

A Battle of Wills

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I. A TRIBUTE

How is it possible to do justice, fifty years on, to Roland Barthes's inventive, incisive and witty dissection of Balzac's *Sarrasine*? *S/Z* changed the options open to criticism as a discipline. The book's key word was no longer intention (the writer's) nor judgement (the reader's) but difference, with interpretation understood as a process of finding the differential meanings legitimated by the work. The classic text, *S/Z* indicates, imposes limits on the range of its possible readings. But, since classic texts make up the bulk of our fictional heritage, there remains an imperative to seek out the difference of each and the scope of its plurality in an analysis that is not definitive, but only 'a tireless approximation'.¹

S/Z abandons large-scale thematic, psychological or historicist exposition in favour of detailed commentary, phrase by phrase, on the signifiers that compose the work. And half in play, half seriously, parodying the structuralism his analysis supersedes, Barthes assigns a series of codes to the elements he isolates. The code of actions (ACT) identifies the events that move the story on. The hermeneutic code (HER) specifies the enigma the classic text sets up and implicitly promises to resolve. Semes (SEM) are meanings connoted but not explicitly named. The code of reference (REF) invokes, confirms or masquerades as customary wisdom, while the symbolic code (SYM) singles out the antitheses open to subversion by the narrative. Together, the codes form a network the text both acknowledges and escapes, and a framework for discussion that can never be exhaustive. And because it remains incomplete, *S/Z*'s textual analysis is broken up by divagations, digressions for reflection, often intertextual, on the story as it unfolds.

In what follows, I have mimicked the manner of the original. No pastiche can hope to capture the *sprezzatura* or, indeed, the effrontery, of the work that suddenly appeared unheralded in 1970. But there is perhaps a case to be made for testing – if always with a difference and, here, with some simplification² – a mode of textual analysis that has never, to my knowledge, been surpassed.

II. *NO NAME*

A major element of *S/Z*'s project is to demonstrate that what passes for realism is elaborately constructed at more than one remove from reality. I believe we have to some degree absorbed this lesson. In addition, I have set out to read as an instance of cultural history a novel that demonstrates *as fiction* the contradictions implicit in inheritance law. *Sarrasine* (1830) shows that the fortune handed down to the Lanty family originates in the violence of castration, a wrong the next generation do their best to repress. One question the story licenses is the degree to which there can be clean wealth. Are legacies not always tainted, traceable to one form of another of expropriation? In *No Name* (1862) Wilkie Collins fictionalises some potential effects of the Wills Act of 1837, a codification of inheritance practice that still prevails in outline today. Wills, it turns out, legitimise wilfulness; testamentary law, designed to impose order on the transmission of wealth, is capable of authorising near-anarchy.

But, where *S/Z*'s dissection of a 30-page story fills over 200 pages, I am borrowing its manner to consider a 600-page novel. Even though *No Name* is less allusive, less textually dense than *Sarrasine*, it would not be possible in an essay to subject every word of *No Name* to analysis. Instead, I have isolated its treatment of the four successive wills that shape the story. In between, I have supplied enough of the plot to show the role of each will in its context. There is a loss here, self-evidently, but I have settled for compromise, in order to take advantage of the opportunities *S/Z* offers for the discussion of fiction beyond the novella.

(1) *No Name*³ *What is the referent of the title? A thing that is not named? A person who has no name – or no reputation, standing? An entity beyond the reach of language, outside the symbolic order, unnamed because unnameable? Or the novel itself, which has no (other) name? Novels conventionally have names (*The Romance of the Forest*, *Pride and Prejudice*), sometimes literally naming a place (*The Castle of Otranto*, *Wuthering Heights*) or a person (*Clarissa*, *Ivanhoe*, *Oliver Twist*). Perhaps a novel called *No Name* designates nothing or no one other than itself? (HER. Enigma) **Culture in the form of the symbolic order, classifies and names; language falls like a net over the plurality of things, sorting, assigning, arranging what we know. To have no name is to fall outside the range of knowledge (SYM. Defiance of convention).

In practice, one name resounds through the tale, which is a story of four wills, made by three successive generations of men, all called Vanstone. The first Vanstone to feature in the narrative is the second in terms of chronology. In this way the novel reproduces the traditional distinction between *histoire* and *discours*, or story and narration. Here I follow the novel's chosen sequence, beginning with the disclosure of Andrew Vanstone's will in the present of the fiction, 1846. The lawyer Mr Pendril greets Miss Garth, the former governess who is now the only support and stay of two young women suddenly orphaned by the death of their father, closely followed by the loss of their mother. The lawyer keeps his appointment with the governess in the family house, Combe-Raven.

(i) Andrew Vanstone's will⁴

(2) *As they confronted each other in the silence of the summer's morning – both dressed in black;* *ACT. Confrontation. **Mourning dress observes convention; perhaps, in addition, the lawyer always wears black, indicating professional solemnity (REF. Customary practice). ***But their acknowledgement of death contrasts with the summer morning, a season of vitality in nature and an hour of promise (SYM. Antithesis between nature and culture).

(3) *Miss Garth's hard features, gaunt and haggard with grief;* *The governess's appearance is defined by pain. Her face, already made raw-boned by penury and labour, is now further emaciated by grief (SEM. Emotion). **In the classic text experience and emotion determine physiology: Victorian society links reticence with propriety but nature will out and the body speaks (SYM. Antithesis between emotion and convention).

III. THE GOVERNESS

The post of governess figures in nineteenth-century fiction as one of the few respectable ways for a woman to escape poverty. The governess earns her limited income. But, educated, genteel, at the same time she subverts the opposition between middle-class comfort and working-class labour. She is to a degree included in the family that pays her and yet not of it. An employee, but in a class apart from the other servants, she registers the family's triumphs and disasters without the power to cause or avert them. Lacking the impersonal authority of law, the governess has the advantage

of intimate access to the concerns of the family. Miss Garth can be relied on to grieve with her former charges; she is expected to hear and pass on to them the facts of their inheritance. The governess, whose task includes the inculcation of conventional behaviour, generally upholds traditional morality. Also liminal, solitary, at once inside and out, a solicitous observer, and economically precarious, the governess is well qualified to act as a place-holder for the writer, especially when the perspective on the events of the story complies with convention. If Jane Eyre suffers on account of Mr Rochester's story, she also bears ethical witness to it; an unnamed governess both participates in and records the disturbing events at Bly in *The Turn of the Screw*. Miss Garth, however, will shortly lose control of the tale, when one of her charges defies conventional morality.

(4) *the lawyer's cold, colourless face, void of all marked expression, suggestive of a business embarrassment and of nothing more – it would have been hard to find two persons less attractive externally to any ordinary sympathies than the two who had now met together, *The law, guardian of the symbolic order, is impartial, disciplined, without emotion (SEM: Impersonality of law). **The two faces confront each other as opposites, the one at the mercy of emotion, the other aloof, professional (SYM. Antithesis between emotion and law).*

(5) *the one to tell, the other to hear, the secrets of the dead. *REF. Authority belongs to the law, the man, the professional. **ACT. To tell, to listen. ***HER. Enigma: there are secrets to be revealed.*

IV. SECRETS

Secrets are the mainstay of the classic text, which conventionally comes to an end by resolving enigma with disclosure. Secrets defer the conclusion of the narrative. In the purest instance, the detective brings to light the secret murderer, as well, perhaps, as the secrets the murder was designed to conceal. The family conventionally represents a place of concealment, the repository of hidden follies, indulgences, adulteries, illegitimacies, coercions, abuse. Wills are customarily secret documents, the reading of the will a moment of disclosure, when old obligations, debts, preferences and resentments come to light. In due course (No. 55), it will emerge that wills themselves may conceal further secrets in a regress that defers closure yet again.

(6) ... *they sat down on either side of a table placed close under the window.* *ACT. Preparation to tell. **They face each other as opposites (SYM. Antithesis between emotion and law). ***The table is indoors but the window admits the outside, the summer morning (SYM. Antithesis between inside and outside called in question by the proximity of the window).

(7) *One waited to speak, the other waited to hear. There was a momentary silence. Mr Pendril broke it by referring to the young ladies, with the customary inquiries, and the customary expressions of sympathy. Miss Garth answered him with the same ceremony, in the same conventional tone.* *ACT. Telling deferred. **REF. Custom. The classic text is leisurely; it can afford to repeat itself and to concede the obvious exchanges, reminding the reader in the process of the two young women due to be affected by the secrets of the dead.

(8) *There was a second pause of silence.* *ACT. Telling deferred. **The silence deepens the gravity of the revelations to come – and makes the reader wait (HER. Enigma).

(9) *The humming of flies among the evergreen shrubs under the window, penetrated drowsily into the room;* *Nature is relaxed, sleepy (SEM. Ease). **The outside enters the room (SYM. The antithesis between outside and inside subverted).

(10) *and the tramp of a heavy-footed cart-horse, plodding along the high-road beyond the garden, was as plainly audible in the stillness,* *SEM. Labour. The classic text naturalises as verisimilitude the work it connotes. **SYM. While legacies promise the ease of unearned income, the cart-horse signifies the traditional, everyday labour of the countryside, carried out by those who have no inheritance.

(11) *as if it had been night.* *The invocation of darkness intensifies expectation concerning the secrets of the dead (HER. Enigma).

The lawyer produces Andrew Vanstone's will, five years old and duly signed and witnessed. But it will prove incapable of supporting his daughters. Was their father ruined, then, the governess asks.

(12) *'Far from it. Mr Vanstone has died, leaving a fortune of more than eighty thousand pounds – a fortune invested in excellent securities. He lived up to his income, but never beyond it; and all his debts added together would not reach two hundred pounds.'**ACT. To leave. What is left has implications for the living. **Andrew Vanstone has been prudent, responsible (SEM. Convention observed). ***The lawyer reveals the size of the bequest but withholds the identity of any beneficiary (HER. Partial disclosure). ****The figures are specified (REF. Money).

V. MONEY

'In eighteenth- and nineteenth-century novels, money was everywhere.' Thomas Piketty goes on to explain that, in a period of financial stability, exact figures signified. Low growth and a reliable return on capital allowed readers to assess the precise value of a fortune.⁵ In this instance, when the average annual income was £40–50 a year, a capital sum of £80,000, with a rate of return of 4–5%, divided between two daughters, would have guaranteed each a very comfortable annual income (£1600–£2000), ensuring a life of ease and a secure place in the marriage market.

(13) *'Let me now tell the truth in the plainest and fewest words.'**ACT. To tell. **The law does not mince words but brings truth to light without fear or favour (SEM. Transparency of law).

VI. PLAIN WORDS

Plain-speaking, transparency, said here to be the mode of law, is also the promise of the classic text but one that it dares only occasionally fulfil. The interests of the narrative require the novel to sustain the story by obscuring and deferring the truth that would bring it to an end. But that strategy does not prohibit incidental revelations at intervals. These punctuate the narrative and are, indeed, often delivered plainly. They do not, however, have the effect of arresting the tale. Instead, such punctuating moments have more in common with the colon than with the full stop: they open onto a different phase of the story, developing the implications of what has gone before and unfolding new puzzles that further postpone closure.

(14) *'When Mr and Mrs Vanstone left Combe-Raven, in the March of the present year –'**ACT. To leave – in another sense. The classic text assembles its meanings as a sequence of variations. **REF. Chronology.

When it comes to wills, dates matter. ***At the time, 'Mr and Mrs' were, it will turn out, courtesy titles only (HER. Equivocation). The classic text defers the truth it promises by withholding, if only a little longer, the secrets of the dead.

(15) *Before he could complete the sentence, a sudden movement of Miss Garth interrupted him. She started violently, and looked round towards the window. 'Only the wind among the leaves,' she said faintly. 'My nerves are so shaken, the least thing startles me.'* *ACT. Shock. **Miss Garth is in a state of intense anxiety (SEM. Emotion). ***What has startled Miss Garth? Her effort to close off speculation does not deceive the practised reader, who remains ambivalent. Is the governess imagining things or is there some cause of disruption outside the window? (HER. Equivocation) ****SYM. Antithesis between inside and outside called in question.

(16) *In plain words, Mr Pendril told her.*

'They went to London to be married.'

With that answer he placed a slip of paper on the table. It was the marriage certificate of the dead parents, and the date it bore was March the twentieth, eighteen hundred and forty-six. *ACT. Disclosure. **REF. Chronology. Dates play a crucial part in a story about wills. Taking place in the current year, the marriage invalidates the five-year-old will. ***For verification, the lawyer shows the textual evidence (SEM. Impersonality of law). ****HER. Disclosure that prompts new enigmas: why were these apparently respectable parents not married already? And how will their daughters now live?

VII. THE POWER OF WRITING

Wills are texts. As the written inscription of a material project, they have material effects: a financial bequest has substance. But one text can be displaced by another, as the record of an event renders the first document void. A marriage is also substantial, even if the contract is reducible to declarations and witnessed signatures (not unlike a will). And its inscription in a certificate also has material consequences. A world ruled by law is textually governed; more than expressive, writing proves determining. In the novel, moreover, this is not the last time one document will be subverted by another (No. 55). *No Name* is itself a document, of course. Appropriately, then, inheritance law is brought to book in writing.

(17) ... *As he pointed to the certificate, that faint breath of air among the shrubs beneath the window, which had startled Miss Garth, stirred the leaves once more. He heard it himself, this time; and turned his face, so as to let the breeze play upon it. No breeze came; no breath of air that was strong enough for him to feel, floated into the room.* *What causes the breath of air that is not a breeze? (HER. Enigma prompted by equivocation) **SYM. Antithesis between outside and inside.

The young Andrew Vanstone gave up on an unfortunate early marriage made abroad, and left his foreign wife well provided for. Redeemed from the ensuing dissipation by the love of a good woman, he set up house with Miss Blake, and the two brought up their daughters quietly and conventionally. On the death of the first wife in 1846, they immediately legalised their union but without realising that marriage invalidated previous wills. With no legitimate offspring, Andrew Vanstone has died intestate, and his wealth reverts to his next of kin, his brother Michael. Is there no hope from any other source, asks the governess.

(18) *No, Miss Garth; we must look facts as they are resolutely in the face. Mr Vanstone's daughters are Nobody's Children; and the law leaves them helpless at their uncle's mercy.* *Law deals in facts; it is apparently absolute; there is no avoiding its effects (SEM. Impersonality of law). **Mr Vanstone's actions have unwittingly disinherited his daughters. ACT. Betrayal of family values. ***The law does not recognise fatherhood outside marriage. Nobody's Children therefore have no name, which is to say no title, no entitlement to inherit (HER. Disclosure of the meaning of the title of the novel).

(19) *'A cruel law, Mr Pendril – a cruel law in a Christian country.'* *Invocation of religious piety (REF. Christian values). **The strong feelings of the governess confront the impersonality of law (SYM. Antithesis between emotion and law).

(20) *'Cruel as it is, Miss Garth, it stands excused by a shocking peculiarity in this case. I am far from defending the law of England, as it affects illegitimate offspring. On the contrary, I think it a disgrace to the nation. It visits the sins of the parents on the children; it encourages vice by depriving fathers and mothers of the strongest of all motives for making the atonement of marriage; and it claims to produce these two abominable results in the names of morality*

and religion. *ACT. Betrayal of family values. The Vanstone daughters would have been better off if their parents had not married. **The privilege accorded to marriage does not in practice encourage it: piety has impious consequences (REF. Contradiction in Christian values). ***This is the moment when *No Name* most explicitly declares its own project: law stands condemned by the lawyer. Law conflicts with justice when it punishes the innocent and encourages illegality (SEM. Arbitrariness of law).

(21) *'God help me, what am I to do!' she broke out. 'How am I to tell them?'* *The governess's responsibility is to pass on the information as concerned intermediary between the detached professional and the affected family. ACT. To tell. **SYM. The antithesis between emotion and law is to be smoothed over by Miss Garth.

(22) *'There is no need to tell them,' said a voice, behind her. 'They know it already.'*

She started to her feet; and looked round. It was Magdalen who stood before her – Magdalen who had spoken those words. *Andrew Vanstone's younger daughter rejects the proffered mediation and the tutelary authority of Miss Garth. Instead, she asserts her own *will* (in a different but not unrelated sense of the word). ACT. Confrontation. **REF. Rejection of customary wisdom. ***SYM. Defiance of convention.

(23) *Yes, there was the graceful figure, in its mourning garments, standing out tall and black and motionless against the leafy background. There was Magdalen herself, with a changeless stillness on her white face; with an icy resignation in her steady grey eyes.* *ACT. Confrontation. **SEM. Wilfulness. ***SYM. Antithesis between nature and custom (life and death).

VIII. NAMES

Andrew Vanstone's daughters have names, Norah and Magdalen. To that degree, the title of the novel equivocates: while a last name represents an entitlement (or otherwise), the first name may or may not signify in the story. Miss Garth is Harriet but her baptismal name is confined to her letters. To the narrative, as to her former pupils, she remains Miss Garth (garth: protective enclosure). Norah, the conventional elder sister (Honora: honourable), is named after her mother. But Magdalen's name is foregrounded from the start. 'It was a strange name to have given her? Strange, indeed'. The narrative only marks it out more insistently, however, when it rapidly retreats from the asserted strangeness by naturalising the choice as commemorating a sister of Andrew Vanstone who had died young. 'Magdalen! Surely, the grand old Bible name – suggestive of a sad and sombre dignity; recalling, in its first association, mournful ideas of penitence and seclusion – had been here, as events had turned out, inappropriately bestowed?'⁶ The question equivocates, inviting the practised reader to differ. 'Surely' it will instead turn out that the name signifies and the character who shares the name of Mary Magdalen, the outcast turned penitent sinner, will in the first instance pursue a life of vice, repeating the biblical figure's conventional promiscuity? As one source of income, the sex trade conventionally awaits a young, 'graceful', penniless Victorian woman. But, although Magdalen will become a kind of outcast, in the event *No Name* does not follow the path thus marked out for the practised reader. Or not exactly. One (overt) equivocation defers another (as yet hidden). According to the code of reference, her name signifies desirability, defiance of propriety and repentance; in the event, it will also mark an assembly point for the semes that constitute her 'character': nature, outside, wilfulness, subterfuge.

(24) 'We know it already,' she repeated, in clear, measured tones. 'Mr Vanstone's daughters are Nobody's Children; and the law leaves them helpless at their uncle's mercy.'

So, without a tear on her cheeks, without a faltering tone in her voice, she repeated the lawyer's own words, exactly as he had spoken them. Miss Garth staggered back a step. *ACT. Confrontation. **SEM. Wilfulness. ***SYM. Defiance of convention.

(25) *As soon as she could speak, she put the inevitable question. 'You heard us,' she said. 'Where?'*

'Under the open window.' *ACT. To hear. **SEM. Subterfuge. *** The disturbance outside the window is accounted for (HER. Disclosure). ****SYM. Antithesis between propriety inside and wilful subterfuge outside. Magdalen's wilfulness is aligned with nature but also deceit.

(ii) The will of Mr Vanstone the elder⁷

The daughters are now financially dependent on the good will (in a third variation on the meaning of the term) of their uncle Michael, their father's next of kin. But Michael had quarrelled with his father, Mr Vanstone the elder, who tore up the will that provided a legacy for Michael and remained apparently intestate. Mr Pendril takes up the story.

(26) *'The will which Mr Vanstone the elder had destroyed in my presence, had not been, so far as I knew, replaced by another. When I was sent for, in the usual course, on his death, I fully expected that the law would be left to make the customary division among his widow and his children. To my surprise, a will appeared among his papers, correctly drawn and executed, and dated about a week after the period when the first will had been destroyed.'* *REF. Chronology. The new will postdates the previous one and is therefore valid. **It is properly executed (SEM. Legality).

(27) *'He had maintained his vindictive purpose against his eldest son;'* *ACT. Betrayal of family values. **A legally valid will authorises vindictiveness. The law, hitherto treated as impersonal, aloof, indifferent to feeling, here serves as its instrument (SYM. Law in the service of emotion).

(28) *'and had applied to a stranger for the professional assistance which I honestly believe he was ashamed to ask for at my hands.'* *ACT. Making a will. **SEM. Subterfuge.

(29) *'Speaking in round numbers, the division of property, as settled by the will, stood thus. Before the mother's death, Andrew had seventy thousand pounds; [his sister] Selina had thirty-five thousand pounds; Michael – had nothing. After the mother's death, Michael had five thousand pounds, to set against Andrew's inheritance augmented to one hundred thousand, and Selina's inheritance increased to fifty thousand.'* *ACT. To leave

– inequitably, betraying family values. ** Exact figures are given again (REF. Money).

(30) ‘– *Do not suppose that I am dwelling unnecessarily on this part of the subject. Every word I now speak bears on interests still in suspense, which vitally concern Mr Vanstone’s daughters. As we get from past to present, keep in mind the terrible inequality of Michael’s inheritance and Andrew’s inheritance. The harm done by that vindictive will is, I greatly fear, not over yet.*’ *ACT. To leave – vindictively. **This has as yet unspecified implications for Andrew’s daughters, Mr Vanstone’s granddaughters (HER. Enigma). ***SYM. Law in the service of emotion does harm.

IX. WILL POWER

A will is, it turns out, appropriately named, an act of will on the part of the testator, and authorised, however wilful, by its legality. The law, devised to regularise the transmission of property, may in practice legitimise irregularity. As in this instance, a wilful will can have consequences for generations not yet born at the time of its making. The sins of the fathers are visited upon the children to the third and fourth generation. And in a society where inheritance determines an arbitrary division between capital and labour, wills have implications for the social structure, perpetuating or terminating at will lives of ease. Andrew Vanstone was rich because his father was rich. His daughters were due to be rich in their turn but a vindictive power exercised from beyond the grave leaves their place in society dependent on the good will of an uncle – or their own labour.

Andrew, the good brother, offered to divide his inheritance with Michael, but Michael would accept his share only as an acknowledgement of Andrew’s responsibility for his estrangement from the father. Since Andrew had no such responsibility, the will prevailed but Michael married money and left his son a fortune. In the light of their present destitution, Michael offers his nieces an insulting £100 each. Norah, the good sister, becomes a governess, thanks to the support of Miss Garth. Magdalen contrives under a false name to marry Michael’s sickly and unappealing heir, Noel Vanstone. But in Magdalen’s absence, Noel’s scheming (foreign) housekeeper unmasks the bride’s true identity to her husband’s dismay and humiliation. The housekeeper, Mrs Lecount, seizes her advantage.

(iii) Noel Vanstone's first will⁸

(31) *'I will put the question to you for form's sake, sir, if you wish it,' she proceeded. 'But I am already certain, without any question at all, that you have made your will.'**ACT. Confrontation. **Mrs Lecount's determined command of her employer reverses the customary power relations (SEM. Wilfulness). ***SYM. Defiance of convention.

(32) *He nodded his head without looking at her.*

'You have made it in your wife's favour?'

He nodded again. *ACT. Making a will. **Noel's will conforms to custom (REF. family values).

(33) *'You have left her everything you possess?'*

'No.'

Mrs Lecount looked surprised. *Has Magdalen's subterfuge failed, after all, to extract the totality of her husband's wealth? (HER. Enigma)

(34) *'Did you exercise a reserve towards her, Mr Noel, of your own accord?' she inquired, 'or is it possible that your wife put her own limits to her interest in your will?'*

He was uneasily silent – he was plainly ashamed to answer the question. Mrs Lecount repeated it in a less direct form.

'How much have you left your widow, Mr Noel, in the event of your death?'

'Eighty thousand pounds.'

That reply answered the question. *ACT. Disclosure. **The figure is specified (REF. Money).

(35) *Eighty thousand pounds was exactly the fortune which Michael Vanstone had taken from his brother's orphan children, at his brother's death – exactly the fortune of which Michael Vanstone's son had kept possession, in his turn, as pitilessly as his father before him.* *The figures match. REF. Money. **Magdalen has exacted her due from her humiliated husband. The legal transmission of property is pitiless in both instances (SYM. Law in the service of emotion).

X. THE UNPREDICTABILITY OF LAW

Magdalen's subterfuge has enabled her to claim rough justice through inheritance law but only at the risk of breaking marriage law. If either party makes application to the Ecclesiastical Court during the lifetime of both that one of them was married under a false name, the judges have power to annul the marriage.⁹ In other words, this will could be voided. Law does not so much lay down a body of precepts as exercise control by regulating conflicts. Wills could be challenged on a number of bases, with the effect of deferring inheritance and wasting estates in the process. Charles Dickens's *Bleak House*, for example, published nine years before *No Name*, is predicated on disputes about inheritance to be resolved or, in practice, protracted by the Court of Chancery. Chancery, which handled wills and trusts, notoriously consumed legacies, since court costs had first claim on available funds. From the point of view of the individual citizen, law was at once absolute, arbitrary and unpredictable.

(36) *Noel Vanstone's silence was eloquent of the confession which he was ashamed to make. His dotting weakness had, beyond all doubt, placed his whole property at the feet of his wife. And this girl, whose vindictive daring* *Magdalen's power to seduce overcomes her husband's reason, as did Eve's and Dalila's (REF. Woman as temptress). **Magdalen repeats the vindictiveness instigated by her grandfather's will and carried on by Michael's (SYM. Law in the service of emotion).

(37) *had defied all restraints – this girl, who had not shrunk from her desperate determination even at the church-door – had, in the very hour of her triumph, taken part only from the man who would willingly have given all! – had rigorously exacted her father's fortune from him to the last farthing; and had then turned her back on the hand that was tempting her with tens of thousands more!* *Magdalen has married for vengeance, not love (ACT. Betrayal of family values). **The figures match (REF. Money). ***Magdalen pits her will only against injustice (SEM. Wilfulness).

Mrs Lecount is impressed: as a schemer, she has apparently met her match. But there is a way to retaliate. As things stand, the wife who has deceived and shamed him has an interest in her husband's death. Noel must therefore make a new will that excludes her, this time dictated not by his wife but by the housekeeper, who claims to have his well-being at heart.

(38) *'When your will is made, sir,' proceeded Mrs Lecount, 'you must place it in the hands of a trustworthy person – not my hands, Mr Noel; I am only your servant! Then, when the will is safe, and when you are safe, write to your wife at this house. Tell her, her infamous imposture is discovered – tell her you have made a new will, which leaves her penniless at your death – tell her, in your righteous indignation, that she enters your doors no more.'* *ACT. Imperative to tell. **Magdalen is to be rendered destitute all over again. REF. Money. ***Noel must be resolute. SEM. Wilfulness. ****SYM. Law in the service of emotion.

(39) *'Place yourself in that strong position, and it is no longer you who are at your wife's mercy, but your wife who is at yours. Assert your own power, sir, with the law to help you – and crush this woman into submission to any terms for the future that you please to impose.'* *The wife is to be crushed (REF. Betrayal of family values). **The power to crush is inscribed in the legal document; a will is a legally backed assertion of will, however pitiless (SYM. Law serves emotion).

(40) *He eagerly took up the pen. 'Yes,' he said, with vindictive self-importance, 'any terms I please to impose.'* *This will is for the fourth time to act as an instrument of vindictiveness (SEM. Arbitrariness of law).

(41) *He suddenly checked himself, and his face became dejected and perplexed. 'How can I do it now?' he asked, throwing down his pen as quickly as he had taken it up.*

'Do what, sir?' inquired Mrs Lecount.

'How can I make my will, with Mr Loscombe away in London, and no lawyer here to help me?' *ACT. Hesitation to make a will. **Noel believes legal advice is necessary (REF. Customary practice).

(42) *Mrs Lecount gently tapped the papers before her on the table with her forefinger.*

'All the help you need, sir, is waiting for you here.' *The housekeeper supplants the lawyer (REF. Defiance of customary practice). **Legal advice is not necessary. A will, duly dated, signed and witnessed, has legal status if the testator is of sound mind (SEM. Arbitrariness of law).

(iv) Noel Vanstone's Second Will¹⁰

(43) *Mrs Lecount dictated the first paragraph, from the draft, as follows:*
*ACT. To dictate. **A will is understood to document the will of the testator, not his or her servant (REF. Breach of customary practice). ***Moreover, while this will could stand, it lays itself open to challenge on grounds of undue influence (SEM. Unpredictability of law). ****Could Magdalen on those grounds reassert the first will after all? (HER. Enigma)

(44) *This is the last Will and Testament of me, Noel Vanstone, now living at Baliol Cottage, near Dumfries. I revoke, absolutely and in every particular, my former will executed on the thirtieth of September, eighteen hundred and forty-seven; and I hereby appoint Rear-Admiral Arthur Everard Bartram, of St Crux-in-the-Marsh, Essex, sole executor of this my will.*

*ACT. Making a will. **REF. Chronology. ***Customary legal formalities replicated (SEM. Legality).

(45) *She gave him time to compose himself; and then, after first looking at her draft, dictated the second paragraph of the will, in these terms.*

I give and bequeath to Madame Virginie Lecompte (widow of Professor Lecompte, late of Zürich) the sum of Five Thousand Pounds, free of Legacy Duty. And, in making this bequest, I wish to place it on record that I am not only expressing my own sense of Madame Lecompte's attachment and fidelity in the capacity of my housekeeper, but that I also believe myself to be executing the intentions of my deceased father, who, but for the circumstance of his dying intestate, would have left Madame Lecompte, in his will, the same token of grateful regard for her services, which I now leave her in mine.

*ACT. To leave. **The exact figure is given and declared duty-free. Like Magdalen, her antagonist has calculated the precise sum due (REF. Money.) ***The vindictive motive for Mrs Lecount's scheme becomes clear: she lost the legacy due from Michael Vanstone. At the heart of this long novel resides a satisfying symmetry. Like Magdalen, the housekeeper is the victim of intestacy. In the absence of legal wills, two women assert their own wills in the second but related sense of the term (HER. Disclosure). ****Undue influence is confirmed but may not be revealed (SEM. Unpredictability of law).

(46) *The whole residue of my estate, after payment of my burial expenses and my lawful debts, I give and bequeath to Rear-Admiral Arthur Everard Bartram, my Executor aforesaid; to be by him applied to such uses as he may think fit.*

*ACT. To leave. **Due expenses are acknowledged (REF. Customary practice).

(47) *Signed, sealed, and delivered this third day of November, eighteen hundred and forty-seven, by Noel Vanstone, the within-named testator, as and for his last Will and Testament, in the presence of us –*

*REF. Customary practice. **The will is properly executed (SEM. Legality).

The bequest is cautionary. Noel Vanstone's true beneficiary is his unmarried cousin George Bartram, the Rear-Admiral's son. But, in the event of Noel's death, Magdalen must be prevented from completing her design by marrying George. George must not, therefore, be named in the will. Instead, a secret letter, addressed to the Admiral, will disclose the identity of the chosen legatee. According to the letter, the condition of George's inheritance is that he be married within six months – but not to a widow. The supplementary letter is written; the will is duly witnessed and both are conveyed to the executor. But Mrs Lecount has reckoned without the family lawyer, who, on Noel's death, is puzzled by the chronology of his two consecutive wills. The first, made on 30 September, left his wife £80,000, while on 3 November, she was to inherit nothing. This could offer grounds for contesting the will. But, since she married Noel under a false name, Magdalen declares a court case out of the question. Undeterred, the astute Mr Loscombe then pursues another line of enquiry. He writes to her from his office in Lincoln's Inn.

(48) *Be so kind as to look at your copy of the document. You will find that the clause which devises the whole residue of your husband's estate to Admiral Bartram, ends in these terms: to be by him applied to such uses as he may think fit. Simple as they may seem to you, these are very remarkable words.*

*ACT. To tell. **REF. Authority belongs to the man, the professional, the lawyer. ***What is remarkable here? (HER. Enigma)

(49) *In the first place, no practical lawyer would have used them, in drawing your husband's will.*

*REF. Breach of customary legal practice. **SEM. Authority of lawyer restored.

(50) *In the second place, they are utterly useless to serve any plain straightforward purpose.*

*The law is plain-spoken: its words serve an overt purpose. These words have some other design (SEM. Subterfuge). **SYM. The legal will seems to be implicated in duplicity.

(51) *The legacy is left unconditionally to the admiral; and in the same breath he is told that he may do what he likes with it!*

*HER. Disclosure. The remarkable words are redundant.

(52) *The phrase points clearly to one of two conclusions. It has either dropped from the writer's pen in pure ignorance – or it has been carefully set where it appears, to serve the purpose of a snare. I am firmly persuaded that the latter explanation is the right one. The words are expressly intended to mislead some person – yourself in all probability –*

*ACT. Disclosure of a subterfuge. **SYM. Duplicity of law.

XI. THE SNARE

In this instance the classic text constructs itself by incorporating its own procedure into the plot. The text composed of language practises duplicity. It entraps the reader by equivocation, encouraging false inferences, while masking the clues it provides, naturalising them as simple or merely informative when they are in fact remarkable. It thus practises the subterfuges it also describes in order to delay the disclosure of the secrets that constitute its enigmas. Seemingly innocent, the redundant phrase gives grounds for suspicion, offering the lawyer (like the reader) a role as detective.

(53) *and the cunning which has put them to that use, is a cunning which (as constantly happens when uninstructed persons meddle with law) has overreached itself.*

*ACT. Disclosure of a subterfuge. **The attempt to circumvent law is itself dangerous (SEM. Authority of law).

(54) *My thirty years' experience reads those words in a sense exactly opposite to the sense which they are intended to convey. I say that Admiral Bartram is not free to apply his legacy to such purposes as he may think fit –*

*The lawyer-turned-detective reads the written text (ACT. Interpretation). **Texts carry antithetical meanings, according to interpretation (HER. Equivocation). ***SYM. Duplicity of law.

(55) *I believe he is privately controlled by a supplementary document in the shape of a Secret Trust*

*ACT. Disclosure. **The supplementary document subverts the open provisions of the will (REF. Subversion of law – by law). ***The supplementary document is secret (SYM. Antithesis between public and private, open and secret).

XII. '... THAT DANGEROUS SUPPLEMENT ...'

It already appears that Wilkie Collins must have read Roland Barthes. Has he read Jacques Derrida too? Not, it seems in full. Derrida discusses the logic of the supplement in *Of Grammatology*, where his ultimate target is a mode of reading in search of an impossible presence, metaphysics as the doomed quest for the truth of the sign. Even so, Derrida's analysis casts incidental light on the secret trust that controls Noel Vanstone's second will. A supplement fills a gap. When an addition is brought in from outside to complete a design, it indicates that something was missing. The supplement is therefore dangerous to the degree that it exposes a deficiency.¹¹ A will that needs a supplement falls short of authorising the transmission of property. By legitimating secret trusts, the law licenses subterfuge and facilitates, in the process, arbitrary and unpredictable outcomes.

Thus alerted, Magdalen sets out to find the supplementary letter, taking work, still under a false name, as a servant at St Crux. She fails but is rescued from destitution by the heroic intervention of a Romantic sea-captain. Meanwhile, George Bartram has married Norah for love – unwittingly becoming in the process Noel Vanstone's legatee. 'Norah, who had patiently accepted her hard lot; who, from first to last, had meditated no vengeance, and stooped to no deceit ... had married the man who possessed the Combe-Raven money'.¹² It is Norah who, by chance, finds the secret trust. But Magdalen tears the letter to pieces throws it on the fire and returns to her sister.

(56) *She came back to the sofa, and laid her head, with a deep sigh of relief, on Norah's bosom.* *ACT. Penitence. **SYM. Antithesis between patience and vengeance. ***SEM. Securing unearned income by subterfuge has in practice led to hard and unrewarding labour and the projected reversal of power relations has ended in failure. ****REF. Retirement from labour.

(57) *'I will owe nothing to my past life,' she said. 'I have parted with it, as I have parted with those torn morsels of paper. All the thoughts, and all the hopes belonging to it, are put away from me for ever!'* *ACT. Penitence. **REF. Retirement.

(58) *'Magdalen, my husband will never allow you; I will never allow you, myself –'*

'Hush! hush! What your husband thinks right, Norah, you and I will think right too. I will take from you, what I would never have taken, if that letter had given it to me. The end I dreamed of has come. Nothing is changed, but the position I once thought we might hold towards each other. Better as it is, my love – far, far better as it is!' *ACT. Penitence rewarded – by money. **This money is acquired legitimately, through a sister's romantic marriage and sibling love (REF. Family values restored). ***SEM. Triumph of properly directed emotion.

(59) *So, she made the last sacrifice of the old perversity and the old pride. So, she entered on the new and nobler life.'* *ACT. Reformation. **REF. Customary moral values confirmed.

XIII. THE PENSIVE TEXT

Sarrasine concludes, 'And the Marquise remained pensive', permitting a reflection on the capacity of the classic text to withhold final closure – in terms not so much of plot (we more or less know what happens) but rather of meaning (we are not always sure what to make of it). In the case of *No Name*, Magdalen regains her virtue by accepting wealth gained legitimately at the hands of the good sister, who took a job as a governess and innocently married the man who had equally innocently inherited Combe-Raven. The alternative for women to inheritance as a source of unearned income is marriage – and other nineteenth-century novels depict the unpredictability of the marriage market. Norah recovers wealth by a morally and legally endorsed marriage. Magdalen had set out to regain her

due by an immoral and legally precarious marriage based on subterfuge. When the realist novel borrows from romance to resolve the plot, the social and ethical questions it raises put pressure on this resolution. Romance only mimics the arbitrariness of inheritance law. Norah submits to her fate and takes honest work; she is both virtuous and lucky. Magdalen works equally hard to challenge legally authorised injustice – and is equally lucky.

In showing her repentant, the novel appeases conventional morality. But does conventional morality survive unscathed? Was it against nature to fight for her rights by deception, when the plain truth of law, custom and family values left her no redress? What *is* the virtuous course when law upholds injustice? The romance ending carefully reinstates the oppositions between virtue and vice, propriety and disorder, law and anarchy that the story has so signally disrupted. It is characteristic of the classic text to arouse the reader's desire for the restoration of justice but where does justice lie? When we ask this long, elaborate novel, for its final judgement on law as the instrument of good order, it does not reply, 'giving meaning its last closure: suspension'.¹³

XIV. THEN AND NOW

And perhaps, beyond that, it leaves in suspension a broader question concerning inheritance as the foundation of social class. In the nineteenth century one way of life relied on wealth transmitted by descent or by marriage. Balzac's novella showed an inherited fortune founded on the violence of castration. Things are surely different now? After all, as Balzac's story itself points out, boy singers are no longer castrated to preserve their soprano voices. And yet ... Suppose the Vanstone property of Combe-Raven in Somerset was originally built on the proceeds of the slave trade? In one sense the conjecture is absurd: Combe-Raven is fiction and the novel suggests no such thing. But a number of the house's real-life counterparts offered rural retreats for Bristol merchants at a sanitising distance from their place of work.¹⁴ To this day, prosperity remains rooted in varieties of violence all over the world.

No Name depicts a society where a life of ease depends on the arbitrariness of unearned, inherited wealth.¹⁵ Surely, we now live in a meritocracy, where wealth is earned by skill and talent? In practice, however, inherited wealth remains decisive in preserving inequality.¹⁶ Twenty-first century assets are still passed on by will and secret trusts remain an option in inheritance law. True, capital is now more widely distributed than it was in 1850. In most Western countries, the spread of

home ownership and relatively stable returns on investments have generated a proprietary middle class. But roughly half the population still owns virtually nothing.¹⁷ In the UK in particular, the withdrawal of economic support for students and the inflation of house prices has meant that gifts and bequests from parents play an increasing part in deciding who will go on to own property and who will not.

Meanwhile, inheritance tax has consistently fallen since the 1970s. Family values, however wilfully exercised or betrayed, still underlie the perpetuation of family fortunes. In the UK, when George Osborne promised that the Conservatives would raise the threshold for estate duty in 2007, the Labour Prime Minister Gordon Brown decided against a snap election. In 2015 George Osborne repeated his promise and the Conservative Party won an outright majority. Will power is naturalised when it is proposed that care for the elderly should be funded from taxation to protect their right to bequeath their property intact. The implication is that those who earn their living should pay for the acquisition of unearned income, even if this amounts to no more than an entitlement to live rent-free. The process redistributes income from the poor to the rich.

No Name does not explicitly question the structural inequality that besets a society where wealth accumulates because the rate of return on capital grows more rapidly than wages. But it does foreground the arbitrariness of a system of inheritance still supported, with only minor changes, by law. Perhaps that, in the end, is what is now likely to leave *No Name's* reader pensive.

Notes

- ¹ Roland Barthes, *S/Z*, trans. by Richard Miller (London: Cape, 1975), p. 11.
- ² For example, I have not numbered the actions or enigmas, since my compass is so much narrower than *S/Z*'s.
- ³ My thanks to Susie Paskins for *No Name* and Colin Quinney for *Capital in the Twenty-First Century*.
- ⁴ Wilkie Collins, *No Name*, ed. by Mark Ford (London: Penguin, 2004), pp. 93, 95, 96-97, 109-10, 113-14.
- ⁵ Thomas Piketty, *Capital in the Twenty-First Century*, trans. by Arthur Goldhammer (Cambridge, MA: Harvard University Press, 2017), pp. 134, 257-59.
- ⁶ Collins, *No Name*, p. 9.
- ⁷ Collins, *No Name*, pp. 99-100.
- ⁸ Collins, *No Name*, pp. 454-55, 457.
- ⁹ Collins, *No Name*, pp. 415-16.
- ¹⁰ Collins, *No Name*, pp. 459, 461-62, 465, 488-89, 607.
- ¹¹ Jacques Derrida, *Of Grammatology*, trans. by Gayatri Chakravorty Spivak (Baltimore, MD: Johns Hopkins University Press, 2016), pp. 153-78.
- ¹² Collins, *No Name*, p. 598.
- ¹³ Barthes, *S/Z*, p. 217.
- ¹⁴ Madge Dresser, 'Slavery and West Country Houses', in *Slavery and the British Country House*, ed. by Madge Dresser and Andrew Hann (Swindon: English Heritage, 2013), pp. 29-42.
- ¹⁵ Miss Garth's features show the hardship of a working life. The novel centres on women, who are most obviously debarred from respectably earning a comfortable living. But other novels of the period before the First World War, most notably *Middlemarch* (1871) and *The Wings of the Dove* (1902), indicate that the earnings available from the professions open to men are not always adequate to support a family in comfort.
- ¹⁶ Piketty, *Capital*, pp. 29, 307, 364. At the upper end of the scale and globally, 'inherited wealth accounts for more than half of the total amount of the largest fortunes' (p. 561).
- ¹⁷ Piketty calculates that, in the developed countries in 2010, 50% of the population owned 5% or less of total wealth; the wealthiest 10% owned more than 60%, while those in the middle 40% owned between 5% and 35% (p. 425). There has been no reduction in inequality since then.

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