

ARTS & LETTERS

A Hanging Offense?

"*Billy Budd* and Capital Punishment: A Tale of Three Centuries" by H. Bruce Franklin, in *American Literature* (June 1997), Duke University Press, 905 W. Main St., Ste. 18-B, Durham, N.C. 27701.

For decades, critics of Herman Melville's posthumously published novel *Billy Budd* (1924) have debated whether Captain Vere was justified in condemning the young sailor Billy Budd to death. Critics such as Peter Shaw, Milton Stern, and Hannah Arendt sided with Vere; others disagreed. Franklin, a professor of English at Rutgers University, Newark, maintains that the little-noticed public controversy over capital punishment that raged at the time Melville wrote *Billy Budd* shows what he intended.

In the novel, set in 1797, Budd is taken from a British merchant ship and impressed into service aboard the warship H.M.S. *Bellipotent*. When Claggart, the master-at-arms, falsely accuses him of trying to rouse other sailors to mutiny, a shocked Budd stutters and impulsively delivers a single blow to Claggart's forehead, killing him. A trial is arranged by Captain Vere, who fears a real mutiny if the apparent crime is not swiftly punished. Budd is hung at the next sunrise.

At the time, notes Franklin, King George III's "Bloody Code" was in force, prescribing death as the penalty for more than 100 different crimes in both civilian and military cases. By the time Melville (1819–91) was writing *Billy Budd*—1886 to 1891—even advocates of capital punishment, Franklin says, "agreed that eliminating most of the code's capital offenses con-

stituted one of the century's notable achievements in human progress." Yet at Budd's trial, Vere defends "the most egregious features of the Georgian code," such as the refusal to consider motive or extenuating circumstances.

In New York, where Melville was living, the capital punishment debate focused on the *means* used to carry out the death sentence. "As abolitionists emphasized the grotesque and sordid spectacles of public hangings," Franklin writes, "they often played into the hands of retentionists," who looked to electrocution as a humane alternative. Melville carefully crafted his story "to keep the *means* of execution from being a significant issue," Franklin notes. In *Billy Budd*, he "strips away the illusions of justice and deterrence to reveal the essence of capital punishment: human sacrifice, a ritual of power."

Amid all this controversy, Franklin writes, Melville "could safely assume that almost all potential readers in 1891 would regard public execution and hanging as relics of a barbarous past . . . and would already either oppose the death penalty outright or consider it warranted only for first-degree murder and treason." Those readers, Franklin speculates, would not have debated the rightness of Vere's actions. To them, the only question probably would have been whether he was insane.

The Artful Dodger

Though difficult and often denigrated, the style of the eminent British critic F. R. Leavis (1895–1978) was actually quite artful, writes George Watson, of Cambridge University, in *The Hudson Review* (Summer 1997).

This was the one aspect of Leavis which in his lifetime was consistently underrated. He was a great stylist. Those who thought him a potent thinker cursed by crabbed diction missed the point altogether. It is doubtful if he ever had much to say that was genuinely his own, and it is doubtful whether, in a lifetime of writing, he ever added a particle to human knowledge. But he was artist enough with words to convince thousands, for years and for decades, that he was a fountain of irreplaceable truth.