William Godwin’s Fleetwood: The Epistemology of the Tortured Body

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Near the end of William Godwin's 1805 novel *Fleetwood; or, The New Man of Feeling*, the hero's would-be assassin is identified as his nephew Gifford, who has been the source of the perfidy throughout the book. This discovery is made, Fleetwood learns from his benevolent nurse Martha, by pain of torture: “They have given the valet the boots, they call it—a contrivance the French have to squeeze the truth out of a man—and he confessed that Gifford was at the bottom of all.” While Martha unquestioningly trusts this confession, Fleetwood will have no part of its findings. Rather, he demands:

Now Martha, learn from me, and blush for what you have said! Can you, a Briton, believe, that torture makes a man speak the truth? that, when he writhes in agony, and feels himself debased below a brute, his words are to be regarded as oracles? Would not a man say any thing, to put an end to what he suffers?

(3:271–72)

With this remonstrance, Fleetwood specifies the ludicrousness of torture as a means of enquiry. And he is not alone in his outrage. As Edward Peters explains, by the late eighteenth century the use of torture was being universally abandoned as a remnant of the ancien régime, so that torture, or the lack of it, became a symptom by which a nation could diagnose the state of its moral health.⁶ Michel Foucault has an even more interesting way of putting it: “At the end of the eighteenth century, torture was to be denounced as the survival of the barbarities of another age: the mark of savagery that was denounced as ‘Gothic.’”⁷ But such Gothic denunciation, I hope to show, connects to a larger problem in Godwin’s novel: it actually registers an epistemological crisis that the novel has to explore.

Fleetwood’s outrage here hinges on two things. The first is the problem of *uncertainty*: judicial torture proves nothing; it simply tells the torturers what they wanted to hear, and so ultimately, it points to epistemological breakdown. Torture had always been in some way associated with the search for truth, ever since it was defined by Ulpian, a third-century jurist, as “the torment and suffering of the body in order to elicit the truth” (quoted in Peters, p. 1). And even though
Cicero had known that torture was a self-contesting mode of enquiry, that did not stop European courts from reaping the benefits of coerced confession. Throughout medieval jurisprudence, the tortured body was considered to offer direct access to guilt, and consequently to truth: tormentum (to torture) is even etymologically linked to torquens mentum—the "twisting of the mind" to wring out the truth. Elizabeth Hanson has analyzed how, in the Renaissance, Cartesian dualism wreaked havoc on the social institution of legal enquiry by reifying the schism between interior motivation—the "real" site of guilt—and the body that displayed this guilt. Renaissance torture displayed not only a crisis in enquiry, in that the body could no longer be counted on to speak the truth, but it also displayed a crisis in epistemology, in that it constructed the internal subjective space which it then could not violate (Hanson, p. 38). The body could no longer be invested with the certainty it had been granted by, say, England's Star Chamber or the Holy Inquisition (two notorious agents of torture), and had to be distanced from the legal procedure for which it was once so necessary. Thus, some two hundred years later, Fleetwood could take as commonplace the inefficacy of torture as a mode of enquiry.

But Fleetwood objects to something other than the practical inefficacies of torture. His outrage at the debasement and suffering of the victim reflects a different and more humane agenda—that of enlightenment judicial reformers (of which Godwin was one). Since the publication of Cesare Beccaria's extremely influential An Essay on Crimes and Punishments in 1764, moral outrage was directed at the state's willful intrusion into the private human body. The rational concern for judicial use—or uselessness—of torture that so clearly plagued the Renaissance lawmakers in Hanson's discussion was gradually replaced by what Pieter Spijenburg calls a "critical threshold of sensibility," a sense that the spectators of torture actually identified with and shared the pain of the accused undergoing the question. This emphatic sensibility downplayed the phenomenon of torture as a judicial, epistemological question and elevated it as a moral one, thereby elevating sensitivity over rationality, identification over disengagement, and in a larger sense, the inside over the outside. These binarisms appear in the most important of eighteenth-century legal reform tracts, Beccaria's Essay on Crimes and Punishments. But, as I hope to show, this binarism is unstable and problematic to the reformist task. If Beccaria's essay is indeed the most influential text in judicial reform, then its curious mixture of rationality and sensitivity is a place to begin an understanding of the tortured body in the Gothic novel. Beccaria sets up the problem that writers of fiction such as Godwin will have to face.

As the frequent citations in Blackstone's Commentaries demonstrate, Cesare Beccaria became the primary spokesperson for the enlightened
eradication of torture from the courts. In an address to the reader in the second edition of An Essay on Crimes and Punishments, Beccaria asserts that his study of torture is "designed to ward off the unenlightened and excitable masses" from imitating the laws, those "dregs of utterly barbarous centuries," by which countries have sanctioned the use of torture. There can be no room in jurisprudence for irrational and unbridled passions. Beccaria sought to replace these highly superstitious models with an enlightened judicial procedure that would be thoroughly rational: all penalties should be evaluated on purely utilitarian grounds. Punishments must be useful, necessary, just, and effective (p. 10). Only through this rationality would legal reform ensure "the greatest happiness shared by the greatest number" (p. 8), a slogan which the British associate with Jeremy Bentham, but which Bentham first read in Beccaria. The linchpin of Beccaria's logic, one that goes as far back as Cicero, is the conflict of interest to which torture submits the body: "it tends to confound all relations to require that a man be at the same time accuser and accused, that pain be made the crucible of truth, as if its criterion lay in the sinews of the wretch" (p. 31). Nineteen years later, Sir William Blackstone would footnote Beccaria and repeat the same charge, that it is ridiculous to rate "a man's virtue by the hardiness of his constitution, and his guilt by the sensibility of his nerves!" Ultimately, the problem with torture is that it confounds the Cartesian dualism upon which reason—and epistemological certainty—is founded. Reason for Descartes exists in conjunction with the senses, but in mastery over them. Any rationalist judiciary process must be based on evidences that are demonstrably true through pure reason. Torture reverses the relationship of reason to sensation, says Beccaria, by privileging sensations over the master-mind:

Every act of our will is invariably proportioned to the force of the sensory impression which is its source; and the sensory capacity of every man is limited. Thus the impression of pain may become so great that, filling the entire sensory capacity of the tortured person, it leaves him free only to choose what for the moment is the shortest escape from pain.(p. 32)

Hence, the valet's confession in Martha's tale.

The privilege that Beccaria affords to logical truths extends to his radical assertion that the law should not concern itself with the accused's motives; rather, it must only judge the suitability of his actions to the larger community (p. 15). But Beccaria's attempt to remain outside the accused's subjective space is then somewhat undermined by a segue from the rational into the sentimental. In a passage worthy of Godwin's Caleb Williams, Beccaria identifies what should be the motivation of law reformers:

...the groans of the weak, sacrificed to cruel ignorance and to opulent indolence; the barbarous torments, multiplied with lavish and useless
severity, for crimes either not proved or wholly imaginary; the filth and horrors of the prison, intensified by that cruelest tormentor of the miserable, uncertainty—all these ought to have roused that breed of magistrates who direct the opinions of men. (p. 9)

This appeal is problematic in that it allows the body to demonstrate an internal space of emotion and sentiment that—as Beccaria argued above—must be kept tightly closed. In other words, Beccaria advocates that pity rush in where reason has feared to tread, that the eradication of torture should be founded in sympathetic identification rather than detached logic. For Alessandro Manzoni, the Italian novelist whose novel *The Betrothed* is a fictional illustration of his grandfather Beccaria’s reform tract, the passage marks the elder’s characteristic “overflow of spontaneous inspiration” that masquerades as “a work of premeditated study” (quoted in introduction to Beccaria, p. xxii). For Henry Paolucci, a recent translator of the *Essay*, outbreaks like this one are a convoluted attempt to cover for Beccaria’s marked ignorance of judicial history (including his apparent misinformation regarding the actual state of affairs in the courts, that is, that even prior to his publication, torture was dead or dying in most European courts [introduction, p. xxiii]).

But this is not simple idiosyncrasy. Charles Taylor argues that, as confidence in the Deistic order of the universe waned in the eighteenth century, radical enlightenment thinkers had to maintain the belief in the primacy of human benevolence in order to provide for themselves some moral foundation for their enterprise. Feeling, which they tried to make coterminus with scientific logic, was the origin of all reformist and enlightened thought. But it still presented problems. One of Beccaria’s opening premises had been that “no lasting advantage is to be hoped for from political morality if it is not founded on the ineradicable feelings of mankind” (p. 10), but it is precisely these feelings that are elsewhere described as “the tenderest feelings and most violent passions” that play “on men’s hearts like musicians on instruments” (p. 41). In essence, Beccaria has worked himself into a corner: reason is dependent upon ineradicable feelings, but such feelings can manipulate and pervert reason. He has posited a thoroughly rational, syllogistic treatment of the body, but then he has advocated a sensible and emotional awareness of that body. In so doing he undermines the distance/identification paradigm upon which his judicial theory rests, and he demonstrates what Jürgen Habermas would call a legitimation crisis: jurisprudence in Beccaria’s text is both defined and threatened by the agencies of sentimentalism.

By the “agencies of sentimentalism” producing a judicial “legitimation crisis,” I am referring to that general tendency of the late eighteenth century to collapse the distance that Descartes had placed between bodies and souls. This distance occurs in two places. First, as John Mullan notes, eighteenth-century sensibility obscured the distinction between one’s moral, sensible relation to *external* stimuli and
one's *internal* physiological reaction. With sentimentalism, the body once again became a demonstrable space that could emphasize the internal, affective life of the soul in a way similar to the medieval correspondence between vice and physical deformity. The legal implication of this return—at least for Gothic fiction—is a nostalgia for the body as an unmediated testimony of vice or virtue. Often, we see in the physiognomies of Gothic characters an easily readable guilt or innocence: good guys are beautiful and bad guys are ugly. This easy correspondence was belied in, for instance, *Lear*’s Edmund or the Restoration’s handsome rake-villain, whose bodies mapped that separation which Cartesian dualism had incurred. Such bodies successfully hid their internal spiritual state. (And this ability—to hide, or to lie—brings us back to judicial reform: it is what renders torture useless as enquiry.) However, with the attempt to redress the social and epistemological implications of dualism came the renewed attention to the body as a possible site of the spirit. Second, this attempt to redress dualism undermined—partially—the Cartesian division between subjects, a division predicated on the isolation of the soul. Sentimentalism invited the subject to feel what the other person was feeling, and to construct a dialogic community between subjects. Given this, the crisis in law that runs through Beccaria’s text and gets picked up in the Gothic is this: the body in pain is highly charged in its emotional moral appeal, yet untrustworthy all the same. In a curious paradox, the sacred abstraction of the body in the late eighteenth century becomes the greatest enemy to a judiciary trying to secure its protection. Rationalist jurisprudence and emotive sentimentalism, both of which underwrite Fleetwood’s earlier speech, seem to be mutually exclusive epistemologies when one is viewing the body.

II

This mutual exclusivity and its relation to judicial enquiry are crucial to the work of William Godwin. In the 1793 *Enquiry Concerning Political Justice*, Godwin tells us that the “subject of punishment is perhaps the most fundamental in the science of politics” because it proceeds directly from the social contract; that is, it defines the rights and limitations that protect one citizen from the violent forces of another. And if judicial law is fundamental to a definition of individualism (a definition that is the ultimate project of the *Enquiry*), then it is also the cornerstone of all social institutions that potentially compromise the individual. But it is this whole emphasis on individualism that opens up the epistemological problem for Godwin. He shares with Beccaria (whom he quotes copiously) the conviction that punishment must always be determined by a just and rational process of enquiry. For Godwin, there is no such thing as a freely committed crime: “The assassin cannot help the murder he commits” (*Enquiry*, p. 633). Rather, he is the victim of necessity, of
the inevitable chain of circumstances that forced him to commit it. And so, reason dictates the eradication of those circumstances that will, in turn, eradicate the need to commit crime. But on the other hand, reason must allow that the heinousness of a crime is often necessarily determined by motives: first-degree murder must meet with sharper punishment than involuntary manslaughter, the crucial difference being the offender’s motivation or intention. It is precisely the identification of this motive that troubles Godwin. He argues that

Man . . . may, in a certain sense, be affirmed to consist of two parts, the external and the internal. The form which his actions assume is one thing; the principle from which they flow is another. With the former it is possible we should be acquainted; respecting the latter there is no species of evidence that can adequately inform us. (p. 649)

Thus, the “inscrutability of intention” (p. 650) poses an epistemological problem, a “mystery” (p. 653) that we can never adequately penetrate. We may “reasonably enquire first into [the accused’s] intention, but when we have found this, our task is but begun” (p. 654). And that task, as Godwin outlines it, moves away from internal motivation and into the dismantling of social circumstances that cause crime. The internal/external dualism, then, is both essential and antagonistic to criminal justice as Godwin outlines it in the Enquiry.

This role of the inside/outside structure is a particularly acute problem for Godwin as a political philosopher and novelist. Since Leslie Stephen’s influential analysis in 1902, Godwin critics have seen an antagonism between his rationalist project in the Enquiry and the more personalized emotional and psychological histories of his later novels. Godwin himself characterizes the Enquiry as an attempt to reason as “an impartial spectator of human concerns” (Enquiry, p. 76), whereas Caleb Williams purports to appeal directly to “a very powerful interest.”14 Hence it is a commonplace in Godwin criticism that his life moves from the subject-position of rationalist-anarchist political philosopher to that of emotional, sympathetic novelist. Mitzi Myers attributes this change to the death of Mary Wollstonecraft, Godwin’s writing of her biography, and his reconsideration of the importance of domestic affections contained therein. Myers quotes Godwin from Thoughts on Man as she argues that he came late in life to see sympathy as “the epistemological ground of all philosophy, the ‘only reality of which we are susceptible . . . our heart of hearts’. . . .”15 Here, the internal life is given a privileged space that was carefully closed off in the earlier work, and it is a space that, I hope to demonstrate, magnifies the problems of a rational jurisprudence with a human face in much the same way that it did for Beccaria.

While Godwin may applaud the incorporation of domestic affections into the rationalist (perhaps masulinist) agenda of the Enquiry, this progression is not without its difficulties. In his preface to the 1799
novel *Travels of St. Leon*, Godwin discusses the changes in his thinking since the first publication of the *Enquiry* in 1793:

Some readers of my graver productions will perhaps, in pursuing these little volumes, accuse me of inconsistency; the affections and charities of private life being every where in this publication a topic of warmest eulogium, while in the *Enquiry* concerning Political Justice they seemed to be treated with no great degree of indulgence and favour. In answer to this objection, all I think it necessary to say on the present occasion is, that for more than four years, I have been anxious for the opportunity and leisure to modify some of the earlier chapters of that work in conformity to the sentiments inculcated in this. Not that I see cause to make any change respecting the principle of justice, or any thing else fundamental to the system there delivered; but that I apprehend domestic and private affections inseparable from the nature of man, and from what may be styled the culture of the heart, and am fully persuaded that they are not incompatible with a profound and active sense of justice in the mind of him that cherishes them.16

A number of points are significant here: there is no need to change the principles of justice; public policy still requires rational utility. However, principles of justice must be tempered with affection in anyone who reverences them sufficiently. In other words, characters must display the proper motives. With this proviso Godwin does not so much achieve a great union of affections and justice, as Myers argues, but rather sets up the conditions for keeping them divided. By declaring that affections bond with rational justice only "in the mind of him that cherishes them," he allows for the possibility of a certain social policy that remains distinct from the domestic, affectionate one: in other words, those who do not cherish affections may be treated under the rubric of utilitarian rationalism.

This is the problem in *Fleetwood; or, The New Man of Feeling*, in which the protagonist is plagued by this very conflict between passion and reason—both in his domestic affections and in matters of law and public policy. The novel squarely sets affections and emotions against a rationalist program to demonstrate that affections and rationality are always intertwined, mutually defining, and mutually problematic. This interrelationship throws into question the paradigms I have outlined above—rationality/sensitivity, distance/identification, outside/inside—as necessary to but estranged from a "proper" mode of enquiry. Furthermore, it is significant, I believe, that Godwin sets the whole question within a framework of judicial enquiry, punishment, and torture. Fleetwood uses the model of judicial enquiry and punishment to try to sort out his domestic problems, but with that model comes the problem of how one reads motivation in general and the body in particular. What we see in *Fleetwood* is the same legitimation crisis that tormented Cesare Beccaria, where the body is the site of both sympathy and deception. The novel carries this crisis into the domestic realm in an attempt to
reconcile Godwin’s internal, emotional impulses with his disengaged, utilitarian rationalism.

III

Throughout most of the novel Casimir Fleetwood is a misanthrope, and it is the project of the book to document the stages of that misanthropy. As the narrator, Fleetwood traces this development from the young Wordsworthian solitaire, through the distanced and disillusioned Oxford student, to the misanthropic adult. Like Falkland in Caleb Williams, Fleetwood hates humanity because of the circumstances he has encountered: cruelties among his university mates, deceptive women, pretentious wealth, and corrupt government. The central plot centers on his marriage to the pure and innocent Mary who, thanks to the evil deceptions of Fleetwood’s nephew Gifford, appears to have been unfaithful. (She hasn’t been, of course.) He leaves her and travels to Italy where he decides he will cut her off from his money and sue her for adultery. While in Italy, he sends for some of Mary’s clothes, out of which he constructs life-sized mannequins of her and Kenrick, the supposed correspondent. These he proceeds to torture and vivisect. On his return to England, he is attacked by highwaymen who attempt to murder him, but is quickly rescued by an unidentified savior, who turns out to be Kenrick. When he discovers that Gifford staged the adultery and attempted the murder—for which Gifford is hanged at a public execution—Fleetwood returns to his life with Mary and the domestic affection for which Mitzi Myers had such great hope above. But Fleetwood’s marriage is always shadowed by the tensions of disbelief and paranoia: we get the sense that he will never really be sure that Mary is totally trustworthy. In fact, Fleetwood’s problem throughout the novel, as we shall see, is that he can never really be sure of anything. It is because of this uncertainty, and its relation to enquiry, justice, and domestic affections, that Godwin will take the sentimental premises of his predecessor, MacKenzie’s Man of Feeling, and explore the epistemological problems of sentimentalism as they inscribe themselves on the judicial body.

The problem of sentimentalism in legal enquiry becomes a primary focus near the beginning of the novel when Fleetwood recounts a practical joke from his days at Oxford. The joke involves Withers, a would-be tragedian who fashions his taste and intellect as superior to those of his peers, Fleetwood’s friends. These friends arrange a mock reading of Withers’ play, at which the playwright becomes drunk and riotous. He is summarily called upon to stand trial before a “judge” who is nothing more than a life-sized doll made for the occasion (a doll which, obviously, prefigures the one that Fleetwood will construct later on). At the trial Withers finally realizes the degree to which he is being ridiculed, and, out of humiliation, he kills himself. For Fleetwood the
whole sordid scene is reducible to a moral lesson, as he expresses his sympathy for Withers:

It is suffering only, that can inspire us with true sympathy, that can render us alive to those trifles which constitute so large a portion of earthly misery or happiness, that can give us a feeling of that anguish, which, sometimes in human beings, as most evidently in the brute creation, works inwardly, consuming the very principle of life, but has no tongue, not the smallest sound, to signify its excess, and demand our pity.

(1:97–98)

These sentiments, of course, echo a tradition of moral philosophers, such as Adam Smith, for whom the imagination puts us in the place of the sufferer: "we conceive ourselves enduring all the same torments, we enter as it were into his body, and become in some measure the same person with him, and thence form some idea of his sensations." This is the Man of Feeling as he comes to us in MacKenzie. While Smith bases his statement on the premise that "we can have no immediate experience of what other men feel," he does envision a sensibility-as-moral-community, one that breaks down the division between Self and Other and replaces it with a single dialogic "inside." Reduced to a modern parlance, the philosophy of observed suffering here and in Fleetwood proclaims "I know how you feel."

Although Fleetwood may have found in sentimental doctrine an easy and satisfactory summation to this whole unpleasant incident, his behavior throughout the scene is much more complicated. His privilege of sympathy's ability to create a community of subjects loses its force when juxtaposed with his equally forceful defense that he was certainly never involved in the taunting—or if he was, he didn't enjoy it much. His is a bad faith that will become more important at the end of the novel: "For myself . . . I had no relish for this amusement. Once or twice, inconsiderately and precipitately, I yielded to the importunity of my companions, and became entangled in such adventures; but I presently abjured everything of that sort" (1:95). In his interpretation, the whole incident was really Withers' fault: "He had given himself up passively from the beginning to the ideas which his deluders wished to excite in him" (1:91). Thus, as Fleetwood puts on trial his own moral worth and the behavior of Withers, he ostensibly claims a sympathetic community with the victim while actually rationalizing himself into a position of guiltlessness. This entire scene, and the way it prefigures the climactic trial and enquiry of Gifford at the end of the novel, establishes a dual discourse in Fleetwood: it posits both a sympathetic man of feeling, like MacKenzie's Harley, and a disengaged individualist, like the logician of the Enquiry. It maintains a division between Self and Other, between inside and outside, that undermines its more benevolent claim.

What unites these two discourses is the suspicious role that perception plays in Fleetwood's affairs. This perception is a Romantic, creative
consciousness that presents Fleetwood to the world and leaves him bitterly disillusioned. As he leaves Oxford and travels to France he falls in love with a "faithless" woman who deceives him or, more accurately, demonstrates to him that he has deceived himself. He concludes from this that when an imaginative spectator watches objects in the empirical world, he sees not "the things themselves . . . [but] the growth and painting of his own mind" (1:142). Nothing exists but as it is perceived, and would that he and Withers before him had realized this in time. Furthermore, this construction of the world directly relates to the sentient body, to the mechanics of judicial enquiry, and to the formulation of an epistemology. Above, Fleetwood used the notion of suffering as a medium for constructing community: I know how you feel. But when he pursues the medium further, to the point of using torture and physical pain as a metaphor for creating this community, we find a confusion in who is feeling what, or whom:

I do not wish to stand alone, but to consider myself as part only of a whole. If that which produces sensation in me, produces sensation nowhere else, I am substantially alone. If the lash inflicted on me, will, being inflicted on another, be attended with a similar effect, I then know that there is a being of the same species or genus as myself.  

(2:148–49; emphasis added)

The knowledge of someone else's pain here seems tautological: we are a community not because I feel your pain, but because I think you feel mine. Your feeling, the experience of your sentient body, becomes nothing more than the growth and painting of my own mind. The sentimental body, wishfully a decentralized and dialogic site of subject relations, becomes inscribed as object, as Other, the repository of the perceiving subject's vested interests. As the marquis de Sade well knew, sentimentalism provides a communal body that destroys its own potential for community.  

The attempt to know the Other's body—an attempt which communal Sentimentalism invites but which is then destroyed by it—is at the heart of Fleetwood's psychological problems in the novel. For his psychological problem is also an epistemological one: he never knows for sure how he is to read someone else's body, and how he is to interpret the inside by reading the outside. In the terms set up by the Enquiry, Godwin's protagonist can never read motive. For example, he focuses on the physiognomy of Gifford and compares it to that of Mary and Kenrick as an exercise in body reading:

Under the olive-tinted skin of Gifford, beneath his scowling brow, and among the lines which time and climate have indented there, hypocrisy might hide herself; but, in the other two, there is no opacity or discoloration to intercept the passage of a thought, there is not a furrow in their cheeks for treachery to lurk in. Mary, heaven has moulded its own image in thy features: if thou art false, oh, then Heaven mocks itself!  

(3:143)
Like a modern advertisement for acne creams, this passage argues that a clear complexion is enough for an astute reader to see through its transparent signification to the goodness therein.

But Fleetwood does not consistently trust his ability to read the body. Moments after this encomium, when Gifford fashions another lie, Fleetwood is just as willing to believe it as he had been to believe in Mary’s guilelessness. And the most convincing proof that Gifford can offer is not the objective, factual “evidence” of adultery (read: manufactured illusions), but rather the signification of his body: “His visage was colourless; his eyes averted with a mournful air; his hands hung down, as languid and incapable of motion. . . . I need not ask you” for particulars, says Fleetwood. “I read it all in your countenance” (3:154).

Fleetwood’s overarching problem here and generally, I would suggest, is his tendency to want to read the body as a site of unmediated truth as a way of settling these disturbing questions. Undetermined motivations and impenetrable, mysterious hearts are profoundly unsettling, as the Enquiry well knows. But, as Fleetwood also knows from his reading of Gifford’s “olive-tinctured skin,” and from his own paranoia, answers cannot be found on the body; this supposedly readable site can conceal hypocrisy, and thus the body cannot be trusted. In response to a critical breakdown in epistemological paradigm, Fleetwood must insist on a naive belief—which to a degree he knows is naive—that the sentimental body offers a sound hermeneutics, that it can ground an epistemology of motives even though that epistemology is contradicted by rational evidence.

This hermeneutic is similar to that in Beccaria, who threw into crisis the agencies of sentimentalism and rationalism as contradictory grounds for jurisprudence. In Godwin, the crisis lies at the intersection of the rationally empirical (what one sees) and the affectively experienced (what one feels), in that you can’t believe everything you see or feel. It is a crisis founded on the tenuous distinction between inside and outside, in which the inside colors and creates the outside. Fleetwood’s response to this crisis is to envision an outside—which he will adopt as the public, judicial body—that can still be legitimately separated from the private, domestic body. Remaining true to the unchanged principles of justice, he must leave the judicial body outside the obfuscating agencies of sentimentalism. This vision, I want to argue, constitutes the latter section of the novel, and is established by two scenes of torture, scenes that carve out very different and mutually exclusive possibilities for the sentimental body.

By the middle of the novel, Fleetwood has received sufficient information (all lies) from his nephew Gifford to prove that Mary is guilty of adultery. And Hell hath no fury like a husband cuckolded. His reaction is to want physical violence, to extract a confession from her with “red-hot pincers” (3:227). As Elaine Scarry explains in her influential book The Body in Pain: The Making and Unmaking of the World, we tend, in the most profound moments of doubt, to turn to “the sheer
material of the human body" for some sort of confirmation. Fleetwood seeks punishment, rather than enquiry, in the same way that many Gothic novels often transform the ambiguous enquiry of torture into a confirmed and sure punishment. But since he cannot extract such a confession, he constructs wax dolls resembling Mary and Kenrick and, making his preparations with a "tormenting pleasure," proceeds thus:

I gazed at the figure of Mary; I thought, it was, and it was not, Mary. With mad and idle action I put some provisions on her plate; I bowed to her in mockery, and invited her to eat. Then again I grew serious and vehement, I addressed her with inward and convulsive accents in the language of reproach; I declaimed with uncommon flow of words upon her abandoned and infernal deceit; all the tropes that imagination ever supplied to the tongue of man seemed to be at my command. . . . But, while I was still speaking, I saw her move—if I live, I saw it. She turned her eyes this way and that; she grinned and chattered at me. I looked from her to the other figure; that grinned and chattered too. Instantly a full and proper madness seized me. . . . I rent the child-bed linen, and tore it with my teeth. I dragged the clothes which Mary had worn, from off the figure that represented her, and rent them into long strips and shreds. I struck the figures vehemently with the chairs and other furniture in the room, till they were broken in pieces.

(3:250–51)

The spectacle of suffering here is markedly different from Fleetwood's experience with Withers or, indeed, with the judicial infliction of torture in general. Clearly, Fleetwood's private search for some understanding of his domestic situation is not comparable to the state's terrorist mechanism of torture. But what Fleetwood's action here has in common with the scene of torture is its imaginative projection of what Fleetwood wants Mary to be: the torturer creates the truth he wants to hear. Fleetwood imagines the wax figure to be Mary and for the purposes of his own desires, wishing makes it so. She moves; she chatters; she is alive. And because she is alive, she can be tortured and made to feel pain. But interestingly, it is only the imaginatively constructed Mary that is alive and potentially capable of sentience. The moment he makes contact with her and inflicts pain on her, she becomes "the figure that had represented her," a distanced object, a puppet on a stage. When Fleetwood encounters a body as a sentient, alive Other, that body becomes an object and not Mary herself. The scene is a paradigm of imaginative projection where the Other in the object world becomes completely defined by the paintings of the subject's mind. "Mary" is both a living, sentient being and an insentient figure, both animate subject and inanimate object. And the dividing line, that which separates the animate from the inanimate, is the sentient body that is incapable of remaining sentient.

Moreover, the scene emphasizes the limitations of what can be known about the Other's body. The act of inflicting torture, says Scarry, demonstrates the knowledge of what is painful. It articulates the usually
unarticulated experience of pain, in which the “I” expresses presence by orchestrating pain in another’s body. Godwin says as much in the *Enquiry*, when he defines torture as a demonstration of “my power to inflict . . . being placed in my joints and my sinews” (p. 641). Obviously then, the effigy scene is intended not only to rid Fleetwood of bottled-up hostilities, but to give him a sense of power, of the individual autonomy which B. J. Tysdahl argues is so important to Godwin’s characters, and which the sentimental body jeopardizes. The scene empowers Fleetwood in two ways. First, as we have just seen, it constructs a concept of “Mary” that is immediately rendered object, a body incapable of sentience. This insentient object-body, furthermore, is also incapable of both the autonomy and the communality that the earlier sentimental body had implied. Second, torture individuates and empowers Fleetwood by giving him a language, a way of expressing the impotence he has secretly been fearing. Unleashed violence results in unleashed eloquence, the “uncommon flow of words . . . [and] tropes that imagination ever supplied to the tongue of man.” The sympathy he had felt for Withers had “no tongue, not the smallest sound to signify its excess,” because clearly, the pain was not his. Here, however, he finds a voice. But the voice he finds does not signify his pity or create community: it is the voice of individualized pain and individualized power.

The isolating qualities of pain go even further than a mere proclamation of power. When Fleetwood has finished abusing the wax figures, he staggers into a chair with the following:

I am firmly persuaded that, in the last hour or two, I suffered tortures, not inferior to those which the North American savages inflict on their victims; and, like those victims, when the apparatus of torture is suspended, I sunk into immediate insensibility. (3:252)

As Fleetwood assumes for himself the role of victim, we are given pause by a sudden reversal in the torturer-victim relationship. The confusion we feel is the same confusion felt by the reader of *Caleb Williams* where, at the end of the novel, we are unsure who is the victim and who is the tyrant. This confusion results from overturning the sentimental paradigm in which the spectator enters into the victim’s pain. Like his earlier sentimental self, Fleetwood projects himself into the body in pain. But the Oxford student’s claim to sympathy—to the engagement of fellow-feeling that connects subject and object—is reversed by the adult’s fantasy of subjection. He claims a monopoly of victimization that centers pain solely in himself and obliterates the object with which he had claimed to identify. In effect, the effigy scene enacts a series of bodily displacements: the effigy first replaces Mary’s body, but it is then replaced by Fleetwood’s. He becomes the victim in the torture he has executed. He transforms the sentimental potential of the tortured body from “I know how you feel” to “This hurts me more than it hurts you.”
And since hurting is, according to Elaine Scarry, a totally individual and centripetal experience, Fleetwood’s pain centers him fully within himself. By assuming the status of victim, Fleetwood indicates that the real victim’s interiority—feelings, affections, motives—can never be known. They can only be projected creations, the deluded paintings that he shared with Withers earlier on.

It is at this point that Fleetwood loses his resemblance to the state torturer and becomes more like the sympathetic spectator or reformist thinker. But in the transition, he demonstrates the limitations of that “critical threshold of sensibility” that Spierenburg presents. When the pain of imagined torture returns to the one imagining it, he collapses into immediate insensibility. In effect, the imagination that creates pain then destroys itself. Once again, Elaine Scarry is helpful here. She argues that there is a basic incompatibility between imagination and pain. In acts of imagining, we are taken outside of our bodies; we create an external referent which is not ourselves, but rather an imagined materiality (hence immateriality) outside ourselves. However, pain is all body. In pain, we are incapable of imagining anything outside ourselves; intense physical pain, says Scarry, is completely centripetal, swallowing up any external referent, so that pain and the external world must remain mutually exclusive. If we have one, we are unable to have the other. Thus, while pain may center us more fully in the world, it also threatens our awareness of that presence: “world, self and voice are lost, or nearly lost, through the intense pain of torture” (p. 35). When this incompatibility is transposed onto the scene of imaginative projection in Gothic fiction, it then undermines that very power to project. It evokes the possibilities of the sentimental body but then elides that possibility by objectifying and distancing that body. It assures us that, by being able to imagine another’s body in pain, we cannot actually share in that pain. And so, sympathetic community is effectively undone. The imaginative construction of another’s pain empowers the self and assures the continuous presence of the self being empowered. To some degree, the sympathetic spectator shares an affinity with the torturer himself, in that they both manifest what Charles Robert Maturin called a “glorious impenetrability,” an actual feeling of triumph over those who suffer, rather than a sympathetic sharing with them.24

Fleetwood’s individuation, his empowerment through another’s pain, provides the rubric by which we can interpret the final scenes of the novel, and Godwin’s problematic treatment of the legitimation crisis he shares with Beccaria. I began this study by quoting Fleetwood’s reasonable but problematic response to torture. But while he objects to the mode of extraction, he quickly accepts the truth of Gifford’s guilt: he willingly suspends his disbelief in coerced confession if it helps with his own project of enquiry. Similarly, his reaction to Gifford’s hanging is a curious blend of utilitarian logic and revenge:
I have always regarded with horror those sanguinary laws which, under
the name of justice, strike at the life of man. For his sake I was willing
to admit of one exception... What discipline, or penitentiary confine-
ment, could rationally be expected to inspire him with one touch of human
nature? Die then, poor wretch, and let the earth, which labours with thy
depravity, be relieved!

(3:342)

We hear in this speech the earlier Godwin, the man who would "inflict
suffering, in every case where it can be clearly shown that such infliction
will produce an overbalance of good" (Enquiry, p. 635). While suffering
may inspire pity and demand sympathy, it can never truly reveal what
is inside. Therefore, pity must not get in the way of the larger public
good. The criminal and judicial body must always and only be a site
for the discourses of reason, even if those discourses conceal a personal,
selfish, impassioned agenda. If sentimentality were allowed to intrude,
if we allow for "one touch of human nature," then the judicial process
is undermined. The sentimental body must be kept out of judicial pro-
ceedings in favor of a reconstructed, albeit fallacious, critical distance.

The revelation of Gifford's villainies is, among other things, a critique
of disengaged, empiricist enquiry. The courts had found Mary and
Kenrick guilty of adultery "upon the most demonstrative evidence"
(3:278), but that evidence turns out to be the product of manipulation,
corruption, and bribed testimony. Gifford, it seems, was a "master-
villain, whose task it has been to paint everything in false colours, and
to obstruct all the glimpses of truth and virtue..." (3:283). This
conclusion, I believe, smacks of bad faith. True, Gifford did arrange
all appearances, but to conclude that he acted alone is to assume that
Fleetwood had a pristine, unbiased vision before meeting him. This is
patently untrue. The image of painting in false colors is precisely the
one Fleetwood had used earlier to criticize his own deceptive percep-
tions, although he conveniently forgets that here. Furthermore, a simple
empirical explanation of all the facts that Gifford had obstructed does
not exonerate Fleetwood from guilt or Mary from suspicion. Rather,
they are always tainted by internal fears, secrets, feelings that should
unite them:

It seemed as if, now that what the vulgar mind would call the obstacles
to our reunion were removed, we were more certainly divided than ever.
... Now we were separated by sentiments, that must for ever twine
themselves with the vitals of every honourable individual, and that can
only be exterminated by the blow which lays the head that has conceived
them in the dust.

(3:334–35)

Logical, empiricist enquiry, then, is never pure; it always reaffirms the
heart's impenetrability. Moreover, sentiments do not collapse the dis-
tance so much as they separate subjects—and subjects' emotionally
charged bodies—into isolated individualism. As Tysdahl has argued,
the sentimentalist premises of The Man of Feeling are transmogrified
into an individualism that is both empowering and frustrating. Both
enquiry and affection yield no truth: rather, they point to the inability to overcome the inside/outside division.

In a sense, then, Fleetwood gets nowhere. By the last page of the novel he is still plagued by the solitude that he demonstrated in his relations with Withers, and he still has no way to enter into and identify with someone else’s subjectivity. The legitimation crisis of how to read the body has settled nothing, either by reason or by sentiment. And it is in response to this familiar situation that Fleetwood undertakes yet another reading of physiognomy. After a protracted separation, he and Mary come together in the same room, and he declares:

Mary never looked half so beautiful, half so radiant, as now. Innocence is nothing, if it is merely innocence. It is guileless nature, when impleaded at a stern and inhuman bar, when dragged out to contumely and punishment, when lifting up its head in conscious honour, when heaven itself seems to interpose to confound the malice of men, and declares, This is the virtue that I approve! there, there is presented to us the most ravishing spectacle that earth can boast. I never till now was sensible of half the merits of my wife. (3:341)

Here is the sentimental fallacy: unlike the judicial body of Gifford, Mary’s domestic body externalizes the internal, and exposes the hidden. But what has preceded this in the novel should make us skeptical. Given the desperation by which Fleetwood has always seen what he wanted to see, given the novel’s fascination with the problem of reading the body, given the disbelief in the outside as an unmediated testimony of the inside, this final flourish is not convincing as a reconciliation. What it does illustrate is the epistemology of the tortured body as it runs throughout the novel. Mary is deemed innocent because she looks innocent, and that very innocence requires for its extraction “contumely and punishment.” Torture, as we have seen, is the invasion of a body whose interiority can never really be known by a reliable epistemological model. The only way to make that invasion effective is to sympathize with it while at the same time hurting it. It has been necessary that Fleetwood make Mary suffer, not so that he can sympathize with that suffering, as Spierenberg would have it, but so that he can usurp it and make it part of his hermeneutic for reading the body. Enquiry cannot make him a fitting husband; nor can sentiment. Only through her pain which he assumes and supplants can he come to accept her innocence.

Painted by the false colors of the creative imagination, Mary’s pain is the final demonstration of Fleetwood’s isolation and empowerment in the novel. True, he does return to domesticity, but the relationship carries with it the vestiges of Fleetwood’s solipsistic subjectivity. Therefore, if there is a sentimentality and praise of domestic affection here, it is perverse and twisted. Hypostatized by the spectacle of pain, sentimentality charts the transference from the sentient body of the Other to that of the Self. And this transference allows a space for “knowing
how you feel,” a space that includes in some partial way both the tyrannical torturer and the sympathetic spectator.

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NOTES

Preparation of this essay was assisted by funds from the Social Sciences and Humanities Research Council of Canada.

1. 3 vols. (London: Richard Phillips, 1805; rep. N.Y.: Garland, 1979), 3:271. The “boots” were metal footwear that could be tightened by driving wedges into the straps located between the boots and the victim’s legs. When tightened, they crushed the shin bones. This “contrivance . . . to squeeze the truth out of a man” is just one of a large lexicon of techniques that literalize the metaphor of “extracting” the truth from the body.


4. Hanson discusses this problem in terms of an epistemology of “discovery” which sought to draw truth from the body, but which was troubled by the very truth it sought to draw. Since Renaissance torture was looking for confessions of treason that proceeded from a spiritual site that, by definition, could not be trusted, “every project of discovery, ‘successful’ or not, revealed the impenetrable sanctum it had created. Thus, the victim’s positive assertions of his truth were never treated as a discovery that he possessed no subversive secrets” (“Torture and Truth in Renaissance England,” Representations 34 [1991]: 77).

5. The Spectacle of Suffering; Executions and the Evolution of Repression from a Preindustrial Metropolis to the European Experience (N.Y.: Cambridge Univ., 1984), p. x.

6. They also appear in the criticism and commentary on that reform. Spierenburg’s book sets out to correct Foucault’s, which itself had wanted to demythologize the benevolent humanism that had proceeded from notions of enlightenment “progress.”

7. And torture is a phenomenon in the Gothic novel. In fact, Godwin’s is just one of some 30 Gothic novels produced between 1790 and 1830 in which scenes of torture figure prominently. For a complete list, see Ann B. Tracy, The Gothic Novel 1790–1830: Plot Summaries and Index to Motifs (Lexington: Univ. of Kentucky, 1981). Tracy conveniently subdivides these novels into those dealing explicitly with torture and those merely showing the instruments of torture or chambers.

8. On Crimes and Punishments (Dei Delitti e delle Pene), trans. Henry Paolucci (N.Y.: Bobbs-Merrill, 1963), p. 4. The utterly barbarous countries of which Beccaria speaks are, for the Gothic novel, synonymous with Roman Catholic countries: Italy, Spain, and, at times, France. By depicting torture as the state agent of Catholicism, the Gothic novel, as Joel Porte argues, articulated a Protestant suspicion of Catholicism’s sinister influence on the continent, and helped to legitimize the strength of Protestantism in England (see “In the Hands of an Angry God: Religious Terror in Gothic Fiction,” in The Gothic Imagination: Essays in Dark Romanticism, ed. G. R. Thompson [Pullman: Washington State Univ., 1984], pp. 42–64). By imagining another’s pain, the novel could proclaim against the tyrannical source of that pain—Catholicism. The crowning irony of this suspicion of
Catholic barbarity is that the British use of torture in the Renaissance was by Protestants who were trying to rout out Catholic heretics and to check the spread of Catholicism. Therefore, the Gothic's use of torture to depict Catholic barbarity is a ludicrous projection of guilt.


18. Sade, in his 1791 *Justine*, posits in his creed of libertinism a rigorous and frighteningly convincing critique of the moral philosopher's notion that pain can and should be shared. His character Clement argues to the ingenuous Justine that Nature's primary law is to maximize pleasure and to minimize pain. Pleasure is only achieved when the senses are given "all the irritation of which they are susceptible in order, by this means, better and more warmly to reach the ultimate crisis. . . ." To attempt to share this pleasure is to divest it of its centrality, and to weaken it in ways contradictory to its nature. Then Clement adds somewhat of a nota bene that the desire to give someone else enjoyment is merely a matter of pride and self-flattery, with the same selfish end. And if you want to flatter your pride, furthermore, tyranny is much more effective than beneficence. Therefore, if concern for another's feelings is merely self-centered, we must conclude that, "in truth, there is no relation at all between that object [i.e., a woman/lover/victim] and himself. He would be a fool to trouble himself about the object's sensations and forget his own" (*The Complete Justine, Philosophy in the Bedroom, and Other Writings*, trans. Richard Seaver & Austryn Wainhouse [N.Y.: Grove, 1965], p. 604).


20. Fleetwood's construction of Mary as theatrical piece makes this scene analogous to what John Bender calls an "absorptive tableau." An absorptive tableau, Bender explains, is the name given by Michael Fried to characterize a certain mood in 18th-c. French painting in which the spectator is simultaneously absorbed by the realism of the action on the canvas and made aware of his inability to enter that action. Thus, says Bender, the absorptive tableau defines "a spectator who is at once isolated and irrevocably fascinated with the sensations and thoughts of the beings he confronts—a spectator simultaneously at one with an imagined consciousness yet incapable of direct entrance into its realm" (*Imagining the Penitentiary: Fiction and the Architecture of Mind in Eighteenth-Century England* [Chicago: Univ. of Chicago, 1987], p. 232). This dialectic seems to me to characterize Fleetwood perfectly, except that the fascination and frustration of denied entrance are rendered all the more potent by his being the artist, the actual creator of the scene.


22. This chair-staggering is a Gothic convention that is almost humorous in its regularity. Every Gothic character who comes into contact with another's pain responds by staggering and reaching for support: Emily St. Aubert in *The Mysteries of Udolpho*; Adeline de St. Pierre in *The Romance of the Forest*; Ambrosio in *The Monk*, and so on. What is significant about this convention is that in each case it is marked by a dual implication for its character. It simultaneously attests to the heightened sensibility of the character while also allowing that character an escape from the terrors of sensibility. It implies both egoless self-denial and encapsulated self-preservation.
23. The confusion of tyrant and victim that provides the rich ambiguity in *Caleb Williams* is introduced in one of Caleb's musings on Falkland's power. As he fears the implications of Falkland's wrath, Caleb declares: "I envied the condemned wretch upon the scaffold. I envied the victim of the inquisition in the midst of his torture. They know what they have to suffer. I had only to imagine everything terrible, and then say, The fate reserved for me is worse than this!" (p. 167). I suspect the torture victim himself would have a different opinion on what hurts more: mental or physical abuse.