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Getting to Know the Criminal Class in Nineteenth-Century England

Randall McGowen

The reading public in mid-Victorian England was increasingly familiar with the criminal class. They were less likely to encounter its members in the streets but more often found them occupying space in their newspapers and periodicals. These texts offered detailed descriptions of the lives and practices of criminals, as well as stories of their exploits. The representations of crime found in these pages encouraged a hardening of opinion that had profound consequences for the treatment of criminals. The outcry against the criminal class culminated in measures passed by Parliament imposing longer sentences and making the prison regime itself more rigorous. Some historians have traced the change in attitudes to outbreaks of a violent street crime called garotting in 1856 and 1862. Other scholars have suggested that the uneasiness over the end of transportation and the discontent aroused by the ticket-of-leave system explain the transition. But both groups of historians have tended to discount the importance of such literary products, treating them as mere "representations" that can only be discussed in terms of some concrete social "reality."

In this article I want to suggest that what happened in these texts was more complicated and more important than historians have traditionally allowed. A number of books and articles published in the 1850s and 60s not only bear testimony to this transformation but helped to produce it. Indeed the growing fascination with the idea of a criminal class was evident even before the first of the panics associated with garotting. These works, written according to the prison minister H.W. Holland "for the information of honest men," offered detailed discussions of the life and activities of what came to be called the criminal class. Authors stumbled over each other in a desperate effort to provide news of this group. "The first requisite to action . . . ," wrote Harriet Martineau, "is to understand the peculiar character of criminal life." Holland added the widely accepted condition that one could not "understand" them "unless we go among them, see them." The image of
this class appeared in the volumes published by the juvenile reformer Mary Carpenter and the statistically oriented student of crime, Thomas Plint. It was discussed repeatedly by the Recorder of Birmingham, M.D. Hill. Henry Mayhew gave the class extended attention in his *London Labor and the London Poor*. Mayhew was sensitive to the shift in public interest that created “a thirst . . . for information” about the outcast poor. The professional criminal was likely to appear in the pages of middle class journals as well, discussed by the likes of Harriet Martineau, W.R. Greg, or Dr. Andrew Wynter. Political differences disappeared as these authors gave voice to the growing unanimity about the shape of the criminal threat. Yet there was something paradoxical about the enthusiasm with which they sought to “introduce” the public to the criminal population. For the idea of a criminal class characterized by its own institutions and customs dated from at least the sixteenth century. None of the facts they presented was entirely original; many of their points had been made at one time or another during the first half of the century. It is all the more striking then that an idea already familiar to many was presented as if it was a new and pressing discovery. What had in fact changed was the place of the criminal class in the debates over crime.

Historians have been inclined to treat these books and articles as uncomplicated forms of evidence, anecdotal and inferior to police reports, or crude attempts to manipulate opinion. I will argue that there was nothing simple about this production of a representation of the criminal class. Each detailed move in the presentation of the class contributed in a specific way to the conclusions people reached about what was to be done. It is not enough to ask who wrote these pieces, as if that would tell us all we need to know about them; we can also ask what these articles did, how they mapped the problem of crime, how they authenticated their claims. Historians tend to constitute an opposition between “representation” and “reality” and to treat the relationship between them as unvarying. The only question that interests such scholars is whether the reports were true or false. But the point of recent scholarship has been to unsettle this distinction, to show us how, without reducing them to the same thing, we can see representations contributing to the construction of reality. Indeed it is the very complexity as well as the importance of the process that makes it worth careful study.
The discussions of the criminal class in mid-nineteenth century England provide a particularly useful occasion to study this process because the operations of constituting reality within the articles takes place before our eyes. As if to anticipate the objections of empiricist historians they created a "reality effect" whose significance has not been appreciated. These works played an important role in the fostering of a particular conception of the problem of crime. They elaborated certain conventions about the representation of the class, and they proposed experiences that justified the knowledge they presented. What these articles reveal is not the "reality" of the criminal class, let alone a proof that such a "class" existed, but the manner in which Victorians came to believe that it was "real." These "truths" guided the public as it considered ways of handling lawbreakers. We can understand this production better by examining the articles in more detail, by seeing them as dense and intricate forms of argumentation. They accomplished the naturalization of their construction of the criminal class by telling stories about that class. A central feature of these tales was a description of a journey taken into the underworld; in part the trips explained how the authors had secured their information. Thus they subtly structured how the reader imagined the encounter with the criminal. The middle class was more likely to encounter the criminal class in the pages of a journal than in the streets of the late nineteenth-century city. In order to understand this process of cultural production we must avoid seeing these works as "mere" literary products. They played a central role in helping Victorians to know their criminal class.

I

These authors often began with a disarming description of the economic life of the criminal society, one that made it seem strangely familiar. The criminal underworld was marked by diversification to the same extent as legitimate society. "Their organization is as complete, perhaps," write William Pare, "as that of any other class in society, both in the business and social arrangements." This distinction implied that the crime that counted was not the action of individuals; it was the calculated activity of a group in society. Figures for the amount of crime attributed to this class were casually proposed — "the greater proportion," "a majority," "most crime," — but they proved that crime was the regular calling of a small group. Indeed the class exhibited the consequences of an economic determinism that was startling to behold.
"For like all industrial pursuits," argued Pare, "it requires and obtains the concurrent action of number — some taking one part, and some another; some acting in gangs, as burglars, pickpockets, coiners, forgers, etc., and some performing single parts only, as the receiver of stolen goods, the passer of bad money, etc., embodying in short Adam Smith's division of labor principle, without which depredation upon its existing scale could no more be carried on successfully, or indeed maintain itself for a day." The criminals class exhibited a distinct form of life, founded upon its economic arrangements. "They divide themselves into classes according to the particular branch of crime which they practice." The adjective most often employed to describe the repeated offender was "professional." The choice of this word was not taken to imply simply that crime was a regular habit, but that it involved specialized expertise. Criminals possessed a particular knowledge of their occupation, and as with any other professional group, could be designated by this knowledge. Their knowledge concerned the secrets of their trade. These phrases were often used with a deliberate irony, but they also supposedly expressed facts; for instance the brutal assaults involved in garotting were described as a "science." Such phrases combine analogy and parody, but they create in the reader a feeling of comprehension and superiority. Mayhew carried this argument to its fullest extent in the sections of _London Labour_ where he lovingly defined and delineated the different 'crafts' of the London underworld. Criminals learned particular skills, possessed certain tools, participated in a hierarchy of ability, and employed a technical language. They could be found in particular neighborhoods, at well-recognized public houses, at certain events. "Scattered throughout the country," Holland wrote of these criminals, "they form a net-work of veins by means of which all criminal knowledge circulates." Authors described flash houses and receivers of stolen goods, brothels and lodging houses. They offered detailed drawings of the tools used by crooks. "There is now no doubt that crime is," _The Times_ argued, "like any other trade, regularly taught and learnt, and systematically practiced as a means of livelihood; and that not only does such a profession exist, but that by far the greater number of serious offenses are perpetrated by its members as a matter of ordinary business, without excitement, without hesitation, and without remorse."

Yet the criminal class was not simply defined in terms of its economic organization. Such accounts might seem harmless parodies...
of society or might even produce a sneaking admiration for the talents of criminals. As quickly as the criminal class was normalized in terms of the language of economics, it was marginalized in terms of social and moral analysis. The knowledge possessed by criminals was not what made them threatening. They were not simply defined by the knowledge they possessed, but also or more especially by the knowledge others held of them. Habitual offenders, wrote the juvenile reformer Mary Carpenter, "are in a state of absolute antagonism to society and disregard the ordinances, human and divine. They are usually hardened in vice, and they concern themselves with the law only to evade it. They dislike labor of all kinds, and to supply their own wants exert themselves only by preying on the property of others. They are self-indulgent — low in their desires — ignorant of all knowledge that would profit them — skilful only in accomplishing their own wicked purposes." According to one article in The Times the criminals formed "a caste apart." As a class they were distinguished by moral as well as social characteristics, and these attributes were the more serious cause for concern. What marked criminals was their deficiencies in all that defined normal life. M.D. Hill wrote that criminals, "taken as a body, are far below the average of every lowest class, both in natural and acquired endowments." They were defined less by skill or education than by moral and psychological characteristics, such things as peculiar habits, the surrender to passion, and the pursuit of a debauched life. "Their inferiority" wrote Hill, "is so obvious on the mere view of any considerable number of them collected together, as quickly to dispel all prejudice in favor of their powers, mental or physical." They could be identified as much by what they did not know — virtue, social duty, religious truths — as what they knew. What established this inferiority was the incorrigibility of the professional criminal. It was a career, a life, a character. Professional or hardened offenders did not change. At this point the prison cast its shadow over the developing idea of the dangerous class. For the recidivism rate proved above all else the hopeless intransigence of these people. The prison record provided an important indication of the criminal's true character; it was almost as telling a sign as the possession of secret language or illegal skills.

The social division marked by the discovery of the secret knowledge and the professional organization of crime also signaled a boundary in terms of social responsibility. The existence of the criminal
class was explained in terms of attributes exclusive to that class and arising from within it. Crime was not to be accounted the fault of society. "Crime, in its habitual form," wrote Mayhew, "seems to us as radically incurable as lock-jaw or confirmed consumption." The sources of crime lay in the moral and physical character of these offenders. Such a claim made the talk of reform little more than folly. Once it was understood to constitute a class much of the mystery about how crime came to exist was removed. The habitual offender not only lived on the borders of society, he also existed on the margins of society's responsibility for his condition. Much of the argument over the habitual offender arose from the attempt to fix upon him responsibility for his behavior, to locate the problem of crime at a particular moral, because social, distance from the rest of society.

These authors made the point so frequently that it sometimes seems that they were belaboring the obvious: the secret they sought to expose was the existence of a criminal class. Martineau said criminals wore "a class-label, as distinct as if it was pinned on the coat." Here was the crucial fact of which the public was so ignorant and the central category that resolved so many problems about the explanation of crime. The argument that criminals formed a class was put forth as a way to dispel doubts about the social identity of criminality. The category had imposed itself as the necessary term needed to distinguish a group. The idea of class implied a group that was set off from the rest of society and constituted in relation to its own internal characteristics. People were prone to error when they considered crime. They imagined that crime was the product of isolated individuals or occasional offenders. Not only did they not observe the criminal class out in society, they were liable to mistake it when considering the prison population. Mid-Victorian investigators invariably began their discussions by making what Henry Mayhew called a "fundamental distinction," that between "the professional and the casual." "There are," he continued, "two distinct orders of people continuously offending against the laws of society, viz., those who do so as a regular means of living, and those who do so from some accidental cause." He emphasized the ease with which one could observe a difference between casual or accidental offenders and the more hardened: "It did not require much skill in detecting character to pick out the habitual offender from the casual criminal, or to distinguish the simple, broad brown face of the agricul-
tural convict from the knowing, sharp, pare features of the town thief."^{19}

The intensity of Mayhew's insistence upon such distinctions indicates his fear that they were not always obvious or indisputable to the uninformed. Many of these authors wrote as if these confusions were a regrettable frequent occurrence. This difficulty in locating the criminal class suggests that wider anxieties were being displaced and concentrated upon this group. The criminal class at such moments proved elusive again, not so much in its activities, but in its social identity. At least this was the fear shared by investigators like Mayhew and Thomas Plint. The public were inclined to make such mistakes. Even the self-appointed experts tended in their discussions to find the criminal class shading into other groups. The gap between criminal and honest, seemingly so evident and distinct, so insisted upon, was forever threatening to break down. It was seldom clear whether the problem arose from a mistake in conceptualization or a failure in the observation of the real world. Thomas Plint tried to confront these problems when he insisted on the radical distinctness of this class: "May it not be said of the class that it is in the community, but neither of it, nor from it? Is it not the fact that a large majority of the class is so by descent, and stands as completely isolated from the other classes, in blood, in sympathies, in its domestic and social organization (if such terms are applicable to its conditions and institutions), as it is hostile to them in the whole ways and means of its temporal existence?" Yet his choice of a question as the way in which to pose the solution suggests that he was not immune from the confusion. It stood forth even more clearly when he sought to clarify his definition of the criminal classes by including in it "not only the professional thief or burglar, but the whole rabble of the vagrant and destitute classes, who labor by fits, and eke out subsistence by pilfering."^{20} The urgency with which the old idea of a criminal class was introduced as a new and hard-won recognition arose precisely from the uncertainty surrounding the identity of the criminal population.

If on the one hand the anxiety was produced by the suspicion that the criminal class might not be distinct from the poor, these authors betrayed a concern that one form of the mistaken relationship might be that of sympathy. It might even be said that the articles constituted the problem of the criminal class as one of sympathy; the class formed a kind of necessary limit to the operation of fellow feeling. Such was the
lesson of these stories; a feeling of revulsion was inscribed in the portraits offered. While one was moved to sympathize with those in danger of falling into the dangerous class, one felt only antipathy for those already in it. This polarization of society operated as a result of the insistence upon the unambiguous existence and identity of the hardened criminal. Sympathy must find its limit; at some point it was appropriate to feel outrage. The very existence of such a class produced an intensification of efforts on behalf of such a group as the juvenile offender. Without the habitual the heightened appeal on behalf of the youthful offender would not have seemed as desperate. The concern was to interrupt the mysterious process by which the innocent child became the corrupted and totally lost recidivist. One might be unsure of the specific steps in the process by which the habitual offender arose from the juvenile delinquent, but the certainty of the outcome, the creation of the hardened offender, lent desperation to the efforts to resist him. The identity of the habitual sanctioned and warranted the efforts made to resist this evolution. Measures that might otherwise seem severe and coercive were justified by the intensity of the threat. The words chosen to describe the habitual served to fix the problem with him. He was above all else hardened, incorrigible, insensitive. It was wrong to show sympathy to those who exhibited so little regard to the tender feelings that went to make up the social bond.

II

What undoubtedly lent force to this characterization of the criminal class was its being framed in terms of a discovery, but a discovery of a particular kind. The criminal class used secrecy as a tactic in the commission of its crimes, but it protected itself as a class by keeping its existence a secret. The secrecy employed by the class explained why it was hard to see it, and made the revelation of its secret the very proof of its existence. Despite the fact that the idea of a criminal class had long been familiar, its existence was proclaimed as a new and disturbing discovery. Edwin Hill warned that there were a "large number of habitual criminals whose sole occupation it is to plunder others — a predatory class — harboring in the very bosom of society, and keeping its ground in undiminished numbers in spite of all the forces brought to bear against it." All the detailed information the authors offered went to prove this one supposedly indisputable point. It remained a secret only so long as an inattentive public refused to see the obvious,
not only the testimony offered by these articles but that provided by their own eyes. The exposure of a secret created the feeling of having uncovered the “truth”.

In summarizing in 1865 the importance of several recent works on crime Harriet Martineau remarked that “never till now” had the public the means “of forming any true and complete conception of the distinctive life and character of the criminal class.” The public had lived in ignorance of the true nature of the criminals in their midst. The books she discussed, however, revealed “the ordinary criminal population, of which most of us know so little, while we wonder at it, and shrink from it so much.”  People in everyday life often sensed something that made them uneasy, but they did not understand it and for good reason. The world of the dangerous classes was shrouded in secrecy. It was no understatement to say that the problem of crime lay in the challenge of this secrecy. Criminal society was composed of a constantly moving and furtive population. “I was frequently struck,” Holland wrote, “with the migratory and fluctuating character of the population in the thieves’ quarter.” “Every thief tries to avoid detection, and almost every other thief in Britain will do his best to conceal and help him.” “Conscious of a thousand offenses,” W. O’Brien observed, “he feels safe only so long as he is unknown.” It was not just this irregular life that produced the difficulty of knowing the professional offenders. Secrecy was the defining mode of their existence. It was “the function and peculiar quality of the creature to deceive.” He even possessed “a zest in the exercise of his powers of dissimulation.” Criminals had of course always sought to avoid capture, but these articles revealed a heightened sensitivity amounting almost to an obsession with this trait. The professional thief sought to blend into his surroundings, which meant of course that he tried to look like a member of the respectable classes. The success of this strategy depended upon his ability to convey his true intentions only to others like himself. The power of the criminal class lay in its ability to prevent society from distinguishing the criminals in their midst.

The central purpose of these articles was to defeat this secrecy by introducing their readers to the criminal class in its true form. The problem lay less in the skill of the criminals than with the inattentiveness of the public. The authors after all had little trouble in overcoming the efforts of the criminals to remain concealed. It should be as easy for others to accomplish the same feat once they were alerted to it. Still,
their tone implied that they expected their readers to be surprised by what they had to say. They presented the underworld in vivid and sharply defined images. And they encouraged the public to see what they saw. The familiar form of these stories involved an invitation to the readers to imagine a scene such as that of a courtroom where they became observers of the proceedings; "a spectator," Wynter wrote, "cannot sit beside the magistrate on the bench for a couple of hours without feeling that there are currents of wickedness flowing among the population as fixedly as the trade-winds in the tropics." What began as a feeling of uneasiness was given definition once one became more familiar with the operations of this class.

A still more frequent way of introducing their readers to the problem was to offer a description of a trip taken into the haunts of the criminal class. Such reports heightened the drama of discovery and added the authority of the first-hand account to the detailed information they presented. When Holland described entering a "thieves' quarter," he reported that he "gradually become acquainted with a complete organization and system of things of which the outside world knows nothing, and with which no stranger is allowed to meddle." These reporters told of entering the shadowy depths of the city and of making an important discovery there. The testimony to this difficulty in gaining knowledge acted to strengthen the authority of those who had secured it. Holland hastened to add that whatever he had learned from books had been "sharpened into the vividness of reality by the living persons and the living scenes that were around me." These trips offered the results of travelling among, talking to, and seeing the criminal population. Yet sight was always the privileged capacity. It was the constant invocation of this act, this moment, that subtly structured the knowledge of the class and the response to it. Since thieves were skillful deceivers it was sight that gave the truth of their existence. But the uninformed might well miss the significant gesture. The challenge of crime was posed as a problem of sight, of not being able to recognize the criminal classes, of not noticing their secret signs. But what one really needed was the knowledge that the class in fact existed, and this was the crucial information provided by journals.

The discovery of the dangerous classes was framed in terms of the problem of penetrating a secret. In this secrecy lay the criminal's power; it also proved that they were up to no good. They meant harm, but they were only able to accomplish their evil when they were unobserved and
unknown. "They have a language of signs and words which only
themselves can thoroughly understand," Holland wrote, "and a ges-
ture which may seem unmeaning to the passer-by would make him
quake with fear if he knew the significance of that seemingly uninten-
tional act." 29 Ignorance of the existence of the secret ways posed the
greatest danger to society. But in losing his invisibility the criminal lost
his most threatening weapon. These articles sought to neutralize the
threat by making the existence of the criminal classes an open secret.
At such a moment the furtive gestures accomplished the reverse of their
intention; instead of hiding they revealed the criminals. As often as not
it was their eyes that gave them away. "The principal sign," wrote
Wynter, "by which a thief may be distinguished in any assembly is the
wandering of his eye." The police learned to pay particular attention to
those "looking about them in a manner calculated to arouse their
suspicions. 30 Understanding the meaning of these signs and signals
was less important than the recognition of who employed them and for
what reasons. These writers did not propose to explain every secret
action, but rather to put the public on its guard. Once one had read these
articles one was ready to recognize the criminal in the street.

The peculiar status of the secret explains a feature of so many of
these accounts; the strange light-heartedness with which commentators
often described their adventures. Once disclosed the secret could no
longer hurt one. The existence of the class did not produce panic in the
visitors, rather a particular wariness. The stories aspired to provoke
curiosity and even excitement as if to entice the reader. Thus an article
entitled "A Day's Pleasure with the Criminal Classes," described the
author's adventures in going to a fight in the company of those whom
he characterized as criminals. "There was no very striking uniformity
of countenance or costume," but there was an expression of "mingled
impudence and cunning." He had no doubt that he had discovered "the
predatory classes" in their amusements. "It did not require a very
profound knowledge of life to make one suspect the existence of a subtle
bond of union among those worthies, nor was it necessary to overhear
some of their conversations to guess that they were representatives of
a powerful and influential class." 31 Challenging the power of criminals
did not require knowing the content of their discussions or the mean-
ings of their slang so much as simply being aware of their existence.
At particular moments the insistence upon one's ability to see the criminal class produced a fundamental shift in the direction of the argument. The result was paradoxical; the goal turned out to be less the knowledge itself, with all of its detailed description of the economic and social life of the class, than action. For the police were the supreme knowers of the criminal class. "The persons and the habits of professional and regular criminals," W.R. Greg complained, "are perfectly well known to the police." The criminal class constituted "an order as clearly marked to the eye of the police and the prison inspector as the gypsies are to us all." In particular the detective offered the fullest and most informed testimony. "The detective officer knows the thief, not only individually, but generically." Sooner or later the issue of the criminal class became inextricably linked with the question of police arrangements. This slow build up of knowledge and detail, the evidence sanctioned by experience that criminals existed as a class, inevitably climaxed in the demand for the police.

When the class was known to the average citizen it produced caution and neutralized the power of the criminal. But it was not simply a general sighting that these articles proposed; it was more precisely the sighting by the police that produced a particular demand for specific kinds of action. The various details strengthened the observation, revealed that what one saw, what disturbed one, was indeed a class. And the sighting also authorized all the discrete bits of knowledge. The unsurprising conclusion derived from this evidence was that the criminal class lived in a state of war against society. Everything about the descriptions culminated in this summary — the regularity of their conduct, its hostility and threat, the character of the people involved, the impossibility of change. But because so many in society were ignorant of this battle, society was poorly defended. It is no exaggeration to say that the literature on the habitual offender was intended to be a call to war. The only possible relationship to the dangerous classes was one of conflict. One could not respond to the discovery of the secret malevolence of this class with anything but anger and rage. The dangerous classes were portrayed in the grim language of battle or disease, as implacable enemies who deserved no mercy. "In our social life," argued Henry Cartwright, "there is a perpetual conflict going on around us. On the one side is the guerilla army of want, destitution, and greed; on the other, the blue coated army of..."
the representatives of law and order." 35 The army of criminals required
that other army, the police, to protect society. The existence of this class
called forth a desire to hedge it in, to control or exterminate it. The
knowledge provided the means and the authority to act.

Particularly striking about this formulation of the knowledge of the
criminal class was the way it constructed the police-criminal encounter.
When the police were introduced they appeared more often as guides
and as a source of information. They proved their expertise by the
smoothness of their passage through the underworld. The positive
portrait of the institution was all the more striking given that the police
were, in the words of one author, "of very recent date, and encountered
on their introduction the most violent opposition." 36 One finds little in
these articles to suggest the problems with manning the police or the
fact that most of their activities involved the regulation of public spaces.
They presented the police in a form that was reassuring. Officers
showed amazing restraint, especially since it went with a knowledge
of wrong-doers: "Stiff, calm, and inexorable, he seems to take no interest
in any mortal thing; to have neither hopes nor fears." 37 The insistence
on the police as passive knowers further imposed a structure upon the
interaction. These authors lauded the skill of the police, their ability to
see and to know. The officer was "rarely to be deceived by appearances.
As the hunter marks his quarry by peculiar signs known only to his
craft, so the detective can at once ascertain whether the fine gentleman
walking carelessly along is 'wrong,' as the slang term is, or a respectable
character." 38 The policeman's "first object is to know them by sight,
their names, haunts, connexions, and associates." Once they knew so
much they had deprived the criminals of their cloak of secrecy. "When
this defense is gone, a ruffian will drop his usual tone of bullying
audacity, and follow every look of the police officer like a beaten hound
creeping to lick his master's feet." 39 The police did not need to use
strength; once again it was knowledge that triumphed. The criminals
responded to the presence of the officer with an invariable fatalism.
"From childhood the thief has felt that the policeman is his foe, against
whom he cannot contend, from whom he cannot escape but by flight,
and by whom he must ultimately be overcome." 40

This moment of visibility announced the point at which knowledge
produced power, even though, as we have seen, the power was already
at work constituting the knowledge. When the public knew that the
police had a full knowledge of the criminal, this recognition excited a
passionate reaction, one encouraged by the police. "These officers, who
know the whole body of the thieves so well, are of course prepared to
deal with them off-hand, and are lost in amazement at the folly of the
public which does not place the cleansing of the Augean stable at their
disposal." The restraint of the police was a testimony to their power;
once they appeared the criminals were cowed. Yet the inevitable ques-
tion surfaced — why did they show this restraint? Given their
knowledge, why did they not act? A tension arose between the
knowledge and the inaction. Walter Crofton thought it "a great
reproach to us that with this large expenditure to repress crime — with
legislation wisely entailing lengthened sentences on 'habitual
criminals' — with police supervision over license holders — we yet
admit the existence of a dominant class in our midst, able to throw us
periodically into a state of panic, and to afford, through their immunity,
an evil example to those upon whom we expend both time and money
to instil better things." "One of our greatest curses," wrote W.R. Greg,
"and disgraces is the fact that our country swarms with ruffians; the
outlaws and enemies of society, who spread terror wherever they
appear; who, though they constantly elude detection, are yet known to
live by crime; to whom are due nearly all those guilty enterprises and
flagrant and brutal outrages which alarm our peaceful districts." The
very assertion that the police knew the identity of offenders, could walk
amongst them and point them out, implied a feeling of outrage at the
continued existence of such criminals. It produced a tension which
shaped its own release: "The day will probably arrive when public
opinion, wearied out by perpetual crime — weary of unavailing en-
deavors to counteract the evils flowing from incorrigible rogues — will
ascend to the majesty and righteous wrath of justice, and, laying hold
of these hoary and unalterable villains, will cast them into the inner-
most prison." The knowledge seemed to demand particular strategies
and powers. It established the true character and hopeless condition of
those who were affixed with the label. The knowledge authenticated
the commission of those who possessed it. Each repetition of the for-
mulation increased the fury. "The public," a column in Fraser's
Magazine trumpeted in 1857, "is aware that most, if not every one of the
ticket-of leave men who have spread the reign of terror in this well-
lit and crowded metropolis, are in the black list of the police and
wants to know why they are not taken up." The police were smoothly
efficient; they were feared by the criminals. They possessed the power
The refusal to let them act was itself nothing short of criminal. In a real sense the very characterization of the class suggested the measures to be taken against it. Society was right to feel rage against the members of this class and justified in adopting the most extreme and severe measures for dealing with it. They were to be punished, not for specific acts, but because of who they were. There was something commonsensical about the solution. “If this band were harassed and broken up from day to day,” wrote M.D. Hill, “by the operation of the law directed against reputed thieves, theft must cease to be a calling.”

“We need,” Holland concluded, “some additional power to the apparatus already in existence, before we can grapple successfully with incorrigible rogues.” The encounter already spoke of the power of the police to know and to overawe the criminal. All that was needed was a small increment to perfect their power. Increased powers, an enlargement of police forces, greater severity, more surveillance, these were the inevitable strategies proposed when once discussion centered on the habitual offender. The measures to be taken against them were just because their conflict with society was a settled fact, and they had sacrificed their rights to the privileges enjoyed by other citizens. Since the police already knew both the character of the class and the identity of those who composed it, there was no danger of an abuse of power. Police supervision, preventive detention, longer terms, careful collection of histories, all were proposed as ways of getting to know better an individual already sufficiently well known to justify these very efforts. The suspicious individual became a target for a variety of officials who wanted to know him better and to make him volunteer ever more information. “What I propose,” wrote Hill, “is, that when, by the evidence of two or more reliable witnesses, a jury has been satisfied that there is good ground for believing, and that the witnesses do actually believe, that the accused party is addicted to robbery or theft, so as to deserve the appellation of robber or thief, he shall be called upon in defense to prove himself in possession of means of subsistence, lawfully obtained.” The burden of proof fell upon the accused since the police and public already suspected him of being guilty. The supposed reality of the class, possessing the characteristics that it did, sanctioned the extreme measures taken against it. Here is where the seemingly light-hearted accounts produced their serious consequences for those swept up and identified as members of the criminal class.
Whereas the behavior of individuals had justified the belief in the existence of a criminal class, it was now the existence of that class that produced the examination of individuals.

IV

The Victorian criminal class was portrayed as a secret that was defeated by the experience of investigators who saw the class first-hand. The class was composed of a series of contradictory attributes that might have aroused doubts in some minds: on the one hand it was hidden, and yet it was observed as if in the clear light of day; it was powerful, threatening, and skilled, yet degenerate and ignorant; it was both familiar and strange. But the particular way in which they presented their evidence served to lay such doubts to rest. A host of authors promised to see through the poses, to know these figures for what they were, and suggested that all citizens shared a knowledge of their distinctness and identity. It was in relation to a preexisting knowledge that the habitual offender led his existence and, more importantly, took on reality; he was known by sight, known to the police, known by the trail of records, known by his moral and physical character — even as he was also eluding detection, knowledgeable about ways of avoiding capture, a mystery in his thought and actions. By turns the problem of crime thus constituted was easy and difficult, demanding exertions and yet promising easy conquest. Above all this figure justified severity, the extreme measures taken to contain or control it. The habituals could not be reformed, but they could be captured and imprisoned for long periods. The knowledge demanded the power. And the more marginal the figure came to seem the more central he became to the debate over crime.

What made all these claims and policies tenable was the argument that the criminal class was in clear view, that it was seen and known for what it was. Visibility transformed the question. This sighting confirmed all previous knowledge, fulfilled all expectations. It established the reality of a particular construction of the problem of crime. Practical experience seemed to triumph over abstraction and speculation. In other words all the work done by the idea was cemented by the "experience" of the physical encounter. In contrast to the initial claims about the invisibility of the class and the secrecy of its mode of operation, ultimately these articles proposed the ease with which the criminal class could be known. Time and again authors claimed that it was
possible to know exactly who the notorious offenders were, and at the same time to know that they were the source of most crime. One could know them at a glance, even without ever having seen them before; “there was something about him,” as one detective testified. They were known not only by their records or practices, but by their looks. Their appearance also provided the key to what they thought. Sight operated as the privileged form of knowing of their character. It might seem strange that a class with so much interest in hiding its identity and eluding detection would so advertise its existence, but that was exactly what most commentators argued that the criminal class did. It was ironic that those who had so much to hide hid it so unsuccessfully, not only from the trained eye of police or social observer, but even from the casual glance of the middle class public. Again, once one saw them, one knew all, knew them completely; instead of being opaque, even their souls were revealed. The insistence on visibility was important; it was a necessary step, a vital move in the argument.

Central to the narrative of the discovery of the criminal was the cooperation between the police and the author. The operation of the police was thus indebted to the power of the narrator to tell the story of discovery, to verify the reality of the representation of the habitual, even as the narrator was indebted to the police for acting as his guide. “In writing this account of the state of crime in London,” wrote John Binny “we have received valuable assistance throughout from the city and metropolitan police force.” “Being desirous of having a more thorough knowledge of the people residing in the rookery of St. Giles, we visited it with Mr. Hunt, inspector of police.” But the descriptions offered by the writers were not simply the ideas of the officers. Nor was there a conspiracy between them. The habitual was fixed by the twin beams from the lamps of the police and the author. The narrator needed the police as his guide and protector. Without his light the city appeared dark and threatening. But equally the police needed the narrator. Charles Dickens both parodied and confirmed this relationship when he wrote of going “on duty with Inspector Field.” Dickens described the episode with conventional melodramatic elements — the late hour, the foul weather, the decayed dwellings, the poverty and misery, the elusive thieves. Inspector Field led Dickens through the most criminal areas of London as a skilled explorer would guide a novice through savage territory. He was “at home” wherever he went. He knew where to find the criminals; he knew their records. The lantern he carried
lighted the darkest recesses and exposed the people he expected to find. “Inspector Field’s eye is the roving eye that searches every corner of the cellar as he talks.” All of his commands expressed the same desire: “Come! Let us see! Show your face!” But the questions and examinations only revealed what Field already knew. Nothing surprised him; there was no mystery here. Field knew in advance the identity and connections, as well as the recent movements, of every person he encountered. What might have been frightening under other circumstances was safely circumscribed within Field’s foreknowledge. His power lay in his ability to discern the figure of the habitual criminal in this teeming mass. He needed to do nothing else; through his knowledge of them he established his power over them. This discourse justified a surveillance that already existed, and legitimated an intrusiveness into the lives of those already suspected. The existence of the class demanded the police even as it was the knowledge of the police that proved that the class existed. The articles proposed an experience seemingly free from power and yet crucially dependent upon it.

Dickens’ narrative was ironic about its own relationship to this police power and its subordination to it. And it subtly asserted the independence of the narrative art in relation to the humorous characters he described. But it reinforced the social reality that the two powers conspired to produce. Dickens too helped the public to see the dangerous classes; he gave life to the representation of them. And he took pleasure in the discovery. The knowledge could even be considered a sort of triumph; it was a victory over the secrecy of the habitual offenders. The articles provided far more than facts; they offered stories that helped people to organize their experience of the city. Although we can argue that the authorization of the police was the most important function of this knowledge, along with the demand for more severe punishment, it is possible to see a yet more general consequence, the consolidation and displacement of a generalized alarm about the city into a specific anxiety. By contrast with the disturbing sight of the urban masses or the dark reaches of the city, the habitual had a known form. The category of “known to the police” controlled and regulated the idea of crime, keeping it from becoming more alarming, or preserving its alarm within the confines where it could be successfully dealt with. The sight of the habitual offender was thus satisfying. Amidst all the uncertainty produced by the idea of crime, its mysterious roots and its lurking presence in the heart of the city,
nonetheless here at least was some comfort, for one could recognize the criminal. For all the other fears associated with crime, it was reassuring to think that one had grasped it, measured it, figured it out, and could act upon it. The public believed that it had a power over the criminal, and this power was not simply dependent on the existence of the police. The discovery of the criminal class marked a hardening of attitudes but not a sense of a loss of control.

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NOTES


5 Eileen Yeo & E.P. Thompson, eds., The Unknown Mayhew (New York, 1971), 66, 47.

6 William Pare, "A Plan for the Suppression of the Predatory Classes," Transactions of the National Association for the Promotion of Social Science, vol. 6 (1862), 473-80.

7 Pare, "Plan," 473-80.

12 Mary Carpenter, Our Convicts, 1 (London, 1864), 79.
13 cited in M.D. Hill, Suggestions, 166.
14 M.D. Hill, Suggestions, 48.
15 M.D. Hill, Suggestions, 48.


41 Burton “Our Convicts,” 299.

42 Walter Crofton, “Address on the Criminal Classes and their Control,” Transactions of the National Association for the Promotion of Social Science, 12 (1868), 300.


44 Holland, “Thieves and Thieving,” 342.

45 Fraser’s Magazine, 55 (1857), 32.


47 M.D. Hill, Suggestions, 179.
49 M.D. Hill, Suggestions, 155.
51 Mayhew, London Labor, 276, 296.