CrossMark

"Duteous Bonds": *Daniel Deronda* and the 1870 Naturalization Act

CAMEY VANSANT

1. "You Are English?"

On the evening after Gwendolen Harleth "deposit[s] her last poor heap of napoleons" on the roulette table in Leubronn, she approaches her family friend Vandernoodt about the "stranger" whose "measuring gaze" she thinks threw her off her winning streak.[1] "What did you say was the name of that gentleman near the door?" Gwendolen asks Vandernoodt. "Is he an Englishman?" (9). Gwendolen's second inquiry calls into question the narrator's neat national classifications in the opening scene of George Eliot's *Daniel Deronda* (1876). Whereas for the narrator, the gamblers at the cosmopolitan casino show "very distant varieties of European type: Livonian and Spanish, Graeco-Italian and miscellaneous German, English aristocratic and English plebeian," for Gwendolen, the origins of the "dark-haired young man" with the "delightful name" of Deronda are inscrutable, illusory, illegible (4, 9). Daniel echoes Gwendolen's inquiry when he rescues Mirah Lapidoth on the banks of the Thames, the river that connects London to the sea and on to the wide world beyond. "You are English?" he asks, the indicative mood of his speech sliding upward into the interrogative. "You must be—speaking English so perfectly" (176).

These crucial meeting scenes introduce a critical concern of the novel: the tensions and overlaps between different conceptions of national identity, as it can be defined by biology, affinity, or culture. The law looms over both scenes as well. When Vandernoodt affirms that Daniel is an "Englishman," he attributes his belief to the rumor that Daniel is the illegitimate son of Sir Hugo Mallinger, bringing to mind the dominant system for determining legal nationality in Continental Europe: subjecthood by descent (*ius sanguinis*) (9).[2] Accordingly, when we learn later that Daniel is not a Mallinger but rather

Camey VanSant earned her PhD in English from Princeton University in April 2020. Her project, "Novel Subjects: Nineteenth-Century Fiction and the Transformation of British Subjecthood," examines the intersection of the nineteenth-century novel and the law of nationality.

Victorian Literature and Culture, Vol. 50, No. 3, pp. 489–519.
© The Author(s), 2022. Published by Cambridge University Press.
doi:10.1017/S1060150320000455

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

has Continental, Jewish heritage, we must consider to what extent Daniel is or remains an "Englishman" after all. Mirah takes a different tack. Her response to Daniel's question evokes the concept of *ius soli*, the common law system of determining nationality based on birthplace: "I am English-born. But I am a Jewess" (177). With a hyphen and a conjunction, Mirah suggests that her Jewish identity limits—or, perhaps, overrides—the designation derived from her place of birth. A simple nod or a negative cannot capture her identity.

The complexities of nationality featured politically in the 1860s, the decade in which the novel is set. When a royal commission revisited the common law doctrine of "indelible allegiance," under which the legal status of a British subject was a lifelong designation, the commissioners struggled with whether or not indelible allegiance violated what they considered to be modern values (they decided it did) and, more broadly, what the status of "British subject" should mean about an individual's identity and commitments (no single answer emerged) (see *Report of the Royal Commissioners*, v, xii–xv). The Naturalization Act (1870), which followed these discussions, transformed the law of British subjecthood.[3] Whereas indelible allegiance meant that individuals could not voluntarily cast off the status of a subject, under the 1870 act, many subjects gained the right to do just that. More than before, British subjecthood became a matter of choice.

This essay shows how the nationality debates and the novel bring together crucial questions about individual liberty, the obligations of birth, and the determinations of inheritance. In doing so, it adds to the rich discussion of nationality and national identity in *Daniel Deronda*. Scholars have engaged with Eliot's treatment of Zionism and have grappled with the novel's complex treatment of cosmopolitanism, a phenomenon that pushes against purely national affiliations.[4] Yet nationality law has rarely featured in the critical conversation. David Glover, the only scholar I know of whose work on the novel engages the topic at length, helpfully shows how Eliot sets the novel in a "world in which national allegiances might still retain a certain fluidity"—one reflected in the Naturalization Act. As Glover explains, that world stands in contrast to the more restrictive regime of the 1905 Aliens Act, to which his chapter looks forward.[5] Whereas Glover uses the law and the novel to provide context for later developments, I focus on how legal and extralegal nationality intertwine with and illuminate each other.[6] Sir Hugo's involvement in Parliament, Mordecai Cohen's dream of forming a Jewish nation, Leonora Halm-Eberstein's desire to divest herself of her

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Jewish identity—all suggest that the law cannot be detached from the larger issues of nationality and community that Eliot considered throughout her career. But unlike the law, which tends to reduce complex problems to rules and definitions, the novel explores how historical change and the particularities of identity, including religion, gender, and class, affect nationality as an individual experience. And by engaging nationality as a philosophy and in practice, the novel helps us see how the law acted as a battleground for larger conflicts over the fate of national identity in Britain and beyond.

2. The End(s) of Indelible Allegiance

"According to the law of England, a law which has been administered without any variation or doubt from the very earliest times, he who once is under the allegiance of the English sovereign remains so for ever."[7] So pronounced Chief Baron Pigott in 1867, ruling that accused Fenian conspirator John Warren, an Irish-born American, would be tried as a subject, by a jury of Victoria's subjects, and not by the mixed jury reserved for aliens.[8] Across the Atlantic, cases like Warren's sparked outrage, as many Americans pushed back against indelible allegiance.[9] Citizens assembled. Politicians speechified. And diplomats negotiated, working with their British counterparts to address the long-standing issue.[10]

The British responded. David Sim explains that after the United States Congress passed the 1868 Expatriation Act, which declared that "the right of expatriation is a natural and inherent right of all people," the British developed a "protocol" to move forward on the issue.[11] A year later, a royal commission, formed to "inquire into and consider the Legal Condition of our Natural-born Subjects who may depart from and reside beyond the Realm," recommended ending indelible allegiance (*Report of the Royal Commissioners*, iii). Parliament followed the commission's lead in the 1870 Naturalization Act. As a result of the act, the status of "British subject" moved closer to being a temporary designation often shaped by individual choice. Not only could many people assume the status of a British subject through naturalization, a process that had been simplified by the Aliens Act (1844), they could also leave it behind by becoming naturalized in another country or by completing an administrative process.[12] Four years after the chief baron's proclamation, old-fashioned British subjecthood was no more, the

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

commission having dismissed indelible allegiance as no longer "reasonable" nor "convenient" (v).

To justify their recommendation, the commissioners, following the American legislation, explained that indelible allegiance had become irreconcilable with current understandings of individual rights and freedoms. Indelible allegiance "is at variance with those principles on which the rights and duties of a subject should be deemed to rest; it conflicts with that freedom of action which is *now recognized* as most conducive to the general good as well as to individual happiness and prosperity; and it is especially inconsistent with the practice of a State which allows to its subjects absolute freedom of emigration" (v, emphasis mine). The Naturalization Act reflected and effected this new philosophy. As David Feldman and M. Page Baldwin write, the act implicitly acknowledged that "the bonds of allegiance did not now follow God-given laws of nature but required a degree of explicit or implicit consent" from the individual.[13] For Glover, the act evinces a particular form of liberalism: whereas "the state was constantly engaged in determining the limits and the risks that [subjects] must face," the legislation recognizes individuals as "free and active subjects" with some control over their legal status.[14] Legal nationality became not simply a birthright but an expression of individual liberty.

The commissioners also expressed concerns that individuals with only tenuous connections to Britain held the status of a subject. To address this issue, they suggested that British-born children of foreign parents—that is, those with dual nationality—should be able to cast off the status of a subject by "register[ing] as an alien" (ix).[15] Yet for several commissioners, the proposed corrective did not go far enough. Though their view did not ultimately prevail, several officials argued that British subjecthood should derive primarily from inheritance rather than birthplace, implicitly suggesting that a system based on descent is likelier to result in subjects with what they considered to be a substantial affiliation with Britain (see xii–xiii). The commissioners' comments expose an instability in what the legal status of subject should mean about the individual. Does "subjecthood" describe a link from subject to monarch? A set of duties to the country? A feeling of patriotism?

In a concurrence to the *Report*, Commissioners George W. W. Bramwell and Mountague Bernard present subjecthood as a kind of exchange, an arrangement disrupted when individuals benefit from the "advantages" of subjecthood without undertaking the corresponding "obligations" (xi–xii).[16] For Bramwell and Bernard, "real title" to the

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

"rights" of a subject derives from performing "duties"—or at least having the potential to perform them: "None of the duties of a subject could practically be enforced against a person who, though born here, had always resided in the foreign country to which his father belonged" (xii). Commissioner William Vernon Harcourt frames the argument differently, emphasizing the importance of "connexion with the community" to legal subjecthood (xiv). "Nothing can be more politically inexpedient," he writes, "than that this country should be exposed to the claims of a class of persons who have no interest in its welfare, and who, neither by origin or domicil, have any community with its affairs" (xiv). Harcourt makes clear that individuals of different backgrounds can participate in this "community": "Foreigners and their children who really desire to incorporate themselves and their interests in the common stock of this country, and to embark their fortunes with ours" should be able to do so through naturalization, provided they disclaim their connection with other countries (xiv). On one hand, Harcourt offers a tolerant perspective, one that privileges individual choice over the dictates of birth. On the other hand, he fails to address the complexities of difference. The language of "incorporation" and "common stock" suggests that individuals can be absorbed into the community without any challenge to themselves or to others, an assumption that, as we shall see, *Daniel Deronda* undermines.

Alexander Cockburn, lord chief justice of England, provides a different justification for *ius sanguinis*. For Cockburn, national identity is transmitted from father to child—albeit through example, not inheritance. "The child, as soon as he can think and feel on the subject, learns to associate the idea of nationality with that of his father," Cockburn writes in an 1869 pamphlet. "The impression . . . develops itself into the national attachment which we designate by the term of patriotism."[17] *Ius sanguinis* makes sense because it enshrines in law the development that proceeds organically, perhaps even involuntarily ("develops itself"), without it. Cockburn's commentary represents a shift from the realm of obligation, invoked by Bramwell and Bernard, and choice, emphasized by Harcourt, to the dominion of feeling. At the same time, Cockburn's idea of "national attachment" suggests an affiliation broader than the one traditionally associated with the category of "British subject." Historically, the category denoted a relationship to the monarch and applied to subjects in British dominions throughout the world. In Cockburn's conception, however, legal identity should align with a sort of learned attachment to the country: what he calls "patriotism."[18]

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Although neither the commission as a whole nor Parliament, in the Naturalization Act, ultimately abandoned *ius soli*, the debates over the meaning of subjecthood mattered on a conceptual level. In an era when indelible allegiance conflicted with philosophical commitments and practical exigencies, Britons imagined a subjecthood supported by different principles. *Daniel Deronda*, set in the mid-1860s, takes up the intersection of choice, birth, and inheritance permeating mid-Victorian discussions of nationality law.

3. Subjects of This Realm

Eliot engages these issues through three related strategies: by examining and evaluating the national experiences of Daniel's parental figures (and of Sir Hugo's heir, Henleigh Mallinger Grandcourt); by tracing the development of Daniel's national identity; and by thinking through an alternative model of nationality via Mordecai's dream of a Jewish state. The first involves a sort of experiment. Eliot invites us to consider how different indices of national identity, such as inheritance and upbringing, correlate with meaningful national engagement. In doing so, she posits a model of national identity that requires a deeper investment in the nation than what the commissioners call the "obligations" of the subject (v). Eliot introduces this model through the character of Sir Hugo Mallinger, who unites *ius soli* and *ius sanguinis* in his very person. When the narrator tells us that "the Mallingers had the grant of Monk's Topping under Henry the Eighth," she links the family to the feudal origins of allegiance, which, according to William Blackstone, derives from the monarch's ultimate control over all English land (150).[19] Moreover, when the narrator adds that the Mallingers owned the "neighbouring lands of King's Topping" even "ages before" that, the vague chronology associates their status as subjects back to a "time immemorial," a period preceding the law's memory (150).[20] This inherited element is also an ethnic one. Sir Hugo's nationality, like many of the Continental casino-goers', is legible on the surface: his "face" is "unmistakably English" (for even as Sir Hugo is a *British* subject, the corresponding extralegal identity in the novel is indeed *English*) (412). In a way, then, the law of subjecthood recognizes Sir Hugo's national identity, but it does not create it.

In Sir Hugo, these indices of Englishness align with national engagement: the baronet is a member of Parliament, a role for which legal British subjecthood was a prerequisite.[21] With the stitch of an em dash,

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

the MP sews together modern national "business" with feudal ties, telling Daniel that "the business of the country must be done—her Majesty's Government's carried on, as the old Duke says" (354). Moreover, the nineteenth-century mobility that the commissioners suggest challenges indelible allegiance poses no threat to the baronet's commitment. Although he "spent a good deal of [his] time abroad," he maintains his cultural and political associations with England, making real the ideal of permanent subjecthood (168).

Eliot's narrator, consistent with what Bernard Semmel identifies as the novelist's "conservative regard for the past," shows a sort of admiration—or is it nostalgia?—for Sir Hugo's model, in which different forms of identity align, and where feudal institutions are easily transferred into the modern world.[22] The narrator delights in describing the Mallinger household, which, like the baronet, brings together the land and the line. Taking us to a gathering on (significantly) New Year's Eve, the narrator paints a picture of a hierarchical system that reaches back into the past and looks forward to the future:

> It was always a beautiful scene, this dance on New Year's Eve, which had been kept up by the family tradition as nearly in the old fashion as inexorable change would allow. . . . The old portraits stretching back through generations, even to the pre-portraying period, made a piquant line of spectators. Some neighboring gentry, major and minor, were invited; and it was certainly an occasion when a prospective master and mistress of Abbott's and King's Topping might see their future glory in an agreeable light, as a picturesque provincial supremacy with a rent-roll personified by the most prosperous-looking tenants. (410–11)

The "agreeable light" of this "provincial" painting softens the complexities evident in the commissioners' *Report*, which suggests a more diverse, cosmopolitan society (410). On first consideration, the tableau makes the feudal-like system, whose elite origins are hardly concealed, seem self-sustaining and economically advantageous for all. Even in the face of "inexorable change," the "old fashion" links together the community in a hierarchy where power and wealth are transferred from monarch to baronet to "prosperous-looking tenants" and back again (410–11).

Yet Eliot does not conceal the less attractive origins of British subjecthood. Not only does the image of a "rent-roll personified" reduce the centuries-old system to a financial tool for the elite, but the narrator subtly suggests that the old system is not so "picturesque" upon closer examination (410–11). That Henry VIII granted the Mallingers Monk's Topping hints that their prominence arose not from a glorious defense

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

of the monarch but from their assistance in destroying Catholic institutions.[23] Furthermore, when the narrator notes that Sir Hugo's ancestor, Hugues le Malingre, "came in with the Conqueror," she conspicuously links the prestigious Norman name with violence, reminding us that the "unmistakably English" baronet is a descendant of invaders (150, 412). Thus, at the same time that Eliot idealizes "Englishness" as the basis for subjecthood, she also exposes Englishness as a fiction. Nor does Eliot leave Sir Hugo's character unscathed. When he encourages Daniel to pursue a career in Parliament, the baronet presents the role as an avenue for self-promotion rather than an opportunity for service. What's more, Sir Hugo demonstrates ignorance about experiences different from his own. Even as the baronet grants Daniel "the education of an English gentleman," he fails to appreciate Daniel's struggles with his identity—first as a perceived illegitimate son and, later, as a Jew (157). The charge of naïveté is more pointed given that Sir Hugo is a Whig, a sort of predecessor of the Liberal Harcourt. Sir Hugo, thus, is an imperfect individual rather than an embodiment of old-fashioned virtue, a reminder of the simplicity of the traditional system but also its weaknesses. British subjecthood, like Englishness itself, is a product of a complicated history.

Most strikingly, Eliot challenges the Mallinger tableau by emphasizing its fragility. When Eliot pairs Sir Hugo with his heir, Grandcourt, she suggests that the model the baronet embodies rests on a correlation that no longer holds. Although Grandcourt stands to inherit the Mallinger land (*ius soli*) and shares his descent from William the Conqueror's compatriot (*ius sanguinis*), Grandcourt's "importance as a subject of this realm" is different from the baronet's; Grandcourt's subjecthood "was of the grandly passive kind which consists in the inheritance of land" (543). Through the villainous Grandcourt, Eliot detaches the status of British subjecthood from its practice, the unchangeable elements of nationality from the voluntary ones. Whereas Sir Hugo is a landowner, Grandcourt rents his place. Whereas the baronet inks political pamphlets, current events "touch[]" his heir only via telegraph and printing press (543). And whereas the uncle helps make news as an MP, the nephew's participation in the imagined English community, to adopt Benedict Anderson's phrase, involves not reading, but "glanc[ing] over" newspaper columns (543).[24] Explains the narrator: "political and social movements touched [Grandcourt] only through the wire of his rental" (543). Moreover, Eliot entwines Grandcourt's failure to distinguish between Englishness writ large and the international—that is, his lack

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

of English identification—with his immorality. Grandcourt is not a liberal cosmopolitan who appreciates all cultures but an elitist who contends that Germans and less affluent English voters are equally "brutes" (543). When Eliot situates Grandcourt among his telegraph and newspapers, his life framed by current events, she associates his detachment not just with his individual deficiencies but with modernity. Inseparably interconnected with Grandcourt's "decadence" is his model of passive subjecthood.[25]

Eliot's picture of the worldly Grandcourt, much more than the "provincial" Mallinger tableau, evokes the modern milieu of the commissioners' report. Although Grandcourt cherishes the subject's right to own land, he hardly embraces any kind of responsibility. However, whereas Harcourt worries about subjects who do not have "origin or domicil" in Britain, Eliot focuses on a different problem: indigenous indifference (xiv). In *Daniel Deronda*, the disengaged subject is the baronet's own heir, the future of English leadership. Nor is the problem merely an issue of "political[] inexpedien[ce]," as Harcourt calls it; rather, Grandcourt's passive subjecthood has moral implications (xiv). In Eliot's novel, then, the challenges to British subjecthood, and to English identity more broadly, are domestic and internal, national and ethical. And given their association with an Englishman like Grandcourt—one whose status as a subject is hardly an "accident of birth"—it is also one that legal reform is ill-equipped to address (*Report of the Royal Commissioners*, xiv).

4. The Subject of Consent

Eliot, in addition to condemning the new English elites, shows how the traditional doctrines of British subjecthood affect those whose identity places them on the margins of English society. The character of Mordecai Cohen, an impoverished Anglo Jew, suggests the psychological consequences of indelible allegiance (which no longer applied when the novel was published) and *ius soli* (which still prevailed as the default rule). Mordecai, espousing a perspective absent from the *Report*, explains that his status as a British subject is accompanied by a profound sense of alienation in England. To do so, he draws a contrast between the physical, which he associates with England, and the spiritual. When Mordecai declares that "English is my mother-tongue, England is the native land of this body," he both recalls Mirah's suggestion that she is not fully English despite her fluency in the language and reminds us of the law's emphasis on birthplace (464). Mordecai qualifies these seemingly neutral

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

statements with a reference to his terminal illness, which he symbolically contracts when he returns to England after time abroad. He experiences his disabled "body"—and, he suggests, the equally permanent nationality associated with it—as an artificial constraint: "England is the native land of this body, which is but as a breaking pot of earth around the fruit-bearing tree, whose seed might make the desert rejoice" (464). For Mordecai, the notably un-English desert, which recalls the landscapes of the Old Testament, provides an environment where his "seed" (presumably his successor Daniel) can be reborn, and which his "seed" can renew. Moreover, Mordecai considers his Jewish identity, linked to his ethnicity and culture, as alive and expansive. Replacing his physical birthplace with a spiritual one, he claims that his embrace of Jewish identity is "the soul *fully born* within me" (464, emphasis mine).

Eliot's emphasis on the Jewish experience raises difficult questions about legal nationality, especially because, in the nineteenth century, there was no Jewish state.[26] Amanda Anderson explains that "what we might call the internally exiled European Jew consistently raised the specter of radical disidentification" with national interests; on that reading, a Jew is a disengaged subject (or citizen) everywhere (127). Eliot briefly explores this issue via the musician Herr Klesmer, "a felicitous combination of the German, the Sclave, and the Semite," who stands outside nationality in the novel (41).[27] Yet Klesmer poses little threat to English identity in the novel (except, perhaps, in the eyes of his English fiancée's prejudiced parents). Rather, it is Mordecai, with his strong engagement with his Jewish identity, who challenges the English system. Notably, Mordecai's commitment to establishing a Jewish nation in the future, to which we shall return later in the essay, means that his Jewish identity is more than a supplement (or a limitation) to his British one; it also functions as a potential, albeit theoretical, alternative to it. Though I do not want to reduce Mordecai's role in the novel to that of a commentary on legal reform, he hopes to do what the Naturalization Act would make possible: to cast off his British identity via naturalization elsewhere.[28]

Eliot's attention to discrimination against Jews makes Mordecai's desire to disclaim his Englishness—and, in a way, expatriation in general—understandable to readers. Although the laws were changing—in 1858, for instance, Parliament officially abolished the requirement that members swear an oath "on the true faith of a Christian"—Anglo Jews did not enjoy equal rights to Anglicans in the mid-1860s.[29] Thus, when Mordecai describes his alienation, he implicitly challenges the

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

commissioners' claims that nationality law is identity-neutral—that, as they wrote, among the "solid advantages" of *ius soli* was its tendency to "obliterate[] speedily and effectually disabilities of race" (viii). So too does Eliot engage with the relationship between nationality and extralegal prejudice—that is, what Michael Ragussis calls the "unconscious anti-Semitism" that even those with "liberal sympathies" might practice.[30] For instance, when the narrator notes the Cohen family's interest in royal-watching, she comments in an unnecessary parenthetical: "the Jew is proud of his loyalty" (368). In the Cohens' case, the desire to embrace the old-fashioned form of British subjecthood—loyalty to the monarch—suggests either a false sense of belonging or a lack of sophistication. Discrimination, in addition to elite indifference, compromises the ideal of active subjecthood.

Eliot supplements this critique through her portrayal of Daniel's mother, the Princess Leonora Halm-Eberstein. Through Leonora, Eliot emphasizes the experience of another constituency largely absent from the commissioners' *Report*: women. Whereas the commissioners focus on the relationship of marriage to national status, Leonora demands readers recognize that women's identities do not arise solely from their husbands' (or fathers') (see *Report of the Royal Commissioners*, v). Yet even as Eliot grants Leonora, like Mordecai, a particularly powerful voice, critics point out that the narrator is often unsympathetic to Daniel's mother. Amanda Anderson, for instance, finds fault with Eliot for retreating to "atavistic conceptions of cultural fate in her disciplining of [Leonora's] transgressive individuality" (145). The narrator's negative response to Leonora's rejection of her Jewish identity aligns the narrator with Mordecai. Just as Mordecai compares Jews who try to disclaim their identity to vampires who "suck[] the blood of mankind"—a particularly cruel critique given the anti-Semitic resonances of vampirism—the narrator associates Leonora with monstrous or ghostly figures (490).[31] "You might have imagined her a sorceress"; "she looked like a dreamed visitant from some region of departed mortals" (614, 621). Thus, at the same time that Eliot draws readers' attention to the challenges faced by female subjects, she also shows the dangerous consequences of the "transgressive individuality" Leonora adopts in response to it (Anderson, *Powers*, 145). As we shall see, Daniel is able to avoid these repercussions when he embraces his Jewish identity at the end of the novel.

Before I show how the character of Leonora illuminates the relationship between gender and nationality, a word of caution. On first consideration, Leonora has little to say about British subjecthood. Although we

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

learn that her parents were married in England and that her "mother was English—a Jewess of Portuguese descent," Eliot never provides us sufficient information to discern whether Leonora is a British subject anyway (590). Moreover, Leonora, unlike Mordecai, does not view her Jewish identity as a (potential) legal status but as a cultural and religious identity. Nonetheless, Leonora's experience of Jewish identity illuminates and is illuminated by other characters' experience of legal and extralegal Englishness. For when Leonora describes what she sees as her oppressive identity as a Jew, her language brings to mind the language of old-fashioned British subjecthood; and when she contemplates her escape from it, she invokes the lexicon of liberalism, recalling the ideology underlying the Naturalization Act.

Eliot uses Leonora's experience to highlight the patriarchal associations of nationality. Earlier, we saw that *ius sanguinis* historically privileges paternal heritage; Cockburn, for example, presents national identity as a learned identification transmitted from father to child.[32] Although Jewish identity is typically linked to matrilineal inheritance, Eliot intertwines Leonora's experience of her Jewish identity with her relationship to her father. For Leonora, the "impression" that Daniel Charisi creates fails to "develop[] itself into the national attachment" described by Cockburn.[33] Instead, Daniel Charisi's teachings cause indifference and disdain: "I was . . . to think it beautiful that men should bind the *tephillin* on them, and women not,—to adore the wisdom of such laws, however silly they might seem to me. I was to love the long prayers in the ugly synagogue, and the howling, and the gabbling, and the dreadful fasts, and the tiresome feasts, and my father's endless discoursing about Our People, which was a thunder without meaning in my ears. I was to care for ever about what Israel had been; and I did not care at all" (587). Leonora's experience of her Jewish identity is not one of "impression," to use Cockburn's term, or even of imitation, but rather of active imposition: she must be the "'the Jewish woman' under pain of his curse" (587).[34] Gender is crucial to this distinction, for it affects Leonora's ability to consent, a concept that arises in the nationality law debates, as well as in her own philosophy (she uses a version of the word four times). The Naturalization Act makes clear that those who become naturalized in another country, thus divesting themselves of their British subjecthood, must do so "voluntarily" and "not under any disability," where the category of "'disability' shall mean the status of being an infant, lunatic, idiot, or married woman."[35] In the novel, consent manifests itself in affirmative acts of engagement. Whereas Sir Hugo chooses to participate in

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Parliament and Mordecai embraces his Jewish identity during his education on the Continent, young Leonora is threatened into conformity with the ideal of a "Jewish woman."

The language Leonora uses to describe this experience of oppression highlights the law's (and the legal system's) patriarchal, hierarchical undertones. The language of "ties" and "bonds" brings to mind—among many other resonances—the relationship between subject and monarch. For instance, in *Calvin's Case* (1608), a foundational case of British subjecthood, the famous jurist Edward Coke, citing the Scottish lawyer Skeene, explains that "ligeance [i.e., allegiance] is the *mutual bond and obligation* between the King and his subjects" (emphasis mine).[36] Yet for Leonora, reciprocity is impossible; "bonds" become "bondage." When Leonora refers to the "bondage of having been born a Jew," she evokes and unites several concepts in the novel, melding together Jewish (and, I would add, English) identity and gender-based oppression: the assignment of identity at birth; her experience of gender discrimination ("the slavery of being a girl"); Gwendolen's description of her marriage to Grandcourt as a "yoke"; and Leonora's own very similar statements about her father ("Such men turn their wives and daughters into slaves") (584, 588, 564, 589). Leonora's identity as a Jew, then, is inevitably associated with her inferiority as a woman.[37] Fittingly, Leonora attempts to escape her subjection by literalizing expatriation, the renunciation of legal nationality; for when Leonora casts off her Jewish identity, she also leaves behind her father's expectations. As she restores to herself the authority she was deprived of as the "Jewish woman," she transforms herself from a subjected girl to a "queen," reversing the hierarchy between subject and sovereign (587, 595).[38] The connection between Leonora's childhood experience of subjection and her adult preoccupation with power and independence reinforces the importance of consent in the novel. Following from its absence is what Eliot shows to be a deeply problematic rejection of national identification—and, as we shall see, of family relationships as well.

Even as Eliot traces the origins of Leonora's philosophy to the control of the female subject, she also uses it to expose the dangers of liberalism, the ideology underlying the Naturalization Act. In doing so, Eliot complicates the novel's positive portrayal of Mordecai's renunciation of English identity. Eliot juxtaposes what she presents as Leonora's emphasis on self-determination with Mordecai's desire for freedom, making a distinction that the broad language of the commissioners does not capture. As we have seen, Mordecai presents the possibility of breaking

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

out of Englishness as an act of liberation, a loosening of constraints that results in psychological freedom. Even when he was able to leave England temporarily to live on the Continent, he "felt free" (464). In an important sense, Mordecai's assertion harmonizes well with the commissioners' association of "freedom of action" with "individual happiness and prosperity" (v). For Mordecai, leaving England results in self-realization as well as economic stability.

Leonora, too, invokes the vocabulary of constraint and freedom. Whereas Mordecai implicitly associates his British identity with a "breaking pot of earth around the fruit-bearing tree," Leonora explains that her father's demands "pressed on me like a frame that got tighter and tighter as I grew" (464, 588). Conversely, she uses the language of rights and liberty to describe her expatriation. Leonora, recalling the commissioners' references to freedom and choice, tells Daniel that "I had a *right* to be *free*" from her father's control: "I had a *right* to seek my *freedom* from a bondage that I hated" (584, emphasis mine). The accumulation of "I's" points to the difference between Mordecai's and Leonora's conceptions of liberty. Whereas Mordecai seeks to exercise his freedom to advance a community-minded, productive endeavor, Leonora focuses on herself: "I wanted to live a large life, with freedom to do what every one else did, and be carried along in a great current, not obliged to care" about her Jewish identity (588). And whereas Mordecai wishes to cast off his English identity to devote himself to the identity that he deems permanent, Leonora use the lexicon of liberty to describe her wish to avoid indelible allegiances of all kinds: "I resolved that I would have no more ties, but such as I could free myself from" (591). As Leonora's comment suggests, her attitude to her Jewish identity extends to her personal associations, revealing the consequences that her brand of freedom can have on those around her. When Leonora tells Daniel that "I did not wish you to be born," her cruelty, in my reading, overshadows the desperation that she felt in the role of the "Jewish woman" (591). Eliot's examination of the complexities of freedom draws attention to potential pitfalls of the liberal project, raising the question how the philosophy that brought an end to indelible allegiance might reflect or effect the decline of other loyalties.

Eliot uses Leonora's move to Russia to amplify this concern. (I will refer to this as Leonora's "emigration," though it is hard to grant her a definite place of origin.) For the commissioners, emigration is a neutral, or even positive, concept. That British subjects are allowed "absolute freedom of emigration" reflects the nation's modern values (*Report of the*

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Royal Commissioners, v). Likewise, law professor John Cutler, writing about the Naturalization Act in 1871, offers a matter-of-fact take on those who choose expatriation, "heartily wish[ing] Godspeed to those who throw in their lot with another State."[39] For Mordecai, the very possibility of emigration is liberating, an opportunity to cement his connection to his Jewish heritage. In contrast, Leonora joins her emigration to Russia with the ultimate rejection of her Jewish identity. Her baptism reflects her belief that identity is a matter of choice: "I made myself like the people I lived among. I had a right to do it; I was not, like a brute, obliged to go with my own herd" (592). Leonora's declaration has affinities with Harcourt's treatment of naturalization. When Leonora decides to relocate to Russia, she literally "incorporates [herself] and [her] interests in the common stock" of her new nation, marrying a landowner and bearing several children (*Report of the Royal Commissioners*, xiv). Yet Leonora's decision to exercise this "right" is an act of selfishness, a choice born of a desire to escape rather than to embrace deeper affiliations. Not only is Leonora's baptism meaningless to her, but her motivation to marry and emigrate was self-focused: she worried she was losing her talent for singing.

The ethical shortcomings of Leonora's philosophy are matched by its inefficacy: running away from her community ultimately proves impossible. When Eliot makes this point, she redefines the concept of indelible allegiance to apply to extralegal identity. Not only do Leonora's psychological struggles replace her father as a "tyrannic" force she must "obey," but her efforts to break all permanent "ties" fail to separate her from her son in the end (588). So, too, does her philosophy damage her relationships. Rather than exerting the open authority that her father exercised over her, Leonora substitutes a sort of covert control over Daniel, ordering Sir Hugo to deny him knowledge of his Jewish heritage: "I relieved you from the bondage of having been born a Jew," she tells her son (584). Daniel rejects the possibility of this radical form of national transformation: "Then I *am* a Jew?" he responds to the revelation, replacing Leonora's assertion that he was "born a Jew" with an emphatic, present "am." "How could you choose my birthright for me?" (585, emphasis original). Leonora's inability to leave behind her Jewish identity, combined with Daniel's insistence on the continuation of his own, distinguishes the superficiality of designations like legal status from the permanence of what Mordecai defines as much deeper bonds. Eliot uses Daniel's narrative of national development to correct the damage done by Leonora's philosophy.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

5. Double Allegiances

"Deronda's circumstances, indeed, had been exceptional" (149). With this sentence, the narrator opens the crucial chapter recounting the history of the Mallinger family in England and describing the day on which Daniel, asking his tutor a question about the pope's so-called "nephews," begins to consider the possibility of his relationship to the Mallingers (149). For Amanda Anderson, Daniel's "anomalous history . . . functions . . . as an allegory about cosmopolitanism, which for Eliot is a condition of contemporary European life fully pertinent to any modern understanding of Judaism or Jewish nationalism" (121). In my reading, Daniel's story is also critical to Eliot's engagement with British national identity. Daniel's exceptional circumstances allow Eliot to conduct a sort of intersectional analysis, to look at how the factors affecting other characters' experiences with national identity combine with one another. Whereas Daniel follows Sir Hugo in embracing active national participation—"social captainship," as Daniel later calls it—he also, like Grandcourt, belongs to a new generation of Englishmen who hesitate to participate in English politics (698). Yet Daniel experiences a complication all his own: for much of the novel, he knows nothing certain about the circumstances of his birth (*ius soli*) or his parentage (*ius sanguinis*). Daniel's ignorance allows Eliot to explore an issue only touched on elsewhere in the novel, one that necessarily underlies—though does not surface in—the commissioners' discussion of *ius sanguinis*: the extent to which identity is acquired or inherited.

Eliot first approaches the question via the metaphor of illegitimacy. Although Daniel spends much of his life believing that he is Sir Hugo's son, he can never acknowledge the fact. When Daniel tells Mordecai that "I have never called any man father," his awkward syntax reveals the precarity of illegitimacy, which Isobel Armstrong argues is central to many nineteenth-century political novels (including *Daniel Deronda*) (467).[40] Whereas Daniel's failure to find a "place in English society" suggests his uncertain position in the Mallingers' elite world, illegitimacy complicates his role as a subject in particular (169). That Daniel believes himself disinherited—that he cannot claim the Mallinger land (*ius soli*) and that his descent from Hugues le Malingre (*ius sanguinis*) must remain unacknowledged—is connected to his psychological struggle to feel close to his English identity. Thus, illegitimacy has a similar function in the novel as do other marginal identities: they drain the meaning from the status of subject, impairing active engagement. Eliot also uses illegitimacy

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

to complicate the connection between childhood development and national attachment. Although Daniel is raised at "one of the finest" homes in England—and although his principal influence is an English baronet—he nonetheless fails to adopt the patriotic feeling that Cockburn describes (150).

At the same time, Eliot hints that Daniel's uncertain national heritage may also contribute to his detachment from English society. For there is another rumor that surrounds Daniel: that "his mother was some foreigner of high rank" (305). Much as Daniel's insecurity about illegitimacy makes him uncomfortable about his status amongst English elites, his suspicion about his mother's foreign identity provides an easy explanation for his desire to "to get rid of a merely English attitude in studies" (168). Daniel's interest in exploring his foreign roots raises the issue of dual nationality. For the commissioners, "double allegiance," as a legal matter, was an administrative inconvenience that they aimed to reduce (xi). But in Eliot's novel, it is an extralegal reality, one that adds complexity to the national narrative, particularly given the anti-Semitic stereotype that Jews can never be fully loyal to England.[41] As Amanda Anderson points out, Daniel's search for a broader perspective, which I link with his dual nationality, cuts both ways in the novel. On one hand, it gives him a special sympathy for the dispossessed; on the other, it "jeopardizes his own moral development. Deronda himself experiences this condition as disabling and finds himself craving some event or influence that will 'justify partiality'" (129–30). Eliot suggests (at least at first) that Daniel's belief that he is both English and foreign places him outside of nationality; and for him, unlike for Klesmer, the experience causes great distress.

Though it is helpful to disentangle illegitimacy and national uncertainty, we must also consider how Eliot draws together the two sources of Daniel's psychological struggles. Natalie Rose argues that "disinheritance and illegitimacy call into question the genealogy and boundaries of Englishness" in the novel, "contest[ing] the narrowness and exclusivity of English culture and also involv[ing] a rethinking of the English gentleman."[42] In my argument, Eliot likens the *experience* of uncertain national identity to that of illegitimacy.[43] In doing so, she reveals the damage done when the law contradicts inheritance, adding an important nuance to Mordecai's account of unwilling subjecthood. Armstrong writes that "the illegitimate is defined as one without legal identity, outside the law, outside heredity."[44] This kind of marginalization looms large in Eliot's novel, both in Daniel's perceived illegitimacy and in the

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

story of Lydia Glasher and her children, whose biological relationship with Grandcourt lacks the legal recognition it would have if she were married to Grandcourt. Armstrong continues: "The law assumes that it can arbitrate over biology, when in fact the law and biology are not parallel systems, but it ensures that illegitimacy is always an irritant to itself and its systems. Nevertheless the law is powerful enough to render the illegitimate an outsider and by extension stateless, a non-subject."[45] Armstrong, of course, does not refer to the legal subjecthood that I explore. Daniel, despite his perceived illegitimacy, is (apparently) a British subject, for he is eligible to serve in Parliament.[46] Nonetheless, Armstrong's opposition helps us understand Daniel's predicament. Despite his status, Daniel approaches national identity as an "outsider," a perspective linked to two considerations with similar effects: his perceived illegitimacy *and* his belief that his mother might be a foreigner.

That Eliot connects illegitimacy and foreignness underlines the psychological challenges associated with national identities too complex for standard legal or fictional frameworks to capture adequately. In *Daniel Deronda*, illegitimacy and national uncertainty likewise disrupt national development. Although "he had come back to England, with the understanding that his education was finished," Daniel is unable "to take his place in English society" (169). As the novel continues, Eliot offers another explanation for Daniel's inability to settle. The arrival of Leonora's letter throws into confusion Daniel's belief that he is Sir Hugo's illegitimate son—and, consequently, that he is an "Englishman" (at least in part). Thus, when Eliot reveals Daniel's true heritage—that is, that he is neither illegitimate nor ethnically English—she raises the question of whether or not Daniel's detachment from British life derives from something more significant: inherited alienation. In other words, Eliot invites us to wonder whether Daniel cannot be an engaged British subject because he is Jewish.

The suggestion that Daniel cannot cast off his foreignness is jarring. Earlier in the novel, Eliot alludes to the impact of childhood on behavior, blaming Gwendolen's peripatetic early life for her lack of "affection" (18). Likewise, when Daniel searches for the sources of his disengagement, he "found some of the fault in his [perceived illegitimate] birth and the way he had been brought up, which had laid no demands on him and had given him no fixed relationship except one of a doubtful kind" (337). Still, a sort of mystical attachment underlies certain events in the novel, moments only explicable with reference to an indelible, inherited identity. Running counter to Daniel's generalized sympathy

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

is his particular interest in the Jewish community. Moreover, if Joseph Kalonymos's initial recognition of Daniel is attributable to family resemblance (Kalonymos knew Daniel's grandfather), Mordecai's conviction that Daniel is Jewish does not derive from inside knowledge. Troublingly, these moments raise questions about the possibility of diversity in English society, even as, as Rose notes, Eliot reminds us that Englishmen have no single origin.[47] If the most English upbringing cannot obscure Daniel's inherent difference, how could those raised abroad "incorporate" themselves into English society (*Report of the Royal Commissioners*, xiv)?[48] Thus, at the conclusion of the novel, Daniel looks forward to departing England for "the East," a move that could allow him to cast off (at least symbolically) his status as a British subject, which the novel delegitimizes (747).

Eliot suggests that Daniel's departure from England could solve the problems that plague him as a young man. The novel's conclusion, by literalizing what Daniel longs for in the beginning, invites us to reinterpret Daniel's journey as a search for a single, meaningful national identity, in both its geographical and cultural senses. Whereas, at first, Daniel longs for a "fixed local habitation to render fellowship real"—an expression inviting a wide range of interpretations—he ultimately gains something specific: an (imagined) Israel ("habitation") and a people ("fellowship") (336). Accompanying Daniel's embrace of his Jewish identity is a rehabilitation of subjecthood. The narrator echoes the vocabulary of subjecthood to describe Daniel's psychological transformation following his meeting with his mother, correcting Leonora's redefinitions and privileging commitments over Leonora's liberty: "Imagine the difference in Deronda's state of mind when he left England and when he returned to it. . . . [H]e came back with what was *better than freedom*—with a duteous bond which his experience had been preparing him to accept gladly" (692, emphasis mine).

The idea of the "duteous bond," though seemingly Eliot's invention, brings to mind a traditional, almost feudal ideal of nationality, more of a piece with a tale of knights and ladies than with the commissioners' *Report*.[49] It also effects an important transformation. Daniel's "duteous bond" is to the Jewish people, and not to a monarch or to a state (692). For Daniel, the state comes after the people (both literally and figuratively): "I hold that *my first duty* is to *my own people*" (673, emphasis mine). I will return briefly to the issue in the final section, but for now it suffices to say that the Jewish state, as imagined in the novel, represents the equality that British subjecthood's feudal resonances make difficult.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Daniel replaces the vertical ties of British subjecthood with horizontal associations, undoing Leonora's link between national identity and hierarchy. In doing so, he marries personal connection to a cultural identity that includes those far beyond one's immediate circle.

So, too, does the ending of *Daniel Deronda* sharpen the concept of consent. Scholars have debated if Daniel, having learned of his heritage, has a meaningful choice whether to embrace his Jewish identity. Whereas Cynthia Chase writes that "the asserted fact of [Daniel's] genetic heritage makes his intellectual and emotional affinity seem at once superfluous and inadequate and casts doubt on its authenticity as free choice," Deborah Epstein Nord argues that the novel "makes clear that he chooses an identity with the full exercise of his will."[50] For Amanda Anderson, Daniel's commitment to his Jewish identity requires the "possibility for reflective refusal"—the kind of consent denied to his mother during her childhood (135). In my reading, Eliot's reworking of subjecthood depends on the distinction between free choice and consent. On one hand, Daniel, speaking to Kalonymos, suggests that he elects to "call [himself] a Jew," a statement that directly precedes his elaboration of his "vocation[al]" and political goals (673). That he makes this declaration "deliberately" suggests both careful language and serious thought (673). On the other hand, Daniel indicates to Mirah and Mordecai that he has no choice about being a Jew: "If this revelation had been made to me before I knew you both, I think my mind would have rebelled against it. Perhaps I should have felt then—'If I could have chosen, I would not have been a Jew.' What I feel now is—that my whole being is a consent to the fact" (697).

Daniel's interpretation of "consent" suggests something greater than the informed, intellectual acceptance of his identity that he communicates to Kalonymos. So, too, is it stronger than the consent that Feldman and Baldwin associate with the Naturalization Act. Whereas the legislation requires that individuals "voluntarily" decide to naturalize in another state before losing their British subjecthood, underlining their control over their national identity, Daniel describes his consent as an emotional experience.[51] Though he does consider, as Anderson explains (see 134–35), Daniel does not consent; rather, his "whole being *is* a consent" (Eliot, 697, emphasis mine). The redefinition, in a way, returns "consent" to its etymological roots. Daniel is no longer internally divided; the different elements of his identity now "feel together" (con-sent) and are in agreement.[52] This union between mind and body might seem like an easy answer, a way for Eliot to get around the

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

awkward question of whether "biology is destiny," as Glover puts it.[53] But it serves an important purpose in the novel, reconciling Mordecai's emotionally based ideal of nationality with the liberal values that the novel may limit but does not banish altogether.[54]

6. The "Fresh-made Garment of Citizenship"

Thus far, I have shown how the novel reveals complications both with a model of nationality linked to *ius soli* and indelible allegiance, and with the looser regime of nationality reflected in the Naturalization Act. Whereas the old forms of subjecthood marginalize parts of the population, a system in which individuals are free to select their affiliations can tend toward the dissolution of fundamental ties. Though Daniel's "duteous bond" tempers some of these problems, it is principally through Mordecai that Eliot imagines an alternative form of nationality, in which legal identity merges seamlessly with inherited and cultural ties (692). Eliot uses Mordecai's "proto-Zionist" project to transition from elaborating the problems with British subjecthood to thinking about how national identity might more profitably function in Britain and beyond.[55]

Although, as we have seen, Eliot sets the novel at a time when the legal status of Anglo Jews was improving, Mordecai does not seek further reform within Britain. Rather, he presents his imagined state as an alternative to a reformed English nation. In one rhetorical question, Mordecai insists on the incommensurability of Jewish and English identity: "Can a fresh-made garment of citizenship weave itself straightway into the flesh and change the slow deposit of eighteen centuries?" (490). Elaine Hadley unpacks the concept of citizenship in Victorian Britain, defining it in relation to political engagement and equality. "For mid-Victorian liberalism," Hadley writes, "the citizen is a profoundly cerebral and privatized subject form, and yet he is simultaneously a citizen of the nation among many equivalent national citizens who all live their lives with political aspirations in the here and now."[56] For Mordecai, however, the Victorian legal reforms providing such "citizenship" to Jews do not grant equality; rather, the reforms are superficial—a coat to be taken off.[57]

Mordecai's sartorial metaphor plays on (and, in some sense, anticipates) the idea of divestiture, the commissioners' term for the renunciation of British subjecthood.[58] Though the law (as of 1866) deemed his allegiance indelible, for Mordecai, British "citizenship" does not get to

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

his core. Mordecai's metaphor alters and extends the Jewish heroine Rebecca's metaphor in Walter Scott's *Ivanhoe* (1820). When Rebecca resists religious conversion, she insists that she "may not change the faith of my fathers like a garment unsuited to the climate in which I seek to dwell."[59] Whereas Mordecai, like Rebecca, underlines the permanence of Jewish identity—and, indeed, expands it beyond "faith" alone—he also makes clear that a kind of (legal) national conversion is possible and, in fact, salutary; in Israel, he hopes to find a "climate" where such a "garment" is unnecessary. At the same time, by using the language of geology ("slow deposit"), Mordecai suggests the futility of using law to create membership. For Mordecai, discrimination is an irreversible phenomenon, with the history and impenetrability of layers of sediment; to attempt to legislate it away is to seek to cover over "the slow deposit of eighteen centuries" with a thin layer of cloth (490). The reforms of Jewish emancipation operate on a timescale inadequate to address more than a millennium of persecution.[60]

Mordecai's second question also challenges the possibilities of legal reform: "What is the citizenship of him who walks among a people he has no hardy kindred and fellowship with, and has lost the sense of brotherhood with his own race?" (490). When Mordecai uses the terms "brotherhood" and "race" literally, he asks whether "citizenship" in a multiethnic nation, even in the absence of historical discrimination, is necessarily meaningless—that is, whether subjecthood for Anglo Jews can or should be more than a status. Mordecai reverses Cutler's contention that naturalization prevents "those who are not aliens in spirit" from "remain[ing] aliens in name," insisting that a Jew in England is "an alien of spirit, whatever he may be in form" (490).[61] When Mordecai combines the vocabulary of subjecthood with the soul/body division, he redefines the language of nationality law. Glover, writing of this passage, explains that "Mordecai's trope makes the alien's plight far worse than it would have been under English law," whereby the monarch provided some protection for foreigners. Rather, in Glover's reading, Mordecai means that "the alien is now irredeemably cast as an interloper and a pariah in virtue of having lost that vital 'sense of brotherhood with his own race': he can never truly belong among those who are his rightful kin."[62] Mordecai, thus, uses the legal lexicon to draw sharper lines between insiders and outsiders than exist in England itself. Accordingly, the country that Mordecai imagines is defined by different principles; like the founders of the nation, who would "carry in their veins the Hebrew blood," the inhabitants of Israel would be Jewish (496). Mordecai's imagined nation,

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

then, operates on a literalized system of *ius sanguinis*. That Mordecai draws borders based on bloodlines is unsurprising. For even if, as Susan Meyer argues, the novel "predates any widespread interest among the Jews themselves in returning to Palestine," Mordecai's proposal for a Jewish nation is supported by tenets of Jewish religion and history.[63]

Even as the novel's emphasis on anti-Semitism and Mordecai's own eloquence render his project appealing, his plans have troubling consequences for Eliot's engagement with nationality more broadly. Meyer points out that the "the Zionism advocated by the British before the Jews had a widespread desire for it entailed the removal of the Jews from England and a creation of a new world where nationalities or 'races' would be separate."[64] That is, even as Mordecai does not suggest that all Jews leave England and join him in his imagined nation, his plan nevertheless entails a more homogeneous Britain, where legal identity more closely corresponds with ethnic and religious ties.[65] Eliot's engagement with the work of her correspondent, Harriet Beecher Stowe, advances this idea. Monika Mueller writes that *Daniel Deronda* follows Stowe's *Uncle Tom's Cabin* (1852) in addressing problems of historical oppression by contemplating the removal of a minority population to another country. Whereas Eliot ends her novel with Daniel and Mirah's "preparations for . . . departure" to "the East," at least for the short term, Stowe sends prominent Black characters away to Liberia (754).[66] The conclusion of *Daniel Deronda* is especially striking given that, as Daniel Hack has explained, Eliot also draws inspiration from Stowe's *Dred* (1856), which ultimately offers a "vision of interracial coexistence."[67]

Mordecai's language also invites a comparison between Jews and Black Americans whose status as American citizens changed in the years just before the Naturalization Act altered British subjecthood. Mordecai's metaphor of the "fresh-made garment of citizenship," his references to "race" and "citizenship," his emphasis on historical discrimination—all overlap with the language of the U.S. Civil Rights Act of 1866, whose passage is contemporary with the events of *Daniel Deronda*.[68] "All persons born in the United States and not subject to any foreign power . . . are hereby declared to be *citizens* of the United States," the act reads, "and such citizens, of every *race* and color, *without regard to any previous condition* of slavery or involuntary servitude . . . shall have" access to a basic set of rights (emphasis mine).[69] Thus, Mordecai's claim that discrimination has compromised Anglo Jews' "citizenship,"

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

even as their legal status was improving, raises the question whether the prospects for Black Americans can only be worse, the "fresh-made garment" even less sufficient for covering over the legacy of prejudice. Eliot underscores this point when Mordecai describes a Jewish state as a "republic where there is equality of protection" (496). The phrase "equality of protection" echoes the Fourteenth Amendment of the U.S. Constitution (1868), drafted in 1866, which forbade states to "deny to any person within [their] jurisdiction the equal protection of the laws" and constitutionalized *ius soli* to guarantee Black Americans citizenship on the national and state level.[70] For Mordecai, however, equal protection exists *outside* the bounds of *ius soli*. For him, law cannot be used to create community; rather, it ratifies existing divisions. Whereas some Americans looked to the law to help bring about a society where diverse populations might coexist as equal citizens, Mordecai leaves readers with a disturbing question: whether such an ideal is desirable or attainable.[71]

Notes

I would like to thank the *VLC* referees for their thoughtful comments. Earlier versions of this essay were presented at the 2017 NAVSA/AVSA conference in Florence, Italy, and appeared in my dissertation.

1. Eliot, *Daniel Deronda*, 7, 9. All subsequent references to this edition are noted parenthetically in the text.
2. For a discussion of the systems for determining nationality in nineteenth-century Britain and beyond, see *Report of the Royal Commissioners*, vii–viii, xiii. All subsequent references to this text are noted parenthetically in the text. Note that while indelible allegiance was the default rule in Britain, legislation provided for some individuals to inherit the status of a subject.
3. Naturalization Act, 1870, 33 & 34 Vict. ch. 14.
4. On Zionism, see, for example, Meyer, "'Safely.'" On cosmopolitanism, see Amanda Anderson, *Powers of Distance*, 119–46. All subsequent references to this edition are noted parenthetically in the text.
5. Glover, *Literature*, 46. The 1905 Aliens Act restricted immigration.
6. In Glover's reading, "Eliot is primarily concerned with contrasting national and cultural traditions" in *Daniel Deronda* rather than with law itself. Glover, *Literature*, 35.
7. *Report of the Trial*, 17. See also Glover, *Literature*, 39.
8. See Sim, *Union Forever*, 111, 117–18.
9. See Sim, *Union Forever*, 98.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

10. See Sim, *Union Forever*, chap. 4. Sim notes that indelible allegiance "served as a proximate cause of the War of 1812 when the British navy impressed naturalized American citizens that Britain claimed as subjects." Sim, *Union Forever*, 98.
11. Sim, *Union Forever*, 123, 125, quoting Act of July 27, 1868, 15 Stat. 223 (1868). When Americans used "expatriation" in the period, they meant the right of immigrants to become Americans while being "secure against demands by their native states," rather than the right to leave behind their American citizenship. Green, "Expatriation," 310, 315. When Britain got rid of indelible allegiance, it facilitated that process. Note that in her recent essay, "The Right to Leave," Stephanie DeGooyer provides a sort of prehistory to the Expatriation Act, writing that Thomas "Jefferson believed emigration was a right that America should protect even if it meant losing its own citizens," which was a "radical" view at the time, but one that, for him, was "entirely commensurate with America's right to define who it does and does not want within its geographical borders." DeGooyer, Stephanie. "The Right to Leave." *Lapham's Quarterly*, April/May 2022. https://www.laphamsquarterly.org/migration/right-leave.
12. Aliens Act, 1844, 7 & 8 Vict. ch. 66. For provisions on expatriation and naturalization, see Naturalization Act, 1870, 33 & 34 Vict. ch. 14, §§6–7. Note that section 10 of the legislation imposed restrictions on married women, declaring that those who marry aliens would be considered as aliens.
13. Feldman and Baldwin, "Emigration," 146.
14. Glover, *Literature*, 39.
15. The Naturalization Act set up a process by which people with dual nationality could make a "declaration of alienage," casting off their British subjecthood. Naturalization Act, 1870, 33 & 34 Vict. ch. 14, §4.
16. Though the traditional subject-monarch relationship is not transactional, it ideally involves a give-and-take. William Blackstone writes that "allegiance is the tie, or *ligamen*, which binds the subject to the king, in return for that protection which the king affords the subject." Blackstone, *Commentaries*, 1:354. In the *Report*, however, the individual relationship between subject and sovereign largely drops out, as British subjecthood is treated as parallel to citizenship in states that are not monarchies. On that transformation, see Jones, *British Nationality Law*, 4.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

17. Cockburn, *Nationality*, 188.
18. Cockburn, *Nationality*, 188.
19. To be clear, Eliot does not identify the baronet's birthplace (I don't think). Rather, his land ownership suggests a deeper association with the literal meaning of *ius soli*. For Blackstone on land and allegiance, see *Commentaries*, 1:354–56.
20. *Oxford English Dictionary Online*, s.v. "immemorial, adj.," www-oed-com.proxy.lib.duke.edu/view/Entry/91853 (accessed December 31, 2021). See also "legal memory," in *A Dictionary of Law*, edited by Jonathan Law, *Oxford Reference*, https://www-oxfordreference-com.proxy.lib.duke.edu/view/10.1093/acref/9780192897497.001.0001/acref-9780192897497-e-2221 (accessed December 31, 2021).
21. On whether naturalized subjects can serve in Parliament, see Karatani, *Defining British Citizenship*, 55.
22. Semmel, *George Eliot*, 61. The phrase comes from Semmel's reading of *Adam Bede* (1859).
23. Thanks to Claudia L. Johnson for this suggestion. See also Rose, "Englishness," 112.
24. See Benedict Anderson, *Imagined Communities*. Natalie Rose associates Grandcourt's "detachment" with his position as an heir; for her, inheritance "can disconnect an heir from the nation and national events, since, cocooned by income, he has no need to engage with communal concerns" (110).
25. On Grandcourt's "decadence," see Wohlfarth, "*Daniel Deronda*," 190–93.
26. Notably, Eliot also refers to the movement for Italian unification in the novel.
27. Klesmer, as Amanda Anderson writes, embodies the novel's "positive valuations of cosmopolitanism and art" as transcending national boundaries (141). Klesmer, unlike Leonora, is able to combine national disengagement with commitment to his personal relationships.
28. See also Glover, *Literature*, 40.
29. See H. S. Q. Henriques, "Political Rights," 333. For instance, it was not until 1871 that the University Test Acts "made it illegal for any member of a University or College to be compelled to attend the public worship of any church, sect, or denomination to which he did not belong." Roth, "Jews," 113.
30. Ragussis, *Figures of Conversion*, 292.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

31. For the anti-Semitic connection of Jews with vampiric activities, especially the "blood libel," see Zanger, "Sympathetic Vibration," 37.
32. See Cockburn, *Nationality*, 188.
33. Cockburn, *Nationality*, 188.
34. Cockburn, *Nationality*, 188.
35. Naturalization Act, 1870, 33 & 34 Vict. ch. 14, §§6, 17.
36. *Calvin v. Smith* (1608), 77 Eng. Rep. 377, 382 (K.B.).
37. We will see how the plan for a Jewish state hints at nationality without hierarchy in the final section of the essay.
38. Notably, Leonora's time as a "queen"—a position that implies authority (particularly in Victorian England)—stands in sharp contrast to her title as "princess," which she obtained via her second marriage to a Russian nobleman. "I was no princess then," she says of that era. "No princess in this tame life that I live now" (584).
39. Cutler, *Law of Naturalization*, 40–41.
40. Armstrong, *Novel Politics*, pt. 1.
41. For the issue of divided loyalty in nineteenth-century debates on Jewish emancipation, see U. R. Q. Henriques, "Jewish Emancipation Controversy," 133–34.
42. Rose, "Englishness of a Gentleman," 109, 129.
43. Rose gestures toward this when she writes that the "early identification [of Daniel] seems to be with the exclusions produced by accidents of birth and is thus of a piece with Eliot's racial framing of English inheritance." Rose, "Englishness of a Gentleman," 128.
44. Armstrong, *Novel Politics*, 5.
45. Armstrong, *Novel Politics*, 5.
46. Glover, in claiming that Eliot does not make Daniel's status as a subject clear, overlooks the fact that Sir Hugo encourages him to pursue a career in Parliament (I do not engage with the possibility that Daniel's status is falsified in this essay). See Glover, *Literature*, 35.
47. On the complications of English identity, see Rose, "Englishness of a Gentleman," 122–23. Nonetheless, Daniel falls outside ethnic definitions of Englishness.
48. Though, so far as I know, advocates of *ius sanguinis* did not propose an ethnically based British subjecthood, the concept of *ius sanguinis* serves more closely to align ethnicity and legal nationality.
49. The concept of the "duteous bond" is also linked to Daniel's marriage to Mirah, correcting Leonora's vexed relationship to marriage and family.
50. Chase, "Decomposition," 223; Nord, *Gypsies*, 115.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

51. Naturalization Act, 1870, 33 & 34 Vict. ch. 14, §6.
52. *Oxford English Dictionary Online*, s.v. "consent, v.," www-oed-com.ezproxy.princeton.edu/view/Entry/39518 (accessed November 25, 2020).
53. Glover, *Literature*, 34.
54. On liberalism in the novel, see Glover, *Literature*, chap. 1.
55. I take the term "proto-Zionist" from Meyer, "'Safely.'"
56. Hadley, *Living Liberalism*, 20.
57. Mordecai's specific commitment to the Jewish people does not reflect the "disinterest" and "impersonality" that Hadley associates with "liberalism's abstracted individual." Hadley, *Living Liberalism*, 19.
58. See, for example, *Report of the Royal Commissioners*, vi ("We have considered the question whether the acquisition of a foreign domicil, or a certain length of residence abroad, should divest a person of British nationality").
59. Scott, *Ivanhoe*, 501. See also Ragussis, *Figures of Conversion*, 145.
60. The idea of timescales was inspired by Morgan, "Human Scale."
61. Cutler, *Law of Naturalization*, 41.
62. Glover, *Literature*, 37. Glover reads the passage differently than I do. I suggest that a Jew who attempts to assimilate is an "alien in spirit" to other Englishmen, whereas Glover suggests that he or she is an "alien in spirit" to other Jews. In either case, Mordecai treats harshly members of the Jewish community who wish to deny their identity.
63. Meyer adds that Zionism "did not have widespread support until after the horrors of the Russian pogroms in 1881." Meyer, "'Safely,'" 748.
64. Meyer, "'Safely,'" 750.
65. Compare Wohlfarth's statement that at the end of the novel, "England will remain the homeland of the English, reinvigorated by a Hebraic culture and a Jewish state that stand safely removed from English soil." Wohlfarth, "*Daniel Deronda*," 210.
66. Mueller, *George Eliot U.S.*, 153–54.
67. See Hack, "Transatlantic Eliot," 265.
68. Graham Handley places the debate at the *Hand and Banner* between January and June 1866. Handley, "Appendix," 726–27. Congress overrode President Andrew Johnson's veto of the act on April 9, 1866.
69. Act of April 9, 1866, 14 Stat. 27 (1866). Note that "Indians not taxed" were excluded.
70. U.S. Const. amend. XIV, §1. I say "echo," rather than "allude to," because the phrases "equality of protection" and "equal protection"

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

predate 1868. The terms were invoked in several contexts, including in debates surrounding economic policy, and (especially in the United States) abolition and individual rights. On one hand, in an 1849 satire in *Punch*, a duke declared his goal to "give equal Protection to Commerce, Industry, and Agriculture" by "restor[ing] the Corn-laws." "Equal Protection," 189. On the other hand, John Stuart Mill writes in *Utilitarianism* (1863) that "the justice of giving equal protection to the rights of all, is maintained by those who support the most outrageous inequality in the rights themselves." Mill, *Utilitarianism*, 68.

71. On equality and the Fourteenth Amendment, see Amar, *America's Constitution*, 382. Amar notes that the Fourteenth Amendment targeted civil rights rather than political rights or social equality. It was the Fifteenth Amendment (1870) that prevented states from "den[ying] or abridg[ing]" the right to vote "on account of race, color, or previous condition of servitude." U.S. Const. amend. XV, §1.

Works Cited

Amar, Akhil Reed. *America's Constitution: A Biography*. New York: Random House, 2005.

Anderson, Amanda. *The Powers of Distance: Cosmopolitanism and the Cultivation of Detachment*. Princeton: Princeton University Press, 2001. https://www.jstor.org/stable/j.ctv39x6xk.

Anderson, Benedict. *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. Rev. ed. London: Verso, 2006.

Armstrong, Isobel. *Novel Politics: Democratic Imaginations in Nineteenth-Century Fiction*. Oxford: Oxford University Press, 2016.

Blackstone, William. *Commentaries on the Laws of England*. 4 vols. Oxford: Clarendon Press, 1765–69.

Chase, Cynthia. "The Decomposition of the Elephants: Double-Reading *Daniel Deronda*." *PMLA* 93, no. 2 (1978): 215–27. www.jstor.org/stable/461957.

Cockburn, Alexander. *Nationality; or, The Law Relating to Subjects and Aliens, Considered with a View to Future Legislation*. London: William Ridgway, 1869. https://archive.org/details/nationalityorla01cockgoog.

Cutler, John. *The Law of Naturalization, as Amended by the Naturalization Acts, 1870*. London: Butterworths, 1871. www.google.com/books/edition/The_Law_of_Naturalization/U3IDAAAAQAAJ.

Eliot, George. *Daniel Deronda*. 1876. Edited by Graham Handley. Oxford: Clarendon Press, 1984.

"Equal Protection." *Punch* 16, no. 8 (1849): 189, https://babel.hathitrust.org/cgi/pt?id=njp.32101076892361&view=image&seq=492.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Feldman, David, and M. Page Baldwin. "Emigration and the British State, ca. 1815–1925." In *Citizenship and Those Who Leave: The Politics of Emigration and Expatriation*, edited by Nancy L. Green and François Weil, 135–55. Urbana: University of Illinois Press, 2007. www.jstor.org/stable/10.5406/j.ctt1xcj5n.11.

Glover, David. *Literature, Immigration, and Diaspora in Fin-de-Siècle England: A Cultural History of the 1905 Aliens Act*. Cambridge: Cambridge University Press, 2012.

Green, Nancy L. "Expatriation, Expatriates, and Expats: The American Transformation of a Concept." *American Historical Review* 114, no. 2 (2009): 307–28. www.jstor.org/stable/30223780.

Hack, Daniel. "Transatlantic Eliot: African American Connections." In *A Companion to George Eliot*, edited by Amanda Anderson and Harry E. Shaw, 262–75. Chichester: Wiley Blackwell, 2013.

Hadley, Elaine. *Living Liberalism: Practical Citizenship in Mid-Victorian Britain*. Chicago: University of Chicago Press, 2010.

Handley, Graham. "Appendix: The Chronology of *Daniel Deronda*." In *Daniel Deronda*, by George Eliot, 725–27. Oxford: Oxford University Press, 1998. www.google.com/books/edition/_/WKpbQNXdebkC.

Henriques, H. S. Q. "The Political Rights of English Jews." *Jewish Quarterly Review* 19, no. 2 (1907): 298–341. www.jstor.org/stable/1451130.

Henriques, U. R. Q. "The Jewish Emancipation Controversy in Nineteenth-Century Britain." *Past & Present* 40 (July 1968): 126–46. www.jstor.org/stable/650071.

Jones, J. Mervyn. *British Nationality Law and Practice*. Oxford: Clarendon Press, 1947.

Karatani, Rieko. *Defining British Citizenship: Empire, Commonwealth and Modern Britain*. London: Frank Cass, 2003.

Meyer, Susan. "'Safely to Their Own Borders': Proto-Zionism, Feminism, and Nationalism in *Daniel Deronda*." *ELH* 60, no. 3 (1993): 733–58. www.jstor.org/stable/2873411.

Mill, John Stuart. *Utilitarianism*. London: Electric Book, 2001.

Morgan, Benjamin. "Human Scale: Utopia in the Era of Climate Change." Lecture sponsored by the Princeton Victorian Colloquium and Princeton Environmental Institute, Princeton, New Jersey, November 27, 2018.

Mueller, Monika. *George Eliot U.S.: Transatlantic Literary and Cultural Perspectives*. Madison: Fairleigh Dickinson University Press, 2005. www.google.com/books/edition/George_Eliot_U_S/brM-9TJPkiEC?hl=en&gbpv=0.

Nord, Deborah Epstein. *Gypsies and the British Imagination, 1807–1930*. New York: Columbia University Press, 2006.

Ragussis, Michael. *Figures of Conversion: "The Jewish Question" and English National Identity*. Durham: Duke University Press, 1995.

Report of the Royal Commissioners for Inquiring into the Laws of Naturalization and Allegiance [. . .]. London: George Edward Eyre and William Spottiswoode, 1869. https://babel.hathitrust.org/cgi/pt?id=umn.31951002090907t.

Report of the Trial of John Warren for Treason-Felony [. . .]. Dublin: Alexander Thom, 1867. www.archive.org/stream/reporttrialjohn00warrgoog.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press

Rose, Natalie. "The Englishness of a Gentleman: Illegitimacy and Race in Daniel Deronda." In *Troubled Legacies: Narrative and Inheritance*, edited by Allan Hepburn, 109–36. Toronto: University of Toronto Press, 2007. https://www.jstor.org/stable/10.3138/9781442685079.

Roth, Cecil. "The Jews in the English Universities." *Miscellanies* (Jewish Historical Society of England) 4 (1942): 102–15. www.jstor.org/stable/29777111.

Scott, Walter. *Ivanhoe*. 1819. Edited by Ian Duncan. Oxford: Oxford University Press, 2010.

Semmel, Bernard. *George Eliot and the Politics of National Inheritance*. New York: Oxford University Press, 1994.

Sim, David. *A Union Forever: The Irish Question and U.S. Foreign Relations in the Victorian Age*. Ithaca: Cornell University Press, 2013. www.jstor.org/stable/10.7591/j.ctt32b541.

Wohlfarth, Marc E. "*Daniel Deronda* and the Politics of Nationalism." *Nineteenth-Century Literature* 53, no. 2 (2008): 188–210. www.jstor.org/stable/2902983.

Zanger, Jules. "A Sympathetic Vibration: Dracula and the Jews." *English Literature in Transition, 1880–1920* 34, no. 1 (1991): 33–44.

https://doi.org/10.1017/S1060150320000455 Published online by Cambridge University Press