

Summer 1938

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### Recommended Citation

Paul Chatham Squires, Charles Dickens as Criminologist, 29 *Am. Inst. Crim. L. & Criminology* 170 (1938-1939)

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## CHARLES DICKENS AS CRIMINOLOGIST

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PAUL CHATHAM SQUIRES, PH.D.\*

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"Dickens had a singularly just mind. He was wild in his caricatures, but very sane in his impressions."—*G. K. Chesterton.*

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Lawyers, and learned professors of law, have investigated the contributions made by Dickens to the history of the common law and chancery. Holdsworth states: "In these lectures I intend to show you that the treatment by Dickens of various aspects of the law and the lawyers of his day, is a very valuable addition to our authorities, not only for that period, but also for earlier periods in our legal history."<sup>1</sup> He concludes his critical examination by saying that the information left us by Dickens justifies "my contention that the extent, the variety, and the accuracy of this . . . entitles us to reckon one of the greatest of our English novelists as a member of the select band of our legal historians."<sup>2</sup>

But, strange to remark, no one has seemed to think it worth while or deserving of the great effort involved, systematically to ascertain Dicken's precise position on the nature of the criminal and the eternal questions of criminology. Criminals, and the gentry of the "swell mob" in all their particular forms and manifestations, abound in his writings. Murderers, thieves, forgers, coiners, "con" men, crooks of every sort come to life before our eyes.

What, then, was Dickens's position on the nature, genesis, and responsibility of the individual who has put himself outside the pale of society? What were his beliefs concerning the functional interrelationships between the criminal and the state? Is what we have pleased so glibly to call "heredity" the chief factor that goes into the making of the pariah, the criminal; or is it "environment"—the almost equally convenient fetish of modern criminology and psychology—which we must blame? Better, perhaps: What is the balance between the hereditary and environmental sets of *zones of influence*? These are the essential questions we will seek

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<sup>1</sup> W. S. Holdsworth. *Charles Dickens as a Legal Historian.* New Haven: Yale University Press, 1928; p. 1. (Contains excellent references.)

<sup>2</sup> *Ibid.*, p. 148.

to answer through analysis of Dickens's works. That he, who knew the streets, the law courts, the lowest haunts of London as intimately as he knew the rooms of his own house, must have had strong convictions on this subject cannot be doubted by anyone even casually acquainted with his novels and miscellaneous writings. He was intensely interested not only in the common law and chancery, but also and preeminently in the criminal law of England.

Living in a period that was beginning to see the light of reform, himself a reformer more powerful than any Parliamentarian by virtue of his rapier-like use of the printed word, battling for better things in an era that was sluggishly crawling out of the slime which covered the medieval concepts of crime and punishment, Charles Dickens was the champion of the oppressed. His uncompromising sense of justice is his most salient quality. The position of woman in society, the obligations of that same society toward the child and the pauper, the blind forces that evolve the criminal—these problems, and many others, enlisted his apparently inexhaustible energies and his intuitive genius as a master psychologist.

The principal difficulty cast in one's way when endeavoring to interpret Dickens's characters is this: Dickens takes a single human trait and constructs a personality out of it. In so doing he is not, perhaps, as far wrong as some people would try to argue. After all, are not men and women just so many exaggerations of a main, central trait—variations on a theme, we might say—which determines their destinies? The big task is to break through the encrustation of caricature covering the *dramatis personae* of Dickens, thereby revealing their true essence. When this is once accomplished, we find that his characters are "all too human," to borrow a title from Nietzsche.

It is our plan to take up in this paper three of the novels and consider the criminalistic aspects in a systematic manner. We may profitably begin with one of Dickens's mature works, unique even among his own creations, simple to outward appearance yet marvelously subtle, possessed of overwhelming power and universal appeal—

### *Great Expectations.*

As Jean Valjean had his galleys at Toulon, so Abel Magwitch had his hulks at Chatham. The small orphan Pip, on that bleak, wet Christmas Eve in the old churchyard down by the Thames

where lie the marshes, feels *intense pity* for the escaped felon, despite his terror of him. For all the gruesome threats made by the convict, the child is fundamentally sorry for the man who becomes his would-be benefactor. Over the dismal expanse of cold marshes the gibbet is seen, dark and menacing.

Chesterton calls this "a novel without a hero."<sup>3</sup> With due admiration for the penetrating critical faculty of this brilliant writer, we are nevertheless compelled to disagree with him on this point. Magwitch, alias Provis, is the hero; he is the *raison d'être* of Pip, rather than the reverse. Unaccountably, Chesterton has not expended a single word upon the convict in his little essay, so stimulating in many ways.

Magwitch is essentially a symbol, like Valjean: only, he is more in touch with reality. We have said that he is a symbol. Why so? Because he is an ideal representation of that class of unfortunates who may best be designated as criminals *per accidens*, who turn from the ways of the malefactor if given a fair chance: and there are such, sneering cynics to the contrary notwithstanding.

Dickens portrays Magwitch as fierce, but *justifies* his fierceness. Compeyson, on the other hand, also out on the marshes after having broken from the prison ship through fear of Magwitch, the man he had used as a tool, at once gives the impression of being an unredeemable villain. He is a criminal by fell choice and ambition. All the best environmental opportunities in the world, the education of Eton or Rugby, of Oxford or Cambridge, could not have made a man of him. His is the type that is innately cursed, hopelessly unregenerate. Compeyson, although not physically violent—for he is the very pattern of your true coward—is incomparably worse than the brutal Orlick, Joe Gargery's journeyman blacksmith. Dickens condemns him to the deepest regions of hell.

Magwitch says, when the soldiers come upon him and his mortal enemy struggling in the ditch: "He's a gentleman, if you please, this villain. Now, the Hulks has got its gentleman again, through me." Magwitch is not a liar. But his foe is "a liar born, and he'll die a liar." Pip's convict went to the length of making a false confession to the sergeant of the squad which captured him, about the food which Pip was frightened into stealing from home; for he does not believe that the child led the soldiers to him.

A violent man, was Abel Magwitch, but not in essence wicked.

<sup>3</sup> G. K. Chesterton, *Criticisms & Appreciations of the Works of Charles Dickens*. London: J. M. Dent & Sons, 1933; p. 199.

Compeyson was not violent, but wicked to the core. Calculating, cold-blooded, utterly heartless and cruel, he had ruined Miss Havisham's life and that of many another. He is the confidence man who wreaks havoc widespread and devastating. His is the breed that has been successful, from time immemorial, in evading the full legal consequences of his felonious acts; for judges and juries are about the same in every day and age, take them all in all. *Appearances* go a long way in this world.

Compeyson did swindling, forging, stolen bank-note passing, "and such-like." He was a gambler and a race-track habitue. "All sorts of traps as Compeyson could set with his head, and keep his own legs out of and get the profits from and let another man in for, was Compeyson's business." When Magwitch and he were committed for putting stolen notes into circulation, the latter said to his slave: "Separate defences, no communication."

Magwitch tells the illuminating story of the trial: "When we was put in the dock, I noticed first of all what a gentleman Compeyson looked, wi' his curly hair and his black clothes and his white pocket-handkercher, and what a common sort of wretch I looked. When the prosecution opened and the evidence was put short, aforehand, I noticed how heavy it all bore on me, and how light on him. When the evidence was giv in the box, I noticed how it was always me that had come for'ard, and could be swore to, how it was always me that the money had been paid to, how it was always me that had seemed to work the thing and get the profit. But, when the defence come on, then I see the plan plainer; for, says the counsellor for Compeyson, 'My lord and gentlemen, here you has afore you side by side, two persons as your eyes can separate wide; one, the younger, well brought up, who will be spoke to as such; one, the elder, ill brought up, who will be spoke to as such; one, the younger, seldom if ever seen in these here transactions, and only suspected; t'other, the elder, always seen in 'em and always wi' his guilt brought home. Can you doubt, if there is but one in it, which is the one, and if there is two in it, which is much the worst one?' And such-like. And when it come to character, warn't it Compeyson as had been to school, and warn't it his schoolfellows as was in this position and in that, and warn't it him as had been know'd by witnesses in such clubs and societies, and nowt to his disadvantage? And warn't it me as had been tried afore, and as had been know'd up hill and down dale in Bridewells and Lock-Ups? And when it come to speech-making, warn't it

Compeyson as could speak to 'em wi' his face dropping every now and then into his white pockethandkercher—ah! and wi' verses in his speech, too—and warn't it me as could only say, 'Gentlemen, this man at my side is a most precious rascal'? And when the verdict come, warn't it Compeyson as was recommended to mercy on account of good character and bad company, and giving up all the information he could agen me, and warn't it me as got never a word but Guilty? And when I says to Compeyson, 'Once out of this court, I'll smash that face o'yourn?' ain't it Compeyson as prays the Judge to be protected, and gets two turnkeys stood betwixt us? And when we're sentenced, ain't it him as gets seven year, and me fourteen, and ain't it him as the judge is sorry for, because he might a done so well, and ain't it me as the Judge perceives to be a old offender of violent passion, likely to come to worse?"

What was his origin? Years after that first meeting in the churchyard, he relates the rough outlines of his life history to the despairing Pip, whose dream of Miss Havisham as his fairy god-mother had been violently shattered by the return of the "Lifer": "I've no more notion where I was born, than you have—if so much. I first become aware of myself, down in Essex, a thieving turnips for my living. Summum had run away from me—a man—a tinker—and he'd took the fire with him, and left me wery cold."

Yes; stealing turnips to keep life in his body. Driven from pillar to post as was Jo the crossing-sweeper of Tom-all-Alone's, the young Abel fell into the toils of the authorities time and again. "This is a terrible hardened one,' they says to prison wisitors, picking out me. 'May be said to live in jails, this boy.' Then they looked at me, and I looked at them, and they measured my head, some on 'em—they had better a measured my stomach—and others on 'em giv me tracts what I couldn't read, and made me speeches what I couldn't unnerstand. They always went on agen me about the Devil. But what the devil was I to do? I must put something into my stomach, mustn't I?" How like Jean Valjean, who, when the chains were riveted to him at the Bicêtre, could only sob: "I was a pruner at Faverolles," and indicate by his gestures that he had stolen to feed seven little children! Victor Hugo wrote: "This is the second time, in his studies on the penal question and on the sentences of the law, that the author . . . has met with the theft of a loaf of bread as the starting-point of the ruin of a destiny. Claude Gueux stole a loaf of bread; Jean Valjean stole a loaf of

bread; English statistics show that in London starvation is the immediate cause of four thefts out of five." The early histories of Magwitch and Valjean match in all essential respects.

Now, turn to survey a quite different type of individual: the degenerate Orlick. We will catalogue his characteristics summarily. He was "dogged"—this is the term that Dickens most frequently applies to him—suspicious, jealous to an extreme degree of any competitor, fearfully revengeful, and of distinctly homicidal disposition. A small grudge became speedily exaggerated into a deadly insult and injury, which demanded the killing of the offender. He tried to murder Pip's sister because she had lashed him with her vicious tongue, which was habitually used upon those who lived with her. Nor did his grudges wear off by the action of time. When, as a henchman of Compeyson, Orlick slips the noose over Pip that night in the sluice-house on the marshes, there unrolls before us with gruesome and stark psychological realism the inexorable cruelty of which the criminal paranoid moron is capable, as was Gianini.<sup>4</sup>

Gianini was the loquacious type of mental defective, eager to "show off"; this mouthiness served his case ill. Orlick, on the other hand, was taciturn, and this trait was of tremendous aid to him in concealing the fact that he had struck down Mrs. Joe. Orlick was a fool with his mouth *shut*. We must note, however, that he was possessed of sufficient cunning to assault the woman from behind with *an escaped convict's leg-iron*. Whatever the suspicions of the community may have been, he had succeeded in setting up a first-rate alibi. Yet, even apart from the matter of finger printing, Orlick would not have lasted long under modern methods of crime detection. We can merely speculate whether, if he had committed the assault with intent to kill on Mrs. Joe in a day and age when finger prints were used, he would have been smart enough to wear the proper kind of gloves that could baffle detection. Now, all this happened in the days of the Bow Street men, the "Robin Redbreasts." Hayward correctly remarks: ". . . it must be confessed that considerable difficulties lay in the path of the runners sent down to investigate the attack on Pip's sister."<sup>5</sup> Just think of the tiny hamlet out on the marshes, the primitiveness of the locality, the well-known timidity, hostility, and

<sup>4</sup> H. H. Goddard. *The Criminal Imbecile: An analysis of three remarkable murder cases*. New York: The Macmillan Co., 1915.

<sup>5</sup> A. L. Hayward. *The Dickens Encyclopaedia*. New York: E. P. Dutton & Co., 1924 (See title: *Bow Street Runners*, p. 21).

suspicion with which "natives" in such circumstances regard metropolitan officers. Then ask yourself this question: Did Orlick escape the merited consequences of his felonious act because of his own shrewdness, or because of shortcomings in the detective procedures?

Orlick had planned his crime with sufficient care so as to commit it under cover of darkness. After the deed he had returned to the village, where the day had been spent, and again showed himself prominently around the drinking places. Whether Orlick intended to will Mrs. Joe that night, by the time he had left the forge for the town after the fight with Gargery, in which he was badly worsted; or whether he formed his distinct intent and plan some time after leaving the house, the book does not tell us. Knowing his type, we should guess that he departed from the forge in a homicidal sulk, without any definite plan as yet formed. That after drinking for a while at the pubs his grudge grew into gigantic proportions. That under the exciting influence of alcohol he played around with the idea of killing Mrs. Joe until he could no longer resist the attractiveness of it. That his psychopathic excitement raised his threshold of resistance to liquor so that, although Pip believed him to have been drinking, he was *not drunk*.

When Pip and Mr. Wopsle met Orlick on their return home, the latter was slouching under the lee of the turnpike house. He volunteers that he is "standing by, a minute, on the chance of company." A few more words are passed between them; then he says: "By the by, the guns is going again." In fact, this very night of all nights the Hulks were signalling that convicts had escaped. Orlick remarks: "The guns have been going since dark, about." Did the guns put it into his head to use the convict's leg-iron? How did he get ahold of the leg-iron at this particular time? He certainly knew the marshes well, and may have remembered where a leg-iron lay. Is it possible that he had for long concealed such a weapon for future felonious use against Mrs. Joe, and that the fight with Gargery merely *precipitated* the execution of a plan some time in the making? We do know that Orlick could plan a murder a considerable period in advance; for, when he had caught Pip in the running noose, he said to him: "I've had a firm mind and a firm will to have your life, since you was down here at your sister's burying." Pip had lost him his job as porter or guard at Miss Havisham's, and had also done what he could to drive him away from Bidley. The latter thing is what he hated Pip most for, it is clear.



Well, when Wopsle stopped in at the Three Jolly Bargemen, and ran out exclaiming that something was wrong up at the house, Pip at once says: "What is it?" Orlick *then* asks the same question, word for word; he is not the first one to ask it, yet has presence of mind enough to repeat what Pip says. Or, was it a simple case of automatism? Orlick's poker-face through it all is his most valuable protection. He never dropped his mask and bared his tiger's teeth until he had Pip in his power. His self-possession in confronting Mrs. Joe after she began again to sit up is worthy of special remark. His feeling life strongly suggests dementia precox upon a moron groundwork. By disposition a vagrant, without a single ambition except where his grudges were concerned, he left the smithy for Miss Havisham's, then became spy for Compeyson, and landed in the County Jail at last for participating in the burglary of Pumblechook's house. The gang assaulted and mistreated Pumblechook, who knew Orlick well. For Orlick to have exposed himself to identification by the inflated old seedsman argues for a very low order of mentality.

Jean Gianini, who murdered the school teacher Lida Beecher, was not merely a moron, whatever certain of the experts of 1914 may have thought about it. He was something far more dangerous: *a psychopathic moron of homicidal tendencies*. As a matter of fact, Gianini, within two years of his confinement, deteriorated very rapidly along the lines of the dementia precox regression. Orlick, likewise, although a moron—with enough capacity, to be sure, to learn in a slovenly, "dogged" manner a few elements of the smithy trade, and possessed of considerable animal cunning—is the very picture of the *paranoid* moron. Crimes against the person constitute the high water mark of Orlick's best endeavors; relieved, so to speak, by a bit of spy work under the tutelage of Compeyson, who tried to destroy Magwitch through the projected annihilation of Pip. Orlick's path suddenly ends with an unbelievably *clumsy* crime, that against Pumblechook. Mercy was utterly alien both to Compeyson and to Orlick. But what a difference between their mental levels! Dickens does not condemn Orlick. He is satisfied to regard him as just another one "of those specimens" which we always have had and always will have with us: the criminal mental defective.

Jagers, the crack Old Bailey attorney, pervades the novel; he is one of Dickens's finest portraitures. Through him we are given many instructive side-lights on the criminal law. When Pip

first arrived in London, he went around to the place where the trials were being held, and was shown the door from which "four on 'em' would come out . . . the day after to-morrow . . . to be killed in a row. This was horrible, and gave me a sickening idea of London." There is the unforgettable picture of the red-eyed little Jew dancing on the pavement: "Mithter Jaggerth! Half a moment! My hown cuthen'th gone to Mithter Wemmick at thith prethenth minute, to hoffer him hany termth. Mithter Jaggerth! Half a quarter of a moment! If you'd have the condethenthun to be bought off from the t'other thide—at any thuperior prithe!—money no object!—Mithter Jaggerth—Mithter—!"

We are shown the inside operations of Jagger's office, the ruthless and unscrupulous manner in which he "framed" evidence. The attorney asks Mike what a certain witness is prepared to swear to. Mike answers, honestly and naively, "Well, . . . in a general way, anythink." Jagger rages at him, puts on a fine exhibition of injured legal virtue. Mike looks bewildered, as though he cannot make out what mistake he has made. "Spooney!" says the clerk, in a low voice, giving him a stir with his elbow. "Soft head! Need you say it face to face?" Of course, lawyers of our own day never do such things; their methods are more refined.

Jagger is the regular "hard-boiled" London criminal lawyer of his era, with no foolish misgivings or qualms about ethical niceties, but fundamentally sound in his view of men and things, notwithstanding. He is a fellow whose heart is in the right place, although he does his level best to make people believe he has no heart at all. Jagger made his reputation by defending Molly at her trial for murder. Molly, part gypsy, presents no real criminal problem; she killed her rival in a jealous rage. Her case, however, does illustrate Jagger's legal skill in transforming unfavorable into favorable evidence; we refer to the allegation by the Crown that Molly bore finger nail marks upon her. Molly had a child by Magwitch—Estella; she had made him believe that she had killed the baby in order to get even with him because of the rival. Jagger, after first being careful to find out that the little girl had not been murdered, used the hypothetical killing of the child as the means for defeating the Crown.

Magwitch adored the child and almost lost his mind when the mother told him she was dead. Nevertheless, he kept hidden in order not to be compelled to give testimony against the mother.

Compeyson got wind of this fact and used it for the purpose of enslaving him still further. Magwitch believed, till within an instant of his death, that the child had been murdered. Pip was about the age his little girl would have been when the convict came upon the boy in the churchyard; the powerful feeling for his own child influenced his attitude toward Pip.

An interesting problem of the common law here presents itself. Magwitch, as we have said, kept out of the way so that he would not have to be a witness against the mother; possibly his own criminal record was another very strong consideration impelling him to this concealment. However that may be, Magwitch and Estella's mother were what we would call common law husband and wife; of this there seems to be no doubt. But it is a fundamental rule of the common law, based upon the legal identity of man and wife, as well as upon reasons of public policy, that neither husband nor wife can testify for or against each other in any proceeding, civil or criminal. We are not here considering *statutes* which remove said disability. Now: "The exact status of an informal marriage at common law entered into without the presence of a person in holy orders . . . has been the subject of much difference of opinion. . . . In 1843, however, in a case elaborately argued before the House of Lords, it was determined that such marriages were invalid by the common law unless they were celebrated in the presence of a priest in holy orders. . . . In 1753 the statute of 26 George II. known as Lord Hardwicke's Act was enacted, requiring consent of parents, the publication of bans, and a formal marriage ceremony by a clergyman of the established church. It also declared that marriages not in conformity to the act should be void and without effect."<sup>6</sup> It seems, then, that Magwitch could have been compelled to give evidence against what we to-day would call his common law wife Molly *in re* the murder of her child, had that issue arisen, exactly as Dickens contends.

There is a wonderful description of that wild, stormy night when the returned transport made his way to the top floor of the Temple and revealed himself to Pip. Magwitch, alias Provis, is the incarnation of *l'idée fixe*. To the bitter end he preserved firm faith that in making Pip a "gentleman" he had redeemed his own lost youth. So he had. Never mind that his notions about what

<sup>6</sup> American & English Encyclopaedia of Law. London: C. D. Cazenove & Son, 2nd ed., 1901; vol. 19, pp. 1193-1195.

constitute a gentleman were crude and vulgar: how could they be else? Ignore the fact that the "lifer" thought money could buy anything: in this he belongs to a large and most respectable company, who find much comfort in this delusion. No matter about all this, which was nothing more than the natural and inevitable outcome of his background and experience. The main thing to be borne in mind is that Magwitch was *sincere*, despite his criminal record. Real life, from whence Dickens drew as from the fountain-head, has furnished us with more than one such paradox. Magwitch evidenced obsessional perserverance in respect to the attainment of his goal. Two elements dominated his motivation: gratitude to Pip for having saved him from starvation and the wish to compensate for his early failure with society (we need not ask whether society failed *him*). His feeling of gratitude was undoubtedly something far more complex than the term "element" implies; it involved affection for his supposedly dead child, and this affection was symbolically transferred to Pip.

Dickens does not raise Magwitch to the ranks of sainthood, as Hugo has Jean Valjean. He does not hesitate to paint him in all his externally repellant characteristics. A violent man, forsooth, and no mistake about it, with an ineradicable grudge against the society that rejected him. This grudge was bound to play a prominent part in his drive toward compensation. Telling Pip of his progress in self-reclamation, he says: "And then, dear boy, it was a recompense to me, look'ee here, to know in secret that I was making a gentleman. The blood horses of them colonists might fling up the dust over me as I was walking; what do I say? I says to myself, 'I'm making a better gentleman nor ever *you'll* be!' When one of 'em says to another, 'He was a convict, a few years ago, and is a ignorant common fellow now, for all he's lucky,' what do I say? I says to myself, 'If I ain't a gentleman, nor yet ain't got no learning, I'm the owner of such. All on you owns stock and land; which on you owns a brought-up London gentleman?' This way I kep myself a going."

Dickens never wrote a more profound paragraph on psychology than this. Was Magwitch abnormal in his complete conviction that he had a proprietorship in the boy? Hardly. What he honestly thought was Pip's success, was *his* success. The best of parents, for that matter, demonstrate an overweening ambition to recapture the phantoms of their frustrated ambitions in their children, and make them come to reality.

Magwitch is the archetype of the man more sinned against than sinning. He sums up his past in this wise: "And what I done is worked out and paid for." All those who have served sentences feel the same way. So did counsel for Dmitri in *The Brothers Karamazov* put into the defendant's mouth the following: "I am quits, I owe them nothing now, and owe no one anything for ever."

Pip's patron was an individual of considerable practical intelligence and great self-denial, as his financial accomplishments beyond the seas proved. Under the influence of the obsessional goal he braved almost certain detection by returning to England. We witness the gradual change in Pip's attitude toward Magwitch. How did the old convict master the boy's loathing for him who had blasted the belief that Miss Havisham was the source of great expectations? By the simple, yet wholly effective method of placing his life trustfully into Pip's keeping. He had "made" the young fellow, as he could not less than absolutely believe. He had taken him away from the forge and a life of manual drudgery. How could the former smith's apprentice be otherwise than grateful?

Compeyson plays the Devil to the bitter end, and meets a death in keeping with dramatic justice. Magwitch did not, according to all the evidence, intend to kill Compeyson when he leaned over toward the latter's boat to pull the cloak from the informer's shoulders and assure himself of the man's identity. But once under the water, locked in deadly struggle, there can be no doubt that Magwitch did what anyone would have done under the circumstances: kill his mortal enemy.

The passing of the sentence of death upon the thirty-two, among whom the fatally injured "lifer" was foremost, is one of those memorable scenes which only Dickens could give us. Magwitch expires before the gallows can claim him. This is as it should be. Even the Judge had said that the unhappy man seemed to have spent a peaceable and honest life abroad. Nevertheless, the letter of the law must be fulfilled.

Dickens fought for a decent measure of flexibility in the harsh penal system of his country. He carefully distinguishes between the various kinds of motivation leading to anti-social conduct. He always asks himself: Is this man worth saving? In the case of Abel Magwitch, as in that of Compeyson, we have seen how clearly Dickens answers this question, and the reasons for his answer.

*Oliver Twist.*

Whereas in *Great Expectations* we have observed the mature Dickens at work, in *Oliver Twist* we see the youthful reformer in all the white heat of his enthusiasm.

Here is the sort of realism that jarred the prudes of the Victorian era. *Oliver Twist* was written not only for the purpose of holding up to shame and universal condemnation the poorhouse system of his day, but especially aimed to *debunk crime and the criminal*. The thieves of *The Beggar's Opera* appealed to the "romantic" sensibilities of Dickens's contemporaries. But the fine ladies and gentlemen of those days could not bear the filth and stench that were Saffron Hill and Jacob's Island.

As Dickens says in the special preface which he felt called upon to write for *Oliver Twist*, "it was objected to on some high moral grounds in some high moral quarters.

"It was, it seemed, a coarse and shocking circumstance, that some of the characters in these pages are chosen from the most criminal and degraded of London's population; that Sikes is a thief, and Fagin a receiver of stolen goods; that the boys are pick-pockets, and the girl is a prostitute.

"I have yet to learn that a lesson of the purest good may not be drawn from the vilest evil. I have always believed this to be a recognized and established truth, laid down by the greatest men the world has ever seen, constantly acted upon by the best and wisest natures, and confirmed by the reason and experience of every thinking mind. . . . Nor did I doubt that there lay festering in Saint Giles's, as good materials towards the truth as any to be found in St. James's.

"In this spirit, when I wished to show, in little Oliver, the principle of Good surviving through every adverse circumstance, and triumphing at last; and when I considered among what companions I could try him best, having regard to that kind of men into whose hands he would most naturally fall; I bethought myself of those who figure in these volumes. When I came to discuss the subject more maturely with myself, I saw many strong reasons for pursuing the course to which I was inclined. I had read of thieves by scores—seductive fellows (amiable for the most part), faultless in dress, plump in pocket, choice in horseflesh, bold in bearing, fortunate in gallantry, great at a song, a bottle, pack of cards, or dice-box, and fit companions for the bravest. But I had never met (except in *Hogarth*) with the miserable reality. It appeared to me

that to draw a knot of such associates in crime as really do exist; to paint them in all their deformity, in all their wretchedness, in all the squalid poverty of their lives; to show them as they really are, for ever skulking uneasily through the dirtiest paths of life, with the great, black, ghastly gallows closing up their prospect, turn where they may; it appeared to me that to do this, would be to attempt a something which was greatly needed, and which would be a service to society. And therefore I did it as I best could." We all know what Dickens's "best" was, needless to say.

He goes on with the defense of his work: "What manner of life is that which is described in these pages, as the everyday existence of a Thief? What charms has it for the young and ill-disposed, what allurements for the most jolter-headed of juveniles? Here are no canterings on moonlit heaths, no merry-makings in the snuggest of all possible caverns, none of the attractions of dress, no embroidery, no lace, no jack-boots, no crimson coat and ruffles, none of the dash and freedom with which 'the road' has been, time out of mind, invested. The cold, wet, shelterless midnight streets of London; the foul and frowzy dens, where vice is closely packed and lacks the room to turn; the haunts of hunger and disease, the shabby rags that scarcely hold together; where are the attractions of these things? . . . A Massaroni in green velvet is an enchanting creature; but a Sikes in fustian is insupportable. A Mrs. Massaroni, being a lady in short petticoats and a fancy dress, is a thing to imitate in tableaux and have in lithograph on pretty songs; but a Nancy, being a creature in a cotton gown and cheap shawl, is not to be thought of. It is wonderful how Virtue turns from dirty stockings; and how Vice, married to ribbons and a little gay attire, changes her name, as wedded ladies do, and becomes Romance."

"Cervantes laughed Spain's chivalry away, by showing Spain its impossible and wild absurdity. It was my attempt, in my humble and far-distant sphere, to dim the false glitter surrounding something which really did exist, by showing it in its unattractive and repulsive truth."

In these inimitable words does Dickens blast his hypocritical detractors, who are like the boys of Tom Sawyer's gang when they played at robbers. He proceeds to unreel before us the sights and sounds of the human cesspool and underworld of the English metropolis. What of it that his tale is somewhat liberally sprinkled with melodramatic passages? These are merely so many incidents that we of to-day pass over without more than a bare notice, re-

alizing them to be virtually inseparable from the era in which they were written. They can never for a moment divert our attention from "one dark cluster of objects in the very centre of all—the black stage, the cross-beam, the rope, and all the hideous apparatus of death."

Dostoevsky, the master criminological analyst among novelists, evolved his creations according to the thesis that character and destiny are one and the same thing.<sup>7 8 9</sup> Dickens, too, maintains this—but with a distinct qualification. Dostoevsky, the Russian fatalist, would Yoga-like ignore the conditions and limitations of environment. Dickens never for more than a moment loses sight of the environment, of the fact that the individual is a *social* element.

Little Oliver is "a parish child—the orphan of a workhouse—the humble, half-starved drudge—to be cuffed and buffeted through the world—despised by all, and pitied by none." A terrible picture, this! What chance of escape for him in that maelstrom wherein destruction is both physical and spiritual? But Oliver symbolizes prepotency for decency and right living, just as Fagin the Jew represents the very embodiment of the Evil One. The boy is constantly imperilled by the adverse circumstances of his birth and early development. Yet in him there is active from the first a moral vitality, just as surely as there is in Fagin moral death. This, we fully realize, is the proper place for an "environmentalist" to belch forth upon Dickens his sneers and ridicule.

Let no one mistakenly think, however, that Dickens ever belittled the deleterious effects of environmental forces. His own childhood ineradicably impressed upon him their fearful dangers. He is ever ready to demonstrate how crime is fostered by poverty. What are the potentialities of the scene witnessed by Oliver when he was in the service of Sowerberry the undertaker? "'Ah!' said the man: bursting into tears, and sinking on his knees at the feet of the dead woman; 'kneel down, kneel down—kneel round her, every one of you, and mark my words! I say she was starved to death. I never knew how bad she was, till the fever came upon her; and then her bones were starting through the skin. There was neither fire nor candle; she died in the dark—in the dark!

<sup>7</sup> P. C. Squires. Dostoevsky's Doctrine of Criminal Responsibility. *Journal of Criminal Law & Criminology*, 1937, 27, 817-827.

<sup>8</sup> P. C. Squires. Dostoevsky's "Raskolnikov." *Ibid.*, 1937, 28, 478-494.

<sup>9</sup> P. C. Squires. Fyodor Dostoevsky: A Psychopathographical Sketch. *The Psychoanalytic Review*, 1937, 24, 365-388.



She couldn't even see her children's faces, though we heard her gasping out their names. I begged for her in the streets; and they sent me to prison. When I came back, she was dying; and all the blood in my heart has dried up, for they starved her to death. I swear it before the God that saw it! They starved her!"

When the Artful Dodger ran across Oliver and saved him from starvation by taking him as a recruit to the Jew's den, we have before us the finest possible example as to how hunger supplies the underworld with its pawns. But this does not justify us in concluding that Dickens believed environment to be the solution of the criminological enigma. He battled valiantly to improve the external conditions of living, as we all so well know. Yet Oliver emerged from his terrible experiences victorious; while Monks, his half-brother, was unretrievable despite every effort made to save him. For Dickens, the environment, potent as it is, and as he admits it to be, must play second fiddle to "original nature."

The merry old gentleman to whom the Artful Dodger "inter-duced" Oliver ran his school for pickpockets upon the principle of making crime a game. Through his masterful methods of suggestion the Jew made considerable apparent progress with Oliver for some time. How signally this training failed was proved by the situation under which he came within the temporary protection of Mr. Brownlow. Upon the boy's kidnapping by the gang, Fagin having been paid for the "job" by Monks, another and thoroughly systematic attempt was launched to make him a criminal. Master Bates and Jack Dawkins undertook to lecture Oliver upon the numerous advantages of being a "prig." The Artful sums up the philosophy of the thief perfectly: "If you don't take pocket-handkerchers and watches . . . some other cove will; so that the coves that lose 'em will be all the worse, and you'll be all the worse too, and nobody half a ha'p'orth the better, except the chaps wot gets them—and you've just as good a right to them as they have." Here we have a perfect delineation of the criminalistic rationalization. "From this day, Oliver was seldom left alone; but was placed in almost constant communication with the two boys, who played the old game with the Jew every day: whether for their own improvement or Oliver's, Mr. Fagin best knew. At other times the old man would tell them stories of robberies he had committed in his younger days: mixed up with so much that was droll and curious, that Oliver could not help laughing heartily,

and showing that he was amused in spite of all his better feelings.

"In short, the wily old Jew had the boy in his toils; and, having prepared his mind, by solitude and gloom, to prefer any society to the companionship of his own sad thoughts in such a dreary place, was now slowly instilling into his soul the poison which he hoped would blacken it, and change its hue forever."

Much discussion has been devoted to the problem of the "reality" of Dickens's characters. How close to actual life are the Jew, Sikes, Nancy? The novelist himself says: "It has been observed of this girl, that her devotion to the brutal housebreaker does not seem natural, and it has been objected to Sikes in the same breath—with some inconsistency, as I venture to think—that he is surely overdrawn, because in him there would appear to be none of those redeeming traits which are objected to as unnatural in his mistress.

"Of the latter objection I will merely say, that I fear there are in the world some insensible and callous natures, that do become at last utterly and irredeemably bad. But whether this be so or not, of one thing I am certain: that there are such men as Sikes, who, being closely followed through the same space of time, and through the same current of circumstances, would not give, by one look or action of a moment, the faintest indication of a better nature. . . .

"It is useless to discuss whether the conduct and character of the girl seems natural or unnatural, probable or improbable, right or wrong. *It is true.* Every man who has watched these melancholy shades of life knows it to be so. Suggested to my mind long ago, by what I often saw and read of, in actual life around me, I have tracked it through many profligate and noisome ways, and found it still the same."

Now, we will have to admit that Dickens was a close observer of criminals and the criminal courts. In *Oliver Twist* he delineates the felon and prostitute types of the London slums. Sordidness is the innermost substance of his portrayals. "'Civil words!' cried the girl, whose passion was frightful to see. 'Civil words, you villain! Yes; you deserve 'em from me. I thieved for you when I was a child not half as old as this!' pointing to Oliver. 'I have been in the same trade, and in the same service, for twelve years since. Don't you know it? Speak out! don't you know it?'

"'Well, well,' replied the Jew, with an attempt at pacification; 'and if you have, it's your living!'

“‘Aye, it is!’ returned the girl; not speaking, but pouring out the words in one continuous and vehement scream. ‘It is my living; and the cold, wet, dirty streets are my home; and you’re the wretch that drove me to them long ago; and that’ll keep me there, day and night, till I die!’” Even so did Fantine, of *Les Misérables*, walk the streets.

There are those who ridicule the picture of the alcoholic, diseased, hysterical prostitute clinging to the beastly Sikes. Silly, say the wise ones, to think that the viciously abused girl would refuse to betray him. The verdict of these armchair criminologists is: “Unreal.” Well, the trouble with these self-same critics is that they are ignorant of the prostitute’s psychology. Rose Maylie asks Nancy why it is that she will not abandon Sikes, and the miserable creature replies: “I don’t know what it is, . . . I only know that it is so, and not with me alone, but with hundreds of others as bad and wretched as myself.” And then: “When such as I, who have no certain roof but the coffin-lid, and no friend in sickness or death but the hospital nurse, set our rotten hearts on any man, and let him fill the place that has been a blank through our wretched lives, who can hope to cure us?” Yes; this is the answer to the enigma. Who will deny that Dickens here put his finger upon the vital spot of the whole psychological problem?

Nancy exemplifies the power of habit. Oliver’s friends asked her to give up the Jew to the criminal authorities; and agreed to keep their hands off Sikes. To all entreaties she replied: “I am chained to my old life. I loathe and hate it now, but I cannot leave it.”

In her attachment to her murderer, Nancy is the realistic prototype of the modern gunman’s “moll.” Whether in her espousal of Oliver’s cause she behaves consistently with a realistic psychology, is quite another question. Novelistic requirements demanded that somebody act as spy on Monks in order that Oliver might be saved. Dickens, rightly or wrongly, decided that Nancy was the best candidate for the job. We are compelled to the conclusion that he was wrong, so far as psychology is concerned. She professed gang loyalty; yet by “squealing” on Monks she was imperilling the entire ring, and she must be presumed to have realized this. A girl of the underworld would never intrust such secrets to eminently respectable strangers, as Nancy did to Rose Maylie and Mr. Brownlow. Whatever Dickens, in the glow of his creative work, thought about the matter—and we have seen how positively he expressed

himself on it—he erred in depicting Nancy as the savior of Oliver. We would not wish to appear too dogmatic concerning this point; yet we must say that if a Nancy in real life did such a thing, she would not be a type but an *exception*. Possibly Dickens had the exception in mind all the time.

The character of Sikes may be disposed of in a breath: a plain and unadulterated human beast of the lowest mental order. We raise no question whatever about *his* reality. His murder of Nancy was nothing particularly extraordinary, in any event; it was the simple and effective way of “settling the hash” of a mistress who had so far forgotten the code of the underworld as to “squawk.” Had not the wily Fagin always impressed upon his apt pupils the “ethics” of the “profession”? “‘In a little community like ours, my dear,’ said the Jew, . . . we have a general number one; that is, you can’t consider yourself as number one, without considering me too as the same, and all the other young people.” The mystic number, taught the Jew, is neither three nor seven: it is *one*. This sound doctrine, however, did not appeal to Noah Claypole, alias Morris Bolter, to whom the above words of wisdom were addressed. Nor had Nancy, despite many years of gang loyalty, been unfaltering to the end. Therefore she had to die. Who a more fit executioner than Sikes?

The Jew is one of those Dickens characters who furnish inexhaustible materials for thought. “As he glided stealthily along creeping beneath the shelter of the walls and doorways, the hideous old man seemed like some loathesome reptile, engendered in the slime and darkness through which he moved: crawling forth, by night, in search of some rich offal for a meal.” What a picture! Only Dickens or Dostoevsky could have sketched it with such overwhelming power and horror. Fagin was far worse than Sikes. All that the housebreaker did was to kill the body. Fagin specialized in the murder of *souls*. He contracted with Monks to make Oliver a criminal. “‘Ha! ha! The man against the child for a bag of gold?’” Yet even Fagin realized the tremendous resistance he would have to overcome in Oliver if he were to destroy the moral nature of the boy. He says to Monks, during their discussion as to how Oliver can be turned into a thief: “‘I saw it was not easy to train him to the business, . . . he was not like other boys in the same circumstances.’” Monks replies: “‘Curse him, no! . . . or he would have been a thief long ago.’” Dickens, in preparing to wind up the novel, wrote: “. . . not having yet disposed of the Jew, who

is such an out and outer that I don't know what to make of him."<sup>10</sup> Nothing could be more significant of the author's feelings than this.

But Fagin, chief chef of Hell's Kitchen that he is, can not hold a candle to Edward Leeford, alias Monks, for sheer viciousness and deviltry. Monks would cast his half-brother into the abyss for the sake of revenging himself upon his dead father, who had made a will favoring Oliver. Dickens gives us in Monks a clear clinical portrait of a paranoid epileptic, rotted out with syphilis. This degenerate offspring of an unhappy marriage is one of the best things that Dickens has done. Mr. Brownlow says to the coward: "'you, who from your cradle were gall and bitterness to your own father's heart, and in whom all evil passions, vice, and profligacy, festered, till they found a vent in a hideous disease which has made your face an index even to your mind . . .'" And Monks tells Fagin: "'Jew as you are, you never laid such snares as I'll contrive for my young brother, Oliver.'" Nancy gives a fine description of this blacksheep: "' . . . he has a lurking walk; and as he walks, constantly looks over his shoulder, first on one side, and then on the other. Don't forget that, for his eyes are sunk in his head so much deeper than any other man's, that you might almost tell him by that alone. His face is . . . withered and haggard. His lips are often discolored and disfigured with the marks of teeth; for he has desperate fits, and sometimes even bites his hands and covers them with wounds.'" Cowardice and paranoid revengefulness are Monks's outstanding traits.

In Dickens there was something more than a dash of diabolism. The satanic element appears time and again throughout the course of his works. We hear the vile sounds, and smell the foul odors, of a Witches Sabbath. There are many instances of it in *Oliver Twist*. See this one: "'Bolter, Bolter! Poor lad!' said Fagin, looking up with an expression of devilish anticipation, and speaking slowly and with marked emphasis. 'He's tired—tired with watching for *her* so long,—watching for *her*, Bill.'"

But Dickens knew how to relieve tension and all manner of ghastliness by humor,—as Dostoevsky could not. Thus, who can ever forget the stagey behavior of the Artful at his commitment? He considered himself to be a public figure of some magnitude,—a hero and martyr. Charley Bates lamented: "'To think of Jack Dawkins—lummy Jack—the Dodger—the Artful Dodger—going

<sup>10</sup> J. Forster. *The Life of Charles Dickens*. London: Chapman & Hall, 1874; vol. I, p. 131.

abroad for a common twopenny-halfpenny sneeze-box! I never thought he'd done it under a gold watch, chain, and seals at the lowest. Oh, why didn't he rob some rich old gentleman of all his walables, and go out *as* a gentleman, and not like a common prig, without no honor nor glory.'” Could criminal psychology be better portrayed than by this stroke of genius? Then there is the contemptible sneak Noah Claypole who, graduating from the humble rank of undertaker's boy to the lofty and honorable position of Fagin's petty thief and spy, accepted a special, dignified “appointment” to the “kinchin lay” of London and vicinity. These are the unique Dickensian touches. But underneath all boils and seethes a vast *ugliness* which no incidental humor can conceal, and which blistering, fierce sarcasms only serve to intensify.

It is interesting to note that Judge Talfourd, one of the author's friends, pleaded with him in behalf of young Bates “as earnestly in mitigation of judgment as ever at the bar for any client he had most respected.”<sup>11</sup> Dickens salvaged Bates, who became a respectable grazier; for Sike's terrible crime had exercised a beneficial effect upon him. Talfourd also undertook to argue the Dodger's case: but Dickens felt that *that* was going rather too far, and insisted on consigning him to a bit of foreign travel.

We are given illuminating incidents bearing on court procedure in criminal cases which to-day would be treated under the caption of juvenile delinquency. Oliver's summary commitment by the magistrate Fang furnishes the outstanding instance of its kind; moreover it is worthy of somewhat extended analysis from the technical point of view. Dickens visited the Hatton Garden Police Court, presided over by Laing—the original of Fang; this was in 1837. The abuses in this court, due to the intolerable temper and arbitrariness of Laing, were notorious. Shortly after Dickens had made his observations it came about that the magistrate was removed from office by the home-secretary.<sup>12</sup>

*In re* the appearance of Oliver before Fang, Holdsworth has stated: “As a writer in the *Law Times* has recently pointed out,<sup>13</sup>

<sup>11</sup> J. Forster. *Loc. cit.*

<sup>12</sup> J. Forster. *Op. cit.*, vol. III, pp. 4-5.

<sup>13</sup> A. L., *Obsolescence of the Jury in Criminal Cases*. The *Law Times*. 1924, 157, 308: “A classic instance of ‘gerrymandering’ the charge was when Oliver Twist was tried by Mr. Fang for picking the pocket of Mr. Brownlow. ‘How do you propose to deal with the case, sir?’ inquired the clerk, in a low voice. ‘Summarily,’ replied Mr. Fang. ‘He stands committed for three months—hard labour, of course.’”

But this interpretation by A. L. entirely misses the fundamental fact in Oliver's case, namely, that the child was *not* charged with the felony of pick-

Fang was prepared to gerrymander the charge in order to give himself jurisdiction. Oliver Twist was charged with the felony of picking the pocket of Mr. Brownlow. Fang dealt with the case summarily by treating it as loitering with intent to commit a felony—an offence under the Vagrancy Act—instead of committing Oliver Twist to be tried for felony.”<sup>14</sup> Without in any way justifying the brutality of Fang, we must disagree with this interpretation of the case. What were the facts and the law? They were these:

First, as to the facts. Oliver was most decidedly *not* charged with having picked Mr. Brownlow’s pocket. A search found nothing on Oliver’s person. Brownlow said he had been robbed, but was sure of only one thing in regard to the defendant, namely, that at the precise moment of missing his handkerchief he had turned around and seen Oliver running away. Brownlow was unwilling to press any charge whatsoever. Finally, Fang said to him: “Do you mean to state what your complaint against this boy is, man, or do you not?” To this, Brownlow gave no definite answer, but fumbled around until Fang turned his irritability upon him also. How can anyone who has read the famous case carefully, maintain that Oliver was charged with a felony? No doubt Fang was *prepared* to gerrymander any felony charge that might have been brought against the child, for that was his style. *But no such charge was brought.*

Second, as to the law. All this took place in or before the year 1837. We have made an examination of the statutes of those days and find that Fang was authorized to deal with Oliver’s case summarily. We are not now talking about the justice or injustice of the sentence: we are merely discussing the matter of *jurisdiction*. Oliver’s case came squarely under the Vagrancy Act of 1824, 5 Geo. 4, c. 83, s. 4: “. . . every suspected person . . . frequenting . . . any street or hallway . . . with intent to commit a felony.”<sup>15</sup> Furthermore: A person “who frequents a public street, having in his mind the intent to commit a felony when and wheresoever opportunity arises, is liable to the penalties of the Vagrant Act, 5 Geo. 4, c. 83, s. 4, even though no opportunity should arise, and may be committed as a rogue and vagabond, if the justices are satisfied on sufficient evidence, first, that he frequented the street, and secondly, that he did so with intent to commit a felony. The overt act or the attempt to carry out the intent, is not an essential part of the offence

pocketing but with loitering with intent. Fang’s remark quoted by A. L. was made *after* it had become clear that no felony charge could lie.

<sup>14</sup> W. S. Holdsworth. *Op. cit.*, pp. 62-63.

<sup>15</sup> Chitty’s English Statutes, 6th ed., vol. XV, 1913: London, p. 415.

against the act."<sup>16</sup> Said Vagrancy Act provides summary commitment for not more than three months at hard labor.<sup>17</sup> Fang was entirely within the letter of the law when he imposed the maximum sentence on Oliver. He was not guilty of gerrymandering. What he was guilty of was sheer inhumanness. The fact that the boy was discharged, due to the appearance of the book-stall keeper who had witnessed the matter, is of course irrelevant to the facts and the law that operated to secure Oliver's summary commitment.

*Oliver Twist* has a powerful didactic and reform mission. It would not appear to be a mere coincidence that in 1840 there was enacted the Infant Felon Act, 3 & 4 Vict., c. 90, providing for the care and education of infants who may be convicted of felony.<sup>18</sup> The novel appeared at a critical period in the history of the problem of crime, and of juvenile delinquency in particular; it exerted a powerful influence upon the future of criminal legislation in England. With a mighty pedagogical significance, *Oliver Twist* points out the end of the road where towers, dark and dread, that Tyburn Tree of old.

#### *Our Mutual Friend*

This, Dickens's last completed novel, introduces us to a criminal type differing radically from his preceding portraitures. We refer, of course, to the schoolmaster Bradley Headstone. As Chesterton insightfully says, "it was a new notion to combine a deadly criminality not with high life or the slums (the usual haunts for villains) but with the laborious respectability of the lower, middle classes."<sup>19</sup> Dickens here made a notable voyage of exploration into one of the most obscure domains of psychiatry and criminology. His study of Headstone's mental pathology is so remarkable as in and by itself to assure him a seat among the great literary psychiatrists.

The nominal interest of the book centers on the supposed murder of Harmon. Its real interest, however, is found in the slow, groping, yet relentless descent of Bradley Headstone into that pit from which no man returns. We have before us the most terrible of all spectacles: a man consuming himself day by day in the furnace of his hopeless passions, fatefully and like an automaton drawing nearer to the hour of murder and suicide. It is the inevitability of this drama that is so appalling. We feel from the very first that nothing can be done to prevent or even stay the

<sup>16</sup> Mew's English Case Law Digest, vol. XIV, 1898: London, p. 1094.

<sup>17</sup> Chitty. *Op. cit.*, p. 418.

<sup>18</sup> Chitty. *Ibid.*, vol. VI, pp. 175-176.

<sup>19</sup> G. K. Chesterton. *Op. cit.*, p. 217.



tragedy. With gaze rigidly fixed upon his pathological goal, unheeding of anything but his emotional torments, Headstone early forfeits hard-won respectability and takes in exchange a disgrace which no eternal oblivion of the self can eradicate.

The opening chapter throws a shadow over what is to come; it sets the mood for the book. Here, we at once feel, is Dickens the supreme artist. Gaffer Hexam, the "Bird of Prey," is a triumph in genre. He, a "Resurrection Man" of the Thames, is thus complimented by the "honest man," Rogue Riderhood: "I a'most think you're like the wulturs, pardner, and scent 'em out." Gaffer breaks off the partnership with the scoundrelly Riderhood and takes a lofty moral ground in so doing:

"'Since when was you no pardner of mine, Gaffer Hexam Esquire?'"

"'Since you was accused of robbing a man. Accused of robbing a live man!' said Gaffer, with great indignation.

"'And what if I had been accused of robbing a dead man, Gaffer?'"

"'You *couldn't* do it.'

"'Couldn't you, Gaffa?'"

"'No. Has a dead man any use for money? Is it possible for a dead man to have money? What world does a dead man belong to? T'other world. What world does money belong to? This world. How can money be a corpse's? Can a corpse own it, want it, spent it, claim it, miss it? Don't try to go confounding the rights and wrongs of things in that way. But it's worthy of the sneaking spirit that robs a live man.'"

Thus the "Bird of Prey" to the Rogue of Limehouse Hole, expounding forcefully the psychology of criminalistic rationalization at its lower levels.

There is a wonderful description of how Riderhood spins the web of suspicion that finally enmeshes his estranged partner (*in re* the Harmon murder), and for long blights the life of Lizzie Hexam. Boffin, who comes into the Harmon fortune, offers an extremely large reward for the discovery of the young man's killer or killers. Lawyer Lightwood points out to him that "such an immense reward is a temptation to forced suspicion, forced construction of circumstances, strained accusation, a whole tool-box of edged tools." This advice was unheeded by the kind, but stubborn and ignorant Golden Dustman; whereupon, as might have been expected, the "informer" crept up the stairs to Lightwood's chambers and dic-

tated his memorable "Alfred David." The chapter entitled "The Sweat of an Honest Man's Brow" shows the perjurous Riderhood in full swing. The "honest man's" criminal scheme falls through, however, when Gaffer is found drowned, towed by his own boat. The Rogue, recognizing the body of his former partner, gasps out: "Gaffer's done me. It's Gaffer!" Nothing could better sum up the Rogue's mentality than this exclamation. In such a *res gestae* situation, Dickens superbly demonstrates his genius as psychologist.

Our first glance at "Mr. Bradley Headstone, highly certified stipendiary schoolmaster," biting his fingers, tells us that we are dealing with a neurotic. He fairly reeks respectability, does this stiff, uneasy man of six-and-twenty, with his "decent black coat and waistcoat, and decent white shirt, and decent formal black tie, and decent pantaloons of pepper and salt, with his decent silver watch in his pocket and its decent hair-guard round his neck . . ." But his clothes and his manner of wearing them do not correspond.

His laboriously acquired knowledge was mechanical and was doled out to his pupils mechanically. Suspicious in his manner, he gave the impression of lying in wait. "There was a kind of settled trouble in the face. It was the face belonging to a naturally slow and inattentive intellect that had toiled hard to get what it had won, and that had to hold it now that it was gotten. He always seemed to be uneasy lest anything should be missing from his mental warehouse, and taking stock to assure himself." Everything about this unfortunate indicated tremendous suppression, with smouldering fires underneath. Chained to the humdrum conventionalities of the schoolroom, there was yet evident much of the animal in him. He had struggled upwards from the lowly status of a pauper lad—and illegitimacy, we are led to infer—concerning which he was "moody, and sullen, desiring it to be forgotten." Inadequacy behavior juts out of Headstone in his every move and word.

Falling violently in love with Lizzie Hexam, sister of his star pupil Charley, he repelled the girl from the first instant. Her recoil from him fully unmasked his paranoid condition. Headstone presents a clinical impression which strongly suggests repressed homosexuality. We need not cite here the extensive Freudian literature bearing on the relations between homosexuality and paranoia.

Headstone, taking young Hexam with him—Charley is the very pattern of the egotistical cad, and worthy of his master—pays a

call on Wrayburn for the purpose of warning the hated rival to keep away from Lizzie. This takes place in the chapter "A Riddle without an Answer," and is a masterful description of the paranoid mentality. Headstone, "used to the little audience of a school, and unused to the larger ways of men," writhes in agony to repress his feelings in the presence of the polished Wrayburn. His gravely schizophrenic state comes plainly into view. The sweat pours out of him. He uses Charley as his pretense for interviewing Eugene, and makes that insane remark about requiring "reparation" for the boy from him. Bradley's paranoia flashes out especially when he retorts: "In the meanness of your nature you revile me with the meanness of my birth." To which Wrayburn makes no answer, but remarks to his friend Lightwood as Bradley goes through the doorway: "A curious monomaniac. . . . The man seems to believe that everybody was acquainted with his mother." Eugene was not very far from the correct diagnosis, surely.

Headstone typifies the persecutory idea. He broods and broods upon the wrongs this world has heaped upon him. In every chance remark there is a hidden insult and injury. He is absolutely and utterly fixed within the narrow metes and bounds of his twisted personality. His is the curse of an immovable idea founded upon a "split" psychosexual constitution, joined to inferior mentality.

The wretched Headstone, so clumsy and ungainly in all his ways and thoughts, pleads with Lizzie in the presence of the Doll's Dressmaker to put herself under *his* plan of instruction. This interview showed his complete lack of insight either into his own or other people's make-up. From first to last he is the consistent picture of the schizophrene made desperate by sexual repressions. Bradley evidences not the slightest understanding of how to go about the winning of a girl. How could he? His psychopathic hatred, his pathological rigidity and intensity, defeated him before he even began. The only real feeling he could awaken in most girls would be that of revulsion,—with, perhaps, a tinge of pity now and then intervening. Said Lizzie: "He is a very strange man." Some one may ask, What about Miss Peecher? She was secretly in love with Bradley. But consider: he was *not* in love with her. Moreover, she was not a thoroughly normal woman, but a stunted pedagogical machine like her miserable hero Headstone. Miss Peecher's vision hardly reached beyond the schoolroom. These two abnormals might well have set up housekeeping together. The results, however, would have been disastrous in any case.

The schoolmaster was not intelligent; he belonged to that class who can stow away the contents of a book and nothing more. Riderhood, low-grade mentally as he was, possessed more acumen than did Bradley. The latter exposed himself all along the line. He showed his deadly hatred of Wrayburn to Rokesmith (Harmon); mentioning Lizzie's name to the Secretary, he did so "with a strong contraction of his whole face:" " 'I—I hope you will not misunderstand me, sir. I—I am much interested in this brother and sister, and the subject awakens very strong feelings within me. Very, very, strong feelings.' " And he wipes his brow with trembling hand. Likewise when he ran across the Rogue by accident, the first thing he had to do was to lay bare his turbulent feelings before this degenerate of "low, bad, unimpressible face."

Nothing can better describe Headstone's mental state than his tracking of Wrayburn hour after hour at night. The tormentor took the greatest pleasure in this game, of course; for the schoolmaster made an exhibition of himself such as would have entitled him to immediate commitment in an insane asylum had a committee of alienists sat on the case. As Eugene said to Mortimer: "The schoolmaster's abroad." Lizzie warned him about the man. But Eugene, in his characteristically careless manner, disregarded the warning. For was it not delightful, a breaking of the unendurable monotony, to make Headstone look ridiculous? A new sensation for Eugene, this. But his dear friend Mortimer darkly said: "I don't like it."

Dickens gives a wonderful picture of the mentally diseased man on his nightly trail: "Looking like the hunted and not the hunter, baffled, worn, with the exhaustion of deferred hope and consuming hate and anger in his face, white-lipped, wild-eyed, drizzle-haired, seamed with jealousy and anger, and torturing himself with the conviction that he showed it all and they exulted in it, he went by them in the dark, like a haggard head suspended in the air: so completely did the force of his expression cancel his figure."

The chapter "In the Dark" is a gruesome one. Dickens herein develops his concept of the criminal. "The state of the man was murderous, and he knew it. More; he irritated it, with a kind of perverse pleasure akin to that which a sick man sometimes has in irritating a wound upon his body. Tied up all day with his disciplined show upon him, subdued to the performance of his routine of educational tricks, encircled by a gabbling crowd, he broke loose at night like an ill-tamed wild animal. Under his daily restraint, it was his compensation, not his trouble, to give a glance towards

his state at night, and to the freedom of its being indulged. If great criminals told the truth—which, being great criminals, they do not—they would very rarely tell of their struggle against the crime. Their struggles are towards it. They buffet with opposing waves, to gain the bloody shore, not to recede from it. This man perfectly comprehended that he hated his rival with his strongest and worst forces, and that if he tracked him to Lizzie Hexam, his so doing would never serve himself with her, or serve her. All his pains were taken, to the end that he might incense himself with the sight of the detested figure in her company and favor, in her place of concealment” (sado-masochism). “And he knew as well what act of his would follow if he did, as he knew that his mother had borne him. Granted, that he may not have held it necessary to make express mention to himself of the one familiar truth any more than of the other.” Headstone, then, according to all *legal* criteria, was criminally responsible.

“He knew equally well that he fed his wrath and hatred, and that he accumulated provocation and self-justification, by being made the nightly sport of the reckless and insolent Eugene. Knowing all this, and still always going on with infinite endurance, pains, and perseverance, could his dark soul doubt whither he went?

“Baffled, exasperated, and weary, he lingered opposite the Temple gate when it closed on Wrayburn. . . . Possessed in his jealousy by the fixed idea that Wrayburn was in the secret, if it were not altogether of his contriving, Bradley was as confident of getting the better of him at last by sullenly sticking to him, as he would have been—and often had been—of mastering any piece of study in the way of his vocation, by the like slow persistent process. A man of rapid passions and sluggish intelligence, it had served him often and should serve him again.” So, like a frustrated tiger, he lurks outside the door of his prospective victim. Running across the Rogue, that honest man sizes Bradley up at once: “And wishing that your elth may be better than your looks, which your inside must be bad indeed if it’s on the footing of your out.” The keeper of Plashwater Weir Mill Lock quickly manoeuvres the teacher into a corner from which there is no escape. Wetting the new acquaintance with Riderhood in a mouthful of rum and milk at an early pub, Bradley is recognized by the other nightbirds hanging around the dirty bar as the worst nightbird of all, although his feathers are respectable. And so to his pupils through the dawn.

Eugene, pursuing Lizzie, is followed doggedly along his water

route by the relentless Bradley. Not only is he definitely homicidal, but he is worse than a murderer: for he has copied the Rogue's dress in order that the contemplated crime may eventually be placed on the bargeman's shoulders. Headstone is a coward of the very worst description. By every word and act, moreover, he surrenders himself to the tender mercies of the man involved in the murder of George Radfoot. Somnambulistically, under the spell of the fixed idea, he follows on the trail of his victim along the tow-path. He at last sees the meeting between Lizzie and Eugene. Suffocating, spurts of blood come from Bradley's nose. He makes his attack in the dark, like the tiger he is: fierce, sudden, terrible. He leaves his victim for dead, and returns to the Lock-house. Riderhood discovers that the would-be murderer has imitated his dress even to the red handkerchief which the lock keeper had the cunning to put on as a trap for Bradley. The assassin even goes to the devilish length of deliberately gashing his hand and, in having the wound bandaged by Riderhood, spattering the blood over him.

The Rogue understands; but lets the miserable wretch go for the time being. Bradley has no conception that Riderhood is his nemesis. He suffers no remorse. There is only one thought: Could I not have done the deed better? If I could do it over again, I would do it in such and such a way. He returns to his school, and again faces his scholars with that slowly laboring expression of his.

The news of the ferocious assault with intent to kill spreads abroad. Young Hexam at once guesses the truth. "Mr. Headstone, have you heard . . . about the fellow, Mr. Eugene Wrayburn? That he is killed? Answers the criminal: "He is dead then?" What intelligence!

Thinking himself to be on his death-bed, Eugene exacts the promise from Mortimer that the murderer will not be brought before the bar of justice. Lizzie's good name must be preserved at all costs. It is Eugene's reparation for a careless life.

As the final scene in this moving drama of reparation, which is one of the most lofty passages in Dickens, the Rev. Milvey marries the lovers. Violent as was Headstone's reaction upon learning that Lizzie had rescued Eugene, the shock of the marriage completely overwhelmed him. Mr. Milvey saw the schoolmaster catch hold of a pillar on the station platform, and directed the attention of a railroad employee to the unfortunate creature. The employee jumps upon the steps of the moving train and says to Milvey:

"That person you pointed out to me is in a fit." Bradley was biting and knocking about him furiously, in the throes of an epileptic-schizophrenic eruption.

Thus did Bradley Headstone arrive at the last step but one on his way into the infernal depths. The *denouement* swiftly develops. Fit after fit seizes him in its merciless grasp. His pupils are appalled by the distorted face of the master. Rogue Riderhood has gone fishing and brought up a strange catch—the bundle of barge-man's clothes. He appears before the stunned Headstone in the midst of his daily labors. He extends a pressing invitation, in cryptic terms, to Bradley: "Wishing to see at my lock up the river, the person as we've spoke of, and as you've answered for, I takes my leave of the lambs and of their learned governor both." The unhappy man knows the end is near, and falls into the fit that had been long impending.

Early in the morning he makes a little package of his "decent silver watch and its decent guard, writes inside the paper: 'Kindly take care of these for me,'" and leaves it for poor little Miss Peecher. His destiny is all but fulfilled.

He makes his way on foot to the Lock-house. Riderhood tells him that he must shell out his last penny. The voice of doom, unmistakably! The miserable creature says: "I have no resources beyond myself. I have absolutely no friends." Even Charley Hexam, that essence of gracelessness and selfishness, had cast him off.

All night long Bradley sits there, without uttering a word, not once changing his attitude, not loosening that catatonic hold on the left wrist. "Rigid before the fire, as if it were a charmed flame that was turning him old, . . . with the dark lines deepening in his face, its stare becoming more and more haggard, its surface turning whiter and whiter as if it were being overspread with ashes and the very texture and color of his hair degenerating.

"Not until the late daylight made the window transparent, did this decaying statue move."

The deadly fixity remains, however. Swiftly, silently, Headstone passes out of the house, the Rogue at his heels. Three miles are covered. Suddenly, Bradley faces about and returns on his tracks. He enters the house, sits there for an hour or so. Abruptly he leaves again. But Riderhood is not to be shaken off, and the prey has known this from the very first. The moment for the enactment of the final scene is upon us. Bradley comes to a stand on

the snow-covered turf by the Lock. The pursuer urges: "Come, come, Master. . . . This is a dry game. And where's the good of it? You can't get rid of me, except by coming to a settlement. I am going along with you wherever you go." Without a word, Bradley passes quickly over the wooden bridge on the lock gates.  
\* \* \*

"When the two were found, lying under the ooze and scum behind one of the rotting gates, Riderhood's hold had relaxed, probably in falling, and his eyes were staring upward. But, he was girdled still with Bradley's iron ring, and the rivets of the iron ring held him tight."

Thus died Bradley Headstone, "highly certified stipendiary schoolmaster," the tragic puppet of satanic regressional forces whose roots reach down into the "Heart of Darkness."

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Professor Wigmore has written: "The living side of the rules of law is often to be found in fiction alone.

"But there is a further service, and a higher one, to be rendered to the lawyer by literature. For literature, and especially the novel, is a catalogue of life's characters. And human nature is what the lawyer *must* know. He must deal understandingly with its types, its motives. These he cannot find—all of them—close around him; life is not long enough, the variety is not broad enough for him to learn them by personal experience before he needs to use them. For this learning, then, he must go to fiction, which is the gallery of life's portraits."<sup>20</sup>

Dickens passes in review before us a long line of criminal mentalities. Jonas Chuzzlewit, Obenreizer, the Brasses, the demon Quilp, Uriah Heep, Littimer, Dennis, Gashford, Hugh, Rudge, Rigaud, Merdle, are just a few of this distinguished company besides those whom we have already glanced at in *Great Expectations*, *Oliver Twist*, and *Our Mutual Friend*.

The novelist was also a close observer in the sphere of penology. In the *American Notes*, for instance, there is a most remarkable description of the Eastern Penitentiary at Philadelphia, whose isolation system he unreservedly condemns. He saw the Mannings executed on the wall of Horsemonger Lane Jail. He witnessed a guillotining in Rome, which he relates with unblinking realism in *Pictures from Italy*. But he was as much opposed to a "soft"

<sup>20</sup> J. N. Gest. *The Lawyer in Literature*. Boston: The Boston Book Co., 1913; p. ix.



penology as he was to solitary confinement and public executions. "Model" prisons are parodied in *David Copperfield*: the scoundrels Heep and Littimer are paraded before the admiring visitors in lofty state of "repentance" and sublime pity for those who have not experienced the beauties of the system. At the other end of the historical scale is that hideous scene in *Sketches by Boz*,—the prison chapel of Newgate where the condemned listen to their own funeral sermon on the Sunday before their death, with the coffins placed beside them in the pew!

Dickens does not smear a thick, nauseating coat of varnish over his felons and crooks, as some have done. He refuses to wax maudlin over them. He insists on tracing out the maze of causation which produces the individual who breaks the tablets of the law. The criminal is, for him, a natural and historical phenomenon. In his unwavering adherence to this attitude, Charles Dickens marches in the vanguard of great reformers. He is not a preacher. *He is a master analyst in the field of criminology.*