Detecting the Nation

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Published by The Ohio State University Press

Reitz, Caroline.
Detecting the Nation: Fictions of Detection and the Imperial Venture.
Project MUSE. muse.jhu.edu/book/28314.

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Godwin, Mill, and the Imperial Origins of the English Detective

Our understanding of detective fiction as a strictly domestic genre takes its cue from the standard line of histories of the English police: English police embody, from their albeit contested beginning, national values such as mild justice and local autonomy, as opposed to the centralized authority of foreign models of policing, such as that of France. T. A. Critchley, a twentieth-century historian of the police, provides an exemplary description of such a position: the “character” of England’s “mild system of police . . . owe[s] everything to native manners, nothing at all to foreign influences” (55). Such a story forgets the police’s imperial origins in the early and formative police systems in Ireland and India, thereby enabling the police to be read as a homegrown invention. The view that the detective genre “owes everything to native manners” has become the standard history of the detective genre, as well. And Caleb Williams, with its searing criticism of and resolution in the English criminal justice system, is seen by critics to inaugurate this insular genre.

What Godwin’s novel demonstrates, however, is precisely the opposite: (1) that the detective genre emerges from debates about the global crisis of English authority, and (2) that the way of coping with the domestic disruption posed by the rise of an organized police force was paradoxically to explore the character of English authority in the colonies. Godwin’s detective narrative is a product of contemporary social criticism that sought to connect rather than distinguish between the crimes of English law at home and abroad. Godwin sought to tell a new story of English criminal justice by writing about colonial governance. Reading Godwin’s novel, originally titled
Things as They Are; or, The Adventures of Caleb Williams, in the context of his contemporaneous writings on Empire invites an examination of another turn-of-the-century exploration of “things as . . . they really are,” James Mill’s The History of British India, in the context of an emerging discourse about detective work and the rise of the police (5:405). If Godwin shapes a genre out of the reform debates of this period, Mill’s history creates a new genre of civil servant—one who detects and solves crimes—out of these same debates. Together these texts produce, in the words of Mill, the “enlightened inquirer” as the good cop versus the bad cop of the arbitrary and despotic power of the late-eighteenth-century state. In order to do so, both Godwin and Mill use the colonies to imagine a new—and newly acceptable—kind of English authority. This authority figure would be taken up by their fellow reformers in their hard sell of the police to, at that time, a passionately skeptical English public.

In the strange brew of early-nineteenth-century reform (one that would find Godwin and Mill as often in opposition as agreement), Caleb Williams (1794) and The History of British India (1817) provided both a logic and a discourse for emerging propolice arguments, such as George B. Mainwaring’s Observations on the Present State of the Police of the Metropolis (1821) and John Wade’s A Treatise on the Police and Crimes of the Metropolis (1829), that the detective, far from undermining English values, could embody benevolent, modern knowledge in the imperial nation’s service. The four sections of this chapter attempt to show the evolution of this argument: The first briefly covers the strange alliances of reformers in debates over the character of English justice abroad; the second argues for the necessity of reading Godwin’s contributions to the detective genre and the figure of the English detective in the context of Empire; the third explores Mill’s refinement of detection as a solution for the mismanagement of British India; and the concluding section traces the influence that Godwin’s and Mill’s writings had on arguments made by propolice reformers in the first decades of the nineteenth century.

Strange Bedfellows

Godwin’s and Mill’s writings were part of a vigorous debate about the crisis of a criminal justice system that, reformers argued, had itself become criminal in both its domestic and imperial applications. The final decades of the eighteenth century saw the trial of Warren Hastings, Governor General of India, the breakdown of the Bloody Code, the development of the transportation system to Australia, Pitt’s suspension of habeas corpus, the use of
informers, and the arrests and state trials of political radicals. The legal system became “a recurring target of radical polemic” and the despotic un-English character of the English institution, the law, a subject of passionate concern (Ignatieff 160).

Debates over the criminal character of English law at home and abroad made strange bedfellows and generated the paradoxical logic that what was wrong with England was most apparent by looking outside it. In his seven-year prosecution of Warren Hastings, Edmund Burke focused on the need for national recognition of English criminal activity overseas. Reformers of almost every stripe, from Bentham and Mill to Godwin, who reviled (and were reviled by) Burke after his apparent change of heart over the French Revolution, celebrated the liberty-loving spirit of his prosecution of Hastings. Indeed an increasingly widespread concern that English law, the ostensible cornerstone of liberty, was really a vehicle for despotism gave rise to a diverse reform movement; as E. P. Thompson suggests, “‘Radicalism’ came to include very diverse tendencies as the 19th century advanced” (1966, 466). Turn-of-the-century radicalism united the two very diverse subjects of this chapter: Godwin, the utopian anarchist, and James Mill, advocate of “good government” and representative of the authoritarian strain in Utilitarianism. According to John Plamenatz, Mill’s “radical utilitarianism . . . repudiated nothing more vigorously” than the Godwinian beliefs of “anarchism and communism” (97). While Godwin and Mill represent an apparent paradox between liberty and authority in turn-of-the-century reform, what these very different men share in their capacities as “radicals,” in addition to numerous mutually influential acquaintances, is the imperial context of their critiques of English criminal justice—most evident in their attacks on Warren Hastings and his brand of imperial authority.

Godwin and Mill both wrote with Burkean extravagance about the actions of Hastings and their disastrous effects on English national character. In letters to William Pitt, published in The Political Herald during Parliamentary debates over Hastings’s possible impeachment, Godwin characterizes Hastings as “a despotic and imperious veteran,” the head of a “memorable band of East Indian culprits.” “Whatever of humanity remained to us,” Godwin continues, “started with horror from the caprices of tyranny and the oppressions of avarice in that quarter of the world” (Marken and Pollin 22, 24, 31). In the lengthy account of the trial in The History of British India that, arguably, became the dominant reading of the Hastings affair through the twentieth century, Mill suggests that even the notoriously excessive Burke did not go far enough in his analysis of what the iniquities of the Hastings administration represented (5:200–201). The similar responses of Godwin and Mill
to Hastings’s “high crimes and misdemeanors” not only register their larger concerns about England’s precarious claims to civilization but also demonstrate their very similar solution as well: detection.

Both Godwin and Mill argued in the aftermath of Hastings that the legitimacy of English civilization both at home and overseas could only be restored if the public were guided by “a spirit of investigation” (Godwin 1985, 82), a “homebred understanding” (Godwin 1985, 552) embodied in an “enlightened inquirer” (Mill 6:7) who could “detect the artifices” of “mysterious” government (Godwin 1985, 552) and perform the “investigation of . . . those complicated scenes of action” (Mill 1:xxv) that imperiled the English virtues of reason and truth, justice and benevolence. While *Caleb Williams* is recognized as a founding text of the English detective genre, as well as a narrativization of contemporary domestic political debates, that same tradition has ignored the novel’s relationship to Godwin’s intervention in the debate about English law overseas. This oversight has enormous implications for the way we understand the history of the genre. Indeed, why, given the stress on the formal and domestic origins of detective fiction, should *The History of British India* be seen as a component of an emerging detective genre; John Kenneth Galbraith quips in his introduction to the 1968 edition that Mill’s *History* hasn’t been read at all since its days as a handbook for Company servants. Together, I nevertheless want to argue, these texts reimagined the detective in the age of the bad cop—the age of Peterloo and government spies—as necessary for the progress of an expanding nation. The good cop authored by Godwin and Mill came to articulate an imperial logic that they did not live long enough to see.9

**Caleb Williams** and Imperial Authority

Godwin’s writings in the 1780s on crises in the British Empire provide as crucial a context for *Caleb Williams* as critics have argued about *Political Justice*.10 These writings provide a rough draft of the argument that Godwin will make to a larger audience, he hopes, by turning to fiction in *Caleb Williams*: What is wrong with England is a criminal justice system at home and abroad that needs a modern spirit of investigation to set it right.11 In the process of converting arguments about Empire to a novel about England, Godwin turns a critique of imperial authority into an argument for a new type of local hero.

As an active participant in the broad range of reform debates at the end of the eighteenth century, Godwin’s knowledge of the central texts of criminal legal reform has been well documented. He knew well John Howard’s condemnatory surveys of British prisons, citing him in *Caleb Williams* as his
source for the descriptive passages about Caleb’s incarceration. Godwin’s familiarity with the Newgate Calendar and the State Trials also figures in the novel. The fugitive Caleb, making a living as an anonymous writer, turns to “histories of celebrated robbers . . . and other memorable worthies, whose career[s were] terminated upon the gallows or the scaffold” (268). Caleb himself is the celebrated subject of a handbill, authored and distributed by Gines under the auspices of Falkland, that pursues him in his peripatetic evasion of persecution.

Less well documented is the relationship between this early and influential detective novel and Godwin’s writings on imperial criminality, which consist of the letters of “Mucius” in The Political Herald and the incomplete “Memoirs of the Administration of the Government of Madras during the Presidency of Lord McCartney” in the same journal, ground covered by Mill’s fifth and most powerful volume of The History. Godwin writes of Burke’s efforts against Hastings:

Having exerted every faculty and every excellence within the circle of the human mind, he closes this long and splendid career with a great public prosecution, the example of which may wash away the stains of Britain, and ensure security and peace to generations yet unborn. (20)

According to Godwin, the Hastings prosecution highlighted Burke’s brilliance and England’s benevolence. In a letter to Dundas, then treasurer of the Navy, Godwin argues “the accusation of Mr. Hastings continues to appear to me not inferior in importance to any business that was ever brought before a British parliament” (36). Far from chiming in with contemporary criticism of the protracted nature of the impeachment trial, Godwin explains that he will indeed try and add to the “length into which the business must inevitably run”: “It shall be my business, in my humble sphere, to endeavour to keep alive the attention of the public by such hints, animadversions and reflections, as a business so various in its tenour, and comprehensive in its subject, cannot fail to suggest”. (36)

From the “humble sphere” of the impecunious political hack (The Political Herald would run out of financial steam shortly thereafter), Godwin gave his version of English crimes abroad. Hastings’s Company cronies are “devouring locusts,” who, in accordance with “the practice of the servants of the British government in this quarter of the world . . . grasp at the largest sums” (67, 95). The “despotic and imperious” Hastings embodies not only this greed, but a worse crime, one more antithetical to the noble, albeit bedraggled, spirit of English civilization: obstruction of justice. Much as Mill would later argue,
Godwin explains that Hastings’s primary crime is the use of his influence to obfuscate investigation into the things as they are in India. Godwin speaks here as “an Englishman” concerned with the “baleful infection” of the “East Indian culprits.” The unseen danger metaphorically implied in “infection” will “root away the last remains of British honour and British virtue” (24).

Suggesting a dangerous parallel between the British and the Roman empires, Godwin argues that a lack of honest judicial inquiry was responsible for the “miserable and degenerate” “affairs at Rome.” The British Empire needs a Cicero to “openly and fearlessly [state] to the public the cause of this miscarriage” (37). A bold spirit of investigation is necessary, Godwin implies, to keep London from going the way of Rome. Godwin continued this theme in his “Memoirs” written in the same years, 1785–1786, as the Mucius letters. Though the “Memoirs” would be left unfinished because The Political Herald folded, Godwin’s argument was clear: Curiosity can restore the British character, which has been damaged by the confounding of innocence and guilt. “There seems to be a spirit too general in this country,” Godwin writes, “of confounding the virtue and the vice, the right and wrong of the persons who have been concerned in the direction of our affairs in India” (62). In a passage that underscores the risk posed to national character by crime overseas, Godwin argues that the solution to this problem is English curiosity:

> The curiosity of the public can scarcely take a more useful direction; and we are delirious both to indulge and to assist it. The character and the prosperity of this country are both of them inseparably involved in the business of India. It is impossible that every man of benevolence and philanthropy should not be anxious for the first of these. That cruelty, tyranny, usurpation and avarice should be considered as constituting the character of Britain in any part of the world, he will sincerely lament. (61)

In Caleb Williams, published the year before Hastings’s acquittal, with its intensely curious hero who muses that “innocence and guilt are too much confounded in human life” (122), Godwin at last completes his unfinished Empire writings—and finds his Cicero.

Caleb Williams is littered with the “structure of attitude and reference” toward Empire that Edward Said argues is part of the culture of imperialism. At least part of Falkland’s fortune comes from West Indian property, the business of which holds at bay Caleb’s one possible ally, Collins. Godwin draws numerous comparisons between Caleb’s persecution and those peoples oppressed around the globe: the Jew, the “West Indian negro,” “a Cherokee
chieftain at the falls of the Mississippi” (149, 273). Falkland’s fanatical concern with his reputation, which fuels his hatred for Caleb, has clear imperialist implications: “My character shall be revered as spotless and unimpeachable by all posterity, as long as the name of Falkland shall be repeated in the most distant regions of the many-peopled globe” (292). Falkland’s identification with imperialist rapacity becomes even clearer in the debate at the literal and symbolic center of this text where Falkland defends Alexander in the face of Caleb’s critique of imperial conquest. When the cheeky Caleb wonders “if murder and massacre were but a very left-handed way of producing civilisation and love,” Falkland replies that Alexander “has been much misunderstood” (116–17). “It was necessary to the realising of his project,” Caleb’s master explains, “that he should pass for a god” (117). In case the reader somehow missed this connection, Godwin has Caleb wonder at the end of the novel:

When Nero and Caligula swayed the Roman sceptre, it was a fearful thing to offend these bloody rulers . . . Falkland! art thou the offspring, in whom the lineaments of these tyrants are faithfully preserved? Was the world, with all its climates, made in vain for thy helpless, unoffending victim?. (324)

One of the first English detective novels, then, literally centers on a problem that had long been on Godwin’s mind: the rotten character of imperial authority.

Godwin’s savage critique in Caleb Williams of “the law” that has “neither eyes, nor ears, nor bowels of humanity . . . and turns into marble the hearts of all those that are nursed in its principles” (288) is familiar critical terrain. As the novel’s full title says, it is a look at “things as they are” in the final decade of the eighteenth century and, as critics have amply shown, Godwin found things wanting. The focus of my argument, though, is on how this critique of the contemporary legal system articulates a sense of things as they could be—given an individual capable of making that system work for rather than against the English people. Caleb is Godwin’s attempt to create this New Man. Donald Harvey explains that “Caleb’s claims to represent the new is merely implied—sufficiently clearly . . . in view of his numerous criticisms of society—but implied nonetheless” (245). However, arguing that Caleb is a protodetective on the beat of imperial trespasses against the British character, and therefore associated with the “new,” goes against traditional readings of the meaning of Caleb’s detective work. These critics have Godwin, like most of his fellow Englishmen and all of his fellow radicals, lambasting the system of government spies and informers, of which Caleb is just an amateur version.
Ian Ousby makes the most comprehensive argument that Godwin is critical of Caleb and that “the criticism of Caleb the detective and the hostility to the spy draw their life from the same ground” (31). Ousby explains that “Caleb’s detection involves a disregard for those basic qualities—sincerity and sensitivity—upon which Godwin’s ideal social code was based” (37).

It is true that Godwin detested spies. He criticizes the “most crying evil” of “spies and informers” in a 1793 letter to the *Morning Chronicle* on free speech (Marken and Pollin 113). Falkland’s lackey Gines, like most people in late-eighteenth-century law enforcement, is both a thief taker and a thief. And Godwin, for as much as he represents Gines as the very worst sort of man, basically agrees with his sentiments that “there was no comparison between the liberal and manly profession of a robber . . . and the sordid and mechanical obligation of a blood-hunter” (270). But if Godwin’s characterization of Caleb drew from the antispy sentiment demonstrated in the portrayal of Gines, why is Gines so evil and Caleb, at the worst, an irritating upstart? Because it is Godwin’s point precisely that Caleb’s emergent detective qualities are entirely different from Gines’s hounding and self-interested pursuit. Unlike Gines and his spying, representative of a dying civilization, Caleb represents what Godwin advocates in his political writings of the 1780s and 1790s: a modern system of inquiry and observation consistent with English values. Godwin draws a picture of what such a person would look like in another *Morning Chronicle* letter, written the year he was composing *Caleb Williams*. Addressing “such persons as may be appointed to serve upon juries for the trial of seditious and treasonable words,” Godwin tells them what he expects:

One upright and intelligent juryman might put a close to that scene of persecution which is the disgrace of Britain. Let us figure this man to ourselves, contending with the prejudices and passions of his colleagues. Let us figure his mildness and equanimity in the midst of their impatience, and perhaps their scurrility. Let us figure to ourselves that clear, simple, unornamented understanding, which furnishes him with a plain and undeniable answer to all their objections. Let us suppose truth by his instrumentality victorious, not merely over the passions, but over the understanding of united numbers. . . . Integrity never appears more divine in human form, than when it bursts forth from obscurity: than when it appears, unornamented by rank, unassisted by learning, invincible, though alone; than when it disdains circumlocution, tells a plain and artless tale, and shows that all the powers of sophistry and intimidation are impotent, when set in opposition to it. (Marken and Pollin 124)
In its call for and description of the ideal juryman, this passage is both a call for and description of Caleb. Like the juryman who “bursts forth from obscurity” to tell his own “plain and artless tale” against all odds, Caleb tells his with the hope that it does not become, in the final words of the novel, a “half-told and mangled tale” (337). In the final pages of the novel, Falkland concedes defeat in the same words as this passage: “I see that the artless and manly story you have told has carried conviction to every hearer” (335). Godwin develops his earlier description of Cicero’s “open and fearless” inquiry here in this portrait of a figure of reason rather than passion and of equanimity in the face of universal hostility, which is clearly a model for Caleb. This model of restraint became the model for the ideal modern detective as he appeared in the police treatises of the early-nineteenth century. Critchley describes the code of instructions recruits had then and still have to learn: “He must remember that there is no qualification so indispensable to a police-officer as a perfect command of temper, never suffering himself to be moved in the slightest degree by any language or threats that may be used” (120).

The language describing Caleb’s thirst for knowledge echoes this passage’s emphasis on “unornamented understanding.” Unlike the spying of Gines and Falkland, which is scurrilously motivated by the archaic value of revenge, Caleb’s “eagerness for information” (119) springs naturally from him. He writes early in his story that “the spring of action which, perhaps more than any other, characterised the whole train of my life, was curiosity” (6). Like the “curiosity” that Godwin attributed to the public regarding the Hastings affair, Caleb’s curiosity is not a vehicle of arbitrary power but a defense against it. The “motive” fueling his duel with “the colossal intelligence of Mr. Falkland” was “the ever-growing repugnance I felt to injustice and arbitrary power” (263). It is crucial for Godwin’s reinvention of “spying” as detection, associated not with the crimes of the past century but with the progress of the future one, that Caleb’s detection is portrayed as taking place in self-defense, in response to oppression rather than oppression itself. Caleb writes that “the hostility of Mr Falkland excited hostility in me,” but like the model juryman, he keeps his head. Like the police will be instructed to do in the face of almost universal hostility, Caleb, “totally abjuring the offensive, [resolves] to stand firmly upon the defensive” (151). Even after Falkland is brought into the courtroom through Caleb’s active resolve, the latter maintains “I will not hurt a hair of his head” but significantly adds “unless compelled to it by a principle of defence” (320). This is the logic of modern justice.14

Critics are quick to point out that if Godwin’s aim was to present Caleb as a reasonable inquirer in the face of Falkland’s despotic omniscience, he sometimes missed his mark. Sometimes Caleb’s curiosity does indeed look less like Cicero’s and more like Gabriel Betteredge’s “detective fever” in The Moonstone. Passages
such as the one in which Caleb, on the verge of discovering Falkland’s secret, exclaims “I felt as if my animal system had undergone a total revolution. My blood boiled within me” (135) support critical arguments to the effect that the detective narrative is at heart a psychological not a political exploration. Godwin’s text does not always seem entirely sure, given “things as they are,” where Caleb’s spirit of inquiry will lead him, giving us reason to think that the uncertainty demonstrated by the novel’s two endings, the original and the published, derails whatever sure-footed social critique Godwin may have intended. This uncertainty, however, is not a self-limiting paradox in Godwin’s reform politics, hopelessly torn between (1) wanting to make a consistent critique of “things” by having Caleb crushed by an eternally unjust system (original ending), or (2) wanting justice to stage a victory by having Falkland confess, thus vindicating Caleb’s social criticism even as it brings out the least attractive aspects of Caleb’s personality (published ending). The need for two endings makes sense if Godwin’s text, as I argue, is borne on the cusp of an emergent cultural logic, a logic defined by the attempt to reconcile the intrusions required by detective work with the freedom held dear by the English people. Just as Caleb’s new detective work both separates him from and links him to the reviled spying of Gines, a logic associated with the “new” necessarily draws from a critique of the old. Some critics have recognized Caleb as a “cusp” figure. Marilyn Butler points out that part of the problem in “reading” Caleb is that there is not at this time “a vocabulary to justify what he does” (248). Gary Handwerk underscores the emergent nature of Godwin’s logic in explaining why Falkland is so much more readable than his curious servant: “Caleb Williams never provides the same sort of explanatory context for Caleb as it does for Falkland. . . . Caleb remains a remarkably isolated individual, literally an orphan, inhabiting a world free of conscious ideological resonances” (952). The novel’s at times uncomfortable balance between a fully drawn attack on things as they are and a sketchy program for things as they can be are not doubts but growing pains. If Godwin seemed less sure-footed in his writings in the 1790s than in the 1780s, it may just be that he got ahead of himself. After all, Caleb embodies the ideals of the Victorian detective, “unornamented understanding” and dogged, rational inquiry, almost forty years before England would officially create one.

The History of British India and Detection

If Godwin, in writing Caleb Williams, was picking up where he left off in his Empire writings, James Mill’s Empire writings pick up where Caleb Williams leaves off, thus producing what Godwin’s arguably less prescriptive text could
not: suggestions for the construction of the English detective. While it is hard to imagine Mill, driven by the demands of his equally voluminous writing project and family, feverishly turning the pages of *Caleb Williams* to see if the plucky servant (for whom he would certainly root) managed to bring down his tyrannical master, Mill’s text resonates with the logic and language of Godwin’s. In his *History*, Mill tries to reverse the “dangerous tendency of . . . representing districts, or things, to be in a more favourable state than they really are”: “It is necessary to have studied particularly the documents of our Indian history . . . to have any conception to what an extent the British people have been deluded, and continue to be deluded, with flattering accounts of what is described as ‘their empire in India’” (5:405–6). Mill goes on to argue, like Godwin, that the problem with India is that there has been no “enlightened enquirer” to bring simple understanding and inspection to the subcontinent. In other words, the problem with British India is that it has no Caleb Williams. The solution offered by *The History of British India* is to create one in the form of the new East India Company servant, especially the policeman armed with local knowledge of Indian culture and general knowledge of English law.

As with Godwin, so much of Mill’s criticism of imperial policy is at heart a critique of domestic policy that any argument against colonial mismanagement is bound to become a recipe for better domestic governance. Like Godwin, Mill consequently weaves a constructive program for the future from savage attacks on the present. Mill suggests in his preface that the true patriot must be cruel to be kind. “Some considerable reputations have been acquired,” he writes, “by praising every thing in one’s own country. . . . And that it is a proof of his not being a friend to it, if he ever puts it in the wrong. This is a motive which I utterly disclaim” (1:xxxiii–xxxiv). Like the misunderstood Caleb’s pursuit of the popular Falkland, Mill’s motive in making accusations of criminality against popular institutions in the face of widespread hostility is “to be a friend to one’s country” (1:xxxiv).

Mill is not considered a friend to any country. The standard view of Mill is that he takes the boldly arrogant position that India can be known and ruled from afar. Horace Hayman Wilson, an Oxford Orientalist and the 1840 editor of *The History*, writes in his preface that “Mr. Mill does not seem to have been aware” that “personal knowledge of a country, and especially of India” is necessary for writing an accurate history (1:ix). Leslie Stephen, in his account of the English Utilitarians, writes of Mill’s “prejudices” that they were “characteristic of the Utilitarian attitude to assume that a sufficient knowledge of fact can always be obtained from bluebooks and statistics. Some facts require imagination and sympathy to be appreciated,
and there Mill was deficient” (2:23–24). In being so unfamiliar with the actual country, according to Wilson, Mill is a flawed historian and social critic. Only someone with “local knowledge. . . . will know what to credit, what to mistrust, what to disbelieve. He will be qualified to select the pure metal from the dross, to separate the false from the true. An incompetency to perform this most essential part of the duties of a careful and critical historian is constantly apparent in the citations which Mr. Mill has made” (1:viii–ix).

While Mill is not without sometimes astonishing prejudices, the point that he is making in The History of British India, both as a reformer and as an historian, challenges this standard reading. The central tenet of Mill’s argument about British India is the necessity for such local knowledge in the development of good government. In a note referring to a passage about the “mode of conducting” the Company’s business, he writes:

Where the agent, however, is intelligent, and acquainted with the language and the manners of the people, he does simplify and improve the business to a certain degree; and were it performed by men who had an interest to establish themselves in the country, and who would make it a business, it would gradually acquire that rational form which the interest of a rational people would recommend. (3:11)

Mill himself implies a connection between the work of the “intelligent agent” and his work as an historian.

In the course of reading and investigation, necessary for acquiring that measure of knowledge which I was anxious to possess, respecting my country, its people, its government, its interests, its policy, and its laws, I was met, and in some degree surprised, by extraordinary difficulties, when I arrived at that part of my inquiries which related to India. . . . The knowledge, requisite for attaining an adequate conception of that great scene of British action, was collected no where. It was scattered in a great variety of repositories. (1:xv)

Turning the “dispersed and confused materials of a knowledge of India” into a “rational form” is Mill’s attempt, in Caleb’s words, to turn a “half-told and mangled tale” (337) into a plain and artless one.

Mill’s text, like Godwin’s, is a criticism of criminal law that frequently references contemporary accounts of criminal justice reform. Mill, too, cites Howard on the savagery of English prisons (3:117). Though Mill’s text is a history and therefore organizes itself chronologically while chronicling wars, government, and Company policy and important personnel, his intense and
energetic focus on crime and the police, as opposed to these other aspects of British India, makes his history sometimes read like a colonial edition of the *Newgate Calendar*. Mill writes exhaustively of both Indian and English crimes; he covers the iniquities of the “dacoits,” Indian criminal gangs, with the same kind of salacious detail that spices up his account of the Hastings trial, which focuses on English crimes from mismanagement to murder.

The Hastings administration is the focus of Mill's criticism of justice in British India. Two hundred pages are devoted to the trial, with numerous additional references and asides elsewhere in the text. Mill’s account of the trial’s crime-within-a-crime, the execution of Nuncomar, sounds like a *Caleb Williams* plot summary: servant accuses master thereby becoming the accused.15 Nuncomar accused Hastings in 1775 of accepting a large bribe from one of the Begums of Oudh, at which point the Brahmin was arrested for an alleged forgery. The Supreme Court in Calcutta, presided over by Hastings's school friend, Sir Elijah Impey, tried and executed Nuncomar, thus conveniently removing Hastings's accuser. Hastings is represented here as a Falkland, who will do anything in his power to block inquiry into his actions. Mill's portrayal of "the eagerness of the Governor-General to stifle, and his exertions to obstruct inquiry, on all occasions where his conduct came under complaint" echoes Godwin's description of Falkland's fatal flaw (3:443). As Falkland is reluctantly brought before Mr. Forester, Falkland's half brother and Caleb's fair-weather friend, so Hastings resents inquiry. Mill quotes Hastings's declaration that “I will not suffer Nuncomar to appear before the Board as my accuser. I know what belongs to the dignity and character of the first member of this administration. I will not sit at this Board in the character of criminal” (3:447). Hastings stands accused of the same crime as Falkland, who preempted Caleb's charges of criminality against him by accusing Caleb first of theft. Falkland, implicitly describing his own strategy as he explicitly charges Caleb, exclaims that “surely it is no sufficient refutation of a criminal charge, that the criminal repels what is alleged against him” (177). Hastings's attempts at "stifling inquiry," according to Mill, use a similar strategy: “What [Hastings] alleged was, the dignity of the accused, and the baseness of the accuser” (3:447). While Nuncomar and Caleb meet very different fates (if only in the published ending), the single crime of Hastings/Falkland is the obstruction of the spirit of inquiry through a strategy of preemptive criminalization. The endeavor of defenders of the current system, Mill explains, to “establish in the minds of their countrymen . . . a belief, that it is criminal ever to express blame of them or their system. . . . Has hardly been less diligent than it has been successful” (5:216).
Mill turns from his reading of the Hastings trial to a lengthy discussion of the police system in India, which, in its considerations of both effective and ineffective police work, echoes Godwin’s distinction between the work of Gines and Caleb and anticipates crucial arguments for propolice reformers. As in the rogue Regency state of which it is a product, Mill explains, the current state of policing in India is bad. Mill draws practically all of his evidence from the grim “Fifth Report of the Committee on Indian Affairs” (1810), and the criticisms echo contemporaneous assaults on the state of domestic policing in which the police are themselves criminals. “The fabrication of evidence,” Mill writes, has become “a prevailing practice with the agents of police” (5:402). Mill suggests that “when such are the deeds of the very men by whom the crimes of others are to be suppressed” there can be no security in British India (5:402). Guilty of the same crime as Hastings and Falkland, police agents, instead of “protectors, themselves became the plunderers and murderers of the people” (5:413). Underscoring his main point about English criminal law—its “deceptive propensity”—Mill argues, here quoting the Fifth Report, that the major obstacle to police reform in India stems from “the very imperfect information which government . . . possessed, respecting the actual state of the police” (5:405). Curiosity, and its by-product, information, are here, too, the necessary instruments for reform.

Mill’s solution, comparable to Godwin’s, is to replace an old and ignorant system, associated with un-English values of treachery and obfuscation, with a new one characterized by “unornamented” understanding and justice. Mill writes that the Indian police suffer from “a general neglect of duty, in petty roggeries, in a want of respectability, in being destitute of that energy and activity, and that delicate sensibility to character, which ought to characterize a police officer” (5:400). Though Mill is critical of Pitt’s 1784 India Bill, he gives credit to the “authors of the bill” for their efforts “to force out the real state of the facts, and to defeat the efforts of concealment or deception. . . . Information tending to the detection of falsehood was called for by the greatest rewards” (4:406). Mill, recognizing as Godwin did that his foreign policy recommendations had domestic implications, adds “so important an instrument of good government as this, ought not, assuredly, to be confined to India” (4:406). Indeed, Mill’s criticisms of the police in India are those being made by reformers in a domestic context, as I will argue in the final section of this chapter.

While the nature of Caleb’s knowledge has a certain precision—his perfect pitch for dialect and disguise anticipate the celebrated skills of later detectives—Godwin is vague about the institutional position of the detective figure. More often, Godwin refers to principles of “general inspection” or
discusses “the duties of individuals . . . to be indefatigable in detecting [society’s] imperfections” (1985 545, 661). In the context of actual policy recommendations for improving imperial governance, Mill hones this “general inspection” to an argument for local knowledge, and thus an argument for administrative specialization. In arguing for a local knowledge that becomes specialist in character, Mill adds a key component to the emerging detective narrative Godwin developed. The following passage about the need for local knowledge, particularly regarding the administration of justice, reflects scores of such passages in The History:

Even in the native country of the Judge, experience gained from long practice in the modes of thinking, acting, and speaking, of the principal class of depredators, is found to give him important advantages in extracting the evidence of guilt. The extraordinary disadvantages, under which Englishmen, totally unacquainted with the manners of the Indians, lie, when they begin to seek their way through the labyrinth of Indian testimony, can be easily conceived. (5:436)

Here Mill advocates a system whereby Englishmen would become proto-Kimball O’Haras, “thoroughly conversant with the manners and character of the natives: many of them born and bred among them” (5:437). Mill’s proposals to rectify this problem with local and specialized inquiry, Stokes explains, “had all those qualities of energy, speed, efficiency, and decisiveness, dear to the reformer’s heart” (79–80). This argument for better administration through local knowledge is one that will be made by such reformers about the New Police in London.

The figure of the English agent “thoroughly conversant with the . . . character of the natives” is clearly the solution to a criminal law at home and abroad, which currently smites “the administration of the justice with impotence.” However, the “vices of the law” are only one part of the problem. The second cause are those problems “which derive themselves from the vices of the people” of India (5:431). And it is here where Mill begins to make clear the national investments in the figure of the detective in a way that Godwin only implied. The type of cultural superiority evinced in this matter-of-fact statement is not surprising, following, as it does, Mill’s infamous attack on Hindu civilization. However, such an arraignment of the native population is surprising for a text that, for the most part, works harder at indicting English civilization. Wilson, the editor, notes that “one of our author’s peculiarities” is that “his horror of English is even more strong than of Hindu law” (2:362).
Mill’s attack on native culture is paradoxical: While it resonates with similar dismissals of the achievements of Indian culture (Macaulay’s “Minute on Indian Education” being the most famous and formative example), the whole purpose of The History is to argue not for a wholesale rejection but rather a greater and more detailed knowledge of India, possessed by newly respectable agents. Such interpretative difficulty recalls the quandary traditional criticism confronted in trying to decide why and how the two endings to Caleb Williams destabilized the author’s argument. Reading Mill’s History as part of an emerging detective genre sheds some light on this paradox. In view of the tensions between moderation and force troubling nineteenth-century arguments for the police, Mill’s attack on the Hindus can be seen as unifying rather than derailing his argument, as the emerging detective narrative spells out the new imperial logic. If India’s rogue citizenry can be ordered by a new kind of English investigation, then this new detective figure can claim precisely those qualities the English public would not grant the work of detection: that it was both necessary and good.

Mill’s call for local knowledge on the part of Englishmen in India represents itself as a necessary response to a grave social problem. Much like Hastings and Falkland in this respect, Mill uses his understanding of the essential criminality of the subject population to defend his call for greater authority. While the dacoits are an object of particular attention, the general population is almost as dangerous. “Dissimulation and falsehood, the universal concomitants of oppression” are carried by the Hindus to “a height almost unexampled among the other races of men” (1:324). Just as Caleb converts spying into detection through self-defense, Mill makes English detective work necessary to social self-defense in the face of the essential deceptiveness of Indian culture. Mill argues that a better police system is more important in India, where the native character does not provide a margin for error:

A system of law, marked by so many infirmities, may, in a country like England, where crimes are easily suppressed, and where the sentiments and manners of the people accomplish more than the law, afford an appearance of efficacy, and get the credit of much of that order which it does not produce; but in a country like India, where crimes are difficult to repress, and where the law receives little aid from the sentiments and manners of the people, a far more perfect system is required. (5:398)

The necessity of a centralized police force to right social wrongs was a position strenuously resisted by the English public at the time Mill was writing. The context of Empire provided Mill with a vehicle for mounting an argu-
ment that he could not mount within the context of domestic social reform. Debates about police reform in India contained in the Fifth Report repeatedly underscored that the “powers” granted overseas would not be tolerated at home. These are powers “which never have been confided to any subordinate peace-officers in England: and which, indeed, would not be tolerated for a moment in that country” (5:403). Given that Mill’s focus on the essential criminality of India grew out of a condemnation of English law, however, it should come as no surprise that the argument for the necessity of the police in India eventually found its way back home. Mill’s representation of the acquisition of knowledge as social self-defense in the context of an imperial world was in place by the time propolice reformers began to argue for the police in the increasingly “imperial” metropolis of London.

**GODWIN, MILL, AND THE NEW POLICE**

The writings of John Wade, one of the most widely read police advocates of the early-nineteenth century, illustrate how the divergent political philosophies of Godwin and Mill found a home in formative arguments for a New Police. Wade, a former journeyman wool sorter turned journalist and political writer, edited the *Gorgon* under the direction of Francis Place (a good friend of both Godwin and Mill) and wrote numerous books on issues central to radical legal reform, such as *The Extraordinary Black Book* (1820–1823), *The Cabinet Lawyer* (1826), *A Treatise on the Police and Crimes of the Metropolis* (1829), and *History of the Middle and Working Classes* (1835). The following discussion of the emerging argument for a police system in England focuses on Wade’s *Treatise*, and another influential argument for the police, George B. Mainwaring’s *Observations on the Present State of the Police of the Metropolis* (1821). Coming in the 1820s, Wade’s and Mainwaring’s texts utilize an argument that, thanks to Godwin and Mill, was already in place. These reform writings show how Godwin’s and Mill’s new stories of English criminal justice shaped the reimagination of the English police.

The police in the early nineteenth century had an identity crisis in which, in the words of Caleb, “innocence and guilt [were] too much confounded” (122). Official considerations of England’s confounded policing echo the observations of Godwin and Mill. Mainwaring argues:

> The most superficial observer of the external and visible appearances of this town, must soon be convinced, that there is a large mass of unproductive population living upon it. . . . differing little from the barbarous hordes
which traverse an uncivilized land. . . . This, too, in the midst of a wealthy, highly civilized and refined city, the capital of a country blessed with the best Constitution on earth; a Constitution, whose laws have been said to provide a remedy for every wrong. (4–5)

And yet an unregulated system of quasi-criminal thief takers, as the unofficial police were seen to be, seemed shabby defenders of the “best Constitution on earth.” In the words of the 1822 Select Committee on the Police of the Metropolis, a police force is “difficult to reconcile . . . with that perfect freedom of action and exemption from interference, which are the great privileges and blessings of society in this country” (qtd. in Radzinowicz 1:588). Mainwaring concurs that “the character” of the police was “not favourable to its investment with that degree of authority without which it cannot now be beneficial to the public” (11). Sir Robert Peel, who knew the efficacy of an organized police force first hand from his tenure in Ireland, summed up the dilemma in an 1828 letter to Henry Hobhouse: “What must I do with the Police? I fear throughout the whole country it is most defective. . . . It has always appeared to me that the country has entirely out-grown its police institutions” (qtd. in Radzinowicz 1:588).

While they vigorously disagreed about particulars, all these reformers, radical and Tory alike, agreed that the country was changing in ways that cast doubt on England’s legitimacy as an imperial authority. That England needed a police force was not a new idea. Many of the actual recommendations Peel put into law had been around since the 1750s, in the writings of the Fielding brothers, and particularly since the 1790s, in the work of magistrate Patrick Colquhoun. So why did these arguments finally take hold in 1829? After the writings of Godwin and Mill, recommendations about the police could speak in the reassuring rather than revolutionary language of an existing argument. Godwin’s and Mill’s accounts of “things as they are” helped to establish the parameters of the winning argument that local knowledge could be embodied in a figure responsible to and therefore reconcilable with the interest of an expanding nation.

The propolice narratives clearly use Godwin’s and Mill’s strategies of contrasting an effective new system with ineffectual old ones. Wade writes of the new police system that “it would speedily be found as much superior to the old parochial machinery, as the steam and iron pipes of the New River Company are to the wooden troughs and creaking wheels of the late London Bridge water-works” (96). Indeed, an anonymous barrister, writing a few years before Wade, uses the same symbols of modern progress to suggest that, regarding the police, England is woefully behind the times: “We are almost
as far behind hand in the knowledge of police, considered as science, as
though we had for the first time turned our attention to the properties of
steam, when the engine had been at work for years in every other part of
Europe” (qtd. in Radzinowicz 3:413).

Propolice reformers take up the argument sketched out by Godwin and
Mill that it was increasingly the “duty of the state to know.” According to
Wade, police “ought to be intimately acquainted with the localities of their
jurisdiction, and the prevailing character of the population, their occupa-
tions, amusements, and habits” (9). In addition, Wade continues, “a general
knowledge of all the arts of fraud, imposture, and depredation” is “a qualifi-
cation which can hardly be derived from education, and can only result from
observation, or perhaps natural gift. . . . The power of discriminating crimi-
nal character” (10). Mainwaring, who criticized the archaic “nightly watch”
because it kept the police in bed all day and thereby prevented them from
acquiring a knowledge of “the bad characters upon the town . . . a knowledge
indispensable to an effective officer” (52), suggests that knowledge needs to
be locally gathered and then organized. Information needs to be organized,
according to influential reformer Edwin Chadwick, to keep “information
gained in one district” from being “lost to all others” (qtd. in Radzinowicz
2:199). Such arguments were persuasive; according to Michael Ignatieff, “by
the early 1820s, the society had concluded that the legitimacy of state insti-
tutions could only be safeguarded by centralization of control and adminis-
tration by professionals” (168).

However, as we have already seen, the modern solution of locally acquired,
centrally organized knowledge walks a fine line between qualities variously
seen as alternately safeguarding and threatening the English character.
“Reform could have been a disastrous failure,” Critchley explains, “had not
the architects of the ‘New Police’ been scrupulously careful to set up an insti-
tution exactly matched to the British temperament” (119). Mainwaring
argues that police emanate from rather than antagonize the principles of the
Constitution:

Whilst the people preserve their Constitution, they need not fear a police. . . .
the genius, the habits of the people, the succession to authorities, and the inter-
est in the administration of the laws amongst the middling classes of society,
seem almost designed to furnish a description of persons suited to our police
establishment. (55–64)

These are the qualities Godwin called for in his juryman and drew upon
in his portrayal of Caleb. Mainwaring’s description of the “primary requisite
of a constable's duty,” “a judicious mind, a peaceable temper, a reserved demeanor, with the necessary resolution in extremity” (64), echoes Caleb's longsuffering endurance of persecution and the logic behind his two public accusations of Falkland.

One of the characteristics found in both Godwin's and Mill's early articulation of the logic of the police is that the English spirit of inquiry is a defensive rather than an offensive methodology. The paradoxical characterization of state intervention as primarily defensive, symbolizing protection from threat rather than the threat itself, shaped the Victorian reimagining of modern justice. Godwin and Mill could not make their arguments about the nation's defense outside the context of Empire, whether it was in the need for inquiry to defend against assaults on English principles from (1) an outdated criminal justice system, (2) English criminals such as Hastings, or (3) Indian ones such as Mill's criminal Hindus. The context of Empire is as crucial for arguments about domestic policing. We have already seen Mainwaring's use of the barbarous/civilized distinction to represent the dangers of an unpolicjed London. Wade, too, squarely places the challenges of law enforcement in the context of Empire. He explains that "a vigilance and suspicion which would be wholly superfluous in a provincial town are indispensable to the safety and regulation of a vast metropolis" because in "England, more than in any European community, is a numerous class enjoying, or, rather, labouring under, a plethora of wealth, the produce of vast colonial possessions" (7,14). Vigilance is necessary, not only because of colonial wealth but because of the increased presence of colonial subjects. The first cause of the rise of mendacity is, according to Wade, "the influx of strangers from every part of the United Kingdom, from the Colonies and foreign parts" (137). But it is the imperial dimension of the British character—the Crusoe gene—as well that leads to the rise of crime: "The avidity of mercantile adventure" to which Englishmen are characteristically prone, Wade explains, contributes to "the magnitude and complexion of our criminal calendar" (219,100).

Like Godwin and Mill, Wade points out in his Treatise that certain threats to national security stem from the global dimensions of English civilization. Like Godwin and Mill, Wade's solution for this problem is the necessary work of the police: an English spirit of inquiry. Wade contributes to the story of the detective told by Godwin and Mill by employing both Godwin's model of a gradual extension of liberty with a "rational enquirer" at the center and Mill's model of good government with a judicial specialist at the center. In the final words of his Treatise, Wade continues the balancing act of the detective narrative that will be picked up by future writers, such as Dickens, in the continuing work of reimagining the police as necessary defense in an imperial
world. Wade comments on Peel’s recently passed Metropolitan Police Act of 1829:

Since concluding our work a Police-Bill has been introduced, in which we rec-
ognize the commencement of a better system of protective justice, and an
attempt to introduce that energy and consolidation of power which we have
shown to be essential to public security. Though the new measure of the
Right Hon. Secretary of State is of limited extent, and intended to operate
gradually, we apprehend the powers it confers, if fully and judiciously exe-
cuted, will accomplish important improvements in the Metropolitan Police.

(369)

We have seen the work these reformers had to do to be able to write such
a paragraph. They had to be able to associate the police with a progressive pro-
tective center rather than an assault on Englishness if they were going to pro-
pose a police that could be read as a metropolitan invention that will “operate
gradually” and naturally outward from the center. As my account of Godwin
and Mill suggests, however, this new concept of English criminal justice is one
that worked its way back to the metropolitan center from the colonial periph-
ery. Godwin’s novel is one of the first texts to imagine how an investigation
of imperial authority, whether that of Hastings, Alexander, or Falkland,
might restore credibility to English justice. Moreover, to take a good look at
England, Godwin suggests, requires us to look outside its borders.
Subsequent arguments like Mill’s and the later work of reformers thus ensure
that Godwin’s tale does not suffer the fate of Caleb’s in the original ending of
the novel but rather presents us with an understanding of the Englishness of
detective work that is still with us today. In the original ending, Caleb’s tale
is heard only by the walls of his prison cell. But Godwin’s revised ending gives
Caleb the floor at the center of an English courtroom, insuring that the mes-
sage of Caleb Williams would be heard loud and clear by even the passionate
skeptics at the center of the emerging empire.