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"A Dowry of Suffering": Consent, Contract, and Political Coverture in John W. De Forest's Reconstruction Romance

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In 1867, John W. De Forest, the newly appointed district chief of the Freedmen's Bureau in Greenville, South Carolina, expressed regret for what he perceived to be the overly harsh and coercive nature of federal Reconstruction policy. As a Union army veteran who had served as both soldier and correspondent under Generals Butler, Phelps, and Sherman, De Forest's concern for Southern rights and liberties under Reconstruction seems at first glance surprising in light of the oft-reported narrative of deep postbellum hostility between Northerners and Southerners. In fact, however, De Forest joined a number of Americans who sought to achieve a national reconciliation based on some form of mutual consent and affection between the former warring parties. Inspired by what he believed to be the need for a more equitable rapprochement between North and South, De Forest engaged in numerous literary ventures to advance themes of intersectional reconciliation.

De Forest's experience as a soldier, a Department of Defense agent, a congressionally appointed Reconstruction deputy, and a Northerner whose wife had deep Southern ties gave him a broad vantage from which to evaluate the possibilities for national reconciliation. By the late 1860s, he had come to oppose congressional radicals' punitive Reconstruction agenda, sternly warning Northern readers about the bleak prospects for a nation reconstructed in form but not in function, "in head but not in heart." For De Forest, employing conventional instruments of political allegiance—mandated loyalty oaths, revised and coercively ratified state constitutions, and prescribed ballot outcomes—merely

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disguised postwar sectionalism and did little to heal the national schism. In his memoir *A Union Officer in the Reconstruction* (c. 1867–85), he acknowledged that federal policy may have used proper legal and civil standards to coerce Southern consent but lamented that neither those who experienced nor those who enforced such coercion would perceive it as the democratic rule of law.[1] National reconciliation, he argued, required a unified vision of the nation as family, not a citizen obligation based on ineluctable economic and political ties. A "heartfelt" reconciliation required consent through a gentle wooing of a "frail and conquered region"; coerced obligation only suppressed, even as it heightened, sectional animus.

De Forest's growing concern with what he perceived to be Congress's unduly authoritarian contractual formalism led him to engage one of the most vexing dilemmas of modern political theory: the nature of the contract between citizen and state. De Forest, echoing the sentimental turn of his time, increasingly looked askance at coercive understandings of social contract, searching instead for a model of obligation that would promote a more meaningful restoration of the national family's severed bonds. Alongside this evolution came a shift in the tone of his journalism from terse, descriptive editorials to passionate sentimentalism in his last political essays. His concerns about national healing emerged soon after the war's end. In 1867, while Acting Assistant Adjutant General in the Veteran Reserve Corps, he turned to a popular genre of postbellum reconciliation romance with the publication of *Miss Ravenel's Conversion from Secession to Loyalty* (1867). De Forest found the sentimental particularly salient for staging the contradiction of consent and coercion at citizenship's core.[2] Many writers, Northern and Southern, sought to bridge the national schism by crafting allegories of national unification that drew on sentimentalism's broad diffusion throughout American culture. While these writers' diverse politics presented competing visions of national reconciliation, they all shared a desire for just that end.

The use of marriage as a model for social contract provided the most significant unifying theme of all reunion romances. These novels each partook in a tradition of political analogy that used marriage to represent how either the citizen or the state, like the spouse, consents for life to a binding obligation. For De Forest, romance plots of love and self-sacrifice engaged theories of social contract, helping readers imagine the political subject who agrees to be contractually bound. His 1881 romance, *The Bloody Chasm; or, the Oddest of Romances,* provides one of the most sophisticated illustrations of how postbellum accounts of citizenship integrated

romance and contract, consent and coercion, and the political and the literary. Illustrating the political service into which national reconciliation pressed literary narrative and genre, De Forest's novel brought new legal and affective reality to the allegory of marital consent that had dominated constitutional theories of political obligation since the seventeenth century. In the nuptial contract—at the core of romance—De Forest found a compelling model of citizenship that expressed national devotion, but transcended crass economic ties, the social contract's emotionally stunting legal formalism, and the lamentable ethics of a civic allegiance based on rational self-interest and coercion.

Within postbellum sentimentalism, De Forest's work offered a uniquely rich and suggestive vision for postwar reconciliation because of its deep immersion in the contested legacies of seventeenth-century social contractualism. Political histories examining the ante- and postbellum "reconstruction" debates have traditionally focused on these very legacies—primarily Locke, Hobbes, and Harrington as the reputed pillars of American constitutionalism. Social contractualism posits rational self-interest as the motivation for the citizen's political obligation: the rational citizen consents to enter a social contract out of fear of violent death or for the protection of property.[3] Reconstruction closely approximated conventional contractualism in its use of military force and property expropriation to coerce Southern states and citizens back into the national pact. Yet to view postbellum reconciliation solely as an achievement of coercive social contract overlooks competing narratives of contract and consent, obscuring the complexity of political obligation. Contesting the supremacy of rationalism, reason, self-interest, and common sense by appealing to the romantic impulses of passion, intuition, sorrow, insanity, and erotic love, proponents of postwar reconciliation like De Forest seized on alternative discourses of civic obligation that rejected theories of external motivation compelled by self-interest in favor of internal motivations for consent based on self-denial and public interest. De Forest believed that national reconciliation could best be achieved by citizens' self-disciplining love, sympathy, and sacrifice for each other, and that in learning to be worthy of another's sacrifice they would come to understand their proper national obligation.

De Forest's politics and his art reveal an alternate genealogy for sentimentality that foregoes its common identification with what Ann Douglas has called in the title of her book the "the feminization of American culture," and the escapism, conservatism, anti-intellectualism, dishonesty, and debased religiosity with which critics have associated it for decades. Early modern polit-

ical philosophy and legal theory of contract profoundly informed De Forest's sentimentality, which emerged as a response to the Civil War's devastation. Lauren Berlant, Shirley Samuels, Jane Tompkins, and other critics have suggested that sentimentalism furnished nineteenth-century women writers with an innovative, sometimes progressive language for political and social reform.[4] But like Bruce Burgett, Russ Castronovo, Mary Chapman, Glenn Hendler, Dana Nelson, and other recent critics of male sentimentality, I argue that men not only participated as producers and consumers of sentimental discourse but, in the case of De Forest, embraced it as a "practical consciousness" with which to revise the very meaning and practice of citizenship (Chapman and Hendler 9).[5] By marrying the affective strategies of romance to his political critique of Reconstruction, De Forest became a sentimental man, turning for his mechanism of civil union from martial passions of fear, anger, and pride to domestic sentiments of duty and sacrifice. In this sense, De Forest's work documents the inroads that antebellum domestic ideology made on normative conceptions of both the social contract and the Hobbesian male virtues with which it had been identified.

1. De Forest's *The Bloody Chasm*

De Forest's literary career began with the production of fiction and early Civil War essays rooted in conventional political discourse, but quickly turned to sentimental portrayals of family in his postbellum romance novels. This shift of genre reflected his changing perspective on war. If in his Civil War correspondence he viewed the Union army as a rational, judicial, and procedural instrument of moral authority, in his postbellum romances he came to see the war as a "drama of insanity," the irrational and tragic failure of each side to subordinate regional self-interest to the greater welfare of the national family.

The Bloody Chasm best exemplifies De Forest's politically infused sentimentalism. The novel begins with Silas Mather, an elderly Northern aristocrat, traveling with his nephew, Colonel Harry Underhill, to South Carolina to assist his deceased wife's Southern niece, whom the war has reduced to poverty, along with her aunt and two black servants. The Northern uncle finds the aristocratic Virginia Beaufort, her aunt, and the servants, Uncle Phil and "Mauma" Chloe, living in a slave hutch. Seizing upon Virginia's destitution as an opportunity for "converting" his "rebellious niece to unionism" (18), Silas Mather arranges a marriage between Virginia and Harry Underhill. As an inducement,

the ailing uncle leaves half his fortune to Virginia on the condition that she marries his Yankee nephew. Desperate, she agrees, but on one condition. She will only marry Underhill incognito, never to lay eyes upon him either before or after the marriage. From a staged set of obstacles that the Northern groom must overcome to win his Southern wife's affection and loyalty emerges the plot of sectional reconciliation.

De Forest's reunion romance offers a political allegory of the citizen contract with the federal state under Reconstruction. A war-orphaned and impoverished Southern woman must marry a young Union army officer whom, as her conqueror, she despises. The "chasm" of the title thus figures both an intersectional and a nuptial breach. At the romance's core are Reconstruction's essential questions: Can the citizen-as-spouse divide his or her duty between two sovereigns? And what amounts to consent freely given and consent coerced? Forced to wed a Northerner with whom she refuses to speak, even at the altar, Virginia informs her family of her sacrificial intent: "I shall say I consent" (98). Anxious that the marriage be absolutely legal in form, she frames her consent in precise legal language so that it both becomes the trigger for contract and allows for each party's "free" volition. Virginia's aunt, for her part, seizes on the precise term of Virginia's rhetorical equivocation: "Yes, say *consent*—that is the very word." The casuistical inference in the repetition of "say" before "consent" underscores the vexing problem with a postbellum model of political obligation predicated upon an individual's free consent. After all, what chance did a reconstructed nation have of securing the true obligation of a people whose consenting tongues belied dissenting hearts?

The nuptial ceremony occurs in a darkened church between a bride and groom who have never met and who part after the wedding, agreeing never to see each other again. But Underhill falls in love with his wife and returns under the identity of a Confederate veteran colonel from Virginia to win her affection. By learning about Virginia's grief, about the loss of her four brothers and sister to the war, and, in turn, by sharing his own grief for family who died preserving the Union, Underhill learns how soldiers from both sides sacrificed their lives, not for the preservation of a particular culture, but ultimately for unborn generations of Americans to come—the posterity of the reunited nation. As Underhill wrestles with the extent of American sacrifice, Virginia travels to Paris with her aunt and two servants. There she encounters other Southern expatriates, whose own disloyalty to the Union and status as divorcees prompt her to consider both what it means to be a citizen and a spouse. Publicly courted by her disguised husband,

Virginia falls in love and confronts the possibility of a polygamous relationship, a divided loyalty that mirrors the Southerner's torn allegiance between the sovereignty of region (or state) and nation.

For Virginia, as for the South, marriage was not open to the possibility of consent. Reconstruction was nothing short of a shotgun wedding. Joel Bishop, the best-known nineteenth-century American jurist, restated the popular analogy between nuptial and social contract when he asserted in his landmark 1852 *Commentaries on the Law of Marriage and Divorce* that "consent is the essence of marriage, without which it cannot exist" (95).[6] Believing that Americans were better informed about their political liberties than their nuptial rights, he drew a parallel between the citizen's political obligation and a spouse's marital duty: "A government which should compel people into matrimony without their consent, could not be endured" (95). Grounded in the seventeenth-century correlation between nuptial and political obligation, Bishop's explanation unwittingly underscored the vexing question of consent's meaning and duration that had haunted social contract discourse since its inception. Seeking to reconcile the North and South through romance, De Forest posed solutions to this thorny constitutional issue. *The Bloody Chasm* ultimately explores the proper balance between sovereignty and subordination, consent and coercion, and subjection and subjectivity in both nuptial and civic relationships. By making a political analogy that genders the citizen, male or female, as a bride of the state, De Forest's allegory of union offers an alternative motivation for contractual obligation and thus an argument for allegiance to a sovereign nation above the citizen's loyalty to either region or state. Like the postbellum tradition of reunion romance of which it was a part, his novel staged the domestic crisis as a misunderstanding among family members who, while deeply ethical, compassionate, and loyal, were also misinformed, distrusting, and self-absorbed.

2. The Re-Union Romance

The Bloody Chasm arose within a genre of reunion-romance novels that became popular in the late antebellum period. Epitomized by Caroline Hentz's *The Planter's Northern Bride* (1854), these stories sought to bridge increasingly political and regional tensions through love plots that healed the national schism with marriages between Northerners and Southerners and their hybrid "national" children born of the intersectional union.[7] These tropes remained central to postbellum reunion novels, but with an im-

portant difference. The antebellum reunion romance held out the hope of reconciliation in the allegory of young lovers whose passion for each other overcame regional prejudice and averted a war. Postbellum romances attempted to explain the war as a struggle over misdirected family loyalties between young lovers, usually between a masculine North and a feminized South. By transfiguring the conflict's political dimension as marital tensions, *The Bloody Chasm* alters the terms of the rift by shifting the ground on which it is fought. Influenced by more than a decade of house-divided and fratricide rhetoric, as well as the infamous December 1860 Senate debates about Union as marriage, De Forest reduced the complexity of political sovereignty to the question of what constitutes meaningful spousal obligation. The key difference between the reunion-romance tradition and De Forest's revision centers on the placement of marriage in the narration of the social bond. The traditional version resolves the conflict with marriage, the conventional ending of a romance novel, while De Forest's version takes marriage itself as the site of conflict and therefore the starting point of social innovation rather than its consummation. After the Civil War, the baggage that North and South brought to their reunion was filled not with hope but rather, as De Forest repeatedly suggests, "a dowry of suffering."

Romancers employed the language of family to diminish historical arguments for secession, attempting to defuse partisan passions by transfiguring them through a sacred idiom held apart from the crass or corrupting world of business and politics. As an affect-saturated institution, romancers believed that family evoked our deepest feelings, constituting an emotional zone beyond the rational ken of the political. Essentially, reunion romancers attempted to light a backfire that would draw upon and consume the emotional resources fueling the firestorm of postbellum sectionalism. Political animus came, at least in theory, to be experienced as an emotional conflict at the sacred site of the domestic. By encouraging readers to identify with heroes and heroines whose self-sacrifice and suffering rose out of the pressing exigencies of the war, romance provided a sense of belonging and therapeutic completeness. Intensified by the novel's historical verisimilitude, the reader's identification was meant to annex private feeling to the national imaginary, transforming the reader's most intimate emotions into a broadly ritualized expression of a larger collective membership. Thus, as a kind of implicit contract, nineteenth-century romance held out the promise, as Berlant suggests, that "inspired art can produce a transformative environment toward which the fallen social world can aspire" (638).

Reunion romancers operated in the confidence that pas-

sions—love, desire, and suffering—ruled human emotions. Still influenced by eighteenth-century faculty psychology, Hentz, De Forest, and other romancers shared their elder contemporary Alexis de Tocqueville's belief that the power of affect could alter the social by transforming private pain into national feeling. Edmund Burke, following Locke, had earlier laid the foundation for their worldview, theorizing that in literature tragic themes of family violence, self-sacrifice, and unmerited suffering animated human passions above real life events, because "certain dispositions of words, which being peculiarly devoted to passionate subjects . . . touch and move us . . . and we yield to sympathy, what we refuse to description" (160).[8] As the regnant topoi of the reunion-romance tradition, imperiled love and themes of fraternal violence, insanity, and grief were believed particularly affecting because emotions mediated through the idiom of family were thought more authentic than the rational, abstractly calculated responses to war invoked in the political sphere.

While antebellum romances such as Hentz's sought to arbitrate regional political differences—particularly views on slavery and federalism—by representing them as the product of renegade Northern radicals, the postbellum romance sought to subordinate all differences to the larger theme of national sacrifice and suffering. John Fox, Jr., the postbellum Kentucky novelist, for example, wrote stories about interregional lovers whose budding romances were blighted by the onset of war. Even the postbellum stage took up the business of reconciliation through the reunion-romance trope. Few plays aroused greater enthusiasm nationwide than those that gave dramatic form to the theme of love triumphant over sectional barriers—like Augustin Daly's *Pique* (1871), Bronson Howard's *Shenandoah* (1888), and David Belasco's *The Heart of Maryland* (c. 1878).

In these thinly veiled political allegories, each lover corresponds to a particular region, and in the end, each couple's marriage represents the national Union reconstructed.[9] While a casual reading of these narratives might suggest a traditional gendered binary between an aggressive, masculine North and a weak, feminine South, a careful analysis reveals that the structure of power in postbellum narratives was far more complicated and dynamic. Although the male protagonist usually represented the North and the female the South, the gendered relationship is not one of strength courting frailty, but rather, of a masculine but vulnerable North wooing a feminine but strong South. By revising conventional understandings of nuptial power relations, romancers performed important cultural work by depicting both regions as self-sacrificing subordinates, brides, in fact, through their sentimental

devotion to a masculine federal sovereign. In creating representations of marriage in which both husband and wife suffer for each other and, ultimately, the nation, romance narratives transformed their postwar status as victor and vanquished to that of sentimental companions jointly struggling to meet their greater obligations to a reconstructed and masculinized nation-state.

Whatever the specifics of postbellum romances, they always concluded with the larger theme of marriage symbolizing the national Union reconstructed. By focusing on love and duty to a loosely personified centralized sovereign, they dramatized Lockean structures of power and gender in postbellum political and social discourse. These novels emphasized not lingering regional animosities, but the common tragedies each had suffered. These narratives staged elaborate plots in which love, sorrow, and grief-induced insanity transcended (or obscured) racial and cultural difference, interregional animosity, sectional ideology, and ultimately even internecine conflict.[10]

Romancers' complex and subtle political sentiments rested on the idea that passionate emotions, unlike political views and cultural difference, were universal. Tocqueville, for instance, adopted Burke's theory of literary sentimentalism as the tool of nationalism (and colonial unrest), and identified sympathy as key to creating "lasting ties" capable of bridging the differences that historically localize and isolate individuals (book 2: 175).[11] Anticipating the postbellum romance's promotion of the universal nature of suffering, he held that sympathy leveled, and thus democratized, social institutions, for "when all ranks of community are equal," he writes, "as all men think and feel in nearly the same manner, each . . . may judge in a moment the sensations of all others" (book 2: 176). While nineteenth-century romanticism had challenged the Enlightenment claim of universal reason, the passions or emotions, having been discredited by rational empiricism, remained largely outside the purview of an increasingly science-oriented epistemology. In his model of national identification—evoked as the ethical response to another's suffering—Tocqueville argued that we are bound to another through pre-socialized, prerational impulses. His study of American citizenship rendered the rational bonds of social contract as universal, suprarational instincts by which individuals forge through identification what Berlant, in a similar context, calls "pain alliances" (635). "There is," Tocqueville attests in the idiom of Rousseau, "no wretchedness into which one cannot readily enter and a secret instinct reveals to him its extent. . . . Imagination puts him in their place: something like a personal feeling is mingled with his pity, and

makes himself suffer while the body of his fellow-creature is in torture" (book 2: 176).

Romancers believed that collective suffering could offer a unifying structure of experience more profound than regional identities. The reunion genre promoted the irony that by causing a common suffering, a war born in cultural fragmentation could ultimately unite North and South. Through its suffering and hardship, reunion romancers claimed that the war generated a homogenizing national culture. Henry Ward Beecher, the era's most influential preacher, verbalized the Civil War's potential as a unifying experience when he claimed in his nationally published sermon, "The Sources and Uses of Suffering" (1875), that those who survived the war sacrificed more than those who died upon its "crimson fields" (160). Beecher transformed every American from spectator of tragedy to participant by evoking a relationship between the citizen and state in romance's sentimental idiom. "The sufferers in the great war," he declared, "were not those who bled on the battlefield. The drops that fell on the hearthstone were more and bitterer than those that fell on the field of battle. Not he who haply was a martyr in the cause of his country, but they that lived to mourn, suffered most—by their social connection, not only, but by their civil relationship" (161). Shifting the site of suffering from the battlefield to the hearth, Beecher collapsed the relationship between spouses with the relationship between citizens and nation. He thus transformed the grief for lost soldiers into a reflex of domestic sympathy: the grief of the spouse for her martyred husband, the suffering of the citizen for the imperiled commonwealth.

The emotionalized rehearsal of casualty statistics became one of reunion romances' distinguishing features and dominated the sentimental rhetoric of suffering. More than 500,000 Americans died in the Civil War, and many more were crippled, maimed, or injured. This genre's characters dwell often on such tragedies, as Colonel Underhill does in *The Bloody Chasm* when he laments that all Americans have some personal connection to the war's devastation. Such statistical claims bridged the fictional world of romance with readers' realities, suggesting that personal loss prepared one to share in and identify with a larger national community of suffering. As Berlant suggests, practitioners of nineteenth-century romance hoped that the "sentimental could promote individual acts of identification based on collective group memberships," not through a homogeneous sense of citizenship, but through "the capacity for suffering and trauma at the citizen's core" (636). In this way, romancers believed that the production of sentimentalism would initiate a repetition of the reader's past

suffering—an act of literary engagement that would injure the reader and thus connect him or her to the collective national trauma. This is precisely why Beecher repeatedly reorients the site of suffering from the bodies of the battlefield martyrs to the bodies of his readers. Later in the sermon, for instance, he declares that "[i]n the great war . . . many thousands and hundreds of thousands suffered exquisitely, without fault of their own, simply because they were joined to the commonwealth! When the commonwealth suffered, they suffered" (160). Beecher's point becomes explicit in De Forest's romance allegory where the grieving spouse, not the martyred soldier, stands as the paradigm of citizenship.

Such narratives that through their verisimilitude tap into, and thus authenticate, a reader's personal sorrow, as Tocqueville suggested, most effectively promote his or her empathy with the suffering of others. In producing sympathy, the reunion romances render the reader's body a site of federal integration, a meaning that registers the platonic resonance of *sympathy* as a union or correspondence "between two persons, such that disorder, or any condition, of the one, induces a corresponding condition in the other" (*OED*). The reader, romancers held, overcomes the finitude and isolation of the personal by engaging in a community-wide ritual that transforms the singular body into the embodiment of a larger social meaning. Taken together with Burke's affective theory of the literary, Tocqueville's linking of the sentimental with citizenship attests to why romancers such as De Forest operated in the faith that the norms of romance and reading could harness subjectivity to political agency.

Exploiting the affective potential of suffering, the reunion romance employed the sentimental novel for purposes of civic pedagogy. This romance tradition argued that human feeling was a more effective source of political obligation than rational self-interest. These novels developed both sides of the political analogy of modern marriage: the nuptial contract figured the individual's consent to the social contract, while erotic love became a metaphor for how political obligation (or subjection) was transformed into a willing duty to and self-sacrifice for another. Filtering scenes of interregional suffering through a lens of domestic sentimentalism, *The Bloody Chasm,* like Beecher's sermon, idealizes the wedded couple's unity—or yearning in its absence—as the social mirror of the citizen's engagement to the state. The political obligation to the state fulfills the conjugal desire for the other. In this sense, romances' standard allusion to social contract is both figurative and literal. They used marriage to model a reconstructed relationship between federal and state governments

that dated back to Hobbes's and Locke's debates about sovereignty. They took no chance that the reader might miss the connection between nuptial and social contract, often weaving the seventeenth-century social contract debates into the fabric of their myths of national origin.

Reunion romances repeatedly referenced the English Civil War in exploring questions of political obligation. In doing so, they linked American history and the nation's destiny to a distant, romanticized family conflict and the Reconstruction crisis to the political debates that rose from it. In Belasco's *The Heart of Maryland,* for example, Maryland Calvert, the Southern heroine betrothed to a Union officer, defends her family's Confederate loyalty by tracing its cultural heritage and Cavalier allegiance (announced by her anagramatic name) to the English Civil War, in which her ancestors fought on the side of Charles I. The analogy was a Southern favorite in US congressional debates on the eve of secession. Just as the Puritan Parliamentarians who rejected the Stuart divine-right doctrine had waged war on the Royalists—treading on law and custom to usurp sovereign authority—so, the argument goes, their New England descendants had declared war on the South as a federation of sovereign states.[12]

De Forest's incorporation of this Southern argument in *The Bloody Chasm* registers his attempt to be evenhanded, while locating his novel's own plan for reconciliation in the current of antebellum congressional debates. In a gesture to his ancestral namesake, Silas Mather, the Northern protagonist's rich uncle, refers to himself as a "New England Puritan" (25). His nephew, Underhill, bears a name popularized in New England Revolutionary fiction and drama, a name associated with his Puritan namesake who led the Bay Colony's 1636 campaign against the Pequots. On the other side, the Southern niece epitomizes her Cavalier lineage. Named both for the symbolic and political center of the Confederate South and for the first South Carolina county captured by the Union, Virginia Beaufort is the belletristic blend of Anglo-Saxon atavism, chivalric myth, and agrarian feudalism.

3. The Hobbesian and Lockean Roots of De Forest's Federalism

In its turn to domestic sentiment as a model for civic life, De Forest's romance echoed the aesthetic strategies of antebellum writers like Hentz and Stowe, but his work departed from the genre in one crucial respect. His emergence as a sentimentalist grew not from evangelical Protestantism as it did for Hentz and

Stowe. Rather, De Forest's fiction reflected an intellectual immersion in the writings of Hobbes and Locke, which had infused American political culture since the constitutional debates of the 1780s and which returned to the political fore in the congressional debates of 1860 and after. His journals, political essays, and 1855 novel, *The Witching Times,* about the abridgment of social contract in the 1692 witchcraft trials, all attest to the profound influence of these political currents on his understanding and vision of national immunities and citizen duty.[13]

Pulling the thread of citizen obligation in the ante- and postbellum debates over secession and sovereignty, De Forest caused the fabric of national history to gather at its seventeenth-century seam. To invoke the nation's revolutionary origins—the heart of every debate about the spousal relationship between the federal government and the state—was to invoke rights laid out in seventeenth-century political theory. The thwarted interregional romance of De Forest's protagonists provided an analogy for Reconstruction debates about political obligation and helped dramatize the question of whether the Union, like marriage, rested on irrevocable consent. But his plot of marriage and divorce also provided postbellum federalism with a gendered pattern for the citizen's subordination to the state: nuptial coverture—the legal subsumption of the wife's property and person in the person of her husband.

By refusing to ratify a constitution that did not preserve the original colonies' sovereignty, the constitutional architects created a government whose distribution of authority reproduced the separate spheres of power that Hobbes had identified as the cause of England's Civil War.[14] This tension within the nation's constitutional origin, the absence of an unambiguous sovereign, placed the philosophies of Hobbes and Locke in opposition from the Union's inception. Did sovereignty reside with the people, justifying the failed 1776 secession of a county from Virginia in an attempt to create the new state of Franklin?[15] Did it reside with the state, as John Calhoun had warned in the Nullification Crisis of 1832? Or did it reside in the central powers of the federal executive, as Lincoln ultimately was to demonstrate? To whom did a citizen owe principal allegiance? By December 1860, when the Senate chamber's central aisle came literally to divide Northern and Southern Senators, no one needed to recall Hobbes's augury to know that a house "*divided in it selfe cannot stand:* For unless this division proceed, division into opposite Armies can never happen" (*Leviathan* 127).

Because social contract theory emerged largely in response to a civil war that, like the American Civil War, had been precipi-

tated by a constitutional crisis and fought over the question of sovereignty, it continued to provide a means for understanding the political and legal mechanisms of social cohesion, specifically the motivation for political obligation.[16] But political and legal meanings are not measured against some abstract, independent, or objective truth—and rarely in the theoretical idiom of political discourse. They are measured against alternative forms of organizing, narrating, and understanding political experience. In the wake of war, nuptial contract and romance collaborated in narratives of social order, even as they offered alternative fictions for how national ties—other than the political, economic, and social—might secure a citizen's allegiance.

De Forest's and other romancers' use of the nuptial analogy drew on political and legal discourses and debates in development since the seventeenth century, and widely at play in American political thought since the 1780s. Throughout the Reconstruction period, political theorists of all persuasions represented social contract through nuptial contract in their efforts to justify a particular constitutional interpretation. Competing parties tracked the logic of consent and sovereignty back to complex and conflicting Revolution-era models of political obligation to arrive ex post facto at the Constitution's authentic meaning. One set of debates showcases well the stakes of this historical revisionism and offers a particularly poignant window on how Hobbes's and Locke's respective theories played out in secession debates. With more than a decade of partisan interpretation, forensic strategy, and political analogy behind them, and with the likely prospect of secession ahead, the December 1860 Senate debates keenly reveal how politicians, North and South, sought to tie competing accounts of contractualism to the nation's constitutional framers.

On 6 December, Texas Senator Louis Wigfall offered the prevailing Southern interpretation of constitutional consent. Accusing the North of breaking faith, he offered a civics lesson figured in the "plain rule of construing contracts": "if a partnership is about to be entered into by individuals," he asked, "and after it has been signed by some, one of the parties inserts above the signature an additional qualification, is there a court of justice in the civilized nation that will not hold . . . the compact a fraud?" (*Congressional Globe* 13). On these grounds, Wigfall declared the national contract "voidable," granting that "according to the law of nations, each one of these States has the right to secede."[17] But, as Reconstruction would teach De Forest, redacting social contract through the formula of commercial contract came at a heavy price. While commercial contract explained political obligation in clear terms, it obviated social ties not easily articulated with the

rational calculus of fiscal exchange. Loyalty, duty, commitment, self-sacrifice, and love are motivations incomprehensible to the language of tort and contract. Moreover, when read back into conventional political theory, the values of fiscal duty, social advancement, and "consideration"—the quid pro quo element of contract—valorized self-interest as the principal motivation of citizen obligation. As De Forest implies in *A Union Officer in the Reconstruction,* President Johnson's quid pro quo approach to Reconstruction soft-pedaled his coercive either-or else terms, seeming to validate the logic of commerce. This narrative did more to credit the South's view of the Civil War as a corporate takeover than Northern propaganda that promoted the war as a family struggle to preserve the sanctity of a nuptial union.

Northerners argued that secession fraudulently breached an irrevocable consent. Underscoring the marriage contract's sacred "until-death-do-us-part" clause, they claimed the authority of divine ordination cemented national vows. Drawing on the same tradition of political analogy as the reunion romance, one writer summed up the long-standing Northern position in "The Philosophy of the American Union," published in *The Democratic Review* in January 1851: "Whom God hath united let no man separate, is an injunction applied to man and woman in matrimony, and is founded on the correlative organization of the wedded couple. . . . The same injunction is applied fondly to the political union of the sovereign states in our national confederacy" (515).

Southern senators, not surprisingly, offered an opposing interpretation of this political metaphor. In the Senate debate, Georgia Senator Alfred Iverson declared in favor of a new social trend: "My doctrine," he announced, "is that whenever man or wife find that they must quarrel, and cannot live in peace they ought to separate; and these two sections—the North and South—manifesting, as they have done and do now, and probably ever will manifest, feelings of hostility . . . my own opinion is they can never live in peace; and the sooner they separate the better" (*Congressional Globe* 12). While, like Iverson, some Southerners argued that simple contracts bound both marriage and society, others recoiled at pronouncements that might seem to weaken marriage, even if doing so strengthened the North's claims on state allegiance. Either way, the substantive differences between the commercial and nuptial contract revived the Hobbesian-Lockean conflict over consent and sovereignty in the social contract. Reconstructionists found the historical parallel foreboding. They knew that this dilemma, left unresolved after the English Civil War, had come perilously close in 1688 to igniting a second war.

Overturning an ancient social theory that depended on feudal

allegiances, contractualists adapted their models of consent to new concepts of human volition rooted in Protestant Reformation philosophies. In the early modern period, consent became the principal trigger for entering into society, but Hobbes and Locke disagreed about the degrees of volition this act required—a difference that would become a vital point of contention in the December 1860 congressional debates. For Locke consent was the unqualified product of free will, but for Hobbes the limitations of civil society already circumscribed free will.[18] Aligning his theory of political obligation with his liberal view of marriage, Locke argued in *Two Treatises on Government* (1690) that the subject, like the spouse, could opt out of the contract when the union's terms ceased to be mutually advantageous.[19] In 1787, the founders had tacitly embraced Locke's political expedient by refusing explicitly to define the nature of consent and power between the federal and state governments.

Hobbes himself was not vague on the issue of consent, denying that consent once given could be revoked.[20] He saw all consent as a restricted act of volition that justified some coercion, for "Covenants entered into by fear," he reasoned in *Leviathan,* "are obligatory . . . for whatsoever I may lawfully do without Obligation, the same I may lawfully Covenant to do through feare: and what I lawfully Covenant, I cannot lawfully break" (97–98). A citizen's initial consent thus created an a priori agreement to conform his will thereafter to that of the sovereign, a usurpation softened in the phrase the "collective will."[21] Unionists' clear reliance on Hobbes's belief in limited consent placed them in an embarrassing position in the 1860 debates and during Reconstruction, for they chafed at the thought of embracing an abridged consent that had been designed to justify monarchical tyranny. Nevertheless they were continuously drawn to Hobbes's social contract, which seemed engineered specifically for post–civil war conditions, for binding a nation together through "acts of engagement"—the oath of loyalty required by the Cromwellian Protectorate or the "test oaths" required of paroled Confederate prisoners beginning in 1861 and of all Southern men following the US Civil War.[22] At no point in Hobbes's theory does the sword of state become more apparent, the fear of violent death more essential as a coercive mechanism of cohesion. And at no point does commerce between the fictions of social contract and romance become more evident than in the affective mechanism at their core: while romance builds alliances through a sympathetic identification that promotes the denial of self for another, Hobbes's contract turns to the passion of fear to motivate and unify a polity.[23]

Wrestling with the Hobbesian dilemma, De Forest viewed

the need to translate self-interest born of fear into willing self-sacrifice as Reconstruction's primary challenge. For romance to play a part, it needed to offer a plausible explanation for how the forced reconciliation of North and South could be based in duty, devotion, and self-denial rather than the Hobbesian compulsions of fear and cruel necessity. It had, in other words, to encode the affective mechanism of civil union in the nineteenth-century language of domestic sentiment rather than the seventeenth-century language of martial passions. How could a reunion based in fear and self-interest foster a meaningful national "conversion," the term De Forest repeatedly invoked to convey the depth of transformation required for true reconciliation? Consent without conviction guarantees the citizen's obligation only as long as the fear required to motivate it remains in place. For later in *Leviathan,* even Hobbes acknowledged the difference between mere words and outward shows and an inward and self-disciplining belief—the difference, for example, between Virginia's mouthing consent ("I shall say that I consent") and her true nuptial conversion. Responding to a hypothetical leveled at his arbitrary power of sovereignty, Hobbes argued that even if a king were to require his subject to worship the throne "by the terrour of death, it is . . . not a sign that he that obeyeth him, does inwardly honour him as a God, but that he is desirous to save himselfe from death" (449–50). As Hobbes reminds us, words without thoughts never to heaven go. De Forest's opposition to the Hobbesian contract intensified as an agent of Reconstruction, and he came to realize that words without feeling, and action without conviction, could never be the basis of a citizen's obligation to the nation. When De Forest helped impose the Hobbesian model of coerced consent by administering mandatory federal loyalty oaths, he came to wonder how happiness could result from a liberty so narrowly construed. What internal devotion could external fear hope to instill?

While De Forest struggled with his doubts about the Civil War's abridgment of consent, Northern politicians, romancers, and the press, in political broadsides and debates, incorporated the Hobbesian model into their nuptial contract analogies to deny secession's legality. By claiming that the Union was predicated on the "correlative organization of the wedded couple," as *The Democratic Review* put it, they articulated the commonwealth-as-family model of government, in which consent is irrevocable. One could say that unionists hatched this model merely as a moral expedient to sustain consent as an irrevocable component of social contract. Yet this interpretation would ignore the nuptial contract's imbrication in seventeenth-century theories of political obligation and would deny a worldview that flourished until late

in the nineteenth century. While not all unionists believed marriage to be an extracontractual arrangement, a large, traditionally religious contingent did.[24] And in many states, so did the common law. Speaking in 1878 before the "Senate Committee on Privileges and Elections" in opposition to Elizabeth Cady Stanton's argument for women's enfranchisement, for example, Madeleine Vinton Dahlgren, antisuffrage activist and De Forest's literary acquaintance, illustrated the lingering vitality of Hobbes's model of political obligation. "Marriage is a sacred unity," she testified before Congress in the language of Hobbes: "*The family, through it, is the foundation of the state. Each family is represented by its head,* just as the state ultimately *finds the same unit,* through a series of representations. Out of this comes peace, concord, *proper representation, and adjustment—Union*" (102).[25]

By arguing that the Constitution, like marriage, was extracontractual and therefore irrevocable, unionists again found themselves of the devil's party. Dahlgren's use of the Reconstruction model of federalism reveals the reason for Reconstruction's Hobbesian resonance. For Dahlgren, like Hobbes, matrimony provided more than a metaphor of social cohesion: the conflation of marriage's contractual mechanism with the model of sovereign as patriarch—in which the subject does not consent—created a model of obligation in which the citizen irrevocably consents to the state in the manner of wifely subordination.[26] Dahlgren's political model rested on the widely accepted principle of nuptial coverture, in which, as Timothy Walker explained in his 1855 *Introduction to American Law,* "marriage makes the husband and wife one person, and that person is the husband" (232).[27] To Stanton's claim that "the individual sovereignty of woman is more sacred than any human tie" (91), which she traced through Madison and Jefferson to Locke, Dahlgren countered that "self-subjection" was an empowering act, arguing that "true freedom" emanates from an obligation that binds with ties of affection and duty (102). By promoting coverture as a model of citizen obligation between the subordinate subject and sovereign government, Dahlgren simply applied a lesson drawn from the political analogy of the North and South as man and wife, which had merged the domestic and the political in the language of filial obligation and Hobbesian contractualism. Just as refusing the states ongoing consent ensured national cohesion, so denying women ongoing consent through political enfranchisement ensured family stability. From Reconstruction, Dahlgren had learned that beneath the romance of marriage conveniently lay the bonds of political coverture.

In sharp contrast, secessionists often turned to Locke's model of ongoing consent and his liberal construction of marriage

as a simple contract. However, Ohio Senator George Pugh, the moderate arbiter in the December 1860 Senate debates, drew on the marriage analogy to sustain the right of secession. By evoking the transcendent, national bonds of domestic affection, he attempted to lift the debate from the damaging exchange of political epithets. In a bipartisan gesture, he reversed the popular South-North binary of slavery/liberty, daring secession opponents to see the national bonds not as ties of the heart but as the shackles of Hobbesian despotism: "What would South Carolina be worth to herself or to us," he urged, "if she were dragged back a captive in chains? . . . If she cannot be retained by the bonds of affection, or, if estranged, cannot be brought back to us by the arts of kindness, why, then, in God's name—let her depart in sorrowful silence" (*Congressional Globe* 34).

The larger reunion-romance tradition, like Pugh's political analogy, was of an age. In the years just before and after the Civil War, national reconciliation—largely in the form of Republican propaganda—repeatedly returned to the connection between nuptial normativity and national loyalty. The political analogy was inevitable for both the literary and the political. By the mid-nineteenth century, the familiar tenets of the marriage contract circumscribed the meaning of social contract, providing the common analogy of secession debates. Federalists held that, though contractual, the Constitution took the permanent form of nuptial "ordination." Secessionists argued that the Constitution, like marriage, was no more than a commercial contract and that the Union was dissolvable when the interest of the parties diverged and one or both withdrew consent. Dramatic increases in contract litigation and divorce after 1800—and their gradual appropriation as the regnant themes of American romance—helped redefine social relationships at the most intimate levels of society, broadening the role of contract law as a regulatory force in the domestic, as well as the political, domain.[28]

Crucial to understanding reunion romancers' invocation of seventeenth-century political theory is that they sought not to trace the Constitution's meaning back from the US Civil War, but rather forward from the English Civil War to the framers' intent. For romancers like De Forest, the place to find the Constitution's alleged meaning lay at a still more distant historical crossroads, the point in time where the concepts of modern marriage and social contract emerged together, mutually constituted in the language of affect, whether of love or fear. For De Forest, the political analogy at the heart of the constitutional debate and reunion romance alike was thus a sophisticated mode of popular civics pedagogy. Its use already permeated American culture, not only

in the contractual origins of the US Constitution but in all civic practices and social contexts in which Americans idealized beliefs about citizenship according to sentimental virtues of devotion, sacrifice, love, and duty. By its portrayal of the individual in marriage as a contracting agent with clear volition, De Forest's romance found an ideal model for understanding citizenship.

4. The Postbellum Solution: De Forest v. Hobbes

While secessionists and unionists alike seized on the political analogy of marriage, many in both camps struggled with the personal and political contradictions inherent in this rhetorical strategy. Both secessionists like Pugh and unionists like Dahlgren, for instance, struggled to reconcile their public arguments about federalism with their private views of marital rights. De Forest, as well, wrestled with tensions in the marital analogy. In *The Bloody Chasm,* political obligation, consent, and gender mutually constitute the idiom of marriage and romance, but they conflict in the novel's depiction of postbellum federalism. De Forest begins by linking social contract to principles of obligation and duty grounded in early modern marital hierarchies. He then modernizes the model by emphasizing ongoing consent, a legal innovation of modern companionate marriage that significantly departed from early and premodern nuptial contract. However, by continuing to tie understandings of social contract to the evolving social institution of marriage, as Locke had done, De Forest risked undermining the philosophic foundation of the Union cause. By articulating a political obligation based on revocable consent, his romance nearly rejects the Union's premise for the war and ostensibly validates antebellum arguments for contractual nullification and state secession.

Yet whereas romance authors, political pundits, and the press swallowed the contradictions inherent in the nuptial analogy, De Forest's *The Bloody Chasm* provided a logically skillful and ideologically sophisticated solution to a federal marriage that to all appearances denied consent. De Forest acknowledged that despite the social contract pageantry—the ratified state constitutions, nullification of secondary ordinations, and loyalty oaths—Reconstruction could not mask the truth that the South returned only under the duress of lethal violence and brutal coercion. Faithful to that reality, when a Northern protagonist in De Forest's novel suggests that the South has finally come to its reason, his Southern companion wryly rejoins with the real motivation for reconciliation: "Your foot is upon our necks" (26). While nuptial

coverture offered a possible analogy for the repaired marriage between North and South, it provided no solution for the vexing question of how to reconcile the South's willing return with, in Pugh's apt description, its having been "dragged a captive in chains" before the Union altar. Placing Virginia in chains at the nuptial altar offered the only logical departure point for a reconciliation plot that admitted the coercion of Southern repatriation. Indeed, the name De Forest gives to his heroine gestures to Beaufort County, the first South Carolina region captured and forced back into the Union in 1861, even as it silently embraces the logic of Pugh's illustration.

Attuned to the ongoing, if not heightened, postwar animosity between the regions, De Forest concedes the South's protracted hatred for the North and ventriloquizes his Reconstruction experience in the voice of his Southern heroine. In response to the news of Robert E. Lee's "sublime submission" to the Union, Virginia replies, "The soldiers have abandoned the fight, and only the women continue it" (205).[29] In both reality and romance, the country remained in what Hobbes described as a state of war.[30] To demand a loyalty oath as a contractual act enforced through fear of violence or property expropriation promised not lasting peace but a deferral of war, not the internalized, self-regulating obligation of citizen duty but the external yoke of servitude. The absence of consent—or worse, coercion dressed as consent—presented an impediment to contract, nuptial and social. Absent consent, Reconstruction seemed no more credible than the union between Underhill and Virginia, called by one observer a "sham marriage" (139).

How, De Forest asked, can romance narrate a consensual reconciliation to a nation that continued to rattle the sword of state? To approximate postbellum conditions, *The Bloody Chasm* significantly alters the standard reunion-romance plot. Because the North's victory mandated the South's return, De Forest forgoes the conventional romance-to-marriage plot in favor of its clever inverse: a plot of marriage, *then* romance. Paralleling the conditions of Reconstruction, he concedes the marriage between Underhill and Virginia to be the product of necessity rather than affection. Underhill points out the irony of post-matrimonial reconciliation when he observes: "[T]here would be something poetic, too, in a fellow courting his own *wife,* if he could make her acquaintance" (105). The North pressed the South, like Virginia, into submission but not into willing reconciliation. By downplaying the status between victor and vanquished, *The Bloody Chasm* creates a love story that fuses the interests of romantic love and duty to country. Repeatedly labeled an alliance between the last of

Beaufort's "noble race" and good Yankee stock (25), Virginia and Underhill's marriage illustrates and simplifies Reconstruction's political complexity, freighted as it was with numerous confusing and controversial constitutional provisions for redistributing state and federal power. The trope of exogamy speaks to citizens' double duty: marriage as a symbolic act of bipartisan unity and as a literal union that forges national ties through intersectional breeding. Just as Lincoln, during his 1860 presidential campaign, used his own marriage to a Southern woman as a model for reunifying the divided house, so too De Forest offers intersectional marriage as an impetus for reconciliation.

While *The Bloody Chasm* emphasizes marriage as a consensual act, postbellum society witnessed rapidly rising divorce rates. Highlighting South Carolina's hypocritical insistence upon a state's ongoing contractual consent—given its status as the only state to prohibit divorce for any reason, thus denying ongoing consent in marriage—De Forest targeted impediments to consent, women's most successful loophole in marital litigation. A student of law, De Forest knew that coercion on the part of one of the marriage parties (spouse or region) could be used as an argument for contractual nullification. To surmount coerced consent in *The Bloody Chasm,* he strengthens the parallel between Virginia's postwar destitution and the poverty of the war-ravaged South. Through the veiled correlation of Virginia's willing—though necessitated—conversion to unionism, De Forest redefines and renarrates the nature of North–South relations by offering a legal solution that represents reconciliation as simultaneously coerced and consensual.

Caught between accepting marriage to a Northern officer or relegating her family to poverty, Virginia agrees to the arranged marriage. Alive to the nuptial contract's legal formalities, both Virginia and her aunt emphasize the term *consent,* despite Virginia's view that she is a hostage to fortune. The repeated use of the term emphasizes the legal form of nuptial voluntarism, even as it points up a contradicting heart. But what of coercion? And what of the spirit of the law in a sentimental age that equated marriage with romance? If free volition framed as legal consent did not connote romantic love, then the marriage compact differed little from a commercial contract—a comparison abhorred by both antebellum Federalists and defenders of the sacred marriage covenant. Through the voice of its romantic protagonists, *The Bloody Chasm* repeatedly asks: can the tongue consent to what the heart does not? Consent proffered in desperation can hardly be an act of free volition, even if it cannot be legally termed coercion. To find a viable analogy for the South's willing reconcilia-

tion, De Forest begins his reunion allegory with an arranged marriage that downplays the problem of consent under duress.

By closely paralleling postbellum conditions, *The Bloody Chasm* furnished a script that allowed readers to collectively rehearse the drama of reconciliation. De Forest addressed Reconstruction's political dilemmas by portraying a legal ground for marital consent more complex than the marriage analogy that had governed constitutional debates since Hobbes and Locke. He invoked a loophole within nuptial law that renders a marriage legal in form but "voidable" in function: he makes the long-standing political allegory of marital consent answer to the legal conditions of obligation in real marriage. Then as now, laws governing marriage (as well as all contracts) distinguished between marriages that were "void" and "voidable." Both terms referred to marriages entered into under one or more of four legal impediments, but whereas voidable marriages could find remedy within the nuptial state, void marriages could not. The first two impediments, a preexisting marriage and consanguinity, constituted a class that immediately invalidated a marriage from its point of origin. The second class of impediments—insanity and fraud—entered into the legal gray area of "voidable." These latter two impediments enjoyed a long tradition of common law intervention that, by providing for a greater legal maneuvering, afforded local benches a measure of discretion. Because marriage was entered into over the threshold of a contract, contractual theory informed the basic requirements for nuptial consent. As an impediment to consent—and thus cause for contractual nullification—insanity, like fraud, rendered a marriage voidable but not necessarily void. Following canon law, both civil and common law defined insanity as the absence of volition; no insane person could form the requisite consent to enter into a contract.

De Forest sets the stage for a legitimate claim of insanity by his protagonists early in the narrative. Mauma Chloe pithily sums up the ceremony with all the authority her title suggests: "It's jess like a weddin' of mad folks" (117). She spares neither bride nor groom the allegation of what she repeatedly refers to as "non compos" (44), the truncated legal designation for insanity. To be declared *non compos mentis* meant that a person lacked mental competency—or, as Bishop noted, what the law termed "civil capacity"—a prerequisite for entering into any binding contract, especially marriage, which triggered the subsumption of the woman's person and property in that of the husband. Diagnosing Virginia as "stark mad" (69), Mather, indifferent to legality, urges marriage as a cure: "I don't want to put off a lunatic on to you," he reassures his nephew, "[b]ut I suppose a wedding-portion of this

magnitude will restore her to sanity" (57). Representing the postbellum South, the mentally disordered Virginia stands in for the region's general condition. Weighing the effects of famine, poverty, and defeat upon the South's entire social structure, Mather reluctantly admits that tragic circumstances had driven Southerners "all mad together, black and white" (71).

Because it triggers a couple's entrance into marriage, the moment of consent frames the temporal window in which nuptial status is either validated or voided. Essentially, De Forest places the entire plot of his allegory within this window, suspending the transformation in nuptial status by questioning the civil capacity requisite for consent.[31] In this way, his allegory narrates a postmarriage courtship that, for all intents and purposes, is premarital. The union between Underhill and Virginia, like that of the postbellum nation, is a material fact, while all claims of contractual coercion are collaterally suspended pending the moment of legal consent, when both parties are again deemed sane.[32] According to what measure was one deemed *non compos mentis*? Since the laws governing a judgment of insanity varied from state to state, De Forest scripts a nuptial ceremony so outrageous that there could be no question as to the existence of an impediment to consent by which the marriage could be voided. Neither Virginia nor Underhill would have met even liberal criteria for sanity during the interval in which they consent. Even if by some odd decree they were deemed sane at the time, their irrational behavior in the wedding ceremony demanded a declaration of insanity. As Bishop explained, the ability to form consent was in the most liberal rulings determined not so much by "'brain quantity' or 'brain quality'" as it was by "whether the party alleged to be insane acted rationally regarding the particular matter of marriage, and regarding the particular marriage" (129).

Carnivalesque in its gothic parody, Virginia and Underhill's nuptial ceremony resembles a black mass rather than a sacrament. It's "like a weddin' . . . mongst Satan's angels an' fallen sperrits," Mauma Chloe warns Virginia, "all blackness an' darkness an' hatred an' lies" (121). Referring to the ceremony as "a funeral," Virginia's aunt stages a fainting spell and stays home. The church is so shrouded in darkness that the groom mistakes a rather large and aged woman for his young bride. In a striking inversion of nuptial custom, the bride stands at the vestry draped in tiers of "black crape"—"a mass of funeral black, from her feet to her forehead" (138)—the appropriate props for her later insistence that she is married not to a man but to her sorrow. For his part, while on his way to the church, the groom contemplates escaping his fate through suicide, an unimpeachable sign of insanity (128).

Even more absurd in an age that prized courtship, Underhill takes his vows with a woman who has never seen him and with whom he has never spoken. Finally, arriving late, disguised in a false beard, he contemplates throughout the ceremony a personal weakness that had driven him to propose to an Irish immigrant he met on the way to the church.

De Forest uses the nuptial impediment of fraud to cast Virginia's submission as an assertion of agency. If her destitution coerces her consent, her subsequent duplicity recovers something of her lost agency. Her plan to vitiate the terms of Mather's will is nothing short of fraud: the other "voidable" impediment. When she suggests that the extent of the marriage will be to "meet, marry, and separate" (100), her scandalized aunt asks, "will you tell him so before you marry?" Virginia replies, "after the wedding." That she agrees to marry for money while secretly conspiring to live as a *femme sole*—the legal designation for a woman with a partial divorce referred to as a "divorce of bed and board"—renders the marriage voidable on the grounds of fraud, and would have been so understood by De Forest's readers. But Underhill also perpetrates fraud. In a striking analogue to a real South Carolina case of nuptial fraud that received a lengthy explication in Bishop's study, Underhill sends Virginia a photograph of his brother who died in the war in place of his own, an impulse that later compels him to take his vows disguised as his dead brother's imposter. De Forest's fictional fraud could not come closer to Bishop's legal definition. As Bishop explains, nuptial fraud is "an illustration of mistake, or error, where one person is substituted for another" (209). Not as imaginative as De Forest, Bishop supposes that "though it may be difficult to imagine how a person intending to marry A, could, without a fraud being practiced upon him, marry B, yet, if the fact were established, there is not doubt the marriage would be held voidable," but not necessarily void (209). Bishop's far-fetched suggestion that such a fraudulent act might take the form of "marriage in masquerade" anticipates De Forest's fictional wedding in *The Bloody Chasm*—if indeed it did not inspire it.

However, for De Forest's romance to end happily—for novel or nation—the narrative must confirm that Virginia's mental defect is not permanent, but, as one character testifies, merely a "temporary insanity of grief" (74). In accordance with Mather's allegorical assessment that Virginia "is behaving as the whole South behaved" (70), Virginia's conduct, like that of the South, is attenuated by the suffering that has rendered woman and region insane with grief. As one Southern friend finally acknowledges, Virginia's region was "a woman . . . a generous and impassioned

woman. The South has been just that, and only that" (145). Coding gender in terms of female emotions, De Forest, on the South's behalf, mounts an insanity defense for "her" part in the war. Common law tradition had, after all, mitigated the blame and consequences for violence rising from an uncontrollable excess of emotion as *mania transitoria* or "crime of passion." Figuring the South as "two half-crazed women" (78), the novel attenuates the South's war crimes as the impassioned acts of Virginia and her aunt.

For De Forest, like his contemporary audience, such a characterization of the South suggested its own remedy. Suffering from "ecstatic madness—mere womanish excitability and hysteria" (144), as one character testifies, Virginia's remedy, as for that of the region she embodies, is to be found in marriage and childbearing. The cure for Virginia's "hysteria" unites two prevalent nineteenth-century discourses into an urgent claim for national reconciliation and Reconstruction. In a bold revision of the family trope, the legal remedy for a wayward woman and the medical remedy for her "wandering womb" (*dysmenorrhoea*) are two sides of the same gender-coded coin. If De Forest's allegory of Reconstruction as marriage supplied a novel remedy for the first, an intersectional marriage was all that was wanting for the second. Just as the novel implies that children would help heal Virginia's broken family, so too, intersectional marriages would both promise a new generation removed from the immediate devastation of war and, more importantly, restabilize the domestic realm, the site romancers' identified as the crucible of affective citizenship.

Fleeing to Europe incognito after the wedding, various fortune hunters court Virginia, including the Americans Frank and Lorthinga Hedstone, the sister courting on behalf of the brother. But she is also wooed by her husband, who has taken another identity. The romance comes to a head when the disguised Underhill declares his love for Virginia. The novel's sudden focus on polygamy provides another instance of how reconciliation returns to the connection between nuptial normativity and national loyalty. Even a less sophisticated reconciliation plot, Belasco's *Heart of Maryland,* registers an opposition between the deviant, nonaffective status of a "patriot of free-love" and the loyalty born of legitimate feeling and marked by consent (211). An officer in the Confederate army who also spies for the North, Colonel Thorpe is a polygamous figure, loyal to neither North nor South, claiming, "I don't care which rag I serve under" (212). Professing commitment to each side while profiteering at the expense of both makes his national affiliation the equivalent of political infidelity. Like Belasco's Thorpe, the Hedstones are driven by self-interest and are thus incapable of forming an affective attachment, much

less an obligation, to a person or nation. In a sense, it is not loyalty to North or South that denies familial status; rather, the inability to be loyal to *either* side bars Thorpe and the Hedstones from the national family. For De Forest, citizens cannot properly feel the trauma of war and the pangs of national grief without loyalty, and they—like the uninjured reader—cannot share in sentimentalism's unifying identification without the suffering that only a monogamously committed affection can produce.

"As a married woman in disguise" (257), Virginia comes to recognize the danger her ambiguous marital status poses to both herself and her nation. Through the foil of the polygamous spouse, she comes to recognize how the *femme sole* represents a deviant sexual, social, and political possibility; how plural marriage and the solo life bracket the extremes of deviance from the normative category of domestic union. The Hedstones' courtship of married individuals, like their disavowal of national allegiance, helps Virginia see how her loyalty to region above country constitutes political polygamy. She further comes to understand how her status as an autonomous, unreproductive woman—disqualified from legal union for life by her status as *femme sole*—represents the transgressive threat of political monadism. Romance is thus meant to teach subjects to desire subjection, even as it scripts a national narrative meant to work against the historical recognition of regional affiliation.

Underhill's courtship of his wife signals that he woos from the purest of motives. Already married to the woman he courts, and having given her the money that other suitors would now claim as a nuptial prize, Underhill wins his wife out of love, out of "superb self-sacrifice" (139). Virginia panics when her disguised husband proposes, dramatizing her torn loyalty between her state (or region) and the nation, even as her next breath resolves the crisis in a nuptial, and thus national, reconciliation. Virginia stammers the truth at last: "I-I am married!" (296), evidencing the mental lucidity that seals her vows and announces her political monogamy, her conversion to "Unionism." The marriage is then reconciled in the instant that Underhill unmasks his true identity. In the guise of the Confederate colonel from Richmond, Underhill has proved himself a true "Virginian," a loyal admirer of Virginia.

In putting romance *after* marriage, De Forest illustrates the argument of his own sentimental rhetoric of suffering: national rifts are reconciled through alliances forged out of shared pain. Underhill wins his wife's trust, admiration, and affection through a series of sentimental ballads that he composes for her—poetic ballads of suffering and dying soldiers. Sentimental compositions

that mirror the relationship between De Forest's novel and the reader, these romances turn her personal pain—like that of all the Americans who gather to hear Underhill recite—into a spectacle of communal grief. After Virginia reads Underhill's ballad aloud, "the tears were in her eyes and Mrs. Dumond was sobbing like a child, while the wooden-legged Confederate General and the Yankee Colonel were hiding their faces" and their tears (258). Through the mediation of Underhill's sentimentalism, Virginia's erstwhile private sorrow merges into a collective expression of national membership, emblematized by the interregional spectacle of suffering that Underhill's ballads evoke among Northerners and Southerners alike. The repetition of suffering that De Forest's novel seeks to initiate, like the sentimental ballads that it frames, transforms the "injured" reader (both in and outside the novel's frame) into a properly sentimental citizen, congealing national feeling through alliances forged in sorrow. In this sense, Virginia's identification as a "reader" of Underhill's sentimental ballads enacts the reader's identification with De Forest's romance, a repetition all the more authentic because of the novel's close approximation of historical detail and thus the contemporary reader's lived experience.

5. Conclusion

No romance writer developed a more nuanced, sophisticated, and politically astute narrative of national reconciliation than John W. De Forest. While most sentimental authors grounded their understandings of Reconstruction politics in evangelicalism, De Forest drew instead on the older Protestant social contract theories of Locke and Hobbes. By threading this rich tradition of political discourse that had framed discussions of social contract since the English Civil War into a sentimental narrative, De Forest's *The Bloody Chasm* created new and striking possibilities for the reform of political and social life in an era otherwise known for bitter conflicts among still warring parties. Like Dahlgren's nuptial model of federalism, De Forest valorizes a spouse's willing self-sacrifice for another as the appropriate analogy of the citizen's duty-bound subordination to the state. This was the meaning that Beecher found in the Civil War and promoted in his 1875 sermon on national suffering: "Look away from yourself," he advised each citizen, "ponder not what your bones and flesh do suffer. Think not what your calamities are. Do not selfishly calculate how they will affect you here or there. Rejoice that you are counted worthy

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to suffer, that by the consolation with which you are comforted you may console those that are suffering in calamity" (173).

De Forest rejected Hobbesian narcissism as the basis of all human interaction in favor of faith in an individual's capacity to put others before himself or herself. This was not Hobbesian self-interest but what Tocqueville recognized as "self-interest properly understood," which "does not inspire great sacrifices, but every day it prompts some small ones; by itself it cannot make a man virtuous, but its discipline shapes a lot of orderly, temperate, moderate, careful, and self-controlled citizens. If it does not lead the will directly to virtue, it establishes habits which unconsciously turn it that way" (book 2: 131). Similarly, in De Forest's model of political obligation, citizens consent to deny themselves for a devotion and duty to others. For De Forest the desire to act for oneself is—like Underhill's "superb self-sacrifice"—qualified by an emotional commitment to others.

De Forest's representation of consent seized the affective mechanism at the core of the Hobbesian social contract. If for Hobbes citizen obligation depends on the martial passions of fear, anger, and courage provoked by the sword, for De Forest it is monitored by self-regulating sentiment from within. But De Forest's model of obligation is also Lockean in that it preserves the fiction of the citizen's ongoing consent through the sentiment of suffering that constituted the national romance of reunion. In a sense, the citizen's ongoing consent is folded, not into the abstraction of Hobbes's collective will, but into the desire of an embodied other. Through the self-imposed bonds of political coverture, De Forest believed that sentimentalism and the sympathy it evoked reoriented subjects to a subjection that was the more profound because it emerged as part of their pursuit for personal happiness—a quest that found its natural fulfillment in an unwavering duty to nation. In the romance of reunion—the courtship that follows marriage—the common woe unifies the commonweal. Such, however, did come at a price, for in the sentimental fantasy of the postwar nation, this genre's emphasis on the sacrifice and suffering of virtuous citizens of all classes and ranks obscured national and domestic divisions of gender and race.[33]

By creating and emphasizing the bond between the public space of nation and the private space of home, between the contractual obligation to nation and the nuptial duty to another—and between the private reader and popular romance—De Forest, echoing Tocqueville's emphasis on volitional self-discipline and incremental sacrifice, believed that he could transform ordinary tasks and domestic rituals into nationalizing exercises. Through the aesthetics of sentimentalism, he imagined new possi-

bilities for grounding the abstraction of citizenship in an affective attachment to *the* ongoing daily reality of consent—marriage. In this sense, the bloody chasm De Forest intends his romance to bridge is both the social and political rift between North and South and the epistemological gap between representation and reality, between romance and reader. In line with his vision that "life is a romance" and his promise of a newly reconciled nation (292), De Forest tells us that through union the couple are "still living happily together" (301).

Notes

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1. *A Union Officer in the Reconstruction* is, in part, a compilation of essays published in magazines between May 1868 and February 1869; in the mid-1880s, De Forest revised this material into a single manuscript under the present title. The book was published posthumously in 1948.

2. Recent legal and literary historians such as Sarah Barringer Gordon and Nancy Bentley argue that romance prose in this period contested the political appropriation of marriage and the traditional family as a form of contractual coercion. Their studies demonstrate that nineteenth-century social reformers used romance narrative to expose social ills and gender oppression. See Gordon, "Our National Hearthstone" and "The Liberty of Self-Degradation"; and Bentley.

3. For a good bibliography on this point, see Schultz 464.

4. See Jane Tompkins, *Sensational Designs: The Cultural Work of American Fiction, 1790–1860* (1985); Shirley Samuels, *The Culture of Sentiment: Race, Gender, and Sentimentality in Nineteenth-Century America* (1992); and Berlant.

5. Chapman and Hendler's collection provides a good survey of male sentimentalism; also see Burgett, *Sentimental Bodies: Sex, Gender, and Citizenship in the Early Republic* (1998); Castronovo, *Necro Citizenship: Death, Eroticism, and the Public Sphere in the Nineteenth-Century United States* (2001); and Nelson, *National Manhood: Capitalist Citizenship and the Imagined Fraternity of White Men* (1998).

6. This authoritative work on marriage came out in no less than five editions between 1852 and 1891.

7. For the best study of the romance reunion, see Nina Silber, *The Romance of Reunion: Northerners and the South, 1865–1900* (1993). On De Forest, see Keely.

8. With an eye to an emerging sentimentalism, literature, Burke observed, is "much more capable of making deep and lively impressions than any other arts, and even than nature itself in very many cases" (158).

9. These plays adapt what I call an "Evangeline plot," in which young women from both sides of the Mason-Dixon line forsake family and friends, and brave battles, bitter deprivation, and predatory suitors in order to find and save their (usually wounded) lovers. Meanwhile, in a subplot of simultaneous action, the men, Northern or Southern, risk life, limb, and honor—often bearing for a time the stigma of a traitor—to rescue their lover's imperiled brother or father whom they met as an enemy in the course of battle or as a prisoner of war.

10. In Belasco's *The Heart of Maryland,* e.g., Alan Kendrick, a Northern colonel, remembering how he spurned Maryland, his Southern bride-to-be, announces a fear greater than death or physical suffering: "Oh—what's prison—what's death a thousand times over, to all I've gone through since I left her yesterday. In the battle last night, for the first time, fear took hold of me—a fear that I should never live to ask for forgiveness for the bitter insult with which I flung back her sweet love [and] she laid down more than her life for me" (204).

11. Alexis de Tocqueville, *The Republic of the United States, and Its Political Institutions* (1854). His book was later published under its secondary title, *Democracy in America.* Because the pagination is not continuous through the four books, all intertextual citations will indicate the book before the page number.

12. The plot itself was, according to Allen Tate, an American romance mainstay, in which "the 'older' culture of Troy-South was wiped out by the 'upstart' culture of Greece-North" (152). In an adaptation of the "Troy-South" theme, De Forest rehistoricizes the postbellum conflict in an allegory that deliberately recalls this particular myth of national origin.

13. *The Witching Times* anachronistically blames the witch trials on the excesses of evangelical faith.

14. According to Hobbes: "There is a Sixth doctrine, plainly, and directly against the essence of a Common-wealth; and 'tis this, *That the Sovereign Power may be divided.* For what is it to divide the Power of a Common-wealth, but to Dissolve it? for Powers divided mutually destroy each other" (*Leviathan* 225).

15. In an article published in 1862, one reform critic told the story of Franklin County's secession from Virginia in June 1776. The argument for this secession attempt cited "popular sovereignty" as the basis for breaking from the postrevolutionary "Republican Confederacy." See "Early Secessionists"; "The Federal Union—Shall It Be Preserved?"; "The South"; "The Elements of Disunion"; and "Northern Democracy and the Union."

16. Technically the real constitutional crisis was not the English Civil War, but the 1688 Revolution. This was the immediate context for which Locke formulated his more "liberal" theories of the balance of power and revocable contract.

17. Wigfall spoke at length and with passion on this point, using the very rhetoric of Hobbes to accuse the North of Hobbesian despotism: "If [Southern] people shall come to the conclusion that this Government does intend ultimately to deny them the right of living under such a form of government as they see fit; if they shall come to the conclusion that his Government intends to keep them in the Union by the power of the sword; if they shall come to the conclusion that

they are no longer freemen, that they cannot look to their own State government for protection, my judgment is [then] . . . seize upon the forts and the arms and the munitions of war, and raise the cry 'to your tens, oh Israel, and to the God of battles be this issue'" (*Congressional Globe* 14).

18. In *On the Citizen* (1642), Hobbes formulates his idea of "negative freedom": "But once a commonwealth is formed, every citizen retains as much liberty as he needs to live well in peace, and enough liberty is taken from others to remove the fear of them. Outside the commonwealth every man has a right to all things, but on the terms that he may enjoy nothing. In a commonwealth every man enjoys a limited right in security" (116).

19. In book 2 of his *Two Treatises of Government,* Locke leaves room for secession: "For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority; for which acts any community being only the consent of the individuals of it, and it being necessary to that which is one body to move one way, it is necessary the body should move that way whither the greater force carries it, which is the consent of the majority; or else it is impossible it should . . . . continue one body, one community, which the consent of every individual that united into it agreed that it should" (331–32).

20. In large part, Hobbes's view of volition stemmed from his deep reservations about human nature. Thus, motives for forming a society were as different for Hobbes and Locke as their understanding of the faculty of the will. While for Hobbes nature was fallen and destructive, for Locke nature was a neutral force, and humans joined society for mutual aid and economic benefit. Hobbes's pessimistic view of human nature led him to ascribe the originating impulse for creating society to man's self-interest, a view that made him more of an anathema to eighteenth- and nineteenth-century humanists than his infamous defense of a sovereign who stood above the law of society.

21. In *Leviathan,* Hobbes argued that "[t]he only way to erect a common power . . . is, to conferre all their power and strength upon one Man, or upon one Assembly of men, that may reduce all their Wills, by plurality of voices, unto one Will" (120). Hobbes's idea of the "collective will" is an actualization of the principle of *e pluribus unum;* thus, extreme antebellum unionists articulated a centralization of power that perpetually possessed the a priori will of the people. Compare Hobbes's model to Locke's in which the people constitute an abstract body of "the community": "When any number of men have so consented to make one community or government, they are thereby presently incorporated and make one body politic wherein the majority have a right to act and conduct the rest. For when any number of men have, by the consent of every individual, made a community, they have thereby made that community one body, with a power to act as one body, which is only by the will and determination of the majority" (*Two Treatises*, book 2: 332).

22. See Burgess 6–27. Excepting officers, Confederate war prisoners who were under age or declared that they had been "coerced" into serving in the Confederate Army could be paroled after taking an oath of loyalty. Burgess reports that

Robert E. Lee was said to have complained bitterly that Lincoln was coercing Southern prisoners into taking loyalty oaths.

23. Thus, Hobbes argued in *Leviathan,* as "Common Power, to keep them [the people] in awe, and to direct their actions to the common Benefit," the sovereign instills the fear of violent death in his subjects as a means of preventing uprisings. For "The Lawes of Nature," he writes, "without the terrour of some Power, to cause them to be observed, are contrary to the naturall Passions, that carry us to Partiality, Pride, Revenge, and the like" (117).

24. Nancy F. Cott provides the best analysis of this tradition in her *Public Vows: A History of Marriage and the Nation* (2000).

25. Stanton, Anthony, and Gage, *History of Woman Suffrage.* Members of the NWSA delivered the petition in person. In both the speeches for and against women's vote, the various speakers refer to the division between man and woman (or husband and wife) as a "divided house." Whereas Dahlgren argues that the vote would divide the marriage—and thus the nation by correspondence—Stanton eloquently argues that a lack of a vote already divides the home and nation. Using the commonwealth-as-family model of government, she declares, "No house is complete or perfect unless a good woman and a good man stand side by side, and work harmoniously in every department. So our government, representing a family government, is a failure because you have a masculine government—a republic of males" (92).

26. Dahlgren's argument exposes a tautological bent in pro-Union arguments: just as the political contract turned to the marriage contract as a model of political obligation before the war, so the nuptial contract turned to the political—newly legitimized by reconstructed Federalism—to shore up the traditional precept of husband as domestic sovereign.

27. For the full implications of coverture, see esp. 232–34.

28. For the best discussion of the "contractualization" of family relationships, see Grossberg 64–102.

29. In a similar scene in Howard's *Shenandoah,* Gertrude, the intrepid "Southern belle," refuses to give up the fight, even after the battle has been lost and the Confederates captured: "You will force me, I suppose," she tells her Northern captor. "I am a woman; you have the power. Order in the guard! A corporal and two men—you'd better make it a dozen—I am dangerous! Call the whole regiment to arms! Beat the long roll! I won't give up, if all the armies of the United States surround me" (409).

30. By "state of war," Hobbes meant more than immediate violence; he meant a disposition of hostility. "For as the nature of Foule weather, lyeth not in a showre or two of rain; but in an inclination thereto of many dayes together: So the nature of War, consisteth not in actuall fighting; but in the known disposition thereto, during all the time there is no assurance to the contrary. All other time is PEACE" (*On the Citizen* 88–89).

31. Although marriage with an insane person was valid so long as consent occurred in a moment of mental lucidity, the converse was not true. As Bishop ar-

ticulated it, "the marriage of a person habitually sane, celebrated in a period of temporary insanity, is invalid" (130). By "invalid," Bishop meant that it is voidable but not void. The individual deemed insane must, upon returning to sound mind, prosecute the consensual breach as an impediment to the nuptial contract. Otherwise, common law, as Bishop explained it, offered "authority for the proposition, that a marriage by a *non compos,* when of unsound mind, is rendered valid by consummation during a lucid interval." The inference, he continues, is that although the law requires "first a compliance with certain formalities" and second "the consent of the parties, it does not appear that the formalities and the consent must concur in point of time" (141).

32. As De Forest knew, whether or not one or both parties was deemed insane, no one outside the marriage could sue to invalidate the marriage if the nuptial ceremony adhered to legal forms. Massachusetts's framing of what amounted to a "don't-ask-don't-tell" clause governing marriages entered into under the impediment of insanity was representative of the tradition of common law that all the states followed. As Bishop summarized the law, "If the complaint does not come within the life time of the party, *from within the party,* then it cannot be raised in the 'trial of a collateral issue'" (92).

33. The transformation of history into allegory effectively washes out the claims of any party to a greater suffering or injustice in the larger current of national suffering and sacrifice. The former slave, like the erstwhile white master, the Northerner and the Southerner, and "man and wife" become politicized categories collapsed through a universal suffering into the suprapolitical rubric of family (a point reinforced by the family titles that the former slaves bear). Likewise, the sentimental and tragic representations of war eradicate (or disguise, most pointedly in the reunion romances of Thomas Dixon and Thomas Nelson Page) racial, class, and gender inequity.

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