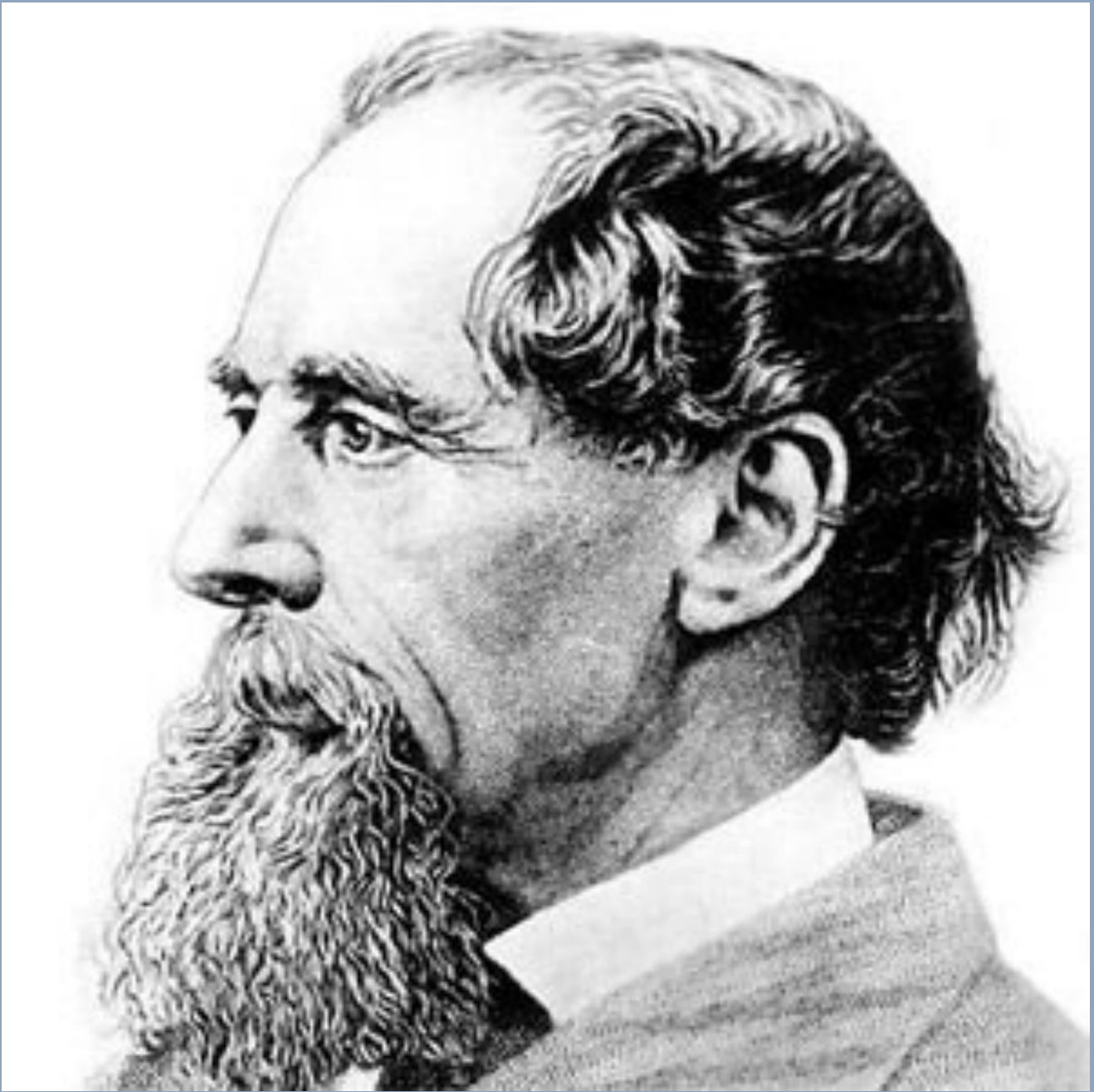


Charles Dickens

& the law



Inner Temple Library, 2012





Fagin in Newgate Gaol,

Oliver Twist

Dickens and the Law

2012 marks the 200th anniversary of the birth of Charles Dickens, considered by many to be one of the greatest English authors of all time. Historians and literary scholars have often argued that it was not only Dickens' writing style which has placed him so prominently among the world's literary elite, but the subject matter that he chose to write about. His novels were noted for their sense of realism and insight into the social conditions and issues of the day.

One prominent arena that Dickens addressed was the law, and his legal characters and portraits have given his readers a valuable, albeit highly subjective and not altogether positive, reflection of the law in his time. From a heart-breaking and damning reflection of the treatment of orphans in *Oliver Twist*, to the comprehensive ridicule and satire of Chancery procedure in *Bleak House*, Dickens entertained his readers and furnished us with many portrayals of lawyers within a legal system seemingly set up against the people of the country. His works also brought the plight of the poor to more common knowledge, which may have contributed to the call for legal reforms aimed at alleviating their difficulties.

Whatever the truth of Dickens' perspective, and he was certainly biased, there is no doubting the centrality of the law in his thought and in his work. To celebrate this, and to reflect his connections with the Inns of Court and our connections with him through our Library collections, the Inner Temple Library created a display to highlight just a few elements of Dickens' life and his reflections of the law, although given his verbosity and prodigious output a few boards could never do him justice.

Dickens and the Inns of Court

Dickens' had an interaction and awareness of the Inns of Court from an early age. In May 1827 at the age of 15 he joined the legal firm Ellis and Blackmore in Gray's Inn Square South as a Junior Clerk. He was admitted to Middle Temple in 1839 but rescinded his admittance when his literary career took off, stating in his petition that literature would entirely engross his time and become the business of his life. When reflecting on the Inns and this period of his life he wrote:

"There is yet, in the Temple, something of a clerkly monkish atmosphere which public offices of law have not disturbed and even legal firms have failed to scare away"



The Pickwick Club, *Pickwick Papers*

This theme is continued in his fiction, In *Martin Chuzzlewit* he described Tom Pinch's feelings upon entering the Inns thus:

‘...he turned his face towards an atmosphere of unaccountable fascination, as surely as he turned into the London smoke, until the time arrived for going home again and leaving it, like a motionless cloud behind!’

Martin Chuzzlewit is not the only Dickens' fiction to mention the Inns. Characters in *Barnaby Rudge*, *Our Mutual Friend*, *A Tale of Two Cities* and even Pip in *Great Expectations* all have chambers at the Inns of Court.

Pickwick Papers (1836–7)

In *Dickens as a Legal Historian* (1929), Holdsworth states that in *Pickwick Papers*: ‘[W]e are introduced to three of the leading characteristics of common law procedure and practice. In the first place, we are introduced to some of the conventional practices and fictions of the courts. In the second place, we are introduced to the effects of the rule of the law of evidence, which prevented the parties to an action, or anyone interested in the results of an action, from giving evidence. In the third place, we are introduced to the rules as to the manner in which a judgment could be executed; and in that connection, to the facility with which a creditor could arrest his debtor.’

Through the case of *Bardell v Pickwick*, Dickens gives us valuable insights in to the procedure of the common law courts, equity, debtors, ‘bails’, and the colourful characters that made their living through the law and those that made their living on the edges of the law and the legal system. Along with *Bleak House* and other works of Dickens, *Pickwick Papers* stands as a valuable guide to the legal system of his time and of Dickens', and many of his readers', opinion of it.



Serjeant Buzfuz, *Pickwick Papers*

Selected Dickens

Quotes

"If the law supposes that,' said Mr. Bumble, squeezing his hat emphatically in both hands, "the law is a ass--a idiot. If that's the eye of the law, the law is a bachelor; and the worst I wish the law is, that his eye may be opened by experience--by experience." *Oliver Twist* (1837-9)

"These sequestered nooks are the public offices of the legal profession, where writs are issued, judgments signed, declarations filed, and numerous other ingenious machines put in motion for the torture and torment of His Majesty's liege subjects, and the comfort and emolument of the practitioners of the law."

The Pickwick Papers (1836-7)

"The one great principle of the English law is to make business for itself. There is no other principle distinctly, certainly, and consistently maintained through all its narrow turnings."

Bleak House (1852-3)

"Circumstances may accumulate so strongly even against an innocent man, that directed, sharpened, and pointed, they may slay him." *The Mystery of Edwin Drood* (1870-1)

"Lawyers hold that there are two kinds of particularly bad witnesses--a reluctant witness, and a too-willing witness." *The Pickwick Papers* (1836-7)

Dickens Material

in the Inner

Temple Library

Dickens and Crime (Collins, 1964)

The Letters of Charles Dickens (Dickens, 1880-1882)

Letters of Charles Dickens to Wilkie Collins, 1851-1870 (Dickens, 1892)

Memories of my Father (Dickens, 1928)

Works of Charles Dickens, 30 Volume Library Edition (Dickens, 1874-76)

Charles Dickens as I Knew Him; the Story of the Reading tours in Great Britain and America (1866-1870) (Dolby, 1885)

The Life of Charles Dickens (Forster, 1872-74)

The Lawyer in Literature (Gest, 1913)

Charles Dickens as a Legal Historian (Holdsworth, 1929)

Charles Dickens : the Story of his Life (Hotten, 1870)

Charles Dickens in Chancery (Jaques, 1914)

The Childhood and Youth of Charles Dickens (Langton, 1883)

The Law and Lawyers of Pickwick: a Lecture (Lockwood, 1894)

Dickens Landmarks in London (Moreland, 1931)