

# The Techniques of Justice



George Orwell once imagined “a remarkable anthology” consisting entirely “of pieces of writing describing executions.” He supposed, “There must be hundreds of them scattered through literature.” Without looking into the question, he could immediately cite examples from Zola, Thackeray, *A Tale of Two Cities*, “a letter or diary of Byron’s,” Arnold Bennett’s *Old Wives Tales*, a Jack London short story, “Plato’s account of the death of Socrates,” and “a great number of specimens in verse, for instance the old hanging ballads.”<sup>1</sup>

Naturally Orwell would himself supply a worthy contribution to such a collection, with his autobiographical essay, “A Hanging.” That short piece recounts an execution in Burma, for which Orwell was present as part of his job in the police. The largest portion of the essay concerns the walk from the cells to the gallows, with the condemned man surrounded by guards. The fatal event is itself described but briefly and without drama. Then, a closing scene portrays the uncomfortable moments after the execution, the guards and police standing around, talking and drinking, clearly unsettled but trying not to act it. “Several people laughed,” he remembered, “– at what, nobody seemed certain.”<sup>2</sup>

Recalling the incident later, Orwell remarked, “There was no question that everybody concerned knew this to be a dreadful, unnatural action.” This sentiment, he assumes, must be common among any who witness an execution, and its effect is apparent in the literature. “The thing that I think very striking is that no one, or no one I can remember, ever writes of an execution *with approval*. The dominant note is always horror.”<sup>3</sup> The exceptions—for example, the “newspapers ... smacking their chops over the bumping-off of wretched quislings” after the

war—are almost certainly produced by people who “had not had to watch the actual deed.”<sup>4</sup>

Albert Camus made much the same point in his essay “Reflections on the Guillotine”: “The man who enjoys his coffee while reading that justice has been done would spit it out at the least detail.”<sup>5</sup> Camus begins his essay by recalling the time that his father attended a public execution. It was the execution of a field hand who had “slaughtered a family of farmers” in Algiers, “including the children.” The elder Camus “was especially aroused by the murder of children,” and “thought that decapitation was too mild a punishment for such a monster.” And yet, to witness the actual event disturbed him greatly. “What he saw that morning he never told anyone. My mother related merely that he came rushing home, his face distorted, refused to talk, lay down for a moment on the bed, and suddenly began to vomit.”<sup>6</sup>

Camus and Orwell both understood that the justification for state violence depends on a sort of abstraction, of describing it in such a way as to not convey too specific an image of the actual event. In his essay “Politics and the English Language,” Orwell argued,

In our time, political speech and writing are largely the defense of the indefensible. ... Thus political language has to consist largely of euphemism, question-begging, and sheer cloudy vagueness. Defenseless villages are bombarded from the air, the inhabitants driven out into the countryside, the cattle machine-gunned, the huts set on fire with incendiary bullets: This is called *pacification*. Millions of peasants are robbed of their farms and sent trudging along the roads with no more than they can carry: This is called *transfer of population* or *rectification of frontiers*. People are imprisoned for years without trial, or shot in the back of the neck or sent to die of scurvy in Arctic lumber camps: This is called *elimination of*

*unreliable elements*. Such phraseology is needed if one wants to name things without calling up mental pictures of them.<sup>7</sup>

Camus likewise thought that “officials and journalists ... have made up a sort of ritual language, reduced to stereotyped phrases. Hence we read at breakfast time in a corner of the newspaper that the condemned ‘has paid his debt to society’ or that he has ‘atoned’ or that ‘at five a.m. justice was done.’”<sup>8</sup>

Orwell knew from close observation the awful reality that such phrases covered over, and his experience in the Imperial Police left him with “an indescribable loathing of the whole machinery of so-called justice.”<sup>9</sup> It is the details, he saw, that mattered, and the force of “A Hanging” depends exactly on such details, even very minor ones. He tells, for instance, of the prisoner stepping around a puddle, a fact that pressed home “what it means to destroy a healthy, conscious man”: “this man was not dying, he was alive just as we were alive”—yet in a few minutes’ time, he would no longer be.<sup>10</sup> It is the details that allow us to see the incident as it is—at scale, so to speak. They reduce its dramatic effect and show it, neither as a great tragedy nor as an exemplary act of justice, but as a senseless piece of cruelty, banal and absurd.

Camus uses a similar technique in “The Guest.” In that story, a teacher in a remote Algerian village is pressed into service transporting a prisoner, an Arab, to a nearby town where he is to be tried for murder. Only a couple of lines describe his crime, and literally one word—*prison*—stands for his punishment. Instead of the gruesome murder, the police investigation, or the trial, the story is concerned with the small, involuntary intimacies that the two men share during their brief time together—the eating, sleeping, pissing, and the walking.<sup>11</sup>

In "The Guest," as in "A Hanging," the protagonist is haunted by a feeling of complicity with the machinery of punishment, and in the background of each story there looms the context of colonialism. Reflecting on his time in the police, Orwell later commented on the impossibility of justice when the authority responsible for administering it is not considered legitimate: "The thief whom we put in prison did not think of himself as a criminal justly punished, he thought of himself as the victim of a foreign conqueror. The thing that was done to him was merely a wanton meaningless cruelty."<sup>12</sup>

In "The Guest," there are rumors of a planned revolt among the Arabs, and the danger that the suspect's kinsmen will try to free him. At the end, the teacher refuses to hand over the prisoner. He walks him to a kind of crossroads and offers him a choice: One path leads to the village, and prison; the other leads to a tribe of nomads who will hide him—freedom, but at the price of exile. The Arab walks away, toward the town, to accept his punishment. The teacher returns home to find a threat: "You handed over our brother. You will pay for this."<sup>13</sup> It is a perfect absurdist parable. One man, given the choice between prison and exile, chooses prison. The other finds himself conscripted over his objections, complicit despite his intentions, and condemned without regard to his actions; the defining moment of choice ultimately makes no difference.

The moral outlook is almost Christian. We are all equally guilty. We share in the crime of the murderer, and we share in the crime of the society that punishes him.<sup>14</sup> We can accept responsibly, as the murderer does when he chooses the path of judgment; or we can refuse it, as the schoolmaster does when he leaves the prisoner at the crossroads. But in either case, we are equally condemned.

Camus undoubtedly viewed this tale as a portrait of the human condition. But it can also be read as a critique of colonialism as a system destructive of human freedom and

corrupting to all it touches. Orwell, as well, wrote about the difficulty of escaping the logic of colonialism once one has become enmeshed in it. Another essay reflecting on his time in the Imperial Police, "Shooting an Elephant," recalls an incident when, as a young officer, he was dispatched to respond to an elephant that had gone rogue and killed a villager. By the time Orwell finds the beast, it had calmed, but nevertheless a crowd had gathered, and feeling the pressure of their attention—"two thousand wills pressing me forward, irresistibly"<sup>15</sup>—Orwell decides at last that he has no choice but to shoot the animal. Likewise, at the end of his novel *Burmese Days*, the protagonist John Flory, a white timber merchant in Burma, realizes that he is—psychologically speaking—alone and lost in a strange and hostile land; he is an alien to the Burmese, he has been disgraced in the eyes of the Europeans, and he has failed his only real friend, an Indian doctor. He depends on the colonial system, which he despises, for everything. It has made him what he is, and he hates what he has become. In the end, his only escape is through suicide.<sup>16</sup>

Each of these pieces of writing is, in its way, a kind of protest. In terms of theme, Orwell's "Hanging" and Camus' "Guillotine" are explicitly critical of capital punishment; implicitly, they attack colonialism, as do *Burmese Days*, "The Guest," and "Shooting an Elephant." Underlying them all is an aesthetic concern with clarity and specificity, which turns out to have both an ethical and a political import. By their form and by their technique, these stories and essays privilege concrete detail over abstraction and personal experience over ideology, and so they also offer a defense of the individual—of individual judgment and individual dignity—as against the impersonal systems of power that constrain us and corrupt us.

Notes

1. George Orwell, "As I Please (3 November 1944)," in Sonia Orwell and Ian Angus, eds., *The Collected Essays, Journalism and Letters of George Orwell, volume 3: As I Please, 1943 – 1945* (Harcourt Brace Jovanovich, 1968), 267.
2. George Orwell, "A Hanging," in Sonia Orwell and Ian Angus, eds., *The Collected Essays, Journalism and Letters of George Orwell, volume 1: An Age Like This, 1920 – 1940* (Harcourt Brace Jovanovich, 1968), 47.
3. George Orwell, "As I Please (3 November 1944)," 267.
4. George Orwell, "As I Please (3 November 1944)," 267-8.
5. Albert Camus, "Reflections on the Guillotine," in *Resistance, Rebellion, and Death*, trans. Justin O'Brien (Alfred A. Knopf, 1966), 187.
6. Albert Camus, "Reflections on the Guillotine," 175.
7. George Orwell, "Politics and the English Language," in Sonia Orwell and Ian Angus, eds., *The Collected Essays, Journalism and Letters of George Orwell, volume 4: In Front of Your Nose*, (Harcourt Brace Jovanovich, 1968), 136.
8. Albert Camus, "Reflections on the Guillotine," 176.
9. George Orwell, *The Road to Wigan Pier* (Harcourt, Inc., 1958), 146.
10. George Orwell, "A Hanging," 45.
11. Albert Camus, "The Guest," in *Exile and the Kingdom*, trans. Justin O'Brien (Vintage International, 1991).
12. George Orwell, *Road to Wigan Pier*, 147.
13. Albert Camus, "The Guest," 109.
14. "The victim, to be sure, is innocent. But can the society that is supposed to represent the victim lay claim to

innocence? Is it not responsible, at least in part, for the crime it punishes so severely? ... Every society has the criminals it deserves." Albert Camus, "Reflections on the Guillotine," 206.

15. George Orwell, "Shooting an Elephant," in *The Collected Essays, Journalism and Letters of George Orwell, volume 1: An Age Like This, 1920 – 1940*, 239.

16. George Orwell, *Burmese Days*, in *Burmese Days, Keep the Aspidistra Flying, Coming Up for Air* (Alfred A. Knopf, 2011).