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Davis, David Brion

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in

AMERICAN

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1798-1860

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A STUDY IN SOCIAL VALUES

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*Homicide in American
Fiction, 1798-1860:*

A STUDY IN SOCIAL VALUES

By David Brion Davis

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To Howard Mumford Jones

PREFACE

HUMAN aggression is a subject which haunts the minds of modern Americans. Psychological studies continue to probe at the shadowy connections among such diverse forms of violence as juvenile delinquency, racial hatred, murder, and war; social scientists urge that children be adjusted to a group because adequate recognition and a sense of "belonging" are supposed to negate aggressive impulses; yet a virtual celebration of violence pervades the cheaper novels, magazines, and television. Indeed, to be "aggressive" in one's vocation is to conform to an accepted criterion for success, although "aggression" on the part of a foreign nation or group is condemned with righteous horror. In general, Americans of the mid-twentieth century seem to think of themselves as a highly aggressive people who never commit acts of aggression, in spite of their imaginative interest in bloodshed.

On the other hand, if we could formulate a generalized image of America in the eyes of foreign peoples from the eighteenth century to the present, it would surely include,

among other things, a phantasmagoria of violence, from the original Revolution and Indian wars to the sordid history of lynching; from the casual killings of the cowboy and bandit to the machine-gun murders of racketeers. If America has often been considered a country of innocence and promise in contrast to a corrupt and immoral Europe, this sparkling, smiling, domestic land of easygoing friendliness, where it is estimated that a new murder occurs every forty-five minutes, has also glorified personal whim and impulse and has ranked hardened killers with the greatest of folk heroes. Founded and preserved by acts of aggression, characterized by a continuing tradition of self-righteous violence against suspected subversion and by a vigorous sense of personal freedom, usually involving the widespread possession of firearms, the United States has evidenced a unique tolerance of homicide.

This study began with the assumption that attitudes toward intentional homicide in American literature would reveal certain beliefs and values which, in turn, would elucidate more general problems in American civilization. Since it has been an experimental study, in both objectives and methodology, it is necessary first to define its scope, purpose, and major themes. A social or legal historian might have treated the subject of homicide in America within a framework of institutional change, describing regional, social, and temporal variations in court records, newspaper accounts, and pamphlet literature. A literary historian might have confined his study to the influence of European writers on the treatment of crime in American fiction. Although this inquiry is neither institutional nor literary (in the strictest sense of the word), a lack of related investigation has made necessary occasional excursions into such associated fields.

Essentially this is a historical analysis of certain ideas associated with homicide, including beliefs concerning the

origin and development of human evil, the extent of freedom and responsibility, the nature of mental and emotional abnormality, the influence of American social forces on violence, and the morality of capital punishment. It is obvious that such subjects provide material for eight or ten books. But if a wide scope precludes complete discussion of any single topic, there may be an advantage in seeing one fundamental problem in its various social and intellectual manifestations. Homicide, despite its many changing social and legal implications, is a universal problem, the culmination of all human aggression, and an ever-present means for the resolution of conflict. During the course of our inquiry, we shall examine diverse theories and distant relationships, but the unifying core will be the knowledge that man possesses, by virtue of his intelligence, an extraordinary capacity to kill. Whether judges justify lynching or reformers condemn hanging or writers of fiction uphold the "unwritten law" of a husband's revenge, there is an underlying question of how to limit man's supreme power to destroy.

We are primarily concerned, then, with analyzing American beliefs, values, and associations concerning homicide. For this purpose, the period from the late 1790's to 1860 seems to be especially promising. By the late 1790's most Americans were confident that the democratic experiment would be successful, that order could be maintained (even without the Alien and Sedition Acts), and that the new nation's future was to be one of moral progress and of individual happiness, free from the corrupting influences of European institutions. Yet territorial and economic expansion in the following decades, weak political and judicial power in frontier communities, increasing sectional conflicts, the presence of differing racial, religious, and ethnic groups, the extension of popular democracy, and the rapid growth of cities and of industrial patterns

of life—all these contributed to a high incidence of violence, especially from 1830 to the Civil War. The period from the late eighteenth century to 1860 also saw the spread of new conceptions of insanity and of moral responsibility, the rise of the movement to abolish capital punishment, a persistent tolerance of dueling and lynching in the South, and changes in the legal definition of murder. Finally, the dominant issue in American life after 1850 was whether democratic institutions were capable of diminishing a profound internal conflict or whether an ultimate appeal to force was an inherent part of a society founded on the laws of nature.

Our time span may be roughly divided at 1830, and by the nature of American social and literary development, the primary emphasis must fall on the second thirty years. Chapters largely confined to the history and change of ideas are more chronological than are those which analyze themes and concepts in literature.

To appreciate the significance of homicide in American fiction, we must follow the development of related ideas in other areas, such as moral philosophy, theology, early psychiatry, and jurisprudence. Sometimes this intellectual context reaches backward or forward into time, necessitating discussions of men and ideas which are not within our period. Such material is intended to furnish a background which puts the principal themes in clearer perspective. We may assume that Americans of 1800 inherited a set of traditional values concerning homicide, largely embodied in religion and law. These dominant values, such as the biblical doctrine of "blood for blood," were challenged during the next two generations by the beliefs and theories of special groups, including reformers, defenders of lynching, Abolitionists, phrenologists, and professional alienists. Inasmuch as works of fiction often tested accepted ideas (moral freedom, for example), mediating between con-

temporary theories and traditional valuations, it is necessary to discuss examples of the dominant tradition, as well as those of newer philosophies. In order to analyze beliefs concerning evil and responsibility, we must first present the views of orthodox Protestantism, John Locke, and eighteenth-century moral philosophers.

A complex system of selection and organization is unavoidable in a study of this kind. The first two parts are concerned with theories of human nature and mental abnormality as they pertain to homicide. Since ideas from early moral philosophy and psychiatry are applied throughout the study, the chapters introducing each of these parts should be thought of as a framework for the entire book. In Parts One and Two there are separate chapters containing material on human nature and insanity, followed by chapters which analyze related subjects in American fiction. In Parts Three and Four, however, the background material, presented in less detail, is included within each chapter, its extent and position being determined by the character of the particular subject. It is necessary, for instance, to discuss the facts of an actual murder in connection with an analysis of its fictional treatment. On the other hand, a brief survey of lynching and dueling in America may precede a general examination of the same subjects in fiction. Since ideas concerning evil, abnormality, and punishment were closely associated with fictional homicide, a greater proportion of space must be devoted to the intellectual background of these problems.

One of the central purposes of this study is to relate and contrast theories of early psychiatry and jurisprudence with assumptions and imaginative associations in fiction. Certain modes of analysis may be useful in the study of literature, yet unacceptable as standards for historical interpretation. Because modern psychological theories and terminology often clarify imaginative expression, I have

felt justified in utilizing a general sociopsychological frame of reference in my interpretation of literature. When discussing works of fiction, I have been concerned neither with verisimilitude nor with aesthetic merit, but rather with social and psychological attitudes.

According to modern students of aggression, the murderer accomplishes through direct action what other men achieve through such symbolic gratifications as the writing and reading of literature. If we accept these contemporary theories, it is evident that imaginative fiction must express, either consciously or unconsciously, an individual's associations and emotional reactions concerning such basic factors as the acquisitive and property-getting impulses, the relation between the sexes, forces which thwart or restrict either of these impulses, and images of evil and liberation, as seen in villains and heroes. This means that such literary conventions and devices as the superman, the renegade, and the monomaniac have a psychological meaning which reflects fundamental social values.

The application of psychiatric and psychoanalytic theories to problems in history and literature is understandably suspect, yet a study of attitudes toward violence cannot ignore the significant contributions of such men as Andreas Bjerre, Franz Alexander, Frederic Wertham, Theodor Reik, and John Dollard. It must be stressed, however, that modern psychological theories are used as a technique for the interpretation of literature and are not applied as a mode of historical analysis. My objective has been to contrast the psychological assumptions of imaginative writers with certain social and intellectual currents of a contemporary period.

Fiction, of course, is never a complete index to prevailing beliefs and values, and during the first half of the nineteenth century American writers were especially sensitive to such influences as the English sentimental tale, the

Gothic romance, Byron, Wordsworth, Scott, Bulwer-Lytton, Sue, Dickens, and Hugo. For my purpose, however, imitation is not so important as is the acceptance of particular social values, arranged as hypothetical moral problems.

My central theme is the imaginative reaction of writers to a growing awareness of violence in American life, and to the disunity implicit in material expansion accompanied by a comparative weakness of paternal and governmental authorities. There are four subsidiary themes which run through most of the chapters:

1) In a reaction against eighteenth-century materialism and the extremes of sensational psychology, Americans were inclined to accept a moral philosophy which stressed man's nonintellectual powers. This often had the result of increasing the relative importance of passion and impulse, which might be considered irresistible and thus justifiable; of relegating values to an inherent moral sense; and of creating an autonomous will, free from the limitations of experience and capable of accepting or rejecting absolute virtue, regardless of physical or social handicaps.

2) Our sixty-year span was part of a longer period of great uncertainty over the future role and status of woman. The liberation of many middle-class women from traditional duties, together with a disturbing suspicion that industrialism might force the two sexes into common, undifferentiated units of labor, created a sharp tension concerning sex and the family. To compensate for this fear of change, many writers presented a feminine ideal which transcended all possibilities of realization. At the same time, there was a related and widespread association of sex with violent death. In popular fiction, the ethereal ideal of womanhood could be physically realized only in an actual or symbolic act of murder.

3) Although killing is an act of intimacy, the victim

often being identified with a parent or near relation, it is usually necessary that the aggressor rationalize an act of homicide by denying this close relationship. Even if the victim is a parent or friend, he must be thought of as a renegade, a betrayer of family honor who has forfeited his right to live. To hang a murderer or to avenge a woman's dishonor requires that the object of hatred be condemned as an agent of evil, instigated and moved by the devil. Throughout this study I shall use the term "alienation" to describe the psychological process which precedes or accompanies physical aggression. In this general sense "alienation" is the opposite of sympathetic identification, implying a fundamental break in the bonds of social unity. It is essential that we distinguish several specific kinds of alienation, as well as an objective and a subjective meaning of the term. Objectively, alienation is a description of an individual's movement away from sympathetic unity. In a subjective sense it implies the discovery of a dangerous enemy, of an immoral trespasser who deserves to die. Hence, for the murderer a victim is an alien, but for society the murderer himself becomes an alien. To avoid verbal confusion, we may use the terms "alienated" or "social outcast" to refer to the objective enemies of society. Groups of men psychologically isolated from the rest of society will be distinguished by the terms "out-group" or "scapegoat group," the latter being used to connote persecution.

Historically, the concept of alienation was employed to suggest three separate theories concerning the origin of human evil. Since theologians and early psychiatrists failed to provide an exact terminology, we must invent two phrases with which to refer to theories of criminal causation. We may use "physical alien" to describe a person who has been deprived of reason or judgment by external circumstances, but who retains, or is supposed to retain,

his essential virtue. In other words, his subjective process of alienation (leading to hatred and murder) was the result of physical causes. "Moral alienation" implies the corruption of an inherent moral faculty through a conscious and willful choice of evil. (We shall see, however, that certain thinkers argued that moral and physical alienation could not be separated.) A man might also be alienated from God and from God's law, which meant that he was instigated by Satan and embodied a positive evil. In American literature, the theme of alienation from a central human family was often expressed as the struggle between virtuous and evil brothers for the possession of lands or women in a situation where symbols of paternal authority were either weakened or totally lacking.

4) After the Revolution, many Americans were haunted by the fear that their fathers' sacrifice had been betrayed and that some dangerous conspiracy threatened to destroy the glorious promise of democracy. A loosening of traditional ties and obligations through physical and social mobility endangered the unity of in-groups, making men aware of many out-groups in their midst. At the same time, the desire of some to expand their society to include the outcasts and the depraved ran counter to a theory of individual freedom which often implied that each man naturally possessed the powers of lawgiver, judge, and executioner. This philosophical contradiction between a belief in man's universal and uniform nature and a doctrine of individual autonomy affected interpretations of the morality of punishment, of dueling, of revenge, and of the superman.

The sources for this study have been selected with an effort to present significant or representative examples of American thought. In fiction, for example, it would be impossible to discuss all the authors who dealt with murder between 1798 and 1860. Selections have therefore

been chosen with an eye to regional, cultural, and temporal representation. No attempt has been made to uncover attitudes toward *all* kinds of intentional homicide or to discuss the particular problems of every region. Since the core of the investigation is limited to American fiction, which was highly selective in interests and in subject matter before 1860, the following topics receive little or no attention: infanticide; mass murders; killings committed in the perpetration of felonies; homicides which are legally justifiable; murders committed by women for money or property; and violence in the Far West, especially in California. Analysis of homicide in American poetry and drama falls beyond my limit. I have restricted discussion of actual murder trials and legal decisions to that small number of cases which were given fictional interpretations; but the more general treatment of attitudes toward responsibility, insanity, and punishment rests on a reading of many records of murder trials which could not be discussed individually without entangling the argument in a mass of detail.

In general I have used the most available editions of novels, since the works of few American writers have been honored with a standard and authoritative edition. The dates cited in parentheses in my text refer, however, to the *first* edition in book form, not to the date of writing or to prior publication in periodicals.

DAVID BRION DAVIS

Cornell University
January 1957

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