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Privacy and Impertinence: Talking about Servants in Austen. Marie Hockenhull-Smith.

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With a few exceptions Austen does not give servants a distinctive character. Though she may acknowledge the material fact of the labour they do, she rarely brings them forward as individuals. It is noticeable that there is a modern literary interest in filling this fictional void: for instance, Jo Baker's *Longbourn* focuses on the Bennet household servants' experience during the action of *Pride and Prejudice*. Baker imagines them having their own independent ideas about the familiar events upstairs. Given the fascinating perspective this offers, it seems pertinent to ask why Austen herself did not write more about it. This is interesting both as a question about literary form, and as a question about moral or political preferences. To follow this line of inquiry takes us into the social issue of trust and what was appropriate to share in a community. This may appear to be at the level of manners, and has generally been viewed so by critics; but I intend to establish a new way of considering the question, in suggesting that underlying the manners are ideas about privacy and confidentiality which relate to the way these issues were unfolding in the law—and still are, on both sides of the Atlantic. Though focusing attention on the relatively thin population of servants in her plots might seem to turn Austen downside up, analysing how the employers of servants negotiate conversations about them offers some significant revelations.

A real-life exchange from the theatrical world with which Austen was so fascinated provides a useful prompt. Catherine Clive, whose stage speciality was the role of lively maidservant,¹ wrote to David Garrick that the occasion of writing a “character” (reference) for someone seeking employment put her in mind of his ability to make an actor “without

genius” “pass for” a good one (Boaden 610-11). Her comparison suggests that a good “character” might not describe what the servant was really like, but an ideal persona for them to live up to. This is a view tolerant of servants acting a part in order to get and keep a place, but, for a master seeking a servant, the suggestion of invention fostered fear, not only of poor housework but of possible criminality. Hence there was a demand for certainty, articulated later in the century by bodies such as the Society for the Encrease and Encouragement of Good Servants, in a campaign for parliament to legislate on the matter. In his *Laws of Masters and Servants Considered*, the society's secretary John Huntingford complained of approbation being exaggerated and faults minimised, and claimed forged characters were “sold at all prices, from half a crown to five guineas”; he extrapolates that “from hence, no doubt, arise most of the house robberies committed both in the metropolis and the country” (Huntingford 99). The requisite legislation against false or forged characters was passed in 1792.² Admittedly, the Society’s principal aim was to safeguard the interests of employers, but there was also the potential to protect honest servants from character-assassination. Ruling on the consequences of the act, Lord Chief Justice Kenyon stated that “a man is not bound by law to give any character at all, although if he do, he must take care to give a true one” (Steedman, 212).³ Both sides of the contract have concerns about the representation of servants. This is one of the cross-currents to bear in mind when noticing Austen’s reticence on giving servants a “character.” It is in sympathy with Kenyon’s recommendation of discretion.

Alongside the legal discussion, there was a cultural debate in the theatre, where imaginary versions of the master-servant relationship played out for entertainment, perhaps also for moral improvement. Austen’s demonstrable enthusiasm for such theatre and its influence on her writing gives rise to a question about her perception of the use of servants in narrative forms. As eighteenth-century comedies frequently featured a central servant role,

Austen may be making a choice in disregarding this aspect of the model. Her correspondence shows she was knowledgeable about theatre and went whenever she could (see Byrne chapter 2). She was thus familiar with the genre which drew on the stock plot of “new comedy,” involving a tricky servant who is, in Frye’s terms, the “architect of the comic action,” furthering his master’s interests through his clever schemes (Frye, 173-4). In its simplest form, the servant’s function is conceived as facilitating a new order in the higher level of the plot.

In contrast, the servant-function in Austen’s narratives is altogether muted. In *Sense and Sensibility*, for example, there are multiple occasions when a servant performs an essential action—opening a door, delivering a letter. The servants are not individualised and are absorbed into the mechanisms of everyday life. Although many eighteenth-century comedies use such moments for a servant to manoeuvre or comment on the plot, in Austen’s narratives there is almost never a focus on their agency. Such overlooking is made visible in *Longbourn*, when the maid Sarah admits Darcy and Colonel Fitzwilliam: “in the instant the door was opened, she ceased to exist ... for them the door had simply opened itself” (Baker 263).

Austen was also familiar with a particular variation of the generic tricky servant drama in which the servants disrupt their master’s interests. The Austen family, fond of amateur theatricals, performed one example in the short farce *High Life Below Stairs* at Steventon (Byrne Chapter 1).⁴ Servants in their master’s (apparent) absence take centre stage, engaging in siphoning off household money, clothes and food for themselves, “in fee with every tradesman.” They revel in aping the master’s style, and the actors have fun mocking the maids’ and valets’ “awkward and conceited minuets,” their absurd manners and discussions of “Shikspur” and “morrility” (Townley II 38-41). In the play’s simple didactic

structure, the master catches them in the act, dispensing summary justice in dismissing all offenders “without characters.”

Versions of this scenario are documented by social historians (King 182). But this farce is a masters’ caricature, framed as righteous evidence-gathering by surveillance. An acquaintance of Garrick’s, believing him to be the author, flattered him on thereby producing the social benefit of “reform[ing] those follies which the law cannot punish,” and thus earning the gratitude of posterity (Boaden 105).⁵ However, in the public theatre, *High Life* divided audience opinion. Oliver Goldsmith commented in *The Bee* that “people of fashion” liked it more than “the subordinate ranks,” and, in saying that he himself was happy when his servants were happy, suggested his own reservations (Goldsmith 154-157). After one Edinburgh performance, outraged footmen rioted, threatening to “pull down the House if the Farce is acted anymore” (London Evening Post, 1760).⁶ For the employers, the farce’s pointed conclusion that it might actually be *their* failings which caused their servants’ bad behaviour may have seemed an unwelcome moral. Although performing *High Life* privately at home indicates some consent to its embarrassments, there might be discomfort amid the laughter even there.

Austen rejects such foregrounding of servants in her own domestic narratives, yet there is a significant link to *High Life* in her *Mansfield Park*. She too uses the trope of the patriarch who returns to catch out domestic actors in their misconduct, though it is the *family’s* theatrics in focus. Austen significantly decentres the play’s central condemnation of servants and puts it instead into Mrs Norris’s household-report to Sir Thomas. She has “a great deal to insinuate in her own praise” about her own “excellent hints of distrust and economy to Lady Bertram and Edmund,” “whereby a most considerable saving had always arisen, and more than one bad servant detected” (221). The description of her performance at dinner as “always contriv[ing] to experience some evil from the passing of servants behind

her chair,” suggests that her hypervigilance is a form of self-promotion (278). Such satire replaces the approval accorded to surveillance in *High Life*.

Her sister Mrs Price’s anti-servant tirades are the other side of the same coin: “her own domestic grievances; and the shocking character of all the Portsmouth servants, of whom she believed her own two were the very worst, engrossed her completely” (445). Austen describes the chaos of her household in detail, with the “trollopy-looking maidservant” Rebecca consistently falling short in her daily tasks. The implication is that Mrs Price is energetic in complaining, but not in exerting herself to manage. The servant-preoccupation of both sisters is a key instrument of Austen’s satire, revealing more about them as employers than about their servants.

This novel, in production between 1811 and 1814, confirms the pattern that Austen was establishing in her earlier works. A reference to a servant is generally a means of communicating information about a gentry character. The most direct version of this function is the appearance of Darcy’s housekeeper Mrs Reynolds before Elizabeth and the Gardiners at Pemberley. As tour guide to the house, she delivers the glowing “character” of her master which functions to correct Elizabeth’s misapprehension. There is sly authorial humour in her rendering of Elizabeth’s reasoning: “What praise is more valuable than the praise of an intelligent servant?” (277).

Other categories of information may be indicated by the servant theme. Along with Adam Smith, Austen and her characters see servants as indicators of economic status. In Smith’s words, when a man has “sufficient to maintain his own family [he] employs the whole or part of the surplus in maintaining one or more menial servants. Increase this surplus and he will naturally increase the number of those servants” (Smith 71-2). But, in Austen, taking on or turning off servants is not as “natural” or as neutral an economic indicator as

Smith suggests, as moral choices are involved. An increase in servants may be to *display* that increase in surplus. In Mrs John Dashwood's house, "the servants were numerous, and everything bespoke the mistress's inclination for show" (175). The grudging tenor of her anecdote about her mother being "clogged" with the burden of paying annuities to "three old superannuated servants" reveals the bottom line in her mechanistic attitude to servants; she will spend to promote her own status, but would prefer that being an employer came with no personal economic responsibility for their welfare (265). Conversely, the Dashwood women being greeted on arrival in Devon by "the joy of the servants," the man and two maids to which they have regretfully whittled the number down, implies they have fostered personal relationships (33). These are succinct moral signs.

Characters' discourse on servants produces another moral sign. To be overly interested in the servant-economics of others' households crosses a line, a lapse in decorum which also has the wider effect of bringing Austen's work into cultural debates about ideals of privacy and civility. Mrs Jennings in *Sense and Sensibility* is a lightly satirised, early version of a type. Her disregard for personal boundaries provides comedy of embarrassment, often through an irrelevant interjection about servants. Mistaking a tête-a-tête between Brandon and Elinor for a marriage proposal, her first response is to identify them as suitable employers for a housemaid in need of a place (325). Similarly, her response to the prospective marriage between Edward and Lucy is to diagnose that they could only afford a "stout girl of all works" (314). And her prescription for Willoughby would include that he "turn off his servants, and make a thorough reform at once," to marry Marianne (221). Her mind turns first to household management, and however well-meaning, it is a comic irritant for characters who are more concerned with what they are *feeling*.

Full-blown satirical examples of officious interest in others' household affairs are provided by Mrs Norris and Mrs Elton. Mrs Norris bitterly holds against Mrs Grant the "grievance" that she gives her cook "as high wages as they did at Mansfield" (MP 35): commenting on wages is rushing in where even magistrates were legally not supposed to tread, as we will see below. Servants in Mrs Elton's personal economy serve to proclaim her own significance in the community. Hence she impliedly patronises the Bateses by familiarly naming their servant "Patty", and Jane Fairfax by carelessly offering her the service of "one of our men, I forget his name" (E 319). It is significant too that the offer is to take charge of Jane's letters—considered as sacrosanct an area of personal control as the home itself.⁷ After a supposed slight from Donwell, Mrs Elton reclaims her superiority by disparaging all its household servants as "extremely awkward and remiss ... And as for Mrs Hodges, Wright holds her very cheap indeed" (500).

In Austen's hierarchy of respectability, it is a virtue to judge correctly if and when and how much openness about domestic arrangements is appropriate. Mr Woodhouse does not observe the normative line, but his is a different case, more relevant as a variation on the line of inadequate fathers which runs through Austen's novels. His frequent allusions to the superior ministrations of his servants, his nervous reliance on James's very sensitive slow driving and Mrs Serle's abilities in boiling eggs, indicate not their remarkable skills, but rather his own dependency, a weakness which needs to be managed tactfully by Emma and humoured by his neighbours.

Calibrating these various examples suggests that the ideal is to be so much in command of the economic management of one's household that discussions of servant matters can be contained in appropriate contexts: for instance, Emma can tell Mr Woodhouse that his canny suggestion of James's daughter for housemaid at Randalls will mean that James will never mind driving them there (E 7); and the ideal also includes being so in

command of one's tongue, self-importance and inquisitiveness that one doesn't presume to comment on anybody else's management. As editors of the Cambridge *Emma* suggest, "community is almost as vulnerable to rudeness as it is to wrongdoing" (xxxix). I would suggest that a preference for reticence over officiousness is more than a matter of polite manners and can be set in the context of ideological discussions about domestic privacy.

The cultural perception of the patriarchal household as private was echoed in law in several ways. For instance, domestic service was on several counts excepted from the provisions of the Elizabethan statute which dominated the labour code and gave summary jurisdiction to magistrates over journeymen, husbandmen and apprentices.⁸ As Blackstone put it, it is "impossible for any magistrate to be a judge of the employment of menial servants, or of course to assess their wages" (416). This limitation was significantly perceived by some as "a defect in our police."⁹ Hence some magistrates simply disregarded it in practice. But Parliament preserved it well into the nineteenth century, in 1800 avoiding passing a bill designed to allow magistrates to adjudicate domestic service disputes. A term in Blackstone's earlier account of the law of masters and servants is suggestive of the concept that is being protected: "menial servants," he says, are so called "from being *intra moenia*." They live "within the walls" as part of the family (416). Even more pointedly, the Latin could also mean "within the fortifications." Douglas Hay quotes a Home Secretary's comment on a previous failed bill, which conveys the defensive ideological position being taken: "the Lords would never suffer such a power to be given as might subject them to be summonsed by a servant" (Hay and Craven 90). Hence this makes visible a cultural, often legally protected, desire to protect the *intra moenia* space from any interference which might be occasioned on the matter of servants.

The way that Austen's satire is frequently directed at those in the employer class who disregard the walls around household business suggests that she is exploring such boundaries. Her famous concern for moderation and sense of balance is at work on this theme. It seems that characters who have the honour of Austen's approval also have, among their other qualities, the virtue of reticence on the matter of what one another's servants do. The function of this as a mechanism of moral and social balance can be clarified by Aristotle's definition of virtue as "a purposive disposition that is relative to us and determined by a rational principle, and by that which a prudent man would use to determine it. It is a mean between two kinds of vice, one of excess and the other of deficiency" (Aristotle 101). It is not that characters worthy of respect do not talk of servants at all, but that they do so to the prudent amount, neither excessively nor deficiently.

The law surrounding privacy is a complex area. English law in the last century has focused more on confidentiality and protection of relationships than on privacy as individual liberty.¹⁰ However, both strands are present in English law of the eighteenth and early nineteenth centuries. Arguably, privacy as protection of individual liberty can be located in the statutory exclusion of magistrates' jurisdiction over the master and servant relationship in the *intra moenia* space. Such "privacy" can be suppressive. In contrast, an idea of confidentiality can be an intermediate mechanism, encouraging the freedom to converse in the confidence (the etymology is clear) that there are limits against too-wide dissemination. This is a matter of contract in the service relationship, but is potentially wider than that—protecting family relationships, friendships, letters and so on, in the recognition that, for society to function well, trust and mutual reliance must be facilitated. Such a compromise supports community, and I would argue that this suits Austen's instinctive sense of moderation. The communities she depicts, in *Emma* for instance, are not "private." They thrive on the civil exchange of gossip and information, but her authorial weight is behind the

idea that they are at their best when they recognise civil limits and understand the value of reticence for self-regulation.

It is interesting to contrast Austen's ideal of reticence on this subject with the approach of a little-known contemporary playwright, whose provocative free speech attracted state censorship. Lady Eglantine Wallace's comedy *The Whim* of 1795 was refused a licence under the 1737 Stage Licensing Act by the official government licenser, John Larpent. Lord Crotchett's "whim" is to honour the ancient tradition of Saturnalia by letting his servants Fag and Nell rule for the day, with himself as undercook. The script's main interest is banter between these three, but the upshot of the plot is a love-match for Crotchett's daughter which the servants support against her father's objections. This is a conventional structure utilising stock roles, but Lady Wallace uses her master and servants unconventionally to ventriloquize her severe judgments on "great men." She introduces the printed editions with her "Address to the Public upon the Arbitrary and Unjust Aspersions of the Licenser against its Political Sentiments," recounting that the "overflowing" audience in Margate had been told that the "piece could not be acted without endangering the theatre."¹¹ She stresses that it is *reason* which makes her target "those, who under the influence of grandeur, indulge atrocities and vices which would render a plebeian an outcast from mankind" (Wallace 10). She positions the play as a revolution-averting call for moral reform, to which the servant-perspective is vital: if only the French had had an honest "press or drama" to hold "a mirror up to their deformity," the "reflection might have rescued them in time from vices, immoralities and cruelties which have ... deprived them of even the Rights of men!" Her contention is that such reflective plays are needed to teach the ruling class to be more civilised, for the country's good. "The stage is the only school that overgrown boys and girls can go to" (13-14) is a critical commonplace now, but it is interesting to find it *then*, articulated so clearly. However, such outspokenness was provocative in the political mood of 1795, when the

government feared that any critique of the ruling class could be misread as supportive of revolutionary sentiments, especially one with incendiary words like “reason” and the “Rights of Man.”

Without suggesting that Austen was even aware of it, it is worth aligning a significant point in Austen’s development with this episode: in 1796, Austen began *First Impressions*, an early draft of *Pride and Prejudice*. While Wallace defended her would-be corrective play by complaining that “without prejudice or passion,” “if one but hints at the possibility of a great man's not being endued with truth, justice and moral rectitude, you are forsooth called Democrat, Demon or what you please” (10), Austen formulated a plot in which Elizabeth Bennet does that very thing. Her preference for the testimony of a servant’s son against a great man is itself corrected as a prejudiced view when the great man turns out to have more of truth, justice and moral rectitude than she had perceived, and moreover to be open-minded about being corrected.

In *Justice: What's the Right Thing to Do?* Michael Sandel considers how societies measure the justness of their distribution of social benefits; he examines the Aristotelian idea of justice as teleological and honorific and, in the final analysis, accepts the value of its ancient logic for contemporary ethics. “[Aristotle] thinks that debates about justice are, unavoidably, debates about honour, virtue and the nature of the good life” (Sandel 187). I would argue that something of this thinking underlies Austen’s representation of a good society: the idea that people who have the necessary virtues deserve their social benefits. That Austen’s logic encompasses this is represented by satire of its distortion: Mrs Norris’s envious version of teleological social justice makes her resent Mrs Grant being “a fine lady” because “she could not find out that Mrs Grant had ever had more than five thousand pounds”; and Lady Bertram too “felt all the injuries of beauty in Mrs Grant being so well

settled in life without being handsome” (MP 36). In comparison, the virtue of conserving civility through reticence is a gentle indication of social deserving.

Austen’s narrative negotiation of cultural virtue is more concerned with the right thing *to do* and the way to be. The Aristotelian classification of prudence as “practical wisdom,” “a moral virtue with political implications” is a useful way of theorising why her scope is often read as extending beyond individual morality: the judicious conduct of the best of Austen’s small sample of gentry families is meant to be socially instructive. People who possess such “prudence” can model what is good not only for themselves “but for their fellow citizens” (Sandel 198). The balancing is never easy, as we see in the matter of Darcy’s reticence about Wickham’s abduction of Georgiana. To protect his sister, Darcy observes confidentiality, and Elizabeth then accepts the trust, but the lack of disclosure leads to harm to the Bennet family. Maintaining the confidentiality enables damage limitation for the two families, but the truth about Wickham remains undisclosed.

In contrast with earlier examples featuring excessive notice of servants, a sketch of deficiency helps bring into focus Austen’s eye for the prudent balance. In the passage in *Sense and Sensibility* concerning the visit to Charlotte Palmer’s house, there is a rare glimpse of an estate as a working environment, in which the servants’ commitment to their labours is sympathetically drawn; whereas the gentry party’s “lounging around the kitchen garden” and “dawdling through the green house” seem sadly detached and unappreciative. Their mistress Charlotte is most disconnected, responding inappropriately with amusement to “the gardener's lamentations upon blights” and with “merriment” to the “disappointed hopes of the dairy maid” about the hens being taken by foxes (SS 343).

In contrast, Mr Knightley owns that he would much “rather be at home, looking over William Larkins's week's account” than be at a ball (E 278); and is so appreciative of his

servant's expertise that he is happy to justify a gift of apples to Miss Bates with ““Larkins let me keep a larger quantity than usual this year”” (257). Where Knightley is laconic, Miss Bates is one of the (lightly satirised) over-sharers, spilling the internal domestic politics concerning the apples: ““he was so pleased to think his master had sold so many. William, you know, thinks more of his master's profit than anything”” (258). The image of reciprocal respect between master and man marks Knightley out as a worthy custodian of the landed interest. Yet there is still room for prudent modification, when Emma as future wife is rather satirical about ““his dear William Larkins”” (283). ““You must get his consent before you ask mine,”” ironically hints that such a degree of involvement is more suited to a single man. The necessary modulation is signalled by Knightley ““walking away from William Larkins the whole morning, to have his thoughts to himself”” (490).

Modern rewritings like *Longbourn* usefully draw attention to intriguing absences and silences in the representation of such relationships, yet they do not supplant the value of the original's choices. Austen's displacement of servant-voices with talk about servants is more nuanced than a simple omission— **reading her work alongside the range of documents featured in this article puts it in an entirely fresh light**, as a “live” engagement with her contemporaries' negotiations on the framing of servant “characters.” This engagement is of continuing historical interest, given that the law of master and servant was the crucible of the labour contract. Even in the low-stakes conversations in drawing rooms Austen was taking a position on the balancing of private and public interest in this relationship. But more than that, it is also of contemporary interest, as it can map on to our current attempts to find where the sweet spot of civility lies in the negotiation between the two public goods, the right to respect for privacy and the right to expose or comment on anything of interest. The balance Austen advocated *then* for the preservation of good relations in her particular microcosm of the public, her imagined rural communities living at close quarters, perhaps relates to the

judgments accumulating *now* in modern cases in English law, which hold that what interests the public is not always the same thing as what it is in the public interest to be made known.

¹ Garrick's first company as theatre manager in 1747 included Clive as "leading comic" and "singing chambermaid." She played the serving maid Lady Babs in *High Life Below Stairs*, discussed below. The calendar in *The London Stage* shows that around this time, in the seasons 1759 to 1761, she also performed the function in similar roles in plays by Dryden, Vanbrugh, Steele and Fielding. She wrote this letter in 1774.

² The 1829 edition of Blackstone, 418, records that this was passed as statute 32 Geo III c56, imposing a penalty of £20, with 10s costs, against someone giving a false character of a servant or false account of former service. The party injured could sue (the servant could not sue the master for refusing to give a character).

³ Thomas Walter Williams, *The Whole Law Relative to the Duty and Office of a Justice of the Peace. Comprising also the Authority of Parish Officers*, 3rd edition, London, 1812; vol 2, 880-881. Quoted in Carolyn Steedman, p 212.

⁴ Performed at Steventon in 1788-9. See Byrne, chapter 1. First performed in London in 1759. Paula Byrne is mistaken in claiming 1775.

⁵ *Private Correspondence of David Garrick*; Vol 1 p105; Rev Dr Warburton to Mr Garrick Nov 9, 1759

⁶ *London Evening Post*, London: England. Saturday, January 26, 1760; Issue 5029.

⁷ eg Post Office Act 1710; see Richards and Solove, p. 41

⁸ The statute 5 Elizabeth Chapter 4

⁹ See Steedman, p. 213, quoting Chief Justice Kenyon.

¹⁰ Though the interplay between two articles of the Human Rights Act 1998 is creating developments in this area: the protections of Article 8, for "private and family life, home and correspondence" (subject to restrictions "necessary in a democratic society"), balanced with the protections under Article 10 for the freedom to receive and impart information.

¹¹ It was to be staged in Margate for three nights for the benefit of "the poor of the Isle of Thanet."

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