, injure the dead, not impair the reputation of the writer.'" ¹⁰¹

It is not surprising that Sarah would have fallen in love, even through letters, with a man so different from John Austin. The Prince was everything John was not: emotive, passionate, sensitive to the affection a woman might crave. After "a decade of John's gloom, timidity, and precision, it is not surprising that Sarah eagerly awaited declarations of sentiment from an unhampered spirit who understood that the 'lovely woman, the dear unknown' was in need of sensual nourishment." ¹⁰² He wrote her:

Last night I had a dream of you, dear Sarah – a rapturous dream – Oh, it was life itself! I dare not say more; don't be angry, but indeed I believe I was your husband and you were my wife; fantastic charming vision. I pressed a lovely form in delirious madness to my heart and thought to feel her burning kisses on my thirsty lips. It was but a dream but had all the true sensations of reality. Oh Heavens! If I could by enchantment give you an equal one . . . What power there is in nature. It not only enables you to love an unknown being; you can even possess it and sink into a sea of bliss with it, breast pressed to breast . . . ¹⁰³

Eventually, Puckler challenged her to meet him in London, as he passed through on his way to Paris. "If I please you I then I shall be true to you as gold, because I am longing so much for a person who loves me and pleases me at the same time spiritually and sensually. Maybe that is possible with us, maybe not, in any case we shall be the best of friends for ever. I want to surprise you and at the same time test you – so beware! A thousand kisses for you sweet little one and a long tender kiss for you." ¹⁰⁴ At this juncture, Sarah was aware that this kind of relationship could not continue. It seemed as if Puckler's arrival was imminent, and with it the unraveling of Sarah's life.

Imbued with a sense of Victorian propriety from childhood and strong with marital duty, Sarah cut off the romance. Sarah's ideals of marital duty were complex. She understood that a wife was a partner, a

¹⁰⁰ WATERFIELD, *supra* note 15, at 58.

¹⁰¹ Smith, 273-4.

¹⁰² HAMBURGER, *supra* note 2, at 87.

¹⁰³ WATERFIELD, *supra* note 15, at 54.

helpmate, and above all, loyal. She had approached marriage with idealism and the desire for ambitions beyond mere domestic happiness. She has studied hard and disciplined herself in order to be a worthy wife, reading Blackstone, Hume and Bentham, among others. Describing her ideal woman, she wrote “Nature may now and then . . . endow a woman with all the qualities that become her sex, and superadd rectitude of understanding, a steadiness of purpose, and firmness of principle that any man might envy.” Ending the romance, she wrote to Puckler, “Do not think me either fickle or hypocritical and prudish if I tell you to lower your expectations of what I *may* and *can* be to you. Were I free I still think I could be everything to you . . . let us not deceive ourselves – there is an object between us. . . . I may be worn out; but I shall have done my duty.”¹⁰⁵

Though Sarah knew she had to end the romance, she still wrote tender, pensive, and often despondent letters to the Prince. Before the Prince Puckler-Muskau left for Africa in January of 1835, Sarah wrote him loving farewell letters: “Strange, and hard as strange, that one who could understand and love you so much should be forever parted from you . . . My mind returns constantly to the dream of seeing you, but with ever less hope. I embrace you, Beloved, and kiss your eyes, and – Oh! – your lips! Keep well.”¹⁰⁶ Sarah did not meet Prince Puckler-Muskau face to face until she was well into her 50’s, and “by that time their passionate correspondence had petered out and, with it, her futile love for a dissolute man.”¹⁰⁷

1834 and 1835 had brought the height of Sarah’s emotional turmoil. After a romance that had developed very quickly, and had lasted two years, Prince Puckler-Muskau left for Africa and Sarah was left in England to pick up the pieces of her life as well as those of her husband’s. In addition, in 1834, John Austin had John’s unstable health and psychological inability to produce any work product left him unhappy and unfulfilled, “gloomy and given to introspection and chronic depression.”¹⁰⁸ As a result, it was upon her shoulders to earn enough to keep the family afloat and to keep John in good spirits.¹⁰⁹

¹⁰⁴ WATERFIELD, *supra* note 15, at 74.

¹⁰⁵ E.M. Butler, p152.

¹⁰⁶ HAMBURGER, *supra* note 2, at 91.

¹⁰⁷ KAMM, *supra* note 4, at 54.

¹⁰⁸ MAZLISH, *supra* note 13, at 194.

2. Finding a reason to go on

In line with her own desires to contribute to the world yet never to push Victorian boundaries of propriety, Sarah found that educational reform was a “safe” area of interest. She looked beyond national borders for models that would achieve social equality. “It is almost humiliating to have to notice another objection to this scheme of national education, -- viz. that it is foreign: an abjection which, if carried through and acted upon consistently, would render the intercourse between civilized nations absolutely barren.”¹¹⁰

In 1834, Sarah had translated Victor Cousin’s Report on the State of Public Instruction in Prussia. Impressed by Prussia’s educational system – one in which parents were required to send their children of both sexes to school – Sarah’s interest in reform was only reinforced. She felt so strongly about equal educational opportunities for girls and boys and the importance of a system of universal education that she argued the case in her preface to Cousin’s book.

“ . . . public and private inquiries, have tended more and more to reveal the extent and urgency of our own intellectual and moral wants; while the perfect and harmonious picture of a system of education in full activity among a whole people differing in religion, laws, language, and habits, which M. Cousin had laid before France, has attracted the attention of enlightened and benevolent men, and has been mentioned with the profound admiration due both to the system and to the author of the Report, in all the foremost journals of the country, in the pulpit, and in the senate. I have translated this book in the hope that by placing it within the reach of those to whom not only the language, but the size and the price of the original, might prove obstacles, it might deeply excite the notice of the classes most deeply interested in its diffusion. With that hope I have laboured to make it as plain as I could . . . I offer it to not one as an amusing book; and even while I say I hope I have made it plain, I mean only to the patient reader who will go through it.”¹¹¹

Sarah did not take a position on whether a national education system (the legal obligation to educate children) would be bad or good. She instead argued that in a day in which “reverence for tradition, for authority” was gone, no one could deny the necessity for national education. (Cousin ix) She also argues that the legal obligation to educate children was not Prussia’s modern invention, and was not peculiar to Prussia, and that obligation hardly constituted a hardship to parents, since “the parents of

¹⁰⁹ See supra note X and accompanying pages, for a description of Sarah’s translations.

¹¹⁰ VICTOR COUSIN, REPORT ON THE STATE OF PUBLIC INSTRUCTION IN PRUSSIA xxiv (Sarah Austin, trans., Effingham Wilson, Royal Exchange, 1836).

Prussia actually anticipate the period at which the legal constraint begins: that the number of children attending the public schools in 1831 actually exceeded the whole number of children existing in the monarchy, between the ages of seven and fourteen.”¹¹² In addition, Sarah pointed out the necessity of securing a constant supply of well-trained schoolmasters. “A system of education is nothing without an unfailing supply of competent masters.” (Cousin xix)

Financial difficulties prompted the Austins to leave England in the Spring of 1835, and to move to Boulogne, France, in order to maintain a lower cost of living. They had been living in Boulogne only a year and a half before John was appointed to a Royal Commission on Malta in 1836.¹¹³ Sarah looked at this appointment as a chance for John to use “his great knowledge to enhance the public good.”¹¹⁴ His co-commissioner was George Cornwall Lewis, once his student. He and Lewis together co-authored several reports on Malta during 1837 and 1836, “the quality of which was very high.”¹¹⁵ In addition, their recommendations for changes on Malta were usually accepted by the Colonial Office.¹¹⁶

Sarah loved life on Malta. Sarah enjoyed John’s high rank and all that accompanied it, including balls, festivities, and other perks that colonial life ensured.¹¹⁷ But not all her time was devoted to frivolity and indulgence. While it is true that she rode nearly every day, bathed in the sea, and explored exotic flavors and culture, she also devoted herself to the reform of Malta’s educational system. “It was said that she was responsible for the commissioners’ recommendation to increase expenditure for elementary education, and she arranged for the establishment of ten new village schools.”¹¹⁸ Her impact must have been of substance, as she wrote to Victor Cousin of February, 1839, when she had returned to London, “My schools at Malta are flourishing, about 1,000 boys and 500 girls are being taught, where before our arrival there was not one. This is consoling.”

But the Malta Commission was terminated unexpectedly, and the British government “resisted compensating him for his expenses.”¹¹⁹ The experience was so psychologically painful for John that per

¹¹¹ COUSIN, *supra* note 110, at v-vi.

¹¹² COUSIN, *supra* note 110, at xiii.

¹¹³ RUMBLE, *supra* note 44, at 144.

¹¹⁴ HAMBURGER, *supra* note 2, at 95.

¹¹⁵ RUMBLE, *supra* note 44, at 46.

¹¹⁶ RUMBLE, *supra* note 44, at 46.

¹¹⁷ HAMBURGER, *supra* note 2, at 97.

¹¹⁸ HAMBURGER, *supra* note 2, at 97.

¹¹⁹ RUMBLE, *supra* note 44, at 46.

usual, he fell ill. Thus it was up to Sarah to ensure that he was eventually paid. She wrote to Dr. Sciortino, a Maltese lawyer, in May of 1839, “My poor husband was made so ill he could not leave his bed, and I had to do strange things for a woman, *contro il nostro decora* (against our decorum), certainly; but a woman fighting for her husband is always in the right.”¹²⁰

Regardless of the bad taste the Austins’ colonial experience may have left in their mouths, Sarah’s educational reform experience in Malta, along with her translation of Cousin’s work on Prussian education, catalyzed her passion for education reform, generally. Her granddaughter Janet Ross wrote that “Popular Education [was] the chief interest of her life.”¹²¹ Although Sarah shied away from ever producing any original work, content to translate others, she did publish a pamphlet, On National Education.¹²²

In 1838, upon their return to England, Sarah began collecting information on England’s public education system. She wrote to the future British Prime Minister William Gladstone, who was at the time a Member of Parliament. Gladstone was leading up a movement for educational reform, and Sarah requested of him some documents which might shed light on recent Parliamentary proceedings. He did so, and she wrote back to him:

Dear Sir, I am extremely obliged to you for the documents you have sent me, and yet more for accepting the sympathy and good wishes – in default of better things – of so humble a fellow-labourer in ‘*la sainte cause*,’ as Cousin always and truly calls it. If my co-operation were worth anything, it might not be loss of time to try to convince you to how great an extent you might count upon it, and where I should hesitate, and why. But these would be fruitless discussions. All I can do (and that belongs to my sex) is this, To try to persuade some who think differently from you, and who fancy that you are from each other by walls of adamant and not by slender and partial partitions, to give an attentive, respectful, and *grateful* ear to your projects, and to see whether it is really demanded by the cause of rational education to reject so much zeal, charity, and knowledge.¹²³

Sarah was emphatic that education should be provided for both boys and girls. She wrote to Gladstone,

If the State gives money . . . [I]t must give to all, and for all, from whose pockets it is taken. That is just. The time was over too long before you or (even) I were born, when the spirit of faith had given place to the spirit of questioning, for us in our day to find any remedy. And the remedy will not be found, at any rate, in the sort of ignorance which now lies at the lowest bottom of our society. *All* must be taught. . . . You must think of

¹²⁰ ROSS, *supra* note 19, at 148,

¹²¹ ROSS, *supra* note 19, at 99.

¹²² ROSS, *supra* note 19, at 149.

¹²³ ROSS, *supra* note 19, at 144 (Sarah Austin to W.E. Gladstone, February 18, 1839).

the poor girls – and pity them. I think a girl can hardly, save by a miracle, escape destruction from bad training; a boy may struggle through it. If either wants to be specially sheltered and fortified and restrained, it is those who are weak.¹²⁴

Thus Sarah had found a particular area of political interest into which she delved, pursued, and felt passionate about. Her interests in education were very clearly linked up to her interest in gender equality, and Sarah did have opinions regarding gender relations. Her introduction to A Memoir of the Reverend Sydney Smith revealed some of her political views, her position on gender relations, and on women's place in society:

There is one other point upon which I feel bound by gratitude to touch. Within our times, no man has done so much to obtain for women toleration for the exercise of their understandings and for the culture of their talents, as Sydney Smith [who] kept within the bounds of the safe and the possible. To those who knew him it is unnecessary to declare that he had no desire to convert women into pedants, to divest them of any of the attributes or attractions of their sex, or to engage in the vain attempt to create for them a new and independent position in society. What he asked for women was, opportunity and encouragement to make themselves the intelligent companions of men of sense; or to furnish themselves with ideas and pursuits which might give interest to lives otherwise insipid and barren. These demands, consonant with nature and reason, he urged in a way to disarm opposition and vanquish prejudice. Sydney Smith was too completely above the cant and imposture to deny the influence and the value of youth and beauty. But he laboured to induce women to acquire some substitutes for beauty, some resources against old age, some power of commanding attention and respect when the victorious charms of youth have fled.¹²⁵

Still, as evidenced by her letters to Gladstone, her opinions on women are always couched in caveats, always acknowledging the weakness of her sex and using that weakness as an argument for equal educational opportunities.

D. The Last Phase

1. John Austin's Unfulfilled Potential

The Austins spent the 1840's moving between France and Germany, and were never truly part of the London intelligentsia again. In 1848, they settled in Weybridge, Surrey, England, for the last eleven

¹²⁴ ROSS, *supra* note 19, at 144-5 (Sarah Austin to W.E. Gladstone, February 18, 1839).

¹²⁵ SYDNEY SMITH, A MEMOIR OF THE REVEREND SYDNEY SMITH 79 (Sarah Austin, ed., Longman, Brown, Green and Co. 1855).

years of John's life.¹²⁶ Sarah's letters indicate that these were the most calm and happiest years of both their lives. John read, meditated, and spent time cultivating his garden. Apparently having overcome any unhappiness regarding his lack of accomplishments, John's health improved, as did his outlook and disposition.¹²⁷

In 1859, John passed away, leaving behind a life of unfulfilled promise. The same nervous malady that had caused him to give up the bar in 1825 had kept him throughout his life in fruitless pursuit of ways to fulfill his tremendous intellectual powers. And, after retiring from teaching at the University of London in 1835, he "was often in financial difficulties, never, it seems, writing the great book that would fulfill his tremendous promise."¹²⁸

Throughout his life Austin had suffered from recurrent bouts of nervous illness, depression and self-distrust, and though Macaulay, John Stuart Mill, and Guizot found him a brilliant conversationalist, agile and determined in argument, he wrote with extreme difficulty, imposing on himself standards of precision and clarity that made work a torment.¹²⁹

After his death, Sarah wrote to Guizot in January of 1860,

[S]ince he had given up the conflict with fortune, and especially since we settled down in our quiet retreat, he had gradually come to a state of mind and temper which I can only call heavenly, so gentle and noble, so without all alloy of unsatisfied cravings, or vain repinings, or harsh passions, or low desires was it! In this blessed frame of mind all his youthful and passionate love for me seemed to return, mingled with a confidence and intimacy which only a life passed together can produce. I was too happy! It pleased God, after many years of care and toil, and suffering, to permit me to taste of this tranquil happiness – only to lose it.¹³⁰

2. Sarah's Efforts to Bring John's Work to Light

Although Sarah observed that John was without unsatisfied cravings, Sarah was not without them, and it was perhaps those cravings that dictated the last eight years of her life. She spent those years dedicated to collecting, organizing, and editing John's work – work that he himself had not had the

¹²⁶ RUMBLE, *supra* note 44, at 54.

¹²⁷ RUMBLE, *supra* note 44, at 55.

¹²⁸ MAZLISH, *supra* note 13, at 194.

¹²⁹ AUSTIN, *supra* note 33, at viii-ix.

¹³⁰ ROSS, *supra* note 19, at 360.

psychological wherewithal to write and publish. John Stuart Mill wrote of John Austin in his autobiography,

The dissatisfaction with life and the world, felt more or less in the present state of society by every discerning and conscientious mind, was in his case, I think, combined with habitual dissatisfaction with himself, giving a generally melancholy cast to the character, very natural to those whose passive moral susceptibilities are much more than proportioned to their active energies.¹³¹

In this way, John had been not only a disappointment to himself, but also to Sarah. Sarah was disappointed in John's lack of ability to convert his ambition to create a "magnus opus" into a reality. The *Province of Jurisprudence Determined* was only a collection of the introductory lectures he gave at the University of London. He had intended to create a much larger work, a collection of all his lectures which would comprise the "magnus opus" – the enormously complicated system of classification he intended to create.

Even though John Austin had published an edition of *The Province of Jurisprudence Determined* in 1832, he refused a reprinting because he detected numerous alleged defects in his work.¹³² Thus, for the most part, his perceived "impotence" might rather have been a result of a neurotic tendency towards perfectionism. Always a perfectionist, he could not bear to see what he perceived as flawed work enter the stream of intellectual ideas. But, "weak health and a fastidious temperament [only] partly account for his silence. After publishing his early lectures he could never be induced to bring out a second edition. He suffered from scholar's paralysis – preference of doing nothing to doing anything short of the ideal standard."¹³³

Though Sarah was much more widely known than John during their lives, that dynamic began to change after John's death. She was "most responsible for the change was his wife. She dedicated the final eight years of her life to the arduous task of editing her husband's lectures and papers on jurisprudence."¹³⁴

After John's death in 1859, Sarah first tackled *The Province of Jurisprudence Determined*, intent on integrating John's notes and publishing a second edition. She finally did so in 1861, and then moved on

¹³¹ MAZLISH, *supra* note 13, at 194, citing to JOHN STUART MILL, AUTOBIOGRAPHY.

¹³² AUSTIN, *supra* note 27, at x.

¹³³ STEPHEN, *supra* note 29, at 319

¹³⁴ AUSTIN, *supra* note 27, at xi-xii.

to assembling the entire collection of lectures, published in 1863 as Lectures on Jurisprudence.¹³⁵ She also “synthesized into a single essay the two introductory lectures in her husband’s courses at the University of London and the Inner Temple.”¹³⁶ She treated the editing and publishing of John’s work with the same care with which she approached the art of translation, exercising a large amount of editorial discretion where necessary but leaving much untouched.¹³⁷

Sarah’s editions were well-received. The reviews were widespread and, in general, favorable. Their publication “marked the start of the process that would transform Austin from a minor figure into a dominant force in nineteenth-century British jurisprudence. As such, he would exert a vastly stronger influence from the grave than he had ever exercised during his life.”¹³⁸ E.C. Clarke wrote in 1883,

After a life which had so little of the well-deserved success to balance so much disappointment and failure, the work of the dead Austin is achieving results beyond what even he would have anticipated. It is undoubtedly forming a school of English jurists, possibly of English legislators also. It is a staple of jurisprudence in all our systems of legal education.¹³⁹

In England, a line of analytical jurists descended: Amos, Clark, Markby, Hearne, Holland, and Salmond differ very little from Austin. In the United States, Austin’s influence has been less direct. His doctrines were modified by the “distinctive American insistence on the central importance on the courts and the subordinated place of the legislature.”¹⁴⁰ While John’s work may have been better known at the end of the nineteenth century, some argue that his ideas have in fact been ignored or rejected in the twentieth century. However, “[s]uch leading American jurists as Justice Holmes (1841-1935) and J.C. Gray (1839-1915) knew their Austin and adopted some of his ideas.”¹⁴¹ In addition, the 1980’s saw a resurgence of interest in his life and work.¹⁴² Still, only a few students of law read John Austin’s work, and “their

¹³⁵ AUSTIN, *supra* note 27, at xi-xii.

¹³⁶ AUSTIN, *supra* note 27, at xii.

¹³⁷ AUSTIN, *supra* note 27, at xii.

¹³⁸ AUSTIN, *supra* note 27, at xii.

¹³⁹ CLARK, *supra* note 31, at 4-5

¹⁴⁰ AUSTIN, *supra* note 33, at xvii.

¹⁴¹ AUSTIN, *supra* note 27, at vii.

¹⁴² AUSTIN, *supra* note 27, at vii. See Morison’s John Austin, Hamburger’s Troubled Lives, Rumble’s The Thought of John Austin, and Moles’ Definition and Rule.

opinion of him is at best only second-hand, being derived from the opinions of their lecturers and text-books.”¹⁴³

3. Sarah’s Pride

Sarah never wanted any personal fame or fortune as a result of her efforts. She wrote to Lord Brougham in 1862, “I never wish to be mentioned but as Mr. Austin’s wife. The only distinction I desire is that of having been thought worthy to be his companion in weal & woe, his obedient & respectful & affectionate helpmate.”¹⁴⁴ Recall her devoted efforts to become as knowledgeable and well-read as possible during her long engagement, a task which she took on with zeal and viewed as a sign of the passion she felt for John. Upon her engagement, she wrote to a cousin, “I assure you that my heart and my judgment are equally satisfied with the man of my choice . . . he is all and more than I ever imagined . . . he loves me dearly, and finally . . . I am the happiest girl in the world.”¹⁴⁵ Lotte Hamburger writes, “She was proud ‘to marry solely for passionate love,’” and ready to dedicate herself to a new life.

It is true that Sarah may have been excitedly preparing for the intellectual life of “helpmate” that lay ahead of her, and she may have, at times, looked back fondly at her choice to be his helpmate (see her letter of July, 1860 to St. Hilaire, above). But after John’s death, and with the duty she perceived as hers to finish the work he could not, she certainly had feelings of anger, and perhaps regret, about her choices in life. These were perhaps triggered by the burden she bore as she worked on the new edition of The Province of Jurisprudence Determined, and as she put together the Lectures on Jurisprudence. She might also have felt anger at John’s own intellectual impotence, and a certain sense of guilt about admitting that he was not all she wanted him to be. She wrote to Guizot in December of 1860:

I have to do the most difficult and anxious thing I ever did yet – to write about him. The book – the ‘Province of Jurisprudence’ – is reprinted, with such small additions as I could find, and is ready for publication. . . . What a life of unbroken disappointment and failure! I have during the last week been reading over all his letters – from 1814 to his last tender letters written to me in Scotland. He had always an Ahnung of misfortune and unhappiness. All his love-letters, during our five years’ engagement, speak, not of the

¹⁴³ R.A. EASTWOOD AND G.W. KEETON, *THE AUSTINIAN THEORIES OF LAW AND SOVEREIGNTY* vii.

¹⁴⁴ Letter from Sarah Austin to Lord Brougham, June 11 1862, on file at University College, London, Brougham MSS, 26, 541.

¹⁴⁵ ROSS, *supra* note 19, at 56.

happiness he hopes to enjoy or to give, but his reliance on me as his prop and comforter. And this tempted me. Thanks be to God that I was strengthened for this dear and noble task¹⁴⁶

Sarah was strengthened, but she had more than divine power on her side. She also had an unfulfilled burning ambition for her husband and the Austin name which she and her daughter bore. Wilfred E. Rumble suggests that Sarah was motivated by the wish to demonstrate that her married life had not been wasted.¹⁴⁷ Her pride, both for her own life and for her husband's life, might have led her to write the long preface to Lectures in Jurisprudence. In that preface, Sarah addressed John's own shortcomings, his illnesses, and the reasons why he was not as prolific as he could have been. She makes clear that it was not his intellect but his psyche that kept him from greatness during his life.

4. Sarah's Passing

In 1867, Sarah Austin passed away. The London Times reported:

Mrs. Austin, widow of the late John Austin, well known as one of the most eminent professors of the science of jurisprudence whom this country has produced, expired on the 8th inst. at her residence at Weybridge, after an acute attack of a malady of the heart, with which she had long been afflicted. Although the life of Mrs. Austin was spent in the active discharge of her private duties, and although no one was less disposed to court celebrity, which she might have enjoyed in a far larger degree had she cared to seek it, she undoubtedly filled so considerable a place in society and in literature that some record of so remarkable a woman may not unfitly appear in this place. To the attractions of great personal beauty in early life, and of a grace of manner undiminished by years, Mrs. Austin added a masculine intellect and a large heart. It was not by the play of a vivid imagination, or by an habitual display of what is termed wit, that she secured the affections and the friendship of so many of the wisest and noblest of her contemporaries. The power she exercised in society was due to the sterling qualities of her judgment, her knowledge, her literary style – which was one of great purity and excellence – and, above all, to her cordial readiness to promote all good objects, to maintain high principles of action, and to confer benefits on all who claimed her aid. . . Mrs. Austin, however, survived her husband for several years, and that interval was employed by her in accomplishing a task which to most women would have seemed hopeless. The greater part of the Lectures delivered by Professor Austin on the principles of jurisprudence had remained in manuscript. His ill-health led him constantly to postpone the task of preparing them for the press. After his death his widow, assisted by one or two legal friends on whose judgment she could rely, succeeded in completing the imperfect edifice from the fragments of it that remained; and we owe to Mrs. Austin, already advanced in years, and struggling with a painful disease, the production of a work on jurisprudence,

¹⁴⁶ ROSS, *supra* note 19, at 373.

¹⁴⁷ RUMBLE, *supra* note 44, at 56

which is unquestionably the noblest monument that could be raised to the memory of her husband.¹⁴⁸

Her life had not gone unnoticed, and more importantly, John's life had not gone unnoticed. Sarah would be pleased to know that the world recognized her efforts and knew of John and his work. While certainly his work is not the most popular of all jurisprudential scholarship, it is nonetheless viewed as ground-breaking and influential.

III. Sarah Austin and George Eliot's overlapping worlds

Sarah Austin and George Eliot, though 20 years apart in age, shared the same intellectual, social, and political circles. This section only sheds light on a few of their common acquaintances, in an attempt to make clear the likelihood that Eliot knew of the Austins and incorporated them into the central characters in Middlemarch, Dorothea and Casaubon.

Perhaps the most important connection between the Austins and Eliot is that of "positivism." The London intelligentsia was steeped in positivism, some of whose central players spanned two generations and included Jeremy Bentham, James Mill, John Austin, John Stuart Mill, Auguste Comte, Richard Congreve, George Lewes, and Thomas Carlyle. Considered Bentham's protégé, John Austin was widely considered the father of legal positivism, and many argue that "there is no doubt that the author of Middlemarch was deeply influenced by Positivist ideas concerning the scientific study of man in society."¹⁴⁹ John Stuart Mill and Comte, in fact were close friends, and Mill's was the first great name in England to be connected with Comte, and he introduced Comte's Cours de Philosophie Positive to the English reading public.¹⁵⁰ A friendship grew between Mill and Comte, and Comte became "personally acquainted with friends of Mill's like George Henry Lewes and John and Sarah Austin; he will be aided by

¹⁴⁸ Advertisement for the 5th edition of *Lectures on Jurisprudence*, viii.

¹⁴⁹ KERRY MCSWEENEY, *MIDDLEMARCH* 23.

¹⁵⁰ DAVID MARIA HESSE, *GEORGE ELIOT AND AUGUSTE COMTE: THE INFLUENCE OF COMTEAN PHILOSOPHY ON THE NOVELS OF GEORGE ELIOT* 52.

George Grote, Sir William Molesworth and Raikes Curry; and he comes to appreciate Thomas Carlyle, Alexander Bain and many others.”¹⁵¹

Thus positivism was “in the air and George Eliot breathed it in.”¹⁵² Eliot was influenced by Positivist ideas most probably as a result of her romantic liaison to George Lewes.¹⁵³ It was John Stuart Mill, good friend of the Austins, who personally introduced George Lewes, longtime lover and companion to George Eliot, to positivism in the early 1840’s. Mill wrote a letter of introduction to Auguste Comte on Lewes’ behalf.¹⁵⁴ Lewes took a fancy to Comte and his ideas, and, “[n]ever one to miss a chance at writing on a topicality, Lewes published several articles on Comte . . . [hailing] him as ‘the new universal man.’”¹⁵⁵ In fact, after correspondence between Mill and Comte petered out, “Lewes’ correspondence with Comte increased until eventually he was acknowledged by Comte as the hope of Positivism in England.”¹⁵⁶ In addition, when Eliot and Lewes moved back to London in 1859, they were neighbors of Richard Congreve, whom Comte had dubbed the leader of English Positivism.¹⁵⁷

Mill’s correspondence with Comte was prolific, and between the years 1841 and 1847, the two exchanged 89 letters, many of which refer to many of Mill’s friends, Lewes and the Austins included.¹⁵⁸ In fact, it was also Mill who facilitated a meeting between Auguste Comte and the Austins. Mill wrote to Comte from India House, London in October of 1843:

[I shall] tell you of an old friend of my father’s and of mine, Mr. Austin, who is going to spend this winter in Paris and who has expressed a great desire to meet you. He is a man of superior intelligence and noble character; I know no one whose friendship is more precious to me. Because of his poor health and distaste for ordinary society, he shuns rather than seeks new relationships, just as you do yourself. However, even though his knowledge of mathematics is superficial, and notwithstanding several serious disagreements with your social theories, your work has impressed him so greatly that he would very much regret being in Paris without getting to know you personally. His wife, who is much better known than he, has some reputation of being a superior woman, a reputation she merits in some respects. She is incidentally almost French in her sociability. I truly believe that knowing both of them would bring you considerable pleasure.¹⁵⁹

¹⁵¹ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xv.

¹⁵² HESSE, *supra* note 150, at 54.

¹⁵³ HESSE, *supra* note 150, at 52.

¹⁵⁴ HESSE, *supra* note 150, at 53.

¹⁵⁵ HESSE, *supra* note 150, at 53.

¹⁵⁶ HESSE, *supra* note 150, at 53.

¹⁵⁷ HESSE, *supra* note 150, at 55.

¹⁵⁸ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at xiii.

¹⁵⁹ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at 195. (India House, London, October 17, 1843.)

Interestingly, after Comte met the Austins, Comte and Mill's correspondence focused not only on John and his work, but also his character and Sarah's character as well. She obviously made an impression on Comte. After meeting the Austins, Comte wrote to Mill,

I had the satisfaction of receiving Mr. Austin a few weeks ago. I thank you very much for introducing him to me. He seemed a most commendable person, not only by the rectitude and solid quality of his intelligence, but because of the decency and high standard of his moral character. While calling on him I had the pleasure of speaking with his wife, who seemed a truly distinguished person. I would not dare call her superior, but assuredly she is very amiable, though perhaps not without some of the bluestocking attitude that made Byron shudder. Incidentally, her feelings seem to me more satisfying than her ideas.¹⁶⁰

Mill wrote back,

I am highly pleased at the impression Mr. and Mrs. Austin made on you. The first well deserves all you say in his praise, whether in respect to his intelligence, the elevation of his character or his nobility of sentiment. He is, moreover, the man most free of prejudices one could find in England, be they conservative or revolutionary, religious or anti-religious. His wife is not only very amiable but a truly superior woman, though I know women who surpass her infinitely. She excels most by her common sense ideas and by her clear and elegant way of expressing herself in conversation or in the little she has written. As to the quality of a bluestocking, I think she would very vigorously deny it. Her kind of vanity seems to me something quite different: besides, this is a reproach with which every woman involved in literature can quite naturally be charged.¹⁶¹

Comte, who had at first made quick judgments about John and Sarah, retracted them in a later letter to Mill,

I must reiterate my sincere thanks for the pleasure you gave me when you introduced the Austin family to me. Not only do I realize more and more how much Mr. Austin deserves the intellectual and moral esteem which I have accorded him from the start, but I now appreciate even better than at the outset the rare combination of qualities that distinguish the amiable Mrs. Austin. I now admit that I had first judged her somewhat too severely, above all her bluestocking quality, which basically is far from her true nature and even from her habits. I have found, by now, quite to the contrary, much in her of what we Frenchmen call good nature (*bonhomie*), and this is no small merit in my eyes, especially in a lady. You may well imagine that this version of my first impression results solely from a more complete and careful estimate of her, without any admixture of the incidental favorable impression which the faithful attendance of this kind lady at my Sunday lectures is bound to create.¹⁶²

¹⁶⁰ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at 215-219. (Paris, December 23, 1843.)

¹⁶¹ THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at 221 (India House, London, January 17, 1844.)

¹⁶² THE CORRESPONDENCE OF JOHN STUART MILL AND AUGUSTE COMTE, *supra* note 49, at 224 (Paris, Feb. 6, 1844.)

Auguste Comte became one of the eminent men who frequented Sarah's salon in Paris, and wrote to her in March of 1844, "I have had various opportunities of knowing some extremely distinguished women, but till now you are the only one, madam, in whom moral delicacy and mental elevation are so happily united."¹⁶³

Thus the connection between Sarah Austin and Comte has been thus drawn. However, the connection between Eliot and Comte has long been drawn, and well. Not only are there some obvious instances of Comtean philosophy in her works, but "also there are many subtle allusions to Comte's system of thought, some supportive, some ironical, and some intensely critical."¹⁶⁴ One of the most "pervasive results" of Eliot's concern with Comte "lies in the structure of her novels . . . Taken up by George Eliot for her (mostly) female protagonists, [the novel] turns into a vessel holding the core or Comte's theories: the subjection of the individual to society's needs."¹⁶⁵ Some argue that there is little doubt that the author of Middlemarch was deeply influenced by positivist ideas concerning the "scientific study of man in society."¹⁶⁶

Eliot and Sarah were both good friends of Thomas and Jane Carlyle and were part of the circle of radicals and "pragmatic Benthamites like Mill."¹⁶⁷ In fact, Eliot personally sent Jane a copy of her first two novels. Remember that Thomas Carlyle had once called Sarah "sunlight through waste weltering chaos" and Jane once wrote of Sarah "If I swear everlasting friendship with any woman here, it will be with her."¹⁶⁸

The Westminster Review, a radical magazine, was also a forum in which Eliot might have come to know of the Austins by name, if not to know them personally. James Mill founded it in 1824, with Jeremy Bentham's financial assistance. It had been a vehicle for expressing and promoting their doctrines. Thus it was only natural that John should publish his articles in the Review.¹⁶⁹ Sarah, too, wrote for the Review, reviewing books and writing on German life and culture. In 1836, Mill sold it to Sir William Molesmith,

¹⁶³ ROSS, *supra* note 19, at 205.

¹⁶⁴ HESSE, *supra* note 150, at 14-15.

¹⁶⁵ HESSE, *supra* note 150, at 15

¹⁶⁶ MCSWEENEY, *supra* note 149, at 23.

¹⁶⁷ ROSE, *supra* note 3, at 105.

¹⁶⁸ See *supra* at note x-x.

¹⁶⁹ RUMBLE, *supra* note 44, at 19.

who in turn sold it to John Stuart Mill in 1837. In 1840, Mill sold it to John Hickman, who subsequently sold it to John Chapman in 1851.

By the 1850's, the Review was seen as a "liberal periodical of some stature which had been particularly distinguished when it was owned by John Stuart Mill."¹⁷⁰ In 1851, at the age of 30, Eliot began working for Chapman, and essentially ran the publication single-handedly.¹⁷¹ She conceived of and commissioned articles, did copy-editing, read proof, and wrote copy herself.¹⁷² In fact, the bulk of Eliot's essays in the 1850's were written for the Westminster Review.¹⁷³

Not only were the Austins and Eliot friends with John Stuart Mill through their intellectual work, but they were in the same social circles as a natural result. Just as Sarah knew John Mill and his love, Harriet Taylor, so did Eliot. Travelling to Italy with Lewes, she writes of feeling touched by Mill's love for Harriet. Interestingly, although Harriet was the main source of the rift between Sarah and John Mill, Harriet did write a review of Sarah's translation of Prince Puckler-Muskau's book for the Monthly Repository, another liberal magazine.¹⁷⁴

Perhaps more compelling is the connection between Sarah Austin and George Lewes' interest in Goethe, and in German culture. Sarah had published her translation of Falk's work long before Lewes had written his famous Life of Goethe in 1855, which he had read.¹⁷⁵ In addition, Lewes wrote a review of Sarah's book of 1854, Germany, From 1760 to 1814; or Sketches of German Life, from the Decay of the Empire to the Expulsion of the French, in an article entitled "Social Aspects of German Life" for the Leader. The Leader was a magazine on which Lewes and Eliot had worked together for years, writing articles and reviews, and it was where they grew to be friends and subsequently fell in love.¹⁷⁶ Lewes also wrote an article on Sarah's work on Reverend Sydney Smith's memoirs.¹⁷⁷

The connections are more numerous, and on their own may not prove that Eliot knew the Austins. Collectively, however, the evidence is compelling. Eliot surely knew of the Austins: her relationship with John Stuart Mill, George Lewes, her work on various magazines, her own interest in German life and

¹⁷⁰ ROSE, *supra* note 3, at 199.

¹⁷¹ KAMM, *supra* note 4, at 28.

¹⁷² ROSE, *supra* note 3, at 199.

¹⁷³ MCSWEENEY, *supra* note 149, at 3.

¹⁷⁴ HAYEK, *supra* note 68, at 40.

¹⁷⁵ BERT G. HORNBACK, MIDDLEMARCH: A NOVEL OF REFORM 3.

¹⁷⁶ ROSE, *supra* note 3, at 207.

culture, the fact that both Eliot and Sarah translated work from the German, and Eliot's acquaintances and friendships with so many of the people the Austins knew and spent time with would ensure that the Austins were not unknown to Eliot. Given the small community which the London intelligentsia must have been, and given the tendency for gossip and storytelling, Eliot must have known of Sarah and John's lives, their work, and their difficult and perhaps ill-matched marriage. As the following section tries to show, the similarities between Dorothea and Casaubon and Sarah and John overlap too greatly to be attributed to coincidence.

IV. Eliot's Dorothea and Casaubon

Virginia Woolf wrote that Middlemarch was "one of the few English novels written for grown up people."¹⁷⁸ This seemed an apt description since Middlemarch addressed the adult world of marriage and its pitfalls, as well as some of the very inequalities of marriage that John Stuart Mill had singled out for inspection in his 1869 study, The Subjection of Women.¹⁷⁹ No doubt influenced by her friendship with Mill, George Eliot wrote Middlemarch with a "passion for realism," or as she described it, "the faithful representing of commonplace things." Eliot strove to accomplish a "meticulous imitation of original models," and indeed, Victorian novelists often "fell easily into the habit of transcribing particular scenes and characters from life."¹⁸⁰

Middlemarch, full of characters who imitated original models, came together for Eliot only after she had first written a large piece of the novel, then turned to write "Miss Brooke," and later turned "Miss Brooke" into the first nine and half chapters of the novel. In these chapters "the story of Dorothea Brooke unfolds in a crisp and straightforward manner that bespeaks the relative fluency with which it was composed."¹⁸¹

It is in these first nine chapters that the similarities between Dorothea and Sarah, and those between Casaubon and John, become clear. Dorothea and Sarah are both beautiful, interesting, well-

¹⁷⁷ ROSE, *supra* note 3, at 207.

¹⁷⁸ GEORGE ELIOT, MIDDLEMARCH.

¹⁷⁹ T.R. WRIGHT, GEORGE ELIOT'S MIDDLEMARCH 74.

¹⁸⁰ GORDON S. HAIGHT, GEORGE ELIOT'S ORIGINALS AND CONTEMPORARIES 3.

¹⁸¹ MCSWEENEY, *supra* note 149, at 6.

educated women who marry men they thought had so much to teach them. Both women studied before their marriages in order that they could be familiar with their husbands' work and therefore be of help. In the end, each woman was disappointed by her husband's inability to turn his ambition into reality. Both women were emotionally and sexually dissatisfied, and each carried on an "affair" to differing degrees. In addition, both women were impassioned by their attempts at social reform.

Casaubon and John are both men who married women they hoped could be their helpmate, each writing an engagement letter that lacked any real passion or expression of love. Both men took on huge academic projects, each attempting to explain structures and frameworks. Each wanted to create a classification system: Casaubon, a "Key to all Mythologies" and John Austin, a complete system of legal classification. Both men were plagued by ill-health for most of their lives, and it was their perfectionist tendencies that kept them from ever moving on from preparing to write to actually writing. Both Casaubon and John might have hoped, to differing degrees, that their wives – their "helpmates" – would complete their work.

A. Potential Real-life Analogs for Dorothea and Casaubon

There have been questions as to whom Dorothea and Casaubon were modeled on. No one has fully answered those questions, though there has been speculation. As to Dorothea, some thought that perhaps Eliot was writing about herself, though she denied it. "Do not for a moment imagine that Dorothea's marriage experience is drawn from my own," she wrote. "Impossible to conceive any creature less like Mr. Casaubon than my warm, enthusiastic husband, who cares more for my doing than for his own."¹⁸² Another suggestion of a real-life analog was that of Effie Ruskin, wife of John Ruskin. Her life was "the story of an ardent, high spirited woman who married an emotionally and sexually defective man."¹⁸³ Thus her point of view might have been "uncannily similar" to Dorothea Brooke's.

A third suggestion for a real-life analog: that of Mark Pattison and his wife. The couple had been acquainted with Eliot since 1869. According to A.H. Sayce, the Pattisons married from ambition rather than from love. It was not a happy marriage, and Mrs. Pattison even wrote to her husband of her physical

¹⁸² ROSE, *supra* note 3, at 223-4.

aversion to their sexual relationship. Subsequently, she began a relationship with Sir Charles Dilke.¹⁸⁴ But that relationship began 3 years after Middlemarch was written. Dilke, who had known Mrs. Pattison as a girl, resumed his friendship with her during her marriage. After Mark's death that the two were married.¹⁸⁵ It was a compelling theory, since Mrs. Pattison, like Dorothea, was much younger than her husband – in fact, 30 years younger. Mr. John Sparrow argued that Mrs. Pattison “sanctioned and actually encouraged George Eliot to caricature her husband as Casaubon.”¹⁸⁶ But if Mrs. Pattison kept correspondence with Eliot, perhaps the source for Eliot's material, it is long vanished, since, according to Betty Askwith, Mrs. Pattison and Sir Charles Dilke were “uncommonly handy with the eraser and with the scissors.”¹⁸⁷

Nonetheless, Sir Sidney Lee was convinced that Casaubon was drawn from Mark Pattison. One reason scholars and laypersons alike felt that Casaubon was based on Pattison was because he wrote the book Life of Isaac Casaubon – but he did not publish it until 1875, four years after the publication of Middlemarch.¹⁸⁸ The only problem with the theory was how one was to compare “the ignorant pedantry of the Key to All Mythologies with the profound and admirable scholarship of the Rector of Lincoln College?”¹⁸⁹ Yet Sir Charles Dilke felt Pattison was a bore, a tiresome pedant, and that his letter of engagement to his wife resembled Casaubon's letter to Dorothea at the beginning of the fifth chapter of Middlemarch, claiming that George Eliot herself had told Dilke just the same.¹⁹⁰

Many are convinced Casaubon bore no resemblance to Pattison. “There have been those who judging from a very imperfect knowledge of a few facts, and from the name of the book by which he is best known, have fancied that George Eliot had the Rector's studious habits in mind to a certain extent when she drew the character of Mr. Casaubon in Middlemarch. There was, however, nothing in common between the serious scholar at Lincoln and the mere pedant frittering away his life in useless trivialities.”¹⁹¹

A final suggestion of a real-life analog for Casaubon is that of Dr. R.H. Brabant. Gordon Haight finds a closer parallel between Casaubon and Brabant, “with whom George Eliot had an unfortunate

¹⁸³ ROSE, *supra* note 3, at 70.

¹⁸⁴ HAIGHT, *supra* note 180, at 32.

¹⁸⁵ HAIGHT, *supra* note 180, at 34.

¹⁸⁶ JOHN SPARROW, MARK PATTISON AND THE IDEA OF A UNIVERSITY 16-17.

¹⁸⁷ BETTY ASKWITH, LADY DILKE 10.

¹⁸⁸ HAIGHT, *supra* note 180, at 18.

¹⁸⁹ HAIGHT, *supra* note 180, at 18.

¹⁹⁰ HAIGHT, *supra* note 180, at 33.

¹⁹¹ HAIGHT, *supra* note 180, at 32.

experience in her youth. Dr. Brabant . . . was a pompous and rather foolish gentleman who was engaged for years on a never-finished book that was to dispose forever of the supernatural elements in religion.”¹⁹²

The unfortunate event to which Haight refers happened in 1843, when he invited her to visit him in Wiltshire after his daughter’s wedding. Gossipmongers reported that “she knelt at his feet and offered to devote her life to his service.” Mrs. Brabant, aware of her husband’s silliness “about the ardent young lady reading German and Greek with him,” arranged for Eliot’s return to Coventry.¹⁹³ In any case, Brabant does seem similar to Casaubon, Eliza Lynn Linton argues, as he was “a learned man who used up his literary energies in thought and desire to do rather than in actual doing, and whose fastidiousness made his work something like Penelope’s web. Ever writing and rewriting, correcting and destroying, he never got farther than the introductory chapter . . .”¹⁹⁴ Asked about the original of Casaubon, F.W. Myers reports that Eliot, “with a humorous solemnity, which was quite in earnest, nevertheless, [pointed] to her own heart.”¹⁹⁵

Several other candidates have been suggested for no other reason than they had younger wives. For example, Francis Power Cobbe suggested “the shy, kindly” Robert William Mackay, a “scholar of real distinction.”¹⁹⁶ But no one has come to any conclusions, and there is no evidence in Eliot’s notebooks as to her models for Dorothea and Casaubon.

B. Sarah Austin as Dorothea; John Austin as Casaubon

The similarities between Sarah and Dorothea are numerous, perhaps too numerous to be mere coincidence. Like Sarah, Dorothea’s story is one of a “girl whose notions about marriage took their colour entirely from an exalted enthusiasm about the ends of life, and did not include even the honours and sweet joys of the blooming matron.”¹⁹⁷ Dorothea was convinced that she could do *something* to make the world a better place; she wanted to broaden her notion of usefulness. She ardently strove for a common good, and that search assumed “the shape of a quest in life.”¹⁹⁸ In this way, she follows Sarah’s model. At the

¹⁹² HAIGHT, *supra* note 180, at 18.

¹⁹³ HAIGHT, *supra* note 180, at 18.

¹⁹⁴ ELIZA LYNN LINTON, MY LITERARY LIFE 43.

¹⁹⁵ F.W.H. MYERS, GEORGE ELIOT, IN ESSAYS CLASSICAL AND MODERN 489.

¹⁹⁶ FRANCES POWER COBBE, LIFE OF FRANCES POWER COBBE 430-31.

¹⁹⁷ ELIOT, *supra* note 178, at 28.

¹⁹⁸ HESSE, *supra* note 150, at 365.

novel's start, she has already set up "an infant school . . . in the village" and has a plan for new cottages for the poor. Remember Sarah's own creation of schools of Malta, and her continued concern for equal educational opportunities. In the novel, Sir James Chettam appreciates Dorothea's plan, saying that hers is "the best notion in the world of a plan for cottages."¹⁹⁹

Like Sarah, Dorothea yearned for the perfect man who might "make a throne within her and rule her errant will."²⁰⁰ Although she reached for the fruit of knowledge in marrying Casaubon, like Sarah, this may not have been an action of self-fulfillment but of escapism. Dorothea had been dreaming of marrying a great man: "the venerable Hooker, to save him from his shrewish wife; or Milton, in his blindness; or Locke, or Pascal. She dreams thus not because she is some pitiful 'Victorian' woman [-] but because she admires greatness. As of yet she has no understanding of how to be great herself. This is not because she is a woman, but because she is young, and secluded."²⁰¹ Thus Dorothea's marriage could be viewed as an escapist action, "a choice depending . . . on sexual fear" or a "reaching out for higher education by means of marrying a scholar."²⁰² For she still valued knowledge, and like Sarah who would disappoint her mother by marrying someone unworthy of her intellect, Dorothea thought, "[w]hat lamp was there but knowledge? Surely learned men kept the only oil; and who more learned than Mr. Casaubon?"²⁰³

Just as Sarah Taylor's community was surprised at her choice in John, a serious, sickly man, whose grey hair made him seem older than he was, similarly, Dorothea's community is surprised and dismayed at her choice in Casaubon. Casaubon, like John, was sickly, but was also much older than Dorothea, causing a neighbor to remark that he looked like "a death's head skinned over."²⁰⁴ Everyone, from her sister to her uncle to the neighbors, disapproves of her choice.

Casaubon's letter of proposal, like John Austin's letter, is "notorious for its pomposity, its author allowing himself only 'such activity of the affections as even the preoccupations of a work too special to be abdicated could not uninterruptedly dissimulate.'"²⁰⁵ His letter reads, in part:

¹⁹⁹ ELIOT, *supra* note 178, at 19.

²⁰⁰ HESSE, *supra* note 150, at 357.

²⁰¹ HORNBACK, *supra* note 175, at 20.

²⁰² HESSE, *supra* note 150, at 35.6

²⁰³ ELIOT, *supra* note 178, at 86.

²⁰⁴ ELIOT, *supra* note 178, at 91.

²⁰⁵ WRIGHT, *supra* note 179, at 28.

I am not, I trust, mistaken in the recognition of some deeper correspondence than that of date in the fact that a consciousness of need in my own life had arisen contemporaneously with the possibility of my becoming acquainted with you. For in the first hour of meeting you, I had an impression of your eminent and perhaps exclusive fitness to supply that need (connected, I may say, with such activity of the affections as even the preoccupations of a work too special to be abdicated could not uninterruptedly dissimulate) . . . our conversations have, I think, made sufficiently clear to you the tenor of my life and purposes; a tenor unsuited, I am aware, to the commoner order of minds. But I have discerned in you an elevation of thought and a capability of devotedness, which I had hitherto not conceived to be compatible either with the early bloom of youth or with those graces of sex that may be said at once to win and to confer distinction when combined, as they notably are in you, with the mental qualities qualities above indicated . . . to supply aid in graver labours and to cast a charm over vacant hours . . .²⁰⁶

His letter lacks any language of passion, resembling language of the lecture room instead.²⁰⁷ Casaubon is reminiscent of John, who cannot write a letter that does not resemble a “deed of conveyance.”²⁰⁸

Casaubon’s letter is “in fact a chilling missive, in the circumlocutions and stiff formality of which there is no hint of ardour, strong emotion or noble purpose.”²⁰⁹ While the letter may be an accurate statement on feeling, “it is always a statement, not an expression.”²¹⁰ Casaubon suffers from an “inability to escape from the academic register: ‘he had not two styles of talking at his command.’”²¹¹ Like Sarah before her, Dorothea admires her suitor’s passionless letter, her faith supplying all he might have left unstated, just as a “text, whether of prophet or of poet, expands for whatever we can put into it.”²¹² Eliot described Dorothea’s reaction: “How could it occur to her to examine the letter, to look at it critically as a profession of love? Her whole soul was possessed by the fact that a fuller life was opening before her.”²¹³

Before their wedding, Dorothea, like Sarah, had been preparing herself for her forthcoming role as Casaubon’s helpmate. She reveled in the delightful prospect of devoting herself to her husband. “ ‘I should learn everything then,’ she said to herself, still walking quickly along the bridle road through the wood. ‘It would be my duty to study that might help him the better in his great works.’”²¹⁴ She asked herself if she could be preparing herself to be more useful, including learning to read Latin and Greek.²¹⁵

²⁰⁶ ELIOT, *supra* note 178, at 43-44.

²⁰⁷ WRIGHT, *supra* note 179, at 28.

²⁰⁸ See *supra* note 16 and accompanying text.

²⁰⁹ MCSWEENEY, *supra* note 149, at 110

²¹⁰ R.T. JONES, GEORGE ELIOT 69.

²¹¹ WRIGHT, *supra* note 179, at 28.

²¹² WRIGHT, *supra* note 179, at 43-44.

²¹³ ELIOT, *supra* note 178, at 44.

²¹⁴ ELIOT, *supra* note 178, at 29.

²¹⁵ ELIOT, *supra* note 178, at 63.

Dorothea saw Casaubon as a “mind so much above her own.”²¹⁶ Like John, he was continually working on a “great work” that was never finished. “But to gather in this great harvest of truth was not light or speedy work. His notes already made a formidable range of volumes, but the crowning task would be to condense these voluminous still-accumulating results and bring them, like the earlier vintage of Hippocratic books, to fit a little shelf.”²¹⁷

But Dorothea had blatantly misread his character.²¹⁸ He never turned out to be the man and scholar she thought he would and could be, just as John had disappointed Sarah. But Dorothea’s overestimation of Casaubon reflected “an admirable rejection of conventional Middlemarch attitudes and an absurdly uncritical idealism. In her desire to go to ‘beyond the shallows of ladies’-school literature’ she sees ‘a living Bossuet’ in the pedantic rector, a ‘modern Augustine.’”²¹⁹ But soon after their wedding, Dorothea observed “that the large vista and wide fresh air she had dreamed of finding in her husband’s mind were replaced by ante-rooms and winding passages which seemed to lead nowhither.”²²⁰ She had taken note of his notes that could not turn into a final work. She said to Casaubon on their honeymoon, “All those volumes – will you not now do what you used to speak of? -- Will you not make up your mind what part of them you will use, and begin to write the book which will make your vast knowledge useful to the world? . . . You showed me the rows of notebooks – you have often spoken of them – you have often said they wanted digesting. But I never heard you speak of the writing that is to be published.”²²¹ We see evidence of Dorothea’s ambition for her husband, and of her frustration with him. After he suffers from a heart attack, she says to his doctor, “He has been labouring all his life and looking forward. He minds about nothing else. And I mind about nothing else.”²²²

To Casaubon, knowledge had become an end in itself. “His studies in the field of mythology must be seen as an attempt at procuring for himself a lasting place in the memory of mankind as the author of the ‘Key to All Mythologies.’ Self-aggrandizement comes to mind . . . he ‘seemed to lean on the immortality

²¹⁶ ELIOT, *supra* note 178, at 192.

²¹⁷ ELIOT, *supra* note 178, at 24-5..

²¹⁸ WRIGHT, *supra* note 179, at 43.

²¹⁹ WRIGHT, *supra* note 179, at 33.

²²⁰ ELIOT, *supra* note 178, at 195.

²²¹ ELIOT, *supra* note 178, at 199-201.

²²² ELIOT.

of the still unwritten Key to All Mythologies’.”²²³ Still, his scholarly reputation was limited, as was John’s, and he was “noted in the county as a man of profound learning,” as was John.²²⁴ Both men depended on German studies in order to master their subject. Like John, Casaubon was consumed by his project, yet unable to produce it. Both their minds were “weighted with unpublished matter.”²²⁵ Both men had a “morbid consciousness that others did not give [them] the place which he had not demonstrably merited.”²²⁶

Dorothea is not only frustrated with Casaubon’s stunted intellectual work but with his meager emotional expression. On their honeymoon, it becomes clear to the reader that “Dorothea and Casaubon’s marriage was either frustratingly unconsummated or unsatisfactorily consummated, that Casaubon was in any case sexually inadequate and emotionally petrified, that there was consequently sexual friction between husband and affectionate wife . . .”²²⁷ Casaubon does not give Dorothea the sensual attention she needs. Dorothea’s beauty was “unregarded by herself, obscured by familiarity in the eyes of her neighbors and dimmed by excessive study in those of her husband.”²²⁸ Many have written on Casaubon’s possible impotence. Eliot’s repeated imagery of “dried peas, dried up streams, stagnant pools, locked drawers, winding stairs, and catacombs” suggest a lack of virility and indeed, impotence.²²⁹ Upon their engagement, he did not “find his spirit rising.”²³⁰ He even wanted Dorothea’s sister, Celia, to accompany them on their honeymoon!²³¹ Casaubon did not even like to hold Dorothea’s hand.²³² Whether or not he is supposed to be impotent, it is clear that he does not satisfy Dorothea’s needs. This is large part because of his Key to All Mythologies, which keeps him completely absorbed. Again, note the imagery which would suggest impotence. “What energy he has is sublimated in scholarship, spent on an unproductive ‘Key’, a theory about ‘the seed of all tradition’ which was ‘already withered in the birth like an elfin child’, showing few signs of nourishing ‘the embryos of truth’.”²³³

²²³ HESSE, *supra* note 150, at 366, citing ELIOT, *supra* note 178, at 29, 280.

²²⁴ HAIGHT, *supra* note 180, at 29.

²²⁵ ELIOT, *supra* note 178, at 198.

²²⁶ ELIOT, *supra* note 178, at 417.

²²⁷ MCSWEENEY, *supra* note 149, at 108-9.

²²⁸ JONES, *supra* note 210, at 73-4.

²²⁹ WRIGHT, *supra* note 179, at 46.

²³⁰ ELIOT, *supra* note 178, at 85.

²³¹ HAIGHT, *supra* note 180, at 26.

²³² MCSWEENEY, *supra* note 149, at 106.

²³³ WRIGHT, *supra* note 179, at 47.

Unable to really help her husband and frustrated with his failure to pay any sensual attention to her, Dorothea took up a friendship with Casaubon's nephew, Will Ladislaw. Ladislaw was very much like Prince Puckler-Muskau, and perhaps his character is inspired by Puckler. Will has Puckler's artistic interest, but could not commit to painting, since it was "too one-sided a life. I have been seeing a great deal of the German artists here: I travelled from Frankfort with one of them. Some are fine, even brilliant fellows – but I should not like to get into their way of looking at the world entirely from the studio point of view."²³⁴ Will, like Puckler, spends his time travelling Europe, never choosing a career or educational path. Dorothea, like Sarah, is shocked at Will's "mode of taking all life as a holiday."²³⁵ Will is as different from Casaubon as Puckler was from John Austin. One day, when Will is visiting Dorothea, Casaubon enters the room, and Dorothea notices: Mr. Casaubon was less happy than usual, and this perhaps made him look all the dimmer and more faded; else the effect might easily have been produced by the contrast of his young cousin's appearance . . . When he turned his head quickly his hair seemed to shake out light . . . Mr. Casaubon, on the contrary, stood rayless."²³⁶

Though Dorothea and Will would not profess their love for each other until long after Casaubon's death, Dorothea would have to take a personal journey in which she would decide not to finish work on her husband's *Key to All Mythologies* though he had trained her for it.

'You will oblige me, my dear,' he said, seating himself, 'if instead of other reading this evening, you will go through this aloud, pencil in hand, and at each point where I say "mark", will make a cross with your pencil. This is the first step in a sifting process which I have long had in view, and as we go on I shall be able to indicate to you certain principles of selection whereby you will, I trust, have an intelligent participation in my purpose.'²³⁷

After working for a bit, he said to her,

Close the book now, my dear. We will resume work to-morrow. I have deferred it too long, and would gladly see it completed. But you observe that the principle on which my selection is made, is to give adequate, and not disproportionate illustration to each of the theses enumerated in my introduction, as at present sketched.'²³⁸

²³⁴ ELIOT, *supra* note 178, at 207.

²³⁵ ELIOT, *supra* note 178, at 207.

²³⁶ ELIOT, *supra* note 178, at 209.

²³⁷ ELIOT, *supra* note 178, at 476.

²³⁸ ELIOT, *supra* note 178, at 477.

Sarah, too, had only John's The Province of Jurisprudence, along with the outline for the full project, to work from. Although Sarah actually finished John's work, Dorothea did not. After Casaubon's death, Mr. Brooke finds Casaubon's paper, "Synoptical Tabulation" was locked up with his will, and a note, "for the use of Mrs. Casaubon." Casaubon asked her in the note to finish his project. He had wanted to "bind Dorothea to his work, to living out her life in his scholarly 'tomb'." ²³⁹ But Dorothea rejected Casaubon's attempt to trap her, as Casaubon's request in his will was "probably only the beginning of many intended directions for her guidance . . ." ²⁴⁰ "The pity which had been the restraining compelling motive in her life with him still clung about his image, even while she remonstrated him in indignant thought." She writes on his letter to her requesting her help, "I could not use it. Do you not see how that I could not submit my soul to yours, by working hopelessly at what I have no belief in?" and puts it in the drawer, never to open it again. ²⁴¹

V. Conclusion

"From the very first, Dorothea's aim in life is described as a search for a social application of her powers and an intense awareness of the restrictions placed upon her by society." ²⁴² Sarah, too, is restricted by society, and it may have been those restrictions that essentially forced both women into unhappy marriages with men whom they thought could be their vehicles into a larger world.

Irrespective of her personality, Dorothea is greatly influenced by what society has in store for her. The courses she chooses in life are dependent on what life, what society offers her . . . Dorothea . . . cannot but fail in her initial choice, as it is one of ambitious ignorance and, if not actively misguided, is at least strongly supported by a widely ignorant society. ²⁴³

Eliot wrote of Dorothea, and it is applicable to Sarah, "Dorothea was not only [Casaubon's] wife: she was a personification of that shallow world which surrounds the ill-appreciated or desponding author."

²³⁹ HORNBACK, *supra* note 175, at 107.

²⁴⁰ ELIOT, *supra* note 178, at 493.

²⁴¹ ELIOT, *supra* note 178, at 539.

²⁴² HESSE, *supra* note 150, at 357.

²⁴³ HESSE, *supra* note 150, at 355.

Sarah, too, was a personification of a shallow world, accepting the duty she felt bound by to publish John's work after his death. Sarah and Dorothea act on duty, but only Dorothea, because she is a fictional character whose fate was written by George Eliot, could decide that personal choice overcame a societally-imposed marital duty. Eliot used her opportunity as a writer to shape her character so that Dorothea could concede to certain societal norms, such as marriage, but also so that she could push "duty" aside and reject Casaubon's wish that she finish his great work.