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## MANY KINDS OF PRISONS: CHARLES DICKENS ON AMERICAN INCARCERATION AND SLAVERY

Prisons appear in all of Dickens's major works, and much scholarship has already been published on the subject, including works by Philip Collins, Jeremy Tambling, Sean Grass, Jan Alber, and scores of others. In light of recent events in America—the mass incarceration of people of color on an unprecedented scale in private and public penitentiaries, and concentration camps filled with migrants, refugees, and asylum seekers of color—this essay takes a fresh look at the subject in relation to current developments. Dickens wrote a great deal about American imprisonment in his 1842 travel book, *American Notes for General Circulation*, published at the end of the first wave of penal reform in the US. By the time of Dickens's second visit to America in 1867-1868, just after the Civil War ended, the second period of penal reform had not quite started, but within a few decades, the abolition of slavery would lead to a new form of imprisonment for African Americans. As scholars have noted, incarceration in that period, especially in the South, picked up where slavery left off, with African American men routinely rounded up and pressed into prison gangs performing manual labor. Michelle Alexander, for example, demonstrates in *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2012) that the hugely disproportionate numbers of people of color in prison today is a result of a new version of Jim Crow, the systematic oppression of African Americans that has been occurring for generations. I contend markers that point toward the 20th- and 21st-century future of mass incarceration are present in *American Notes*.

David Wilson argues that Dickens's "ambivalence towards America [...] can, in part, be traced back to his views about how the republic treated those whom it imprisoned" (2009, 281). While Dickens does not make overt claims linking slavery and penitentiaries, he does portray America in ways that are steeped in the language of containment, and he highlights the hypocrisy of inhumane forms of imprisonment in a republic which was, at least constitutionally and rhetorically, built on principles of freedom and justice.<sup>1</sup> Further, we see him taking active stances on controversial issues of the time, apparently trying to exercise influence over hot debates.<sup>2</sup> This essay uncovers elements in Dickens's text that point to his understanding of the problems of containment in this so-called land of the free, and it offers an analysis of several details, which, taken together, show Dickens's keen understanding of the dark side of American exceptionalism.

As noted in the introduction to the new, Universitas Press edition of *American Notes*, when Dickens toured the United States in 1842, this republic, founded on Enlightenment liberalism, was still quite young and considered an experiment. America was "an exception, and its exceptionalism was either touted as a beacon for the world or lamented as the dangerous waywardness of a prodigal nation [...]. America was founded on [...] radicalism really, with anti-state values and a love of individualism and freedom from restraint" (Archibald 2018, xxi).<sup>3</sup> Dickens remarked in his 1850 preface: "No visitor can ever have set foot on those shores, with a stronger faith in the Republic than I had" (*AN*, 278).<sup>4</sup> I contend that this faith in the Republic sprang from his "strong belief in American exceptionalism—not merely the fact of American uniqueness but also its great potential for human good," and I argue his disappointment with most of the country came from how far off the

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<sup>1</sup> See Archibald for a corpus linguistics analysis of this language of containment in the book (2019, 160).

<sup>2</sup> Rothman even goes so far as to claim that Americans debated prison reform almost as much as slavery (1990, 106; noted in Wilson 2009, 282).

<sup>3</sup> See also Lipset (1996).

<sup>4</sup> All quotations from *American Notes* in this essay, including front and back matter and notes, unless otherwise stated, are taken from the Penguin edition and will be abbreviated within the essay as *AN*.



mark they actually were in achieving that potential. “Clearly, Dickens admired the American ideals espoused by the Declaration of Independence and Constitution and was eager to witness and convey how they were made manifest in the New World,” but “Dickens’s portrayal [...] is damning. The crux of the matter for him is hypocrisy, the failure of America to uphold its highest ideals” (Archibald 2018, xxii). Dickens’s crusade against hypocrisy is the key to understanding his portrait of imprisonment in *American Notes*. He was certainly not against restraint; he understood the criminal mind and recognized the need for laws to be upheld and justice done. But what irks him is *inhumane* imprisonment, especially in a country so vocal about its supposed freedom and equality. America had the chance to be a model of progressive reform and humane treatment, to build a “city upon a hill,” but only New England lives up to that promise. Despite its bravado, the rest of the young nation fails miserably, and *American Notes* records that failure. Dickens exposes and chastises the country in order to prick its conscience and urge a change.

### 1. Inhumane incarceration: American jails and prisons

When Dickens arrived in North America in 1842, he was able to examine the effects of its first wave of penal reform and prison building and offered several eye-witness accounts of a range of American incarceration practices. Dickens first describes a juvenile detention center in Boston with nearly unequivocal praise.

The design and object of this Institution is to reclaim the youthful criminal by firm but kind and judicious treatment; to make his prison a place of purification and improvement, not of demoralisation and corruption; to impress upon him that there is but one path, and that one sober industry, which can ever lead him to happiness; to teach him how it may be trodden, if his footsteps have never yet been led that way; and to lure him back to it if they have strayed: in a word, to snatch him from destruction, and restore him to society a penitent and useful member.  
(AN 59)

This prison uses positive inducement rather than corporal punishment to reform the young criminals, offering rewards for improvement. Further, the boys are not segregated by race.<sup>5</sup> Although Dickens paints this as an ideal prison, he slips in one minor criticism: the “offenders” must sing “a chorus in praise of Liberty,” an exercise that highlights American adoration of the ideal of freedom, in theory, and blindness to contradictions in reality. It is a passing comment in a chapter otherwise filled with high praise for Boston’s enlightened institution; nevertheless, this comment presages a criticism that will repeatedly appear with increasing bitterness throughout the rest of the text.

Dickens next discusses an adult penitentiary that operated under the Auburn System (also called the Congregate System); he writes very favorably of Boston’s “House of Correction for the State [of Massachusetts], where silence is strictly maintained, but where the prisoners have the comfort and mental relief of seeing each other, and of working together” (AN, 59). Yet Dickens wonders if the American practice of letting its prisoners complete *useful* work, or as he calls it, “ordinary labour,” is actually such a good idea, given the “disadvantage” to “free labour” who must compete with forced labor. Dickens is commenting here on a controversy that was being debated at the time. The Auburn System was originally based on Puritan views of the depravity of human nature, asserting that criminals could not be reformed but rather must be tamed by harsh and complete containment, that is, hard labor, “unrelenting discipline, and corporal punishment” (Roberts 1985, 108). The unintended effect of this system was to create a skilled workforce that competed with the non-incarcerated workforce. The issue of prison labor had been the subject of American public debate for decades, but it was only when labor began to organize effectively that there was enough pressure to do something about it. In 1835 as well as in the year Dickens visited, 1842, the state of New York “passed laws protecting free labor’s interests,” but while these laws did “regulat[e] prison industries,” they did not entirely abolish “prison slave labor” (Roberts 1985, 109).

Dickens takes a stance on the controversy and sides with those who aimed to protect “free labour.” As Sean Grass notes, “Dickens always remained reluctant to take the work of the lowest classes—who had no

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<sup>5</sup> I use the term “race” deliberately here despite the problematic nature of the term. In the American context, especially when Dickens travelled to America, people of color were considered a separate race from whites. The integration of prisoners in this institution is thus particularly significant.



homes, no food, no good clothing—and give it to the prisoners, who already had their basic needs provided by the state” (Grass 2000, 59 note 25). While he was certainly an advocate for the working poor, it appears that through his position he was also taking sides in an important debate of the day, an issue that would only intensify during the remainder of the Antebellum Period. A few years later, in the run-up to the 1848 national election, in fact, the Free-Soil Party was formed, with the motto “free soil, free speech, free labor, and free men,” essentially claiming that free labor was a morally, economically, and socially superior system and that slaves unfairly competed against free labor.<sup>6</sup> No matter whether prisons or plantations, forced labor unfairly undercut the laboring poor. Dickens points out that in “America, as a new and not yet over-populated country,” the effort to employ prisoners in useful work is understandable though problematic (*AN*, 59). He notes the “many opponents” to prison industry “whose number is not likely to diminish with access of years” (*AN*, 60).

Nevertheless, his aim in this passage seems to be less about pointing out the unfair competition against ‘free labour’ and more about objecting to the effect of prison industry on prisoners themselves. If prisoners complete meaningful work, he contends, it might slow down their reformation, and he cites English prisons as superior in this regard because the work that prisoners do there is silent and meaningless and thus a true punishment. Dickens seems to imply that it is only through stern punishment that reformation is possible. The Auburn System was originally designed to improve upon the strict solitary confinement of the Eastern (or Separate) System, by allowing inmates to sit together (i.e. congregate) silently during the day as they worked. When native New Englander Elam Lynds was named as governor of the reorganized Auburn Prison in New York in 1823, he applied his Puritan views, namely the idea of “depraved human nature,” to the running of this institution. The goal was not so much to reform criminals on a personal or spiritual level as to control them and turn them into effective workers by breaking their spirits (Roberts 1985, 108).

The Congregate System institutions that Dickens visits in Boston, however, seem to institute significantly more humane treatment. Dickens praises their compassion in the running of the prison in many cases but wonders in regard to prison industry if the Bostonians are being too compassionate and thus ineffectual. He argues that prisoners should never be allowed to forget that they are anywhere except in prison. Fellow prisoners ought to be doing tiring and meaningless work to emphasize that they are all “marked and degraded” as “only [...] felons in jails” can be (*AN*, 60). He adds that “in an American state prison or house of correction, I found it difficult at first to persuade myself that I was really in a jail: a place of ignominious punishment and endurance. And to this hour I very much question whether the humane boast that it is not like one, has its root in the true wisdom or philosophy of the matter” (*AN*, 60). For Dickens, thus, prison industry is doubly wrong—it unfairly competes with the private sector economy, and it may hamper the reformation of inmates because it gives them something meaningful to do while incarcerated and thus may weaken the deterrence of imprisonment. Notice also the wording here: “humane boast.” Throughout the book, Dickens draws attention to American boasting, and he lambasts the hypocrisy he encounters. While he recognizes the Bostonians are attempting to be humane—a quality he generally values—they do so in a manner which he finds troubling.

While he questions the “wisdom” of this particular part of their system, however, he does praise New England penal reform in general, and he firmly establishes himself as a proponent of the relatively new Congregate System. Indeed, Dickens offers many pages of praise for the Boston House of Correction, even going so far as to say that he hoped its “admirable” arrangement would be copied in “the next new prison we erect in England” (*AN*, 63). He reports that “in this prison no swords or fire-arms, or even cudgels, are kept” and the prisoners are appealed to “as members of the great human family” to reform their ways, guided by “the strong Heart, and not by the strong (though immeasurably weaker) Hand.” In other words, corporal punishment has been replaced by more humane means of control. Despite his concerns about prison industry, then, Dickens indicates that he is generally satisfied with what he observed of this Congregate System institution, saying:

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<sup>6</sup> See Eric Foner for a fascinating discussion of the distinction between free and forced labor, from an initially huge proportion of indentured servants (half the British immigrants coming to America as late as the early 1770s) that muddled the difference between free and enslaved, to an increasingly sharp divide based on race (1995, ix-xxxix).



At the same time, I know, as all men do or should, that the subject of Prison Discipline is one of the highest importance to any community; and that in her sweeping reform and bright example to other countries on this head, America has shown great wisdom, great benevolence, and exalted policy. (AN, 61)

...at least in the America he encountered in Boston. The notorious penal institutions Dickens visited in New York and Pennsylvania, on the other hand, attracted some of Dickens's strongest satiric condemnation. The New York Halls of Justice and House of Detention, nicknamed The Tombs, built in 1838 on a severely polluted pond that had been improperly filled, was already sinking when Dickens visited. About 300 prisoners were kept in this unsanitary building in the Five Points slum district of New York City, and the municipal jail continued for decades to house convicts as well as those accused of crimes who were awaiting trial (Gilfoyle 2003, 525-554). The Tombs description in *American Notes* is filled with evidence of inhumanity, so it is not surprising that Dickens's tone is one of bitter sarcasm. He is outraged by what he encounters in this foul jail, the human misery and horrific conditions he witnesses. But his greatest ire is toward the casually cruel prison official who gives him the tour. Notably, unlike in Boston, in this facility inmates are segregated by race, and the worst conditions are reserved for African Americans who are kept in the lower level—wet and foul-smelling, oozing with slime and sewage—"unwholesome" pits of despair (AN, 94). Inmates throughout the prison were deprived of necessities such as exercise and sunlight. In a chilling scene, the guide opens a cell containing a sixty-year-old man accused of murdering his wife. He has been waiting for a trial for a month and will wait for yet another month in the foul den. Dickens remarks:

"In England, if a man be under sentence of death, even he has air and exercise at certain periods of the day."

"Possible?"

With what stupendous and untranslatable coolness he says this, and how loungingly he leads on to the [next location]: making, as he goes, a kind of iron castanet of the key and the stair-rail! (AN, 95)

As if withholding such basic necessities were not bad enough, Dickens next reveals the depth of the family tragedy in the following lines:

For what offence can that lonely child, of ten or twelve years old, be shut up here? Oh! that boy? He is the son of the prisoner we saw just now; is a witness against his father; and is detained here for safe keeping, until the trial; that's all.

But it is a dreadful place for the child to pass the long days and nights in. This is rather hard treatment for a young witness, is it not? [...]

"Well, it ain't a very rowdy life, and *that's* a fact!"

Again he clinks his metal castanet, and leads us leisurely away [...].

Dickens focuses his outrage on the inhumanity of the jailers themselves. How can the guards see an innocent child such as this boy "detained" in prison to bear witness against his father (who will surely be hanged on his evidence) and be so casually cruel? A child who has also lost his mother, remember, and is locked away with no one to comfort him. Or note the guard's nonchalant reference to the many suicides in the jail: "When they had hooks they *would* hang themselves" (AN, 96). We might well ask where the "untranslatable coolness" of the guard comes from—does it stem from corruption, complacency, or something worse? Hypocrisy and injustice go hand in hand.

In example after example, Dickens exposes the inhumanity of the jail conditions and behavior of the guards. When Dickens and his guide walk on to another part of the Tombs, the "city watch-house," for those awaiting an initial hearing, Dickens exclaims

What! Do you thrust your common offenders [...] into such holes as these? Do men and women, against whom no crime is proved, lie here all night in perfect darkness, surrounded by the noisome vapours which encircle that flagging lamp you light us with, and breathing this filthy and



offensive stench! Why, such indecent and disgusting dungeons as these cells, would bring disgrace upon the most despotic empire in the world! (AN, 102)

Dickens employs his skill and expends his cultural capital to illuminate the hypocrisy and injustice of American incarceration. He could be speaking to us today—to our shame. America was founded on high ideals of human rights, and Dickens reminds readers of broken promises.

As bad as the notorious New York jail was, Dickens found just as much fault with the well-intentioned Quaker-run Eastern Penitentiary, where unnatural solitude led to madness. Many scholars have written about Dickens's visit to the Philadelphia Eastern Penitentiary, noting the reputation of this most famous American prison as a progressive institution and the young author's interest in visiting after reading other travel writers' accounts.<sup>7</sup> On the face of it, the Pennsylvania (or Separate) System, upon which the Eastern Penitentiary was run, seemed more ethical. Established by Quakers who believed in the essential goodness of human beings, the prison was designed to separate prisoners from bad influences and give them an opportunity for self-reflection and spiritual transformation. Unlike the Congregate System, then, the Separate System saw the goal of incarceration primarily as reformation rather than social control. Unfortunately, the proponents of this system did not recognize that for most inmates, total solitary confinement was a form of 'mental torture' that led many to madness. Human beings are social creatures; Dickens understood this and saw that for all its good intentions, the Eastern Penitentiary was actually more dangerous and inhumane than the Auburn System's harsher controls. He writes:

In its intention, I am well convinced that it is kind, humane, and meant for reformation; but I am persuaded that those who devised this system of Prison Discipline, and those benevolent gentlemen who carry it into execution, do not know what it is that they are doing. I believe that very few men are capable of estimating the immense amount of torture and agony which this dreadful punishment, prolonged for years, inflicts upon the sufferers; and in guessing at it myself, and in reasoning from what I have seen written upon their faces, [...] I am only the more convinced that there is a depth of terrible endurance in it which none but the sufferers themselves can fathom, and which no man has a right to inflict upon his fellow-creature. I hold this slow and daily tampering with the mysteries of the brain, to be immeasurably worse than any torture of the body: and because its ghastly signs and tokens are not so palpable to the eye and sense of touch as scars upon the flesh; because its wounds are not upon the surface, and it extorts few cries that human ears can hear; therefore I the more denounce it, as a secret punishment which slumbering humanity is not roused up to stay. (AN, 111-112)

Torture of the brain is worse than torture of the body, he contends, because mental anguish is hidden from view and thus harder for the public to decry. It is 'secret' suffering, the destruction of the thing that makes us most human—the mind itself.

Dickens's approach to revealing the profound inhumanity of solitary confinement at the Eastern Penitentiary was measured in tone, yet perhaps even more powerful than his description of *The Tombs*. Sean Grass argues that Dickens writes with a combination of factual reportage and novelistic imaginings, saying: "The entire account of Eastern Penitentiary becomes a curious mixture of fact and fiction, with the latter taking precedence where facts are unavailable" (Grass 2000, 63). It may be more accurate to see Dickens's efforts as falling into the category of creative nonfiction, also called literary journalism. The distinction is, perhaps, hair-splitting, but the creative nonfiction label seems more fitting. Dickens is trying to be *truthful*. Using his creative tools and imagination to expose the truth is not the same as fabricating a realistic fiction. The imagined life of a solitary prisoner in this chapter is true, even if not a fact. Research on the effects of solitary confinement on the mind demonstrates that Dickens's portrait is a remarkably accurate rendering of the lived experience of many solitary prisoners.<sup>8</sup> As is usually the case with this meticulous observer, Dickens

<sup>7</sup> See, for instance, Collins 1994, Meckier 2014, Wilson 2009, and Grass 2000.

<sup>8</sup> For example, see Metzner and Fellner: "Isolation can be psychologically harmful to any prisoner, with the nature and severity of the impact depending on the individual, the duration, and particular conditions (e.g.,



portrays physical reactions of inmates that point to the profound damage solitary confinement causes to the human psyche.<sup>9</sup> Recent researchers have

concluded that solitary [confinement] can cause a specific psychiatric syndrome, characterized by hallucinations; panic attacks; overt paranoia; diminished impulse control; hypersensitivity to external stimuli; and difficulties with thinking, concentration and memory. Some inmates lose the ability to maintain a state of alertness, while others develop crippling obsessions. (Breslow)

Dickens's descriptions include examples of almost all of these effects, thus adding to his credibility as an eye-witness.

Note, for instance, the frequency with which he mentions trembling and shaking, a common symptom of anxiety. He writes of the first inmate, "I saw that his lip trembled, and could have counted the beating of his heart" (*AN*, 114). Then he describes the "German" (probably Pennsylvania Dutch) who tries to detain the jailer, "his trembling hands nervously clutching at his coat" (*AN*, 115). Or there is his description of the "strange kind of pause" of one prisoner every time he answered a question—typical of an inability to think clearly, brought on by depression and anxiety. Dickens describes this man as "reckless in [his] hopelessness" (*AN*, 114). Then there is the case of the "dejected, heart-broken, wretched creature" who makes a bed in the center of his cell, "with exquisite neatness" indicative of an obsessive compulsion. Of this man, Dickens writes, "I never saw such a picture of forlorn affliction and distress of mind. My heart bled for him. [...] [T]he spectacle was really too painful to witness. I never saw or heard of any kind of misery that impressed me more than the wretchedness of this man" (*AN*, 114-115). Or there is the prisoner who is allowed to keep rabbits. When he steps out of his cell to talk to Dickens and the guide, he "stood shading his haggard face in the unwonted sunlight of the great window, looking as wan and unearthly as if he had been summoned from the grave" (*AN*, 115). He can't bear the stimuli of sunlight. Perhaps one of the most upsetting examples is the sailor who had been in solitary confinement for eleven years and who has become non-responsive. He says "nothing" and instead "stare[s] at his hands, and pick[s] the flesh upon his fingers, and raise[s] his eyes for an instant, every now and then" (*AN*, 116). This inmate is thoroughly broken; "he has lost all care for everything," having lost his humanity.

Is it any wonder that Dickens said, "nothing wholesome or good has ever had its growth in such unnatural solitude, and that even a dog or any of the more intelligent among beasts, would pine, and mope, and rust away, beneath its influence, would be in itself a sufficient argument against this system" (*AN*, 122-123)? Beyond the basic inhumanity of solitary confinement, Dickens also notes once more the specter of America's institutionalized racism when he remarks: "Sitting upon the stairs, engaged in some slight work, was a pretty coloured boy. 'Is there no refuge for young criminals in Philadelphia, then?' said I. 'Yes, but only for white children.' Noble aristocracy in crime!" (*AN*, 116). This penitentiary, which claims to be a humane institution, is really no better than the notorious Tombs of New York, and it is a world away from the integrated juvenile reformatory of Boston. Only white children are treated like children in Philadelphia; black children are subject to the full brunt of adult punishment.

As demonstrated above, Dickens was certainly not soft on crime. He believed punishment needed to be firm to be sufficiently corrective, but he thought correction was also for the good of the criminal, as well. Above all he seemed at this point in his career to value the sanctity of the human spirit and sympathy for fellow human beings. Both as a young writer and as a citizen of the world, he was a proponent of the humane, that is, "sympathy with and consideration for others; feeling or showing compassion," and being "benevolent [and] kind."<sup>10</sup> Certainly the administrators and jailers of the Tombs showed no compassion or kindness to the African Americans in those foul basement cells or the child witness bereft of all comfort in a terrifying cell. But neither, ultimately, did the well-intentioned Quakers, who demonstrated no understanding of the mental torture inmates were enduring at their hands; they showed no compassion for the anguish of those in their care. In both cases, the root of the inhumanity seems to be a particularly irksome kind of pride that Dickens

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access to natural light, books, or radio). Psychological effects can include anxiety, depression, anger, cognitive disturbances, perceptual distortions, obsessive thoughts, paranoia, and psychosis" (2010, 104).

<sup>9</sup> See, for instance, Kirsten Weir's explanation of those effects of solitary confinement.

<sup>10</sup> *Oxford English Dictionary*, "humane, adj." definition 1.a.



found in America, perhaps a pride born of the young country's exceptionalism, perhaps stemming from a tendency towards individualistic rather than communal values, or perhaps a result of sheer greed bred in a land marred by materialism and worship of the almighty dollar. Dickens makes it clear that he condemns both of these institutions. It is effect, not intent, that matters to him. Dickens repeatedly exposed inhumane treatment and hypocrisy in *American Notes*. He knows Americans could do better. After all, they *were* better in Boston. *That* was the "republic of [his] imagination," but the rest of the country fell far short of its potential, and he dedicates much of his book to exposing these shortcomings.<sup>11</sup>

## 2. Many kinds of prisons: the containment of people of color

The greatest hypocrisy and injustice of all was the institution of slavery in the so-called land of the free. Dickens points this out in an especially sharp passage in the Washington D.C. chapter when he mentions the recent debates in Congress about censuring John Quincy Adams.<sup>12</sup> Only two days after Dickens arrived in the United States, he would have begun hearing and reading about Adams's latest tactics to evade the congressional gag rule prohibiting discussion of abolitionist petitions on the floor of the House of Representatives. Adams felt strongly that the right to petition Congress was guaranteed by the First Amendment of the Constitution, and he was well known for having brought countless petitions regarding slavery to the House floor, where members repeatedly refused to discuss them. It was Adams (or his supporters) and not his enemies, historians now believe, who fabricated a Georgian petition to remove Adams from his chairmanship of the Foreign Affairs Committee. This petition allowed him to take the floor in his own defense, and he used his time to speak passionately for days about the evils of slavery and the slave trade. His enemies took the bait, and slavery was debated in Congress for two weeks until on February 7, Dickens's 30th birthday, they voted to drop the motion to censure Adams, who, as a former President with strong support from his Massachusetts constituents, had too much power to be thrown out of the House of Representatives—despite the bitter enmity he provoked in the slave-holding faction of Congress.

While we don't know for sure how much Dickens's Bostonian friends discussed the Adams situation in Washington with their famous visitor while he was in New England, we can surmise that the likes of Charles Sumner, Henry Wadsworth Longfellow, and William Ellery Channing, at least, would all have been supporters of the Massachusetts representative, and the topic likely came up during Dickens's time with them. Undoubtedly, Dickens would have also sympathized with Adams both for his bold championing of a just cause and for his adherence to the spirit of the First Amendment, which guarantees the right of Americans to petition their government to address injustice and inequity. Adams believed in America's promise and its highest ideals and was surely a compelling figure for the young, idealistic author.

Dickens's reaction to this controversy and decision to include it in *American Notes* are particularly interesting in that he reminds readers that the attempted censure of this honorable public servant happened in the same city that proudly displays "the Unanimous Declaration of The Thirteen United States of America, which solemnly declares that All Men are created Equal; and are endowed by their Creator with the Inalienable Rights of Life, Liberty, and the Pursuit of Happiness!" (*AN*, 132). Patricia Ingham contends in her introduction to *American Notes*, "This satiric use of a quotation from the Declaration of Independence as a part of Dickens's attack on slavery was extremely offensive to Americans" (2000, 298 note 17). One can understand the way this kind of attack by an outsider—a beloved author, in fact—would sting. Yet there is more to the reaction to this passage than this mere affront. John Quincy Adams was a hugely divisive figure, one who had repeatedly used language from the US Constitution to justify his efforts to undermine unjust congressional rules and the institution of slavery that Congress was protecting. By alluding to Adams, even though he is not named, Dickens is stirring up trouble. By doing so while quoting from a revered American document, he is adopting the same tactics as Adams—recalling Americans to their highest ideals and castigating them for their injustice and hypocrisy, ignoring customary social niceties and speaking that which makes people uncomfortable.

Examining the passage further, once more the theme of the hypocrisy of containment emerges. For Dickens, this is perhaps the Americans' biggest offense. He remarks how the Declaration of Independence is "publicly

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<sup>11</sup> Dickens wrote to his friend William Macready from Baltimore, Maryland, 22 March 1842, that America was "not the Republic of my imagination" (Dickens 1974, 156).

<sup>12</sup> See "A Motion to Censure" for a good overview of the censure debates about Adams.



exhibited [...], hung up for general admiration; shown to strangers not with shame, but pride” (AN, 132). Again, the reader sees that it is American pride that so irks Dickens. To “turn” the document’s face “towards the wall” or take it down and “burn” it would be more honest, he claims, more in keeping with American abandonment of their values and ideals. Instead, however, they continue to boast with blind hypocrisy. They tout their exceptionalism but use it to abuse the vulnerable, showing little to no compassion and kindness towards their fellow human beings. Indeed, there is evidence in the book that many Americans did not see some of their citizens as human beings in the first place, thus they would not qualify for the freedoms guaranteed by the constitution. African Americans, whether enslaved or free, American Indians, whether held on reservations or not—these were not worthy of compassion, it seemed.<sup>13</sup> At best they must be contained, and at worst, also exploited, brutalized, or killed.

From Dickens’s perspective, as an Englishman living in a nation that had abolished slavery on its soil seventy years before, it must have seemed like he had stepped back in time when he encountered enslaved people in America.<sup>14</sup> Of course, he knew slavery was still practiced there, but seeing it in person and allowing himself to be waited on by slaves did not sit well with the young Radical. He writes, “To those who are happily unaccustomed to them, the countenances in the streets and laboring places, too, are shocking” (AN, 153) and even changed his travel plans by leaving the South and heading to the Midwest instead, “with a grateful heart that [he] was not doomed” to have his “senses blunted” to slavery’s “wrongs and horrors” by being raised “in a slave-rocked cradle” (AN, 154). Throughout much of *American Notes* he mentions slavery whenever opportunity presents itself, even adding a whole chapter on the topic, largely consisting of slave advertisements taken from an abolitionist pamphlet.<sup>15</sup>

What bothers Dickens most seems to be the buying and selling of slaves and their violent mistreatment. He seems less disturbed by slavery that has been embedded in a family estate, though he does not condone it. For instance, he refers to a slave-owning Virginian as a “gentleman [who] is a considerate and excellent master” because he “inherited his fifty slaves, and is neither a buyer nor a seller of human stock” (AN, 153). But this is a lesser of two evils, not a good. He does also resort to racist stereotypes sometimes when describing slaves, as in the case when he refers to the “black drivers” who “are chattering” to the horses “like so many monkeys” (AN, 147). While Dickens was a man of his times and did not hold to every enlightened opinion one might wish, he did highlight some of the most unjust and inhumane imprisonment practices in America at the time of his first visit, including both the obvious form of penal incarceration as well as the deeply rooted practice of institutionalized chattel slavery. For Dickens, it was the cold-hearted commodification and the abuse of human flesh in the “land of liberty” that prompted his bitterest prose.

Despite the fact that Dickens did not write much of his chapter on slavery himself, he did curate the selections he chose to use, and his choices demonstrate an interest in highlighting the injustice and hypocrisy of slavery. He repeatedly includes descriptions of runaway slaves with scars caused by the brutality of masters; these marks form an embodied text of cruelty. He references gun violence against slaves repeatedly, as well, signaling how far from civilized the country actually is. And he includes several instances of the buying and selling of human flesh, emphasizing the inhumanity of separating parents and children for profit. In addition to the advertisements, he adds his own commentary, and it is much in keeping with what he has said elsewhere about American hypocrisy. Most pointedly, he writes,

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<sup>13</sup> Dickens describes an encounter with a Native American, “Pitchlynn, a chief of the Choctaw tribe of Indians [...] a remarkably handsome man, [...] as stately and complete a gentleman of Nature’s making, as ever I beheld,” who told Dickens that unless the native people try to “assimilate themselves to their conquerors, they must be swept away” (AN, 185).

<sup>14</sup> As I stated in a previous work:

In 1772, the ruling in *Somerset’s Case* found that slavery was unsupported by English law and thus could not be upheld on British soil. The slave trade was abolished in 1807, though slavery persisted where it was already established in the British colonies until the Slavery Abolition Act of 1833 when, with a few exceptions, slavery was banned in the British Empire. Britain had been actively engaged in public discourse about slavery for generations by the time Dickens visited the US in 1842. (Archibald 2018, xxiv)

<sup>15</sup> On Dickens’s plagiarism of Theodore Dwight Weld’s abolitionist pamphlet in *American Notes*, see Johnson (1943) and Brattin (2015).



When knives are drawn [...] in conflict let it be said and known: “[...] These are the weapons of Freedom. With sharp points and edges such as these, Liberty in America doth hew and hack her slaves; or, failing that pursuit, her sons devote them to better use, and turn them on each other.” (AN, 265)

As this passage shows, for Dickens it is not just the fact of the oppression but also the claim to exceptionalism, to moral superiority, that goes along with this cruel and unjust practice, that enrages him. Lady Liberty hewing and hacking slaves is a powerful image.

### 3. America, the carceral state

When Dickens returned to America in 1867, those slaves would be free, at least theoretically. Unfortunately, “[t]he backlash against the gains of African Americans in the Reconstruction Era was swift and severe. As African Americans obtained political power and began the long march toward great social and economic equality, whites reacted with panic and outrage” and found many ways to curtail the newly won freedoms of people of color (Alexander 2012, 30).

Interestingly, Dickens included in *American Notes* an example of a tactic used both during and after slavery to ensure people of color remained suppressed. The passage shows the connection between incarceration and slavery in a vagrancy law in Washington D.C. that enabled

any justice of the peace [to] bind with fetters any negro passing down the street and thrust him into jail: no offense on the black man’s part is necessary. The justice says, “I choose to think this man is a runaway:” and locks him up. Public opinion impowers [sic] the man of law when this is done, to advertise the negro in the newspapers, warning his owner to come and claim him, or he will be sold to pay the jail fees. But supposing he is a free black [...] he is sold to recompense his jailer. [...] This seems incredible, even of America, but it is the law. (AN, 253)

During Reconstruction, these sorts of “vagrancy laws and other laws defining activities such as ‘mischief’ and ‘insulting gestures’ as crimes were enforced vigorously against blacks. The aggressive enforcement of these criminal offenses opened up an enormous market for convict leasing, in which prisoners were contracted out as laborers to the highest private bidder” (Alexander 2012, 31). The issue of forced labor and prison industry thus emerged once more in this period, inextricably interwoven with the legacy of chattel slavery.

Michelle Alexander reminds us, “Convicts had no meaningful legal rights at this time and no effective redress. They were understood, quite literally, to be slaves of the state. [...] In a landmark decision by the Virginia Supreme Court, *Ruffin v. Commonwealth*, issued at the height of Southern Redemption, the court put to rest any notion that convicts were legally distinguishable from slaves” (Alexander 2012, 31). Predictably, the prison population grew rapidly in the decades that followed, with the passage of unjust laws meant to round up as many former slaves as possible and incarcerate them, thus returning them to forced labor. To be clear—slavery still exists today. Penal labor is involuntary servitude, a type of slavery expressly allowed by the 13th Amendment of the US Constitution. This form of legal slavery is only allowed when used as punishment for committing a crime. The 13th Amendment states that “neither slavery nor involuntary servitude, except as a punishment for a crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” So America still has slaves—they are just living in *penitentiaries* instead of plantations, and a disproportionate number of them are people of color.<sup>16</sup> And now, convict leasing is on the rise again, after it was prohibited for most of the 20th century. “As current anti-immigrant policies diminish the supply of migrant workers, [...] [p]rison inmates are picking fruits and vegetables at a rate not seen since Jim Crow” (Rice 2019). The mass incarceration of people of color for committing oftentimes minor infractions is a part of our system of penal slavery. Since parolees “can be stopped and searched by the police for any reason—or no reason at all—and returned to prison for the most minor of infractions,” a steady supply of prison labor is secure (Alexander 2012, 141).

<sup>16</sup> “African Americans are incarcerated at more than five times the rate of whites” (“Criminal Justice” NAACP).



Today, the United States incarcerates “a higher proportion of its people than any other country. The United States has built a carceral state that is unprecedented among industrialized countries and in US history” (Gottschalk 2014, 289). This system is “distinctive not only for its hyperincarceration of certain groups but also for its enthusiastic embrace of harsh and degrading punishments that would be unthinkable in most industrialized countries [...] boot camps, chain gangs, and widespread use of solitary confinement.” When Dickens wrote about America in 1842, using the language of containment to draw attention to the hypocrisy of unjust and brutal incarceration and slavery, he was elucidating a fundamental problem with which we are still grappling today. Dickens saw the carceral state in the making, and he issued a dire warning to America not to turn its back on its most cherished values.

### Works cited

- Alber, Jan. *Narrating the Prison: Role and Representation in Charles Dickens' Novels, Twentieth-Century Fiction, and Film*. Youngstown, NY: Cambria Press, 2007.
- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press, 2012.
- “A Motion to Censure Representative John Quincy Adams of Massachusetts.” *History, Art & Archives: US House of Representatives*. <https://history.house.gov/Historical-Highlights/1800-1850/A-motion-to-censure-Representative-John-Quincy-Adams-of-Massachusetts/>. All websites last visited December 12, 2019.
- Archibald, Diana C. “Introduction.” *American Notes for General Circulation*. By Charles Dickens. Montreal: Universitas Press, 2018.
- . “Language in Place: A Computational Analysis of Dickens' ‘American Notes.’” *Nineteenth-Century Prose* 46.1 (Spring 2019): 149-184.
- Brattin, Joel J. “Slavery in Dickens's Manuscript of *American Notes for General Circulation*.” *Dickens and Massachusetts: The Lasting Legacy of the Commonwealth Visits*. Eds. Diana C. Archibald and Joel J. Brattin. Amherst: University of Massachusetts Press, 2015. 147-162.
- Breslow, Jason M. “What Does Solitary Confinement Do to Your Mind?” *Frontline* 22 April 2014. <https://www.pbs.org/wgbh/frontline/article/what-does-solitary-confinement-do-to-your-mind/>.
- Collins, Philip. *Dickens and Crime*. New York: St. Martin's, 1994.
- “Criminal Justice Fact Sheet.” NAACP. <https://www.naacp.org/criminal-justice-fact-sheet/>.
- Dickens, Charles. *American Notes for General Circulation*. 1842. Ed. with introduction by Patricia Ingham. London: Penguin, 2000.
- . *The Letters of Charles Dickens. Vol. 3*. Eds. Madeline House Graham Storey and Kathleen Tillotson. Oxford: Clarendon Press, 1974.
- Foner, Eric. *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War*. New York: Oxford University Press, 1995.
- Johnson, Louise H. “The Source of the Chapter on Slavery in Dickens' *American Notes*.” *American Literature* 14.4 (January 1943): 427-30.
- Gilfoyle, Timothy J. “‘America's Greatest Criminal Barracks:’ The Tombs and the Experience of Criminal Justice in New York City, 1838–1897.” *Journal of Urban History* 29.5 (2003): 525–554.
- Gottschalk, Marie. “Democracy and the Carceral State in America.” *The Annals of the American Academy of Political and Social Science* 651 (January 2014): 288-295.
- Grass, Sean. “Narrating the Cell: Dickens on the American Prisons.” *Journal of English and Germanic Philology* 99.1 (January 2000): 50-70.
- . *The Self in the Cell: Narrating the Victorian Prisoner*. New York: Routledge, 2013.
- Lipset, Seymour Martin. *American Exceptionalism: A Double-Edged Sword*. New York: W. W. Norton, 1996.
- Meckier, Jerome. “Dickens and Tocqueville: Chapter 7 of *American Notes*.” *Dickens Studies Annual* 45 (2014): 113-123.
- Metzner, Jeffrey L. and Jamie Fellner. “Solitary Confinement and Mental Illness in U.S. Prisons: A Challenge for Medical Ethics.” *Journal of the American Academy of Psychiatry and the Law Online* 38.1 (March 2010): 104-108.



- Rice, Stian. "How Anti-immigration Policies Are Leading Prisons to Lease Convicts as Field Laborers." *Pacific Standard* 7 June 2019. <https://psmag.com/social-justice/anti-immigrant-policies-are-returning-prisoners-to-the-fields>.
- Roberts, Leonard H. "The Historic Roots of American Prison Reform: A Story of Progress and Failure." *Journal of Correctional Education* 36.3 (September 1985): 106-109.
- Rothman, David. *The Discovery of the Asylum: Social Order and Disorder in the New Republic*. Boston: Little Brown, 1990.
- Tambling, Jeremy. *Dickens, Violence and the Modern State: Dreams of the Scaffold*. Houndsmills: Macmillan, 1995.
- Weir, Kirsten. "Alone in 'the Hole': Psychologists Probe the Mental Health Effects of Solitary Confinement." *American Psychological Association* 43.5 (May 2012). <https://www.apa.org/monitor/2012/05/solitary>.
- Wilson, David. "Testing a Civilisation: Charles Dickens on the American Penitentiary System." *Howard: Journal of Criminal Justice* 48.3 (2009): 280-296.