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## Abstract

This thesis argues that Coleridge's interest in legal issues represents a significant aspect of his early writing between the years 1794 and 1797. It seeks both to examine evidence within this writing of Coleridge's response to his contemporary legal context and to draw wider conclusions about his developing understanding of the law. Fulfilling these aims involves thought about Coleridge's response to legal trials and legislative acts. In discussing trials, the thesis explores Coleridge's experience of specific court cases to show how he echoes and reflects upon their processes. Such reflection is particularly evident in his drama, and it is for this reason that the thesis begins and ends with dramatic works. In discussing acts, the thesis analyses Coleridge's criticisms of individual legislative measures, doing so in order to draw out broader points about his conception of law and the function it ought to serve. The thesis maintains a double perspective: for Coleridge, law derives from humanity's innate capacity to perceive moral truth, yet it is enmeshed in complex linguistic problems, deriving from the gap between general principles and individual cases. For Coleridge, law is involved in a difficult struggle to articulate the directives of conscience: its purpose is to formulate an often implicit understanding of what constitutes wrongdoing into principles which may be expressed in language, and applied in a courtroom. To investigate these issues, the thesis will focus upon four crucial works of the period in question, two plays and two works in prose: *The Fall of Robespierre*, *Conciones ad Populum*, *The Plot Discovered*, and *Osorio*. The intention is to engage in detail with these works in the endeavour to illuminate a comparatively neglected and significant aspect of Coleridge's early thought and writing, an aspect of importance for his subsequent development.

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Trials and Acts:  
Coleridge's Legal Reflections, 1794-1797

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## Abbreviations

The majority of references to Coleridge's writings have been taken from volumes in *The Collected Works of Samuel Taylor Coleridge* (Bollingen Series; 75). These volumes (relevant numbers are supplied) have been abbreviated in line with the abbreviations used by Frederick Burwick in *The Oxford Handbook of Samuel Taylor Coleridge* (Oxford: Oxford University Press, 2009).

*Friend*        *The Friend*, vol. 4 (2-vol. set), ed. Barbara E. Rooke (London: Routledge and Kegan Paul, 1969).

*Lects 1795*    *Lectures 1795: On Politics and Religion*, vol. 1, ed. Lewis Patton and Peter Mann (London: Routledge and Kegan Paul, 1970).

*PW*            *Poetical Works*, vol. 16 (6-vol. set), *Part I, Poems (Reading Text)*, ed. J. C. C. Mays (Princeton: Princeton University Press, 2001); *Part II, Poems (Variorum Text)*, ed. J. C. C. Mays (Princeton: Princeton University Press, 2001); *Part III, Plays*, ed. J. C. C. Mays and J. Crick (Princeton: Princeton University Press, 2001).

Coleridge's letters are abbreviated as

*CL*            *Collected Letters*, 6 vols. ed. Earl Leslie Griggs (Oxford: Clarendon Press, 1951-71).

### Note on Citations

Citations have been made according to the *MLA Handbook* (Sixth Edition). Where the titles of essays and articles are given, however, single inverted commas have been used in place of double inverted commas. Similarly, italics have been used for the titles of books and journals, in place of underlining. As stipulated by MLA guidelines, 'ibid.' has not been used for consecutive citations of the same source, 'University Press' has been abbreviated to 'UP,' and the words 'Press' and 'Publishers' have been removed from all other citations. Similarly, in accordance with the *MLA Handbook*, volume and issue numbers have not been given for newspapers and periodicals.

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## Introduction

Much on my early youth I love to dwell,  
Ere yet I bade that guardian dome farewell,  
Where first beneath the echoing cloisters pale,  
I heard of guilt and wondered at the tale!

*To a Young Lady, With a Poem on the French Revolution.*<sup>1</sup>

We turn with pleasure to the contemplation of that small but glorious band, whom we may truly distinguish by the name of thinking and disinterested Patriots. These are the men who have encouraged the sympathetic passions till they have become irresistible habits, and made their duty a necessary part of their self interest [...]. The unhappy children of vice and folly, whose tempers are adverse to their own happiness as well as to the happiness of others, will at times awaken a natural pang; but he [*sic.*]<sup>2</sup> looks forward with gladdened heart to that glorious period when Justice shall have established the universal fraternity of Love.

*Conciones ad Populum.*<sup>3</sup>

### I.

Coleridge's interest in criminal trials, and his understanding of the concept of law more generally, lies beneath much of his writing of the 1790s. By exploring the way these ideas are treated in the works he produced between 1794 and 1797, this thesis investigates the complex nature of his early meditations upon law and legal process. Its analysis focuses specifically on the notion of law in a chiefly legal sense: though Coleridge was certainly alive to the many applications of the term, such aspects will

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<sup>1</sup> *PW*, I, part 1: 136.

<sup>2</sup> In describing the band of 'disinterested Patriots,' Coleridge moves here from the third person plural to the third person singular without explanation.

<sup>3</sup> *Lects 1795*: 40.

only be discussed where they are relevant to his reflections upon law in a legislative sense. Starting with his first published work, *The Fall of Robespierre*, the thesis will approach these reflections not as the static elucidation of a fully formed opinion, but rather as a gradual development of ideas and concerns. Such a response, it will be argued, is necessary in dealing with the work of a young man still not wholly certain of his views on the subject: Coleridge frequently uses his writing as a space in which to contemplate and weigh up his encounters with trials and the law.

Despite elements of uncertainty in his views, however, certain underlying principles and ingrained beliefs will be shown to exert a shaping influence over Coleridge's early contemplations of the law. Foremost among these is a conviction that individuals are capable of perceiving and comprehending moral truth, even if they are not able adequately to express this perception in language. Though never explicitly professed in his writing of the 1790s, this view profoundly affects the development of his understanding of law, which, it will be demonstrated, he believed ought to be rooted in these inward perceptions of moral truth. Throughout the works discussed in this thesis, Coleridge reveals an inherent discomfort with the notion that law is simply a rigidly codified system of dictates, to be strictly and uncompromisingly implemented in the courtroom. Much of his criticism of particular instances of legislative action hangs upon this discomfort: acts and statutes cannot always, he pervasively underscores, adequately convey individuals' apprehension of wrongdoing. As he writes in *The Friend* several years later, discussing perceptions of the criminality of libel cases, 'the eye of the understanding, indeed, sees the determinate difference in each individual case, but language is most often inadequate to express what the eye perceives, much less can a

general statute anticipate and pre-define it.’<sup>4</sup> In other words, individuals have an innate sense of what constitutes morally wrong behaviour, but this sense cannot necessarily be articulated accurately in simplistic axioms or codified legislation. This fundamental conviction will be shown to guide all of Coleridge’s contemplation on the subject of law, and ultimately to lead him to the more defined arguments he gradually begins to propound.

The principal aim of this thesis is to chart this underlying conviction, and to display how it affects not only Coleridge’s criticism of specific legislation, but also its influence upon the ideal model of law promoted in his writing. It will be contended that this model is in essence predicated upon the belief that law, in its ideal state, must reflect the innate perceptions of moral truth (a term which Coleridge defines as ‘all that we in our consciences believe to be true’) that all individuals are capable of discerning.<sup>5</sup> Though he acknowledges that law articulated in the physical world can never wholly cohere with humanity’s internal and God-given comprehension of moral truth, this thesis will argue that as he begins to learn more about the English legal system, he finds particular institutions to be more conducive to just verdicts (that is to say verdicts more representative of the inward understanding of moral truth) than the ‘general statute[s]’ he explicitly criticises.<sup>6</sup> Foremost amongst these institutions, as will be discussed in detail in Chapter Two, is common law. Rather than enforcing acts and statutes, judges in courtrooms operating under common law make decisions based upon an accumulated weight of past legal decisions and precedents set in former cases. For Coleridge this act

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<sup>4</sup> *Friend*, I: 78.

<sup>5</sup> *Lects 1795*: 304.

<sup>6</sup> *Lects 1795*: 304.

of collective moral assessment, of communal decision-making through time, is able to articulate the nature of innocence and guilt much more accurately than a single legislator, or government. By discussing Coleridge's analysis of such institutions, the thesis seeks ultimately to display that this act of articulation, this attempt outwardly to express as faithfully as possible the conscience's apprehension of what constitutes wrongdoing and guilt, occupies Coleridge's mind throughout the 1790s. Its ramifications for his understanding of the law, and his response to the legislative actions of the government not just in Britain but also over the channel, will thus serve as the primary focus of this thesis.

## II.

From the outset of his literary career, Coleridge reveals a fascination with the ineffable quality of guilt. His writings evidence a ubiquitous preoccupation with the discrepancy between the inward experience of guilt, and the manner in which this experience is outwardly defined and expressed. It is a preoccupation most powerfully manifested in the moments of self-reproach and self-condemnation which litter his verse; in the words of Richard Holmes, Coleridge's poems frequently represent 'a ghastly outpouring of suppressed guilts and fears, the black stirred-up sediment of the unconscious mind erupting in the thin hours before dawn.'<sup>1</sup> These eruptions, as Holmes intimates, are characterised by their unsettling obscurity: they are not wholly visible to the poet, not vulnerable to clinical dissection or accurate articulation. They possess an indeterminacy which is often expressed in the language of number, or rather of countlessness. In 'The Pains of Sleep' Coleridge's feelings of guilt (occasioned in part by an awareness of his brother George's disapproval of his opium dependency) are massed into

A lurid light, a trampling throng  
Sense of intolerable wrong,<sup>2</sup>

whilst in a letter to his brother penned a few years earlier he declares that 'my soul sickens at it's [*sic.*] own guilt—A thousand Reflections crowd in my Mind—they are almost too much for me.'<sup>3</sup> Rather than morphing into insubstantiality or spectrality, a state with which Coleridge is certainly poetically comfortable, these inexpressible

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<sup>1</sup> Richard Holmes, *Coleridge: Early Visions* (London: HarperCollins, 1998) 354-5.

<sup>2</sup> *PW*, I, part 2: 754.

<sup>3</sup> Letter to George Coleridge, March 23, 1794. *CL*, I: 74.

sensations of guilt multiply into hoards so large that the mind cannot comprehend them, and is trampled by them. They are consistently shown to be unable to make the transition from dusk and the dark recesses of Coleridge's mind, into dawn and the light of communication. It is Coleridge's interest in this difficult transition, an interest which finds itself pursued in many forms and from many perspectives, which makes up the central thematic arc of this thesis.

The thesis will not, however, concern itself with the origins and nature of Coleridge's personal feelings of guilt. Where William A. Ulmer and J. Robert Barth have analysed Coleridge's writing's 'existentially irreducible state of guilt' through the lens of Christian doctrine, examining it in terms of his attitude to Original Sin, for instance, the argument presented here examines the issue at a slight remove.<sup>4</sup> Rather than investigating Coleridge's understanding of guilt itself as an inward state, focus will instead be placed upon the way in which Coleridge attempts outwardly to express it, and, more importantly, upon how he formulates and describes the nature and process of such attempts. In so doing, the thesis seeks to present a new perspective on his work, and it is to this end that the legal context of Coleridge's writing has been selected as the primary subject matter of the piece. Specific trials and pieces of legislation from both England and France will be analysed, with the aim of elucidating a detailed view of Coleridge's response to this context.

Trials are, by definition, concerned with the process of assessing and delineating guilt. Their purpose is to formulate it into a defined and actionable verdict of culpability,

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<sup>4</sup> William A. Ulmer, 'Christabel and the Origin of Evil,' *Samuel Taylor Coleridge* ed. Harold Bloom (New York: Infobase, 2010) 175; J. Robert Barth, *Coleridge and Christian Doctrine* (New York: Fordham University Press, 1987) 197

accompanied by a sentence the harshness of which stands as an indicator of the severity of the crime. They are, as such, procedures designed to evaluate and measure the guilt of the accused: to quantify this guilt in order to express it publicly. Over the course of the eighteenth century, however, the manner in which this process was perceived and conducted was subject to much change. In the early part of the century, the roles and responsibilities assumed by the various participants of trials were not fixed and systematised, but would instead cross over and intermingle. Juries, for example, would comment directly upon the events of the trial, and were furthermore known to have intervened in the questioning of defendants and witnesses.<sup>5</sup> However, as David Lemmings points out in *Law and Government in England During the Long Eighteenth Century*, this practice became increasingly restricted, with the jury being ‘largely silenced as an active voice by the professionalisation of the criminal trial, beginning in the mid-eighteenth century.’<sup>6</sup> Members of the jury became required to take a more passive and disinterested stance in proceedings, and were encouraged to declare any private knowledge they may have possessed which could potentially influence their verdict.<sup>7</sup> Lemmings’s description of the ‘professionalisation’ of the courtroom is echoed more straightforwardly in Simon Devereaux’s term for the same process: ‘lawyerisation.’<sup>8</sup> Lawyers took on defined roles within the spaces of court, taking over much of the responsibility for the analysis of evidence for the prosecution and the defence. Consequently, trials themselves gradually focused more upon the intricacies of

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<sup>5</sup> Stephen Bibas, *The Machinery of Criminal Justice* (Oxford: Oxford UP, 2012) 5.

<sup>6</sup> David Lemmings, *Law and Government in England During the Long Eighteenth Century: From Consent to Command* (Basingstoke: Palgrave Macmillan, 2011) 124.

<sup>7</sup> Lemmings, *Law and Government* 124.

<sup>8</sup> Simon Devereaux, ‘Arts of Public Performance: Barristers and Actors in Georgian England,’ *Crime, Courtrooms and the Public Sphere in Britain, 1700 - 1850*, ed. David Lemmings (Oxford: Routledge, 2016) 108.

constructing legal cases, and upon the weighing of arguments and evidence.

‘Increasingly,’ Andrea McKenzie writes, ‘the issue of how to weigh character against other evidence, and to weigh the credibility of testimony more generally, assume[d] greater importance.’<sup>9</sup> Scrupulousness and equitability, in this way, gained greater currency in English courtrooms during the eighteenth century (though this was still to undergo a significant amount of refinement in the Victorian period).<sup>10</sup> It is in relation to this context that Coleridge’s attitude to law and legal process in the 1790s must be understood. This thesis seeks to expose the fact that, like his contemporaries, Coleridge thought much about how to judge crime, and about how guilt might be accurately measured and articulated in the courtroom.

It is in this context that Coleridge’s attitude to the law itself will be discussed. If trials measure culpability, then it is law which provides the ultimate framework within which they do so, defining the terms under which guilt may be pronounced. Though this thesis will not, for the most part, specifically investigate Coleridge’s morality or his conception of what exactly constitutes a criminal act, it will examine the direct criticisms of individual laws evident within the work he produced in the decade. These criticisms, it will be argued, are always ultimately rooted in a perception that the changes they introduce will obscure and confuse the process of assessing and expressing guilt in court. Foremost amongst Coleridge’s concerns in this regard is the tendency for powerful oppressive regimes to corrupt this process of correctly discovering guilt, and translating it into just and communicable rulings. Jurgen Schlaeger, in his essay ‘A

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<sup>9</sup> Andrea McKenzie, “‘Useful and Entertaining to the Generality of Readers:’ Selecting the Select Trials, 1718-1764,” *Crime, Courtrooms and the Public Sphere in Britain, 1700 - 1850*, ed. David Lemmings (Oxford: Routledge, 2016) 60.

<sup>10</sup> Christopher Allen, *The Law of Evidence in Victorian England* (Cambridge: Cambridge UP, 1997) 1.



Reckoning without the Host: Public and Private Spheres in the Eighteenth Century,’ argues that the eighteenth century is characterised by a ‘growing willingness of the authorities to use the law in order to suppress, regulate and control the dark undercurrent in human thoughts and emotions.’<sup>11</sup> Law and litigation, as Schlaeger suggests, were increasingly interfered with by governments to further their own objectives, a fact that is certainly borne out in the anxieties that Coleridge communicates. In his writings of the 1790s, two rulers, each possessing seemingly opposing principles (though in reality, to Coleridge’s mind, they exhibited considerable similarities in the comparable means by which they pursued their ends), provided the poet with the principal focal points of his commentaries: these were Maximilien Robespierre and William Pitt the Younger.

Where in the former case Coleridge reveals an apprehension over the potential corruptions to legal process which result from the unfettered influence of one man’s moral vision, the latter represents a more direct criticism of self-interested and deliberate subversion. In both cases, however, the problem in essence lies in Coleridge’s perception of the two leaders’ exercise of arbitrary power. Responsibility for legislation, he intimates, cannot rest solely in the hands of a single individual, or a small number of individuals, and at the same time remain fair and just in its definitions of criminality.

In *Arbitrary Power: Romanticism, Language, Politics*, William Keach approaches the topic from an explicitly linguistic standpoint. ‘I look for the convergence,’ he writes, ‘of pronouncements about language with representations of the political, and of both these with salient stylistic conventions, gestures, experiments.’<sup>12</sup>

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<sup>11</sup> Jurgen Schlaeger, ‘A Reckoning without the Host: Public and Private Spheres in the Eighteenth Century,’ *Sites of Discourse, Public and Private Spheres, Legal Culture*, ed. Uwe Böker and Julie A. Hibbard (Amsterdam: Rodopi, 2002) 31.

<sup>12</sup> William Keach, *Arbitrary Power: Romanticism, Language, Politics* (Princeton: Princeton UP, 2004) x.

The crux of Keach's lines of argument within the book rests with the twofold application of the term 'arbitrary.' When used to describe the behaviour of a ruler, the word carried, in the eighteenth century as today, strong connotations of despotism and the unlicensed assumption of power. Keach cites the example of the Declaration of Independence of the United States, in which George III is accused of 'abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rules into these Colonies.'<sup>13</sup> However, as *Arbitrary Power* comprehensively sets out, the same term had simultaneously come to be used (from as early as the end of the seventeenth century) to describe the distance between words and the ideas for which they stand. We may cite here the example of Locke, whose *Essay Concerning Human Understanding* asserts that 'names are but the arbitrary marks of conception,' using the term to signify the notion that words are not inherently bound to the meaning ascribed to them.<sup>14</sup> For Keach, the issue in both cases is ultimately one of representation: arbitrary language suggests an improper or disconnected representation of ideas, whilst arbitrary power suggests a presumed authority, one which fails to represent the wishes of those it governs.<sup>15</sup> Though not discussed in detail within *Arbitrary Power*, the concept of law forms a crossroads between these parallel implications of arbitrariness. Given Schlaeger's assertion, quoted above, that tyranny in the eighteenth century was increasingly exerted through legal (and thus linguistic) channels, Keach's argument may fruitfully be connected with

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<sup>13</sup> Quoted as given in Keach, *Arbitrary Power* 1.

<sup>14</sup> John Locke, *An Essay Concerning Human Understanding* (London: T. Tegg, 1825) 5.

<sup>15</sup> Keach, *Arbitrary Power* 20.

Coleridge's concern over the corruptive influence of Robespierre and Pitt upon the accurate articulation of guilt in the courtroom.<sup>16</sup>

For Coleridge, as this thesis seeks to demonstrate, the essential issue of representation (as described by Keach) lies at the centre of this concern. When explicitly condemning the actions of Pitt's government, Coleridge's criticisms always point towards the distancing of lawmaking and law enforcement from the population over which those laws possess jurisdiction. This distance, this arbitrary remove, inherently corrupts the legal definitions of guilt and crime, regardless of whether the ruler be benevolent or machiavellian. Coleridge may be shown to contend that an individual leader cannot consistently correctly interpret and express their inward perception of moral truth, irrespective of whether this was their intention. In order to come as close as possible to an accurate expression of humanity's inward and divinely bestowed understanding of moral truth, law must be written and applied in a manner that does not draw solely upon a single individual's interpretation of this inward understanding.

As will be laid out below, Coleridge's writing of the 1790s describes the manner in which this representation may be orchestrated and preserved in a number of different ways, ranging from general poetic and philosophical remarks on the idea of law, to specific and researched reflections upon the legislative process. In the second of the two opening quotations of this introduction, taken from the 1795 prose work *Conciones ad Populum*, Coleridge makes his broad position particularly plain. In outlining his conception of how individuals within a society ought ideally to behave, Coleridge presents here an image of a kind of communal intuition of justice and moral truth.

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<sup>16</sup> Schlaeger, 'A Reckoning without the Host' 31.

Rather than simply obeying a narrow conception of their own self interest, behaviour of which Coleridge so often accuses Pitt, they have instead collectively ‘encouraged the sympathetic passions,’ and become ‘thinking and disinterested patriots.’<sup>17</sup> For Coleridge this process of cultivating the ability to think morally, to act disinterestedly according to the sympathetic passions, is necessarily bound up with religion. As will be discussed in detail in Chapter Two, Coleridge stresses, most especially in *Conciones ad Populum*, that the spread of religious belief will help to produce the conditions for this communal intuition of moral truth, and thus for a more just legal system. This thesis aims to set forth the exact details and implications of the way Coleridge perceives the nature of this task, and how his perception of it affects his commentaries upon his contemporary legal context.

The development of the thesis traces the crystallisation of this idea, this image of legal process as a ‘disinterested’ collective articulation of moral feeling, in Coleridge’s mind. Treating a selection of his works largely in chronological order, the project will begin with his first play, *The Fall of Robespierre*, in 1794, and end with his second, *Osorio*, in 1797. Though the period chosen is relatively brief, it is possible to discern within it a significant development in Coleridge’s attitude to his legal context. Where *The Fall*, written whilst he was still a student, displays a fundamentally undecided stance with respect to law and legal process, *Conciones ad Populum* and *The Plot Discovered*, written once Coleridge had moved to Bristol and begun to lecture, show evidence of more firmly held opinions on the subject. It is at this time that his position regarding the communal intuition of moral truth becomes articulated more clearly, and

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<sup>17</sup> *Lects 1795*: 40.

employed as part of his criticisms of the actions of the government. He overtly aims, it will be argued, to persuade his audiences, both physical and literary, of the truth of his vision, and to encourage them to join ‘that small but glorious band, whom we may truly distinguish by the name of thinking and disinterested Patriots.’<sup>18</sup> Upon his return to drama in *Osorio*, however, Coleridge’s desire to evangelise his ideals perceptibly wanes, producing a shift in tone the cause of which will be analysed in Chapter Three. This is not to say, however, that Coleridge retracts the position he had earlier so openly espoused, but rather that it begins to be communicated in a more subtle and understated manner. *Osorio* is not an explicitly legal play, yet, once it is viewed as the culmination of the conceptual trajectory outlined here, it becomes patently clear that the work represents a very direct response to Coleridge’s legal context. By choosing so narrow and chronological a focus, primarily centred upon four individual works, the thesis is free to go into a greater degree of detail, in order effectively to posit this conceptualisation of the development of Coleridge’s attitude to law and legal process.

As the description of this approach to the development of Coleridge’s writing may imply, the argument presented here will view each individual work as, to a significant degree, a product of its contemporary legal context: as Coleridge gains more experience, and begins to consider the subject in greater detail and from different perspectives, the way in which he expresses his underlying convictions naturally changes and evolves. In treating these four key early works, along with other relevant contemporary writing, as stages in the development of Coleridge’s attitude towards (and, indeed, understanding of) law, this thesis owes a debt to the critical work of

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<sup>18</sup> *Lects* 1795: 40.

Pamela Edwards. Her book *The Statesman's Science: History, Nature and Law in the Political Thought of Samuel Taylor Coleridge*, one of the closest critical inspections of Coleridge's relationship to his legal context, examines the poet's changing perspectives upon, primarily, the function of the state.<sup>19</sup> The parameters of Edwards' survey are broad, starting at the close of 1795 with Coleridge's early prose, and continuing through to works written towards the end of the poet's life, particularly the 1829 work *On the Constitution of the Church and State*. The central thrust of her argument gestures repeatedly towards the poet's underlying preference for a legal system characterised by 'a system of checks and balances moderated by gradual adjustments.'<sup>20</sup> This preference, she suggests, remains constant through his life: there is a 'continuity in Coleridge's principles,' though they are expressed in differing circumstances and in different modes.<sup>21</sup> By making this argument, Edwards deliberately (and explicitly) sets her argument outwith the model of Coleridge's development laid out by critics like E. P. Thompson, who traces his thought as a progression through three stages: Jacobin radicalism, apostasy, and Tory conservatism.<sup>22</sup> In so doing, Edwards opens up a complex and unexplored topic, to which she takes a measured and context-sensitive approach. The wide-ranging analysis conducted in *The Statesman's Science*, as such, necessarily leaves much room for further detailed investigation, providing the space in which this thesis operates.

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<sup>19</sup> Pamela Edwards, *The Statesman's Science: History, Nature, and Law in the Political Thought of Samuel Taylor Coleridge* (New York: Columbia UP, 2004).

<sup>20</sup> Edwards, *The Statesman's Science* 44.

<sup>21</sup> Edwards, *The Statesman's Science* 30-31, 173.

<sup>22</sup> Edwards, *The Statesman's Science* 14; E. P. Thompson, *The Making of the English Working Class* (London: Gollancz, 1961) 363.

Where Edwards' survey of Coleridge's attitude to the concept of the state is broad and extensive, the investigation presented in this thesis by contrast focuses on particular trends and developments within a much shorter time period, and in relation specifically to the creation and application of legislation. In approaching Coleridge's writing with so specific a focus, this thesis will possess some similarities with Barry Hough and Howard Davis's 2010 book *Coleridge's Laws: A Study of Coleridge in Malta*.<sup>23</sup> In this study, Hough and Davis investigate previously unexamined records of Coleridge's time on Malta in the service of the Civil Commissioner Alexander Ball, in order to shed light upon 'the "laws," the legal instruments (Bandi and Avvisi), that were drafted and promulgated by Coleridge in his official capacity.'<sup>24</sup> In so doing, Hough and Davis seek to explore Coleridge's understanding of the law, and to clarify details of his activities as legislator on the island. This specificity of focus upon Coleridge and the law provides a natural analogue to the enquiry within this thesis, and the links between these two periods in the poet's life will be discussed in greater detail in the conclusion. Unlike Hough and Davis, however, the analysis conducted here will not solely scrutinise texts and sources which deal directly with legal matter, and which feature prose expositions of Coleridge's precise sentiments on the subject. It will instead inspect the expression of those sentiments within a much wider range of forms of composition, with the aim of discerning the more deep-rooted beliefs and attitudes which govern Coleridge's individual interactions with and responses to law.

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<sup>23</sup> Barry Hough and Howard Davis, *Coleridge's Laws: A Study of Coleridge in Malta* (Cambridge: Open Book, 2010).

<sup>24</sup> Hough and Davis, *Coleridge's Laws* xiv.

Drama, for example, will be shown to have constituted for Coleridge an important arena in which thoughts about his legal context could be considered and played out. For this reason, the two plays he produced in the 1790s have been used as the bookends of this inquiry, with Chapter One setting up the initial considerations manifest in *The Fall of Robespierre*, and Chapter Three exposing the full extent to which Coleridge makes use of a perceived similarity between the spaces of the courtroom and of the playhouse. Consequently, along with detailed study of the influence of political prose writers, particularly Jean-Jacques Rousseau and James Burgh, this thesis will also examine Coleridge's reading of contemporary dramatists. It will display the influence of playwrights like Friedrich Schiller and Thomas Holcroft upon Coleridge's understanding of trials and legislation, and to effect the articulation of that understanding significantly. This new focus will help to bring out the intricacies of the theme of the project: drama is by definition a medium which concerns external communication and expression, making it a natural space for Coleridge to mull over issues regarding the outward definition and assessment of guilt. By addressing his writing in this manner, this thesis aims to provide a wholly fresh approach to Coleridge's work of the mid-1790s, not only through its emphasis upon subject matter which has hitherto been subject to little critical scrutiny, but also as a result of the lenses through which it tackles this subject matter.

Chapter One's analysis of *The Fall of Robespierre* is intended to establish evidence of Coleridge's early consideration of these issues. His earliest published work, the play does not provide a defined and carefully expounded position on legal process and the manner in which trials ought to be conducted. Rather, as will be argued in the



first section of the chapter, the approach to narrative and characterisation Coleridge takes within the piece is highly revealing when placed in its contemporary legal context. The central idea behind this section of the chapter lies in the observation that, only a few months after having witnessed his first trial, (the trial of William Frend at Cambridge) Coleridge wrote *The Fall*, his first play, about another trial: that which precipitated the downfall of Robespierre. Act One of the work (for which Coleridge is solely responsible, Southey having contributed most of Acts Two and Three) will be shown to be considerably influenced by the events of that trial, and, when investigated alongside contemporary newspaper coverage of it, to reveal much about Coleridge's attitude to the courtroom and the law.<sup>25</sup> It will ultimately be argued that *The Fall* sets a problematic divide between inward thought and outward expression, echoed in many places within the play in an underlying and unsettling incongruity between public and private identity.

The second section of Chapter One will take this underlying theme as the backdrop to its consideration of the influence of Rousseau's writing, especially his *Social Contract*, upon the play. These works were extensively read and discussed by the two authors of *The Fall* prior to their embarking upon the composition of the work, and this second section will primarily propose that their reading was to a large extent influenced by their consideration of these issues concerning the perception of public and private, inward perceived and outward presented, identity.<sup>26</sup> *The Fall*, as such, will be shown to represent a critique of Rousseauvian ideas, one rooted in an awareness of the problems that had been highlighted in Coleridge's mind by his witnessing of the trial of

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<sup>25</sup> Robert Southey, *Life and Correspondence of Robert Southey*, ed. C. C. Southey, vol. 1 (London: Longman, 1849) 217.

<sup>26</sup> Adam Sisman, *The Friendship: Wordsworth and Coleridge* (London: Harper, 2006) 70-1.

Frend. The uncovering of these issues, and the methods by which they are dissected within the play, will establish the central theme of the following chapters, namely the way in which legislation communicates inward moral judgement.

In scrutinising *The Fall* to this degree, particular thanks must be given to the online Romantic Circles edition of *The Fall*. The well-organised and thorough collection of expository notes and contemporary journalistic contexts has provided a valuable resource for analysis of this multi-faceted text, and has aided reference to print resources.<sup>27</sup> Similarly, the critical work of Chris Murray has also provided valuable insights into a play that has not received the level of critical attention its importance merits. Murray's 2013 book *Tragic Coleridge* is especially insightful in its evaluation of the play in terms of the way it employs the conventions of tragedy, contending that, in writing the work, 'Coleridge's purpose is not solely to provide an aesthetic experience of tragedy, but to influence the political opinions of his audience.'<sup>28</sup> In making this argument, Murray discusses the representation of Robespierre's empty rhetoric in the play, analysing the portrayal of 'the vacuity of [his] political tenets,' and drawing wider conclusions about Coleridge's politics from it.<sup>29</sup> Murray's investigation is an interesting one, and his textual criticism has served as a useful basis upon which to build contentions about the play's implications in a different sphere: the legal. Where Murray's descriptions of Robespierre's political vacuity, for example, are analysed in relation to 'Enlightenment tradition,' this thesis instead uses a similar standpoint (that is

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<sup>27</sup> Samuel Taylor Coleridge, 'The Fall of Robespierre,' *Romantic Circles*, ed. Daniel E. White, March 2008, University of Maryland, College Park, 21 September 2016. <<https://www.rc.umd.edu/editions/robespierre/>>.

<sup>28</sup> Chris Murray, *Tragic Coleridge* (Farnham: Ashgate, 2013) 51.

<sup>29</sup> Murray, *Tragic Coleridge* 54.

to say, an analysis of Robespierre's troublingly vacuous language) to deduce details about Coleridge's attitude to the trial of Frennd in particular, and to legislation and the courtroom in general.

Similarly useful have been the conclusions drawn by Nicholas Roe, most especially in *Wordsworth and Coleridge: the Radical Years*, about Coleridge's relationships and his attitudes as a young man. Roe's description of Coleridge's life at university, and his detailed account of the intersections between his life and Frennd's, have provided essential foundations for the judgements and inferences about these interactions that have been drawn here.<sup>30</sup> On the same note, Frida Knight's biography of Frennd, *University Rebel: The Life of William Frennd (1757 - 1841)*, has, in its assiduously researched account of the Jesus College fellow's activities in the 1790s, helped to frame the propositions formulated in this thesis.<sup>31</sup>

Chapter Two moves forward by a few months into 1795, and deals largely with Coleridge's thought and work in Bristol that year. Taking the underlying themes and concerns established in the previous chapter, this chapter will examine them in the light of the philosophy Coleridge was contemplating at the time. It will be argued that the conceptions of language and linguistic communication presented in the treatises of specific seventeenth and eighteenth century thinkers, particularly John Locke, William Godwin, and John Horne Tooke, strongly influenced Coleridge's response to contemporary legislative action. In making this claim, these sections will chiefly examine *Conciones ad Populum*, and the original texts of the lectures of which it was

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<sup>30</sup> Nicholas Roe, *Wordsworth and Coleridge: The Radical Years* (Oxford: Clarendon, 1988).

<sup>31</sup> Frida Knight, *University Rebel: The Life of William Frennd (1757 - 1841)* (London: Gollancz, 1971).

constituted (particularly *A Moral and Political Lecture*).<sup>32</sup> Using the Treason Trials as the primary contextual subject matter, Chapter Two will contend that these thinkers' philosophies of language had a significant impact upon Coleridge's response to both the processes of those trials, and the wider social and political context from which they sprung. Sections One and Two will focus primarily upon the theory of Associationism which runs through all three of these thinkers' work, and examine the ways in which Coleridge considers its applicability to the legal debate of the Treason Trials.

Ultimately, it will be contended, Coleridge turns away from the models of language systematised by Locke, Tooke, and Godwin, in favour of an alternative and somewhat idiosyncratic conception of how guilt, and moral truth more generally, may be articulated in a legal context. Section three will illustrate how Coleridge's developing ideas about communication in the courtroom, formed partially in opposition to thinkers like Godwin, were crucially influenced by the political texts he had temporarily borrowed from the Bristol City Library, most especially James Burgh's *Political Disquisitions*.<sup>33</sup> From these Coleridge gained a deeper understanding of specific legal institutions (most importantly common law), and this understanding will be shown to have provided the basis for the attitude to the law taken not only in his 1795 prose work *The Plot Discovered*, but in a significant amount of his work thereafter. Common law, and other ancient legal institutions, will be argued to have a great appeal for Coleridge, and much of his criticism of Pitt's government will consequently be displayed to be rooted in a consciousness of the threat of corruption to these institutions. This threat is

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<sup>32</sup> *Lects 1795*: 3-24.

<sup>33</sup> George Whalley, 'The Bristol Library Borrowings of Coleridge and Southey, 1793-8,' *Library* 4 (1949): 122; James Burgh, *Political Disquisitions* (London: E. and C. Dilly, 1774).

for Coleridge most clearly visible in the proposed legislation which he discussed in *The Plot Discovered*, and which would come to be known, when passed, as the Two Acts. These acts, Coleridge makes clear, fundamentally threaten specific elements of the English legal system, and pose a serious risk to the effective assessment of guilt. In considering the merits of these threatened legal practises, it will finally be proposed that Coleridge comes out of 1795 with a much more defined solution for the problems he had previously perceived. His prose works of 1795, as such, represent a carefully researched approach to the expression of guilt in court, and it is the purpose of Chapter Two to describe the origin and nature of this approach.

Pamela Edwards' discussion of *Conciones ad Populum* and *The Plot Discovered* in *The Statesman's Science*, as the only critical text to have viewed these works from an explicitly legal perspective, sheds practical light upon the positions Coleridge expresses within them. The central line of argument she takes, particularly with regard to *The Plot Discovered*, rests upon a basic rejection of what she terms the 'mimetic' thesis of Coleridge's authorial disposition.<sup>34</sup> Setting her argument against Crane Brinton, who suggests that Coleridge adapts the political views he expresses to the audiences for whom his works are intended, Edwards by contrast argues that they must in fact be seen as honest representations of his thought, regardless of how inconsistent and self-contradictory they may seem.<sup>35</sup> Though he 'did not speak with one voice and could not be successfully analysed by those who presumed he did,' Coleridge's writing, Edwards contends, reveals a significant underlying unity of message.<sup>36</sup> This basic postulation

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<sup>34</sup> Edwards, *The Statesman's Science* 12.

<sup>35</sup> Edwards, *The Statesman's Science* 67-91.

<sup>36</sup> Edwards, *The Statesman's Science* 12.

provides the groundwork for the claims made in Chapter Two of this thesis about, for instance, the favourable analysis of the monarchy, and of ancient legal institutions, presented in the 1795 prose. By taking Coleridge at his word, as Edwards convincingly argues we must, *Conciones ad Populum* and *The Plot Discovered* may be shown to fall emphatically into place within a wider conception of the development of Coleridge's attitude to his legal context.

Absolutely fundamental to the establishment of this developing response to context is the comprehensive and detailed study conducted by John Barrell in *Imagining the King's Death*.<sup>37</sup> For the predominant concern of this work's far-reaching scholarship Barrell takes a similar topic to that adopted by this chapter, namely the intersection between language and communication, and law and government. As Barrell himself puts it, he is interested in 'the notion that the political conflict of the period was to be regarded as a conflict, among other things, about the meanings of words.'<sup>38</sup> The examination of this conflict takes Barrell in a wide variety of directions, but is chiefly concentrated upon the Treason Trials of 1794, which make up the primary focus of his criticism. Barrell's analysis not only of the intricacies of the trials and of the debate conducted within them, but of the wider public reaction, provides essential footing for any critical inspection of these events. Furthermore, when investigating their literary context, *Imagining the King's Death* does in the epilogue touch upon Coleridge, and specifically upon his 1798 poem *Fire, Famine, and Slaughter*, drawing conclusions about the after-effects of the government's actions visible within this work.<sup>39</sup> However,

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<sup>37</sup> John Barrell, *Imagining the King's Death: Figurative Treason, Fantasies of Regicide* (Oxford: Oxford UP, 2000).

<sup>38</sup> Barrell, *Imagining the King's Death* 1.

<sup>39</sup> Barrell, *Imagining the King's Death* 643.

where Barrell uses Coleridge's poem as evidence in a wider study of cultural perceptions of the government in the period, Chapter Two by nature takes Coleridge as its principal subject. It seeks to build upon Barrell's investigation, and to employ some of his insights about law and language in the task of discerning the personal development Coleridge's own attitude to the subject.

Progressing through 1796 and into early 1797, Chapter Three considers the lingering effects of the Treason Trials and the Two Acts in Coleridge's later work. As discussed above, Coleridge's response to the threat they pose to just legal practice becomes markedly less explicit and outspoken. *Osorio*, the play which serves as this chapter's primary subject, is not a work overtly concerned with legal matters: unlike a large number of contemporary plays, it does not, for example, possess a trial scene at its denouement, or indeed much explicit discussion of law.<sup>40</sup> Nevertheless, this chapter will propose that *Osorio* is a play fundamentally concerned with its legal context. It will be argued that both in its dialogue and its utilisation of stagecraft, the play reveals unmistakable signs of the lingering impact upon Coleridge of the Treason Trials and Two Acts. The first section examines the work's questioning of the relationship between intention and action (a matter at the forefront of legal debate in the Treason Trials), arguing that the treatment of this theme within the work represents Coleridge continuing to consider the issues those trials had thrown up. The second section examines the way in which dramatic convention, and the writings of particular dramatists, affected Coleridge's treatment of this theme, encouraging him to examine his legal context from an alternative perspective, and to express his opinions using different techniques.

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<sup>40</sup> Judith Pascoe, *Romantic Theatricality: Gender, Poetry, and Spectatorship* (Ithaca: Cornell UP, 1997) 64.

Beneath these new angles and techniques, however, Coleridge's underlying understanding of the basis upon which law and legal process rests will, in the third section, be displayed to be unchanged. Fraternity and collective emotional intuition of moral truth, the values which he had upheld so candidly in prose works like *Conciones ad Populum*, will ultimately be revealed to run deeply through *Osorio* as well. It is a play which fundamentally criticises the blinkering effect of self-interest, and the corruptive influence it wreaks upon his understanding of the correct application of law.

This chapter will not, however, be alone in asserting that *Osorio* is a play which at its core responds to wider political issues. Julie Carlson, in her 1994 book *In the Theatre of Romanticism*, spends much time approaching Coleridge's dramatic work as products of their immediate context. 'It is no exaggeration,' she writes, 'to claim that all of Coleridge's plays were prompted by contemporary political events and that they frame their anatomies within discussions of national reform.'<sup>41</sup> Carlson's argument is framed principally within the context of the French Revolution. Dealing with, for example, the representation of action in *Osorio* (a topic here dealt with in the first section of Chapter Three), she argues that Coleridge's 'antitheatricalism,' as she calls it, his persistent refusal to display physical conflict, is a symptom of Coleridge's growing distaste for French revolutionary violence.<sup>42</sup> Whilst not disagreeing with Carlson's assessment, Chapter Three will contend that there is a more immediate context for such features of Coleridge's writing in the play, one rooted in the legislative actions of the government on the other side of the channel. Nonetheless, Carlson's literary analysis,

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<sup>41</sup> Julie A. Carlson, *In the Theatre of Romanticism: Coleridge, Nationalism, Women* (Cambridge: Cambridge UP, 1994) 99.

<sup>42</sup> Carlson, *In the Theatre of Romanticism* 108.



and her careful perceptions of the broader connotations of Coleridge's writing have helped to define the structure of this chapter.

In the same vein, Reeve Parker's critical assessments of Coleridge's dramas, most especially in his monograph *Romantic Tragedies*, also inspects the 'antitheatricality,' to appropriate Carlson's term, of *Osorio*. For Parker, however, this antitheatricality is as much a comment upon the French Revolution as it is upon the contemporary stage. *Osorio*, he claims, 'is a cannily constructed appropriation and extension of the promiscuously circulating fashions in Gothic fiction and in contemporary staging of spectacular tableaux, or "situations."' <sup>43</sup> Parker goes on to analyse the play as a reaction to, and a comment upon, contemporary Gothic tragedies, such as Matthew Lewis's *The Castle Spectre*. His dissection of this relationship cuts out a path for many of the arguments about *Osorio* that will be made in this chapter, particularly in the second section. Where Parker's argument looks at the play purely as a commentary on genre and the contemporary stage, however, Chapter Three will suggest that this commentary reflects an engagement with wider political, and specifically legal, issues. In responding to contemporary works by, for example, Thomas Holcroft, which deal explicitly with the legislative actions of Pitt's governments, Coleridge's response to contemporary drama (as established by Parker) will be shown to possess much deeper political and social implications.

The discernment of these implications, in works which often superficially do not appear to demonstrate a response to legal issues, is the primary task of this thesis as a whole. From an early stage in his life Coleridge attended trials, followed and discussed

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<sup>43</sup> Reeve Parker, *Romantic Tragedies: The Dark Employments of Wordsworth, Coleridge, and Shelley* (Cambridge: Cambridge UP, 2011) 111.

them in his social circles, and studied the legal theory and thought of men like Burgh in depth. This engagement with his legal context, once its underlying importance to Coleridge is apprehended, may be seen to bear conspicuous fruit in his writing. Over the course of this thesis the exact nature of Coleridge's attitude to this immediate context will be dissected, and its development over time will be drawn out and considered. Where his first drama, *The Fall of Robespierre*, reveals a naivety regarding notions of public identity and proper communication in the courtroom, by the time he came to write *Osorio* almost three years later his attitude to these matters becomes much more defined. The process of investigation and deliberation which leads to this point, as this thesis seeks to justify, may be best comprehended as a refinement of Coleridge's conception of how inward notions of moral truth, of what constitutes guilt, may be outwardly articulated. Each of the three chapters will approach Coleridge's response to his legal context through this prism, seeking by this means to present a detailed account of his attitude to law and legal process in the 1790s.

## Chapter One

### Public and Private, Individual and Crowd

#### Introduction

Coleridge's first published work, produced whilst he was still a student, was a short three act play concerning political events in France in 1794. *The Fall of Robespierre*, published in that year, was planned in conjunction with Robert Southey and Robert Lovell whilst they were undergraduates, though Lovell's contribution was subsequently to be removed from the final piece.<sup>1</sup> This chapter will chiefly examine Coleridge's first act of the play, but will also draw upon evidence from lines in Southey's acts which may reasonably be supposed to have been supplied by Coleridge. Act One, that explicitly written by Coleridge, stages the lead up to the trial of Robespierre and the events of the Thermidor, and in so doing is granted greater scope to imagine interactions and underlying tensions. As Chris Murray comments in *Tragic Coleridge*, 'Southey uses no invented characters or fictional incidents, but simply converts newspaper transcripts of Robespierre's trial into blank verse.'<sup>2</sup> Coleridge, by contrast, is able to develop themes within his writing, and to consider the deeper ramifications of an event that had happened just a few weeks earlier. Among the most noticeable themes running through his act, though it has not yet been given significant critical attention, is the fraught relationship between private sentiment and public speech manifest within the narrative. Personal identity is consistently shown to sit uneasily within a public context, with characters frequently either deliberately suppressing their true opinions, or being misinterpreted by others. Even by choosing to write the

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<sup>1</sup> Southey, *Life and Correspondence* 217.

<sup>2</sup> Murray, *Tragic Coleridge* 51.

piece as a closet drama, a form which ‘implicitly operates within the context of binary oppositions’ as Philip Cox puts it, Coleridge displays a willingness to approach this dichotomy.<sup>3</sup> His treatment of this theme, this interplay between public and private, exhibits an early interest in the barriers which stand in the way of true communication of thoughts and beliefs.

In picking up on this issue, and in the manner in which it is dealt with in the play, Coleridge is very clearly reflecting broader issues concerning trials and legal process (issues which even the choice of subject matter displays a willingness to tackle). The newspaper reports of Robespierre’s trial which constituted Coleridge and Southey’s primary sources for the work, particularly those in the *The Times* and the *Morning Chronicle*, frequently draw attention to conceptions of public space, and its relation to the law. The article in *The Times* on the 18th of August, for instance, details that, upon apprehension,

*Le Bas* shot himself by a pistol; the two *Robespierres* and *Couthon* attempted to do the same, but only wounded themselves; and were then taken into custody, to undergo the punishment of the law in a more public manner.<sup>4</sup>

Though seemingly a throwaway comment, this sentence gestures towards a prevalent underlying concern within contemporary coverage over how law is best enforced. Public enforcement, this comment in *The Times* suggests, is more appropriate than the private self-punishment that suicide is implied to be here. It is possible that Coleridge read such lines as these, and was prompted on some level to consider the issue they raise, for certainly *The Fall* represents an extensive meditation on the subject. Ultimately, however, Coleridge will be shown not to have reached any definitive conclusions about it by the end of the work: the tensions between these

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<sup>3</sup> Philip Cox, *Gender, Genre, and the Romantic Poets: An Introduction* (Manchester: Manchester UP, 1996) 17.

<sup>4</sup> ‘Execution of Robespierre and his Party,’ *The Times* 18 Aug. 1794, ‘The Fall of Robespierre,’ *Romantic Circles*, ed. Daniel E. White, March 2008, University of Maryland, College Park, 21 September 2016 <<https://www.rc.umd.edu/editions/robespierre/Times8-18clean.html>>.

two spheres, between private thought and identity, and public articulation, constitute a central (and unresolved) conflict within the play.

The first part of the chapter will examine Coleridge's interest in the relationship between the public and the private from the perspective of his recent direct experiences of legal process, namely the 1793 trial of William Frend. It will argue that this event, though it was conducted under university and not national law, provoked Coleridge's first contemplation of the problems associated with the communication of thought and moral belief, issues which would come to define his response to the law in later years. The second section will inspect the way in which the material Coleridge was reading and studying at the time possessed an important influence on his representation of the theme in *The Fall*. In particular, the work of Jean-Jacques Rousseau will be revealed as central to the shaping of Coleridge's thought on the matter. The section will finally display how Coleridge's objections to Rousseau's perspective on the subject of law reveal much about his understanding of society, an understanding that clearly resurfaces in his more explicit contemplations of law and trials in his 1795 prose. In this way, the chapter is intended to expose and analyse the undercurrents of Coleridge's attitude in this early text, in order to establish a base upon which to investigate further developments of these ideas in his later works.

## Section One

### The 1793 Trial of William Frend

Watching from the crowded gallery of the 1793 trial of William Frend, Coleridge must have felt a certain unfamiliarity with the nature of the event that was taking place before him. Although only an internal university affair, with rustication or expulsion constituting the most severe punishments that the Jesus College fellow could expect, the poet's attendance at the Vice-Chancellor's Court at Cambridge provided his first exposure to the procedures of a formal trial.<sup>1</sup> Ultimately found guilty on a charge of printing blasphemous material in his pamphlet *Peace and Union*, Frend left Cambridge with no reported disturbance and resettled in London, experiencing no further ramifications or punishment.<sup>2</sup> Many years later, however, Coleridge's friend and doctor at Highgate, James Gillman, would write of this trial in his posthumous biography as a deeply 'disturbing cause, which altered the course of [Coleridge's] path in life.'<sup>3</sup> Though the account does not specify whether Coleridge himself had communicated something of its importance, or whether it had been reported to Gillman by acquaintances, it is clear that the event left a noteworthy impression upon his mind. I would like, in this section, to examine the exact quality of this impression, and to determine the nature of its influence on the thought of the young poet. It is my contention that the trial served in some way as a turning point in Coleridge's understanding of himself, and his relationship with the community around him, and that this shift in attitude is most clearly visible in the works he would go on to write in the following months. Taking his and Southey's jointly authored play, *The Fall of Robespierre*, as its primary focus,

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<sup>1</sup> Rosemary Ashton, *The Life of Samuel Taylor Coleridge: A Critical Biography* (Oxford: Blackwell, 1997) 38.

<sup>2</sup> Knight, *University Rebel* 173.

<sup>3</sup> James Gillman, *The Life of Samuel Taylor Coleridge* (London: W. Pickering, 1838) 54.

this section seeks to throw new light on the influence of Frennd's trial upon Coleridge's early writing. By examining the pervasive echoes of the event within the themes and characters of the play, it will be shown that Coleridge's experience in the Vice-Chancellor's court in February 1793 had a lasting effect not only upon his understanding of law and authority, but also (and perhaps more importantly) on his perception of his own nature.

Over the course of his time at Jesus, Coleridge had developed a habit of expressing his political views as vociferously in public as he did in private. Despite the university's increased hostility to radical sentiment, which had produced an environment far removed from the days when Wordsworth had studied at St John's, Coleridge would nonetheless burn Jacobin slogans into college lawns in the same spirit of enthusiasm with which he and his friends discussed radical pamphlets over glasses of negus.<sup>4</sup> In this respect Coleridge's friendship with Frennd was no different: there existed no boundary between his personal attachment and his intellectual admiration for the elder scholar. Coleridge's rooms in college, for example, quickly became a kind of administrative centre for Frennd and his supporters, serving as a venue not only for private dinners but also a space for holding political debates and organising the group's radical strategy.<sup>5</sup> This blurring of the line between personal and political, and the fluidity between private friendship and public support that it displays, is also reflected in the way Coleridge refers to Frennd in his letters. As might be expected of Coleridge, it is a quality revealed most noticeably through the medium of a pun, and may be found in a letter to Southey concerning the topic of Pantisocracy, and the nature of the social bonds it was intended to promote:

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<sup>4</sup> Roe, *The Radical Years* 15-8; Gillman, *Life of Samuel Taylor Coleridge* 50; Valentine Le Grice, 'College Reminiscences of Mr. Coleridge,' *Gentleman's Magazine* Dec. 1834: 606.

<sup>5</sup> Holmes, *Early Visions* 45.

Surely, Southey! we shall be frendotatoi meta frendous. Most friendly where all are friends.<sup>6</sup>

The fact that Coleridge has deliberately chosen to avoid the Greek word for ‘friend,’ ‘philos,’ as the root of his neologism, lends weight to Nicholas Roe’s suggestion that the phrase represents a ‘deliberate acknowledgement’ of the author of *Peace and Union*.<sup>7</sup> If this convincing supposition is taken to be valid, it becomes apparent that Coleridge saw his relationship with Frennd at Cambridge as a model for the society he and Southey were planning to found in America. It may consequently be conjectured that Pantisocracy, which in the words of Nigel Leask ‘located its political programme on the border between private morality and public-spiritedness,’ was viewed in some way by Coleridge as an echo of his earlier closeness with Frennd.<sup>8</sup> Both overstepped the traditional limitations of certain types of society and association, intermingling the intimate and the public, the personal and the political. As such evidence makes clear, Coleridge gave little regard to conventional definitions of space and social interaction whilst a student; his mind was engaged in a fluid interchange of ideas and beliefs that was not limited to traditional conceptions of appropriateness.

Given this manifest disregard for the boundary between political and personal, it is curious that Coleridge’s first published work should be so concerned with the relationship between internal moral feeling and external location. *The Fall* represents an extended meditation on the nature of conscience, and its place within a society governed by a tyrannical regime.

When read in the context of Coleridge’s personality at university, soliloquies like those of

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<sup>6</sup> S. T. Coleridge to Robert Southey, September 18th, 1794. *CL*, I: 102.

<sup>7</sup> Roe, *The Radical Years* 113; *The Pocket Oxford Classical Greek Dictionary*, eds. James Morwood and John Taylor (Oxford: Oxford UP, 2002) 390.

<sup>8</sup> Nigel Leask, ‘Pantisocracy and the Politics of the ‘Preface’ to *Lyrical Ballads*,’ *Reflections of Revolution: Images of Romanticism*, eds. Alison Yarrington and Kelvin Everest (Oxford: Routledge, 1993) 46.



Couthon, which fundamentally question the need to proclaim one's personal convictions, seem somewhat incongruous: 'conscience,' he professes, 'mid the mob's applauding clamours, / Sleeps [...]. / Yet what is Conscience? Superstition's dream.'<sup>9</sup> This description of moral feeling as a dream-like and elusive experience represents a sentiment with which Coleridge himself, at the time of writing *The Fall*, had been struggling. The 'Voice of Conscience,' which 'incessantly murmur[s] within the soul' (as he puts it in a contemporary letter to his brother James), is presented as an ineffectual superstition, easily muted by the clamours of a crowd.<sup>10</sup> For a man who only a few months previously, as we have seen, was passionately devoted to the dissemination of his beliefs and opinions regardless of circumstances, this view of conscience is somewhat unexpected. Where he had expressed political and moral views vehemently and widely whilst a student, *The Fall* reveals a seemingly incongruous concern over the intrinsic weakness of such convictions. Couthon's fear that dream-like conscience is easily overpowered and subsumed by popular opinion may thus be seen to be indicative of a deeper shift in Coleridge's attitude, and a perceptible movement away from the outspoken moral conviction of his days at university.

Perhaps the most illuminating context in which to place Coleridge's apparent shift in attitude is that of one particular and well-known occurrence in Frennd's trial, which may be elucidated by returning to James Gillman's biography. 'The trial,' Gillman writes, seemed 'to be going against Frennd, when some observation or speech was made in his favour;' hearing this, Coleridge, in the midst of the audience, 'extended his hands and clapped them.' Upon the Proctor's demand to know 'who had committed this indecorum,' however, Coleridge's silence lead the Proctor falsely to accuse a fellow student sitting nearby. 'The reply,' Gillman reports,

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<sup>9</sup> *PW*, III, part 1: 18.

<sup>10</sup> *CL*, I: 65.

‘was prompt as the accusation; for, immediately holding out the stump of his right arm, it appeared that he had lost his hand,— “I would, sir,” said he, “that I had the power.”’<sup>11</sup> From Gillman’s account, the affair does not seem in itself to merit much comment: the Proctor seemingly mistakes the offender’s identity, and Coleridge afterwards admits and is absolved for his misdeed. Yet when we turn to alternative accounts of the same event it becomes apparent that Coleridge’s later relation of the story to friends like Gillman differs, in a few significant details, from that of more impartial witnesses. Henry Gunning, in his *Reminiscences of Cambridge*, explains that rather than simply being mistaken by the Proctor, Coleridge actively and knowingly swapped places with his neighbour in order to avoid detection.<sup>12</sup> ‘This conduct on the part of Coleridge,’ Gunning records, ‘was severely censured by the Undergraduates, as it was quite clear that, to escape punishment, he would have subjected an innocent man to rustication or expulsion.’<sup>13</sup> It may be speculated that it is the subsequent guilt Coleridge felt, upon being rebuked by his peers, which gave rise to Gillman’s description of the trial as a profoundly ‘disturbing’ influence on the poet’s life: one which he sought to disguise in later life. This influence must ultimately be understood as an alteration, to some degree, of the way Coleridge perceived the relationship between his inward opinions and his physical circumstances. From a position of complete obliviousness to his social context, enthusiastically and inappropriately applauding in the midst of a trial, Coleridge is suddenly forced to conceal himself, and his personal views, ignominiously within the anonymity of a crowd. It is understandable that this first recorded instance of his having to suppress, like Couthon, his inward conscience in a public

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<sup>11</sup> Gillman, *Life of Samuel Taylor Coleridge* 55.

<sup>12</sup> Henry Gunning, *Reminiscences of the University, Town, and County of Cambridge*, vol. 1 (London: G. Bell, 1855) 297-8.

<sup>13</sup> Gunning, *Reminiscences* 298.

context would have had consequences for his understanding of his place within society, consequences clearly visible in his writing.

*The Fall* displays a ubiquitous preoccupation with the need to regulate and constrain the expression of opinions in public contexts, exhibiting a prevalent interest in the implications this restriction contains for its characters' identities and abilities to communicate with one another. Coleridge's handling of the issue is particularly overt in his characters' dialogues with Robespierre, and the manner in which their fear of his 'eloquent anger' and 'sudden [...] revenge' prompt them to suppress their true feelings almost unthinkingly.<sup>14</sup> When Couthon, for instance, is engaged in discourse with Robespierre, it is brought distinctly to our attention that he must subordinate himself, and restrain himself from expressing his own views to his leader. Where he outwardly communicates support for Robespierre's continued zeal for 'massacre,' asserting that 'twere folly sure to work great deeds by halves,' in private he is able to express the inherent hypocrisy and violence of his 'despoti[sm] in all the patriot's pomp.'<sup>15</sup> In underscoring this contradiction between public and private opinion, Coleridge reveals a conspicuous concern for the fact that private convictions are liable to instinctive suppression when faced with the fear of imminent reprisal. The situation is one with distinct parallels to his experience at the trial of Frennd, as documented by Gunning: Couthon's fear of Robespierre's censure leads him to stifle his own sentiments in the same way that Coleridge had when faced with the Proctor's punishment.

Coleridge's newfound understanding of the tendency for moral principles to be ignored in the anxiety of guilt, and his consequent consciousness of a disconnect between public and private identity, finds itself distinctly expressed in his unconventional employment of stage directions.

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<sup>14</sup> *PW*, III, part 1: 20-21.

<sup>15</sup> *PW*, III, part 1: 18.

Because the work was not intended for performance, these are instead free to reveal vital details about Coleridge's approach to signposting, for example, transitions between dialogue and soliloquy: between inwardly and outwardly directed speech. This is perhaps most conspicuous in another mid-act speech of the Jacobin leader Couthon.<sup>16</sup> After the exit of Robespierre and his supporters, which is marked by the unambiguous stage direction '*Exeunt caeteri. Manet Couthon,*' Coleridge re-emphasises Couthon's solitary placement onstage with the further addition of '*solus*' before his following speech.<sup>17</sup> Yet where this movement out of the public sphere of governmental party-political discourse (and the systemised interpersonal relationships it implies) is carefully marked at this particular point, similar transitions into soliloquy elsewhere in the act are not highlighted in the same way. When, in the domestic setting of Tallien's home, a servant exits the stage after a discussion with his wife Adelaide, the only stage direction simply reads '*Exit Servant,*' and Coleridge does not go on carefully to underline that Adelaide is left '*solus.*'<sup>18</sup> Where withdrawal from public debate changes Couthon's onstage presence to the extent that it must be emphasised by multiple indications, the departure of a servant here does not constitute the same alteration in significance. Both before and after Adelaide is left alone, the context is that of a private residence, and the way she is referred to by the text does not require alteration. Coleridge's writing makes clear, with small details like these, that speech uttered in public and thoughts vocalised in domestic privacy are in his eyes wholly dissimilar: an attitude which may be usefully interpreted with reference to his experience at the trial of Frennd. Just as fear of the Proctor's punishment had led him to conceal his identity within the crowd, disassociating himself from his earlier enthusiastic display of personal opinion, so the personal

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<sup>16</sup> George Erving, 'Coleridge as Playwright,' *The Oxford Handbook of Samuel Taylor Coleridge*, ed. Frederick Burwick (Oxford: Oxford UP, 2009) 394-7.

<sup>17</sup> *PW*, III, part 1: 18.

<sup>18</sup> *PW*, III, part 1: 21.

identities of characters in *The Fall* are involuntarily altered when entering and exiting public contexts. What he intimates with Couthon's declaration that conscience sleeps 'mid the mob's applauding clamours,' he reinforces with this revealing internal inconsistency: inward feelings of conscience and personal identity are all too easily suppressed from public expression under the threat of punishment and retribution.

Like his characters, Coleridge had been shown by his experience in the trial that however strong the moral character and convictions of a private individual may be, they are nonetheless still liable to being silenced by the threat of punishment. This personal realisation may be seen perfectly mirrored in the events of the trial itself, and particularly in the case Frend presented in his own defence. Much of his argument revolves around the central assertion that the Promoter had 'deprecate[d] all *personal* reflections, after charging me with being the Author of a *scandalous* Pamphlet,' which 'to be sure [...] is not *personal* at all!'.<sup>19</sup> His contention here is that the processes of a trial are fundamentally insufficient for establishing personal identity. Frend argues that because the law explicitly forbids what he refers to as 'personal' evidence, in this case similarities in writing style, the prosecutor has had to rely upon 'external' evidence. 'It had been argued,' Frend states, that *Peace and Union* 'was written by me, because my Name is in the Title Page. In confutation of this Argument, I produce a Volume of Sermons, which in the Title Page are said to be by Dr. White, but which were the joint production of a Dissenting Minister and a Member of this University.'<sup>20</sup> Frend's argument roots itself in the perception of an intrinsic divide between personal identity, and the manner in which that identity is defined in a social context: public proofs of authorship, such as inscriptions of names upon title pages, are found not

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<sup>19</sup> John Beverley, *The Trial of William Frend, M.A. and Fellow of Jesus College, Cambridge. In the Vice-Chancellor's Court. For Writing and Publishing a Pamphlet, Intituled Peace and Union* (Cambridge: F. Hodson, 1793) 57.

<sup>20</sup> Beverley, *The Trial of William Frend* 58.

to be sufficient for establishing a private individual's responsibility for that text. Like Coleridge, Frennd knew he was guilty of the accusation put to him, but like Coleridge he finds himself compelled to rely upon the distinction between public and private identity in his attempt to avoid punishment.

Frennd's argument, which functioned as a cornerstone of his defence, ultimately gestures towards a more basic issue with the way in which individuals are defined publicly under the law. It is an issue addressed by James Epstein in his essay on eighteenth century court cases, in which he claims that the space of the court effects a transformation from the "open" or fluid space' of ordinary conversation, into an ordered and 'demarcated' arena where certain members are invested with 'symbolic power.'<sup>21</sup> Epstein's comment highlights that the defined spaces of the courtroom, in which identities are strictly defined by their location and the terms and titles by which they are described in transcripts, would have made the distinction between external role and internal character extremely noticeable. As Frennd points out in his defence, the one does not necessarily encompass and equate to the other. For Coleridge, experiencing this reality for the first time, it is understandable that the trial would have had some impact upon him. In the same way that his characters in *The Fall* are habitually shown to have their sentiments restricted by the external pressure of roles and political expectations, Coleridge displays its effect in the way he defines his own identity as author of the play. Despite its dual authorship (Southey, in fact, having written the greater part), Coleridge's decision to send the work to be printed under his name alone may be viewed in the context of literary prosecution. Explaining his choice to Southey in a letter of September that year, Coleridge reveals an awareness of the distance

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<sup>21</sup> James Epstein, "'Equality and No King': Sociability and Sedition: The Case of John Frost,' *Romantic Sociability: Social Networks and Literary Culture in Britain 1770 - 1840*, ed. Gillian Russell and Clara Tuite (Cambridge: Cambridge UP, 2002) 51.

between true authorial responsibility and attribution which is appropriate to a legal context, asserting that ‘it would appear ridiculous to put two names to *such* a Work.’<sup>22</sup> The statement underlines the distinction between public and personal self-definition: between how he perceives authorship of particular works to be demarcated by society, and the more fluid and composite manner in which texts are produced. The same letter supports this explanation with an insistence that, as a result of the decision, the play ‘will sell at least an hundred Copies at Cambridge,’ framing the matter primarily in financial terms, and showing his authorial attribution to be entirely dependent upon a public commercial sphere. As Frennd’s defence deliberately plays upon the difference between the legal proprietor of a text and its actual author, Coleridge’s attitude towards the wider reception and understanding of his text fundamentally instils the same distinction. The public identity of a text’s author, for Coleridge, has become intrinsically separate from the writing process responsible for its production.

In contemplating these complications of authorship as a concept, the choice of protagonist and subject matter in *The Fall* may also be seen to present a clear parallel to Frennd’s divisions of public and personal identity. In selecting the topic of a recent trial as the immediate source for what would be his first published work, it is perhaps to be expected that Coleridge would draw upon his only direct experience of legal process, and the formal procedures of a courtroom. In drawing upon reported source material for Robespierre’s trial, Coleridge may be seen quite overtly to bring out particular aspects which strike a chord with the conceptual influence of the trial of Frennd: perhaps most noticeably in his treatment of the character of Robespierre himself. Throughout the various contemporary accounts of Robespierre’s trial used by Coleridge and Southey as sources, a pervasive distance from Robespierre as an individual

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<sup>22</sup> S. T. Coleridge to Robert Southey, September 19th, 1794. *CL*, I: 106.

becomes evident. Where each of the other revolutionaries' speech is directly quoted within these accounts, Robespierre's is always reported in the third person: we are told how 'Robespierre insisted on being heard,'<sup>23</sup> or that 'he pronounced a long speech respecting the Revolutionary Government,' but never directly what he said.<sup>24</sup> It is as though his physical person and voice cannot quite be contained within the forms used for its dissemination: a perception which modern historians have also described. 'There seem to be three Robespierres,' David Jordan writes: 'the man himself, the political leader, and the embodiment of the Revolution,'<sup>25</sup> a comment which touches, two centuries after the *Times*' and *Morning Chronicle*'s reports, upon the same intrinsic dichotomy intimated within them. Coleridge's reflection of this quality in *The Fall* fits well with the conceptual influence of Fren'd's trial, and may be best demonstrated in his manipulation of the analogies with which Robespierre's public character is categorised and defined. Twice in his act, Coleridge invites the reader to consider parallels with Caesar and Brutus, and the dramatic roles of tyrant and tyrannicide. In the first of these Robespierre is presented as Brutus, threatened by Tallien, the 'banquet-hunting Antony.'<sup>26</sup> Yet in Coleridge's reversal of the comparison at the end of the act, in which Tallien takes the role of Brutus, 'swear[ing] by the holy poniard, that stabbed Caesar,' the analogy is deliberately undermined. *The Fall* emphasises that the categories of tyrant and tyrannicide do not map so cleanly onto the fluid world of human interaction. As such, Gregory Dart's conclusion that this failure of analogy 'inadvertently [betrays] the inability of traditional forms and narratives to represent the complex progress of the Revolution' may be taken a little further.<sup>27</sup> Rather than representing an

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<sup>23</sup> 'Execution of Robespierre and his Party.'

<sup>24</sup> "National Convention. Downfall of Robespierre," *Felix Farley's Bristol Journal* 23 Aug. 1794, 'The Fall of Robespierre,' *Romantic Circles*, ed. Daniel E. White, March 2008, University of Maryland, College Park, 21 September 2016 <<https://www.rc.umd.edu/editions/robespierre/ffbjclean.html/>>.

<sup>25</sup> David P. Jordan, 'Robespierre,' *The Journal of Modern History* 49 (1977): 282.

<sup>26</sup> *PW*, III, part 1: 15.

<sup>27</sup> Gregory Dart, *Rousseau, Robespierre and English Romanticism* (Cambridge: Cambridge UP, 1999) 171.



inadvertent oversight, Coleridge's writing here explicitly reflects his wider attitude towards the distinct public and private elements of an individual's identity: Robespierre's fall, like Fren'd's condemnation, is shown to be the result of divergence between title and individual, proprietor and author.

When the play's events are considered from this perspective, Coleridge's having chosen the medium of 'historical drama' (to which he draws our attention on the title-page) is particularly apt. Chris Murray's assertion that the term deliberately implies 'the long-term significance of the French Revolution,' whilst at the same time setting up a 'self-consciously ironic and hyperbolic' relationship between characters and the narrative they inhabit, succinctly discerns the basic dichotomy at the heart of *The Fall*.<sup>28</sup> Having taken place only around three weeks previously, the somewhat inappropriate use of the word historic to describe these events immediately sets up a discrepancy between the individuals involved, and the significance bestowed upon them by the importance of their situation. Similarly, the emphasis placed upon the dramatic form of the work has the effect of underlining the fact that the characters, in fulfilling their roles of predetermined historical significance, fundamentally lack a physical personal presence for the play's closet readership. In the same way that their internal selves are distanced from the analogous roles of tyrant and tyrannicide, their dramatic speech is disassociated from the external reality of the reader. Coleridge flags up this distance often, and from the first interaction of the work focuses on the fraught relationship between physical presence and public identity:

Tallien:           It was Barrere, Legendre! didst thou mark him?  
                          Abrupt he turn'd, yet linger'd as he went,  
                          And towards us cast a look of doubtful meaning.

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<sup>28</sup> Murray, *Tragic Coleridge* 51-53.

Legendre: I mark'd him well.  
[...]

Tallien. 'Twas all-distrusting guilt that kept from bursting  
Th' imprison'd secret struggling in the face:  
E'en as the sudden breeze upstarting onwards  
Hurries the thunder cloud, that pois'd awhile  
Hung in mid air, red with its mutinous burthen.<sup>29</sup>

Tallien's first statement, which establishes an uncertainty regarding the import of Barrere's expression, is immediately contradicted by the subsequent interpretation of guilt and mutinous intention. In the absence of physical performance, the reader is forced to determine the extent to which descriptions like these are assessments based directly on an individual's character, and how much they are determined by social interpretation and the imposition of prior expectation. Tallien's 'thunder cloud' simile, like the Robespierre/Brutus analogy, is presented as an unstable external interpretation of identity, rather than an intrinsic reflection of Barrere's self at that moment. Closet drama is in this sense the best medium Coleridge could have chosen to convey his concerns over linguistic authority: it is a form which, on a fundamental level, forces its reader to question the extent to which publicly disseminated words bear relation to physical individuals.

*The Fall's* inherent anxiety regarding the relation, or absence of a relation, between these two elements of identity, the public and the private, may thus be seen to suffuse the work at every level. Though it is impossible conclusively to state that the trial of William Frend provided the impulse which fuelled this concern, the facts do present a reasonable case for supposing this to be true. Indeed, as we know from Gillman's biography, Frend's trial proved an inherently 'disturbing' influence on his life. Whether this troubling influence stemmed from Coleridge's personal experience of almost involuntarily avoiding chastisement in the heat of the moment (as

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<sup>29</sup> *PW*, III, part 1: 13-14.

Henry Gunning reports), or whether it was the result of witnessing his college mentor and intellectual idol distance himself publicly from a text he had conceded responsibility for in private, the effect upon Coleridge's work is evident. Coleridge's writing in *The Fall* is eminently preoccupied with problematic distinctions between the opinions that characters outwardly profess, and the beliefs they inwardly hold. It is in this respect a work which reflects, and reflects on, wider issues regarding how individuals may be defined in courtrooms, and how these public definitions are inherently inadequate because they cannot determine and delineate the often concealed emotions and beliefs of private life. Like Frenn in his trial, Coleridge finds himself, perhaps even subconsciously, emphatically underlining this problematic remove between exterior and interior. His experience in the Vice-Chancellor's court had prompted him to realise, in the words of St. Just, the power of the threat of punishment and 'the howl of maniac uproar' to '[lull] to sad sleep the memory of himself.'

## Section Two

### Rousseau and the Legislator

Coleridge's underlying anxiety over the nature of public identity in the courtroom, an anxiety which clearly runs through *The Fall of Robespierre*, may be significantly illuminated when read in the light of the literature he was reading in college at the time. Foremost amongst this influential material, especially in terms of relevance to the subject matter of the play, was undoubtedly the philosophical and political writing of Jean-Jacques Rousseau. Having read his work (published for the first time only a few decades earlier) during his time at Jesus, Coleridge discussed Rousseau at length with Southey, and the Swiss thinker's ideas would form a substantial part of the basis of the projected and much-contemplated Pantisocracy scheme.<sup>1</sup> It is to be expected, consequently, that the treatment of ideas concerning the subject of law within *The Fall* would be significantly influenced by the work of Rousseau, and in order fully to grasp Coleridge's position the play must be analysed in this light. By establishing the Rousseauvian elements of the text, which are particularly and perhaps expectedly prevalent in the speech of Robespierre himself, this section seeks to determine the manner in which the philosopher's ideas affected Coleridge's understanding of the function of law and legal process within society. In particular Rousseau's conception of the way in which individuals gather to form communities, and of the way in which these communities' laws alter one's personal identity and rights, will be shown to echo across the play. Just as *The Fall* reveals Coleridge's concern with issues about public identity thrown up by Friend's trial, it will be contended that the play also illustrates similar problems he perceived in Rousseau's conception of law and legal process.

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<sup>1</sup> Sisman, *The Friendship* 70-1.

That Pantisocracy was a notion fundamentally influenced by the writings of Rousseau is a fact which becomes immediately apparent upon consultation of the accounts of those connected with it. One such individual was Charles Lloyd, the young banker's son whom Coleridge had agreed to tutor, and who spent much time with Coleridge and Southey as they planned their emigration to the banks of the Susquehanna. Lloyd's references to Pantisocracy in his 1798 novel *Edmund Oliver* reveal much about the influences and thought processes which lay behind inception of the scheme (a fact highlighted by Felicity James in her critical discussion of the novel).<sup>2</sup> Indeed, the parallels between Lloyd's characters and his mentors were so prominent that Coleridge, after his political position had shifted somewhat in later years, would find himself offended by the forthright representation of his youthful self.<sup>3</sup> The novel clearly points towards a strong Rousseauvian influence in the conception of Pantisocracy, perhaps most conspicuously in the description of the community established by the eponymous hero:

Basil, Edmund, and I, have taken lands which lie contiguous to each other – we have banished the words *mine* and *thine* [...] we have abandoned the appearance, and have lost the sensations annexed to individual possessions. – We meet every evening at each other's house, and by means of reading or conversation endeavour to approximate to a common identity.<sup>4</sup>

The description of 'common identity,' under which no individual possesses personal property or even distinct personal opinions, presents the society established by this likeness of Coleridge as one in which individual identities are fused into a single whole. It is a portrait overtly reflective of Rousseau's notion of the 'Social Compact,' as outlined in the 1762 treatise *The Social*

*Contract*:

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<sup>2</sup> Felicity James, *Charles Lamb, Coleridge and Wordsworth: Reading Friendship in the 1790s* (Basingstoke: Palgrave Macmillan, 2008) 138.

<sup>3</sup> Richard C. Allen, 'Charles Lloyd, Coleridge, and "Edmund Oliver,"' *Studies in Romanticism* 35 (1996): 247.

<sup>4</sup> Charles Lloyd, *Edmund Oliver*, vol. 2 (Bristol: Bulgin and Rosser, 1798) 292-3.

*“Each of us puts his person and all his power in common under the supreme direction of the general will, and, in our corporate capacity, we receive each member as an indivisible part of the whole.”*

At once, in place of the individual personality of each contracting party, this act of association creates a moral and collective body.<sup>5</sup>

Rousseau’s description here is almost identical to Lloyd’s image of Coleridgean Pantisocracy: there is the same emphasis upon ‘common’ and ‘corporate’ identity, and a rejection of ‘the words *mine* and *thine*.’ Both, in this way, detail communities in which individual personalities coalesce into an ‘indivisible [...] whole.’ Coleridge and Southey’s projected society, the preeminent intellectual concern of the early years of their friendship, is thus revealed to possess an essential grounding in the kind of society advocated by Rousseau. From his writings, it may be argued, they inherited a conception of a political ‘common identity,’ and an image of community in which individual identity was subsumed within the common objectives and attitudes of the group.

Rousseau’s ideas, so clearly echoed in the planning of Pantisocracy, fundamentally underpin the representation of characters’ interactions in *The Fall*, particularly those involving Robespierre. French society, in his eyes, exists as a ‘collective body’ in exactly the manner described in *The Social Contract*, a fact most evident in his condemnations of the actions of those who oppose him. His assertion that these opponents ‘wish to clog the wheels of government, / Forcing the hand that guides the vast machine,’ is an early indicator of this Rousseauvian perception of society. Steered by a single guiding ‘hand,’ a single set of objectives and goals, society for Robespierre is a mechanism inherently directed towards a common goal: a notion which displays clear links with Rousseau’s conception of society ‘*under the supreme direction of the general will*.’ As Richard Dagger describes it, this general will, or *volonté*

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<sup>5</sup> Jean-Jacques Rousseau, *The Social Contract*, trans. G. D. H. Cole (London: Dent, 1993) 192.

générale, connotes ‘the common interest we share as citizens,’ which is to say ‘the interests of the abstract person Rousseau calls the citizen.’ It represents citizens’ ability to interact under a communal identity, within which the interests of the whole come before those of the individual.<sup>6</sup> Robespierre’s connection of this force with ‘the wheels of government,’ and his suggestion that these two elements are intrinsically tied to one another within his mechanistic conception of society, highlights that he views his role as a leader and a legislator essentially as that of an interpreter of this general will: his metaphorical rotation, as a wheel within this machine, is wholly controlled by that of the other parts. He, like everyone else within his society, must remain obedient to the guiding objectives held in common by all. Such statements, when held up against relevant extracts from Rousseau, reveal the crucial influence of the philosophe’s thought: Robespierre is quite clearly shown to possess the conviction, stressed by Rousseau, that the general will must provide ‘supreme direction.’

It follows that legislation, if produced by the workings of this machine, is (to Robespierre’s mind at least) a direct manifestation of the general will: law, on a fundamental level, is the voice of society’s common identity. This is a position strongly asserted in Article Six of the *Declaration of the Rights of Man and the Citizen*, passed after the revolution by the National Constituent Assembly in 1789:

Law is the expression of the general will. All citizens have the right to contribute personally or by their representatives in its formation. It must be the same for all, whether it protects or punishes.<sup>7</sup>

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<sup>6</sup> Richard Dagger, ‘Understanding the General Will,’ *The Western Political Quarterly* 34 (1981): 360.

<sup>7</sup> *The Constitutions and Other Select Documents Illustrative of the History of France, 1789-1901*, ed. Frank Maloy Anderson (Minneapolis: H. Wilson, 1904) 59.

For Robespierre, as he is represented in *The Fall*, the implication is clear: any individual who does not appear to subscribe to this corporate identity and common direction is quite literally breaking the law. Throughout the play Coleridge presents the reader with dialogue that enforces this basic position, most conspicuously in Robespierre and his allies' frequent condemnations of individuals they define as criminals. After Collot d'Herbois (a member of the Hébertist faction later instrumental in Robespierre's downfall) is established as an individual removed from society and characterised by 'silent solitary anguish,' Robespierre immediately labels him, and all who sympathise with him, 'traitors.'<sup>8</sup> This exchange, held with his younger brother, intimates that Robespierre's central criterion for condemning Collot d'Herbois to death (never to 'behold to-morrow's sun roll westward') is his solitariness, his apparent distance from the community. *The Fall*, in interactions such as these, implicitly represents individuals' legal status as being fundamentally linked to their relationship with the 'common identity' and 'collective body' of the state. As Rousseau affirms that 'in putting the guilty to death, we slay not so much the citizen as an enemy' (the word 'enemy' highlighting their estrangement from the collective), so Coleridge's Robespierre views traitors as 'solitary' outsiders, removed from the 'corporate' body of the community.<sup>9</sup> *The Fall*, in this way, presents Robespierre and his followers' understanding of society, and the laws by which it is governed, in a fundamentally Rousseauvian light: all legislation and legal decision-making must, their dialogue suggests, be viewed and approached as an expression of the population's common identity, and the general will of the community.

Whilst it is clear, however, that Rousseau's thought is a prevalent influence upon the play, underpinning as it does Robespierre and the Jacobins' understanding of social identity, and their readiness to issue legal condemnations of traitors seemingly for no reason other than their

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<sup>8</sup> *PW*, III, part 1: 16-17.

<sup>9</sup> Rousseau, *The Social Contract* 209.



isolation, the philosophe's ideas do not go wholly unchallenged within *The Fall*. Coleridge's writing reveals an awareness of the inherent contradictions within Rousseau's conceptualisation of society, contradictions which centre upon the role of the legislator in his writing. This figure, outlined in detail in the *Social Contract*, is presented as a necessary mediator of the general will; with absolute power to rule society in the common interest, the legislator has the responsibility of, in the words of Harvey Fireside, steering 'the ship of state' clear of danger 'along its historic course.'<sup>10</sup> As we have already seen, Robespierre aligns himself with this role throughout: the 'vast machine' of the state, as he impresses upon Barrere, is his alone to regulate and to control. Yet, as Christopher Kelly describes, 'critics have long noted the paradoxical nature of Rousseau's appeal to a solitary lawgiver within a social contract theory based on equality and consent.'<sup>11</sup> It is a paradox which is embodied by Coleridge in the actions of Robespierre. Far from recognising and channeling the wishes and feelings of those around him, as a legislator governed by the general will ought, Robespierre is throughout *The Fall* shown at odds with every character. Bullying his allies with accusations of 'cowardice,' and threatening his enemies with execution (as in the above mentioned case of Collot d'Herbois), Robespierre personifies the problems, identified by critics like Kelly, with the figure of the legislator.<sup>12</sup> Coleridge is highlighting, with his representation of his aggressive contentiousness, the issues which occur when one abides by a philosophy that legitimises the absolute power of one individual. Regardless of whether that individual might believe he is acting in society's best interests, Coleridge displays that the emergence of a fundamental distance from the feelings of its members is inevitable. The notion

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<sup>10</sup> Harvey F. Fireside, 'The Concept of the Legislator in Rousseau's Social Contract,' *The Review of Politics* 32 (1970): 191.

<sup>11</sup> Christopher Kelly, "'To Persuade without Convincing": The Language of Rousseau's Legislator,' *American Journal of Political Science* 31 (1987): 321.

<sup>12</sup> *PW*, III, part 1: 17-18.

of a ‘general will,’ and a collective societal identity, is thus shown to give rise to significant problems when legislation is based upon subjective interpretation of that will.

Coleridge is not, however, condemning Robespierre’s approach to government outright; *The Fall* takes a strikingly non-partisan position in its representation of political events over the channel, as has been frequently critically noted. Nicholas Roe, for example, writes that ‘while Coleridge was prepared to accommodate Robespierre as a misguided visionary, he stops short of endorsing political violence,’ articulating a view which is borne out by Coleridge’s later prose.<sup>13</sup> In *Conciones ad Populum*, Coleridge remarks that ‘what [Robespierre’s] *end* was, is not known: that it was a wicked one, has by no means been proved,’ emphasising that, despite his distaste for the ‘foulness’ of the ‘means’ by which that end was pursued, he remains unwilling to pass judgement over the actions of the revolutionary leader.<sup>14</sup> This unwillingness, this granting of the benefit of the doubt, ultimately shapes Coleridge’s treatment of Robespierre in *The Fall* on many levels, and may interestingly be perceived in the manner in which metaphors and motifs are manipulated as the narrative progresses. Imagery related to trees, for example, and particularly to oaks, crops up often in relation to Robespierre within the play. It is first used by Robespierre himself, whilst describing members of the factions who seek to undermine his leadership: ‘dastard traitors!’, he exclaims, ‘Moles, that would undermine the rooted oak!’<sup>15</sup> The image casts himself as a firm and ‘rooted’ legislator, harnessing a traditional set of connotations associated with oak trees, namely strength and stability. When read in the light of Rousseau, it may be connected with trees’ symbolic representation of egalitarianism and community in *The Social Contract*, as may be seen in its descriptions of rustic social administration:

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<sup>13</sup> Nicholas Roe, ‘Coleridge and John Thelwall: The Road to Nether Stowey,’ *The Coleridge Connection: Essays for Thomas McFarland*, eds. Richard Gravil and Molly Lefebure (London: Palgrave Macmillan, 1990) 65.

<sup>14</sup> *Lects 1795*: 35.

<sup>15</sup> *PW*, III, part 1: 18-19.

When, among the happiest people in the world, bands of peasants are seen regulating affairs of State under an oak, and always acting wisely, can we help scorning the ingenious methods of other nations, which make themselves illustrious and wretched with so much art and mystery?<sup>16</sup>

When linked to passages such as these, and perhaps even without this external context, Robespierre's use of the image of the oak is manifestly one designed to promote associations with simple and organic strength. He implicitly connects himself with a kind of natural and primitive government, in which the oak tree acts as a focal point for an inclusive process of communal decision making.

However, as the play progresses, the tree motif undergoes substantial modulations in symbolism when placed in the mouths of other characters. In Act Three, the image is employed by Barrere during his speech at the revolutionary tribunal, where it is used to refer metaphorically to the accused Robespierre:

In the goodly soil  
Of Freedom, the foul tree of treason struck  
Its deep-fix'd roots, and dropt the dews of death  
On all who slumbered in its specious shade.<sup>17</sup>

It is clear that the symbolic connotations of the tree have undergone a fundamental shift; where in Robespierre's speeches the tree had been an oak, implicitly representing social unity and strength, here the tree has become a threat to the society in which it is rooted. It is, furthermore, no longer an oak, but has morphed into another recognisably Coleridgean image: that of the Upas-tree native to the island of Java (a reference which indicates that this particular passage

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<sup>16</sup> Rousseau, *The Social Contract* 274.

<sup>17</sup> *PW*, III, part 1: 43.

was probably one of Coleridge's additions to Southey's Act Three).<sup>18</sup> Used often in Coleridge's writing, the Upas-tree symbolises the poisoning and corruption of unaware and innocent victims, as may be seen in *The Plot Discovered*. This 1795 text (discussed in greater detail in the next chapter) describes new government legislation, proposed to facilitate the conviction of innocent citizens, as being similar to the Upas-tree, in that it metaphorically threatens to 'poison those who are fools enough to slumber beneath it.'<sup>19</sup> By applying the image to Robespierre at the close of *The Fall*, Coleridge encourages his audience to reassess the Rousseauvian metaphors of earlier acts; he presents an alternative view of Robespierre's attitude to government, and prompts his audience to reevaluate the position earlier presented. Robespierre's conception of himself as a legislator firmly rooted in the soil of common identity, instinctively directing and drawing from the general will, is thus fundamentally undermined in Barrere's lines: his attitude towards the state is instead presented as an intrinsically corrupting and divisive force.

Despite Coleridge's early interest in Rousseau, and the clear influence of the philosophe's work upon his conceptualisation of Pantisocracy, *The Fall* thus takes a more reserved approach towards his ideas than might be expected. Robespierre's emphasis upon Rousseauvian notions of common identity, and a society guided and directed toward collective goals by an underlying united power, is deliberately tempered with alternative perspectives throughout the narrative. Though in his own eyes Robespierre's actions as legislator are fully justified by the fact that he feels he is interpreting society's general will, Coleridge presents the reader with alternative conceptions of this attitude toward law and government. Barrere's analogy of the Upas tree underlines that, by treating society as a collective with single desires and objectives, a legislator may instead find himself justifying corruption and violence, and the

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<sup>18</sup> See *PW*, I, part 2: 823.

<sup>19</sup> *Lects 1795*: 296.

persecution of innocent lives. The experience of alienation and oppression illustrated in the interactions of the other characters, evident, for instance, in the description of Barrere's 'imprisoned secrets' (analysed in the previous section), may ultimately be viewed as the product of this corrupting influence of Robespierre, an influence rooted in his perception of society's communal identity. In this way, the same issues regarding public identity which Frennd's trial may be seen to have foregrounded for Coleridge, visibly operate within *The Fall's* response to the philosophy of Rousseau. The play reveals an intrinsic appreciation of the problems which arise when one thinks of society as a communal body. Individuals' personal motivations, Coleridge displays, cannot be understood as a single exterior communal 'will,' and any legislative attempt to interpret them as such risks 'disastrous' results.

## Chapter Two

### Law and Language

#### Introduction

By the end of 1794 Coleridge had left Cambridge without completing his degree, spent a short and ‘melancholy detention’ in London, before finally settling in Bristol with Southey, where he set about raising funds for their planned emigration to America.<sup>1</sup> Among the principal schemes which the two men had agreed upon to achieve this end was a series of public lectures, to be written by both of them, and delivered in various locations around the city. Beginning in the early months of 1795, the series opened with a lecture given by Coleridge in a room over the corn market, which professed an aim to inspire its listeners to ‘[encourage] the sympathetic passions,’ and to disseminate the principles of justice and liberty.<sup>2</sup> Though subject to a few minor criticisms in local publications, the piece was on the whole well received by the audience at Bristol: Cottle records that it kept them in ‘good feeling, by the happy union of wit, humour, and argument.’<sup>3</sup> During his time at the small coastal town of Clevedon later that year, after his marriage to Sara Fricker in April, Coleridge revised this lecture for publication, combining it with an extract from his following lecture ‘On the Present War,’ and printing the result in a pamphlet entitled *Conciones ad Populum*. Given the work’s origins in his spoken lectures at Bristol, and its intention to display how inward perceptions of moral truth might be disseminated effectively, it is perhaps unsurprisingly a piece which tackles, both overtly and in its subtextual

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<sup>1</sup> S. T. Coleridge to R. Southey, November 13th, 1795. *CL*, I: 164.

<sup>2</sup> *Lects 1795*: xxviii; *Lects 1795*: 12.

<sup>3</sup> Joseph Cottle, *Early Recollections; Chiefly Relating to the Late Samuel Taylor Coleridge, During His Long Residence in Bristol*, Vol. 1 (London: Longman, Rees & Co., 1837) 20.

implications, issues regarding language's role in law and governance. In discussing Coleridge's position, reference will be made not solely to *Conciones*, but also to previously published versions of its content, and most particularly to the much shorter version of the lecture published earlier in the year, under the title *A Moral and Political Lecture*.

The way in which Coleridge deals with issues of law and language in *Conciones* represents a significant response to the Treason Trials which took place in the November of 1794, one which has not yet been the subject of detailed critical scrutiny. These trials presented more explicit and significant expositions of the arguments about language which had been put by either case of the trial of Frennd, and which Coleridge had reflected in *The Fall of Robespierre*. Though Coleridge does not mention the source of his information about the events of these trials, they would undoubtedly have been a central talking point within his circles in Bristol. Conducted against Thomas Hardy, John Horne Tooke, and John Thelwall respectively, the litigations were brought by the government in the hope of quashing the increasingly vociferous complaints of radical political dissenters, notoriously articulated in the meetings and rallies orchestrated by the London Corresponding Society and the Society for Constitutional Information.<sup>4</sup> Though they were to prove unsuccessful, with all three defendants eventually being acquitted, the trials had a profound effect on the political climate in Britain: they graphically demonstrated the lengths to which the government were prepared to go in order to silence radical dissent.<sup>5</sup>

In considering these trials, and in addressing the topic of the communication of moral feeling more generally, this chapter will approach *Conciones* in terms of Coleridge's reflections upon the way in which theories of language influence the perception of this context. The first section will investigate the influence of William Godwin and John Horne Tooke's criticism of

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<sup>4</sup> Michael Scrivener, 'John Thelwall and Popular Jacobin Allegory, 1793-95,' *ELH* 67 (2000): 951.

<sup>5</sup> E. P. Thompson, 'Hunting the Jacobin Fox,' *Past and Present* 142 (1994): 94. 94-140

the way in which legal debate was conducted in the Treason Trials, seeking to explain and illustrate the importance of the theory of Associationism to Coleridge's understanding of these events. Following on from this discussion, the second section will assert that Coleridge's writing in *Conciones* in fact reveals an inherent criticism of Godwin and Tooke's arguments, and an advocacy of the idea that, rather than encouraging the careful association of terms, legal debate must instead rely upon emotional intuition in order to assess guilt. Moving onto *The Plot Discovered*, published a few weeks after *Conciones*, the third section will contend that Coleridge saw the institution of common law as the ideal solution to the problems he discerns with other thinkers' understandings of language and legal debate. Focusing, in this way, upon the specific details of how Coleridge felt moral truth could be best articulated and communicated in the courtroom, Chapter Two will establish key dialogues that will in the final chapter be shown to possess a profound influence on the work he produced in subsequent years.



## Section One

### *Conciones ad Populum* and the Treason Trials of 1794

Coleridge's writing in *Conciones* displays an underlying concern over the nature of legal debate, and the ways in which language is subverted by tyrannous regimes. On a basic level, this concern fuels an attempt within the text to resolve the problematic division (that which had underpinned *The Fall*) between language and moral feeling in the oratory of the establishment. His unsettled attitude towards the dangerous potential obscurity of eloquent rhetoric, along with *The Fall*'s critique of its implications for the expression and enforcement of law, find their resolution in *Conciones*' idiosyncratic response to the philosophical writings of Locke, Tooke and Godwin. This section will primarily concern itself with an attempt to display the intrinsic connection between the Treason Trials and *Conciones*; in so doing it will first describe Coleridge's response to the trials in the work's forerunner, *A Moral and Political Lecture*, before proceeding to *Conciones* itself. The threat of prosecution for seditious speaking, along with the legal debates which had taken place at the trials themselves, will be shown to have deeply affected Coleridge's writing in *Conciones*, prompting him to dissect their implications for his understanding of how language might be abused to support unfounded legal cases.

Perhaps the strongest reason for connecting *Conciones* with these trials (which are only infrequently mentioned by name in the text itself), lies in the circumstances surrounding Coleridge's original decision to prepare its constituent lectures for print. Discussing the first publication of *A Moral and Political Lecture* in correspondence with George Dyer, Coleridge states that:

I was *obliged* to publish, it having been confidently asserted that there was Treason in it. [...] Believe me that no literary Vanity prompted me to the printing of it—The reasons which compelled me to publish it forbad me to correct it.<sup>1</sup>

The letter quite clearly places the contents of the lecture in the context of the tense political climate of the mid 1790s, establishing the fear of espionage and subsequent prosecution as the crucial backdrop to the argument presented in the text. The prosecution in the trial of Thelwall (which had concluded only two months prior to Coleridge's lecture above the corn market) had rested its case quite heavily upon the reports given by spies planted in the audience at his lectures in London. These consisted largely of several accounts from anonymous sources, but were crucially pinned upon the evidence of one 'Spy Taylor,' who, though somewhat discredited in the Edinburgh trials of the previous year, the government had decided to reuse as a central part of their argument.<sup>2</sup> Taylor stressed the highly seditious nature of Thelwall's speeches, asserting that their content included, for example, a reading of his famous allegorical piece 'King Chauncleere' (the printing of which, as discussed above, had caused Eaton to be brought to trial several months earlier).<sup>3</sup> Other reports were cited to evidence Thelwall's treasonous language, claiming that he had incited his audience to violence, encouraging them, for example, to replicate the regicides of 1649 and 1793.<sup>4</sup> Thelwall vigorously disputed many of these accusations, and whether some of them had truth or not, their overall veracity was palpably dubious: the majority of the claims had no supporting evidence, and the sources of those claims were often patently untrustworthy.<sup>5</sup> Given this environment, in which unsubstantiated accusations of treason made against radical public figures were commonplace, Coleridge had every justification to be anxious

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<sup>1</sup> *CL*, I: 152.

<sup>2</sup> Barrell, *Imagining* 395.

<sup>3</sup> Barrell, *Imagining* 395

<sup>4</sup> Mary Thale, *Selections from the Papers of the London Corresponding Society* (Cambridge: Cambridge UP, 1983) 140.

<sup>5</sup> Barrell, *Imagining* 396.

about the misreporting of his own lectures. It is plain that the comment made in his letter to Dyer must be seen as an expression of genuine concern principally caused by the nature of the legal proceedings, and the use of falsely procured evidence, at the 1794 Treason Trials.

Coleridge repeats a similar articulation of this apprehension in the advertisement to the first printing of *A Moral and Political Lecture*, but here he gives us a greater suggestion of the manner in which the legal context directly affects his attitude to the nature of his work. He writes that:

They, who in these days of jealousy and Party rage dare publicly explain the Principles of Freedom, must expect to have their Intentions misrepresented [...]. The following Lecture is therefore printed as it was delivered, the Author choosing that it should be published with all the inaccuracies and inelegant colloquialisms of an hasty composition.<sup>6</sup>

Whilst there is a suggestion here that the young Coleridge is asking for a degree of leniency from his reader in their assessment of his first published lecture, the proviso overtly aligns the piece with his consciousness of the threat posed by an aggressively litigious government (as expressed in his correspondence). It represents a desire to establish a stable and true touchstone from which evidence of the actual words he had spoken might be gathered, and against which any specious reports of spies and government plants might be tested and dismissed. By rooting his printed text in the physical context of its initial dissemination in this way, Coleridge is affirming a belief that the truth of a statement necessarily depends upon a full consideration of the circumstances from which it originated. His affirmation displays an awareness of the way in which the evidence given in the trials, even that which had some initial grounding in truth, was manipulated in the arguments made by the prosecution, and in particular by Sir John Scott (attorney-general for the trials). The prosecution's case against Thelwall, which featured much evidence from his public

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<sup>6</sup> *Lects 1795*: 4.

lecturing as well as from private communications and conversations, is the perhaps most appropriate comparison in this instance. Part of its argument rested upon an unfinished letter written by Thelwall, in which he was shown to assert that there was ‘too great a veneration for property’ in the American system of government.<sup>7</sup> This quotation, isolated from the original surrounding material of the letter, was used as evidence of Thelwall’s extreme radical views, and his sympathy with the ideals of the French revolutionaries.<sup>8</sup> In responding to this point (which had been particularly stressed by the prosecution) the counsel for the defence repeated the often-used argument that the ambiguity of the isolated quote does not allow for the formation of a conclusive hypothesis. John Horne Tooke, during his questioning, simply stated that its significance must ‘depend upon the context.’<sup>9</sup> The interchange is one which reveals much about the tactics of the prosecution, and their dependence upon rearrangements of the situations and referential relationships of inconclusive testimonies and material evidence. By placing select statements and actions in an unforgiving light, they sought to provoke condemnation through false association. As such, by seeking to capture and publicise the original environment and character of his lecture, Coleridge exhibits an awareness that his words may be taken out of context; he demonstrates an impulse to prevent the government from taking his words out of context, and affixing unwarranted and damning interpretations.

When returning to *A Moral and Political Lecture* in order to expand the piece for publication in *Conciones*, Coleridge retains this awareness of the way in which the manipulation of contextual association can affect linguistic meaning. Whilst the republication of material from

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<sup>7</sup> *Trials for High Treason; Containing the Whole of the Proceedings at the Old-Bailey, from October 28, to December 5, 1794. Comprising the Trials Complete of Thomas Hardy, John Horne Tooke, and John Thelwall* (London: Allen and West, 1795) 327.

<sup>8</sup> *Trials for High Treason* 327-28.

<sup>9</sup> *Trials for High Treason* 355.

his lecture no longer serves the purpose of preventing false reporting and improper contextualisations, *Conciones* maintains an overt preoccupation with the potentially misleading nature of circumstantial association. This is most clearly revealed in the newly written passages Coleridge added to this third version of the text, expanding the original subject matter of *A Moral and Political Lecture*. The first sizeable addition to the text itself (if we do not for the moment consider the pamphlet's paratexts) begins at around four pages in, following an excerpt from *Samson Agonistes* detailing the collapse of 'Oppression's Temple.' Whereas the original lecture moves on to a description of Revolutionary factionalism, Coleridge's added material instead expands further upon the origin and nature of oppression itself, attributing its 'power' and 'deprav[ity]' to what he terms 'enthusiasm:'

Enthusiasm, even in the gentlest temper, will frequently generate sensations of an unkindly order. If we clearly perceive any one thing to be of vast and infinite importance to ourselves and all mankind, our first feelings impel us to turn with angry contempt from those, who doubt and oppose it.<sup>10</sup>

Whilst the more immediate context of this remark concerns the trials and executions of the French Revolution, it is a comment which contains direct relevance to legal processes in Coleridge's own country. Having paraphrased Joseph Gerrald's criticism of the government in his Edinburgh trial only a few lines above ('power [...] shapes and depraves the character of the possessor'), Coleridge's reference to enthusiasm as a central cause of oppression and 'contempt' continues the work's implicit censuring of the actions of the British government.<sup>11</sup> It does so through a deliberate parallel with a memorable section from Thomas Erskine's defence of John

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<sup>10</sup> *Lects 1795*: 35.

<sup>11</sup> *Lects 1795*: 35; *The Trial of Joseph Gerrald* (Edinburgh: J. Robertson, 1794) 192.

Horne Tooke. Erskine, by way of response to a piece of particularly weak reasoning on the part of the prosecutor Scott, presents the following argument:

when the mind has long been engaged upon a particular subject, and has happened to look upon it in a particular point of view, it is its natural infirmity to draw into the vortex of its own ideas whatever it can lay hold of, however unsuited to their support. I cannot account upon any other principle for the [accusations of the prosecution].<sup>12</sup>

Like Coleridge's description of the enthusiasm of oppressive regimes, Erskine's comment attributes the motivations for the trial not to a genuine desire for the exposition of truth, but to a kind of mental imbalance: a 'natural infirmity.' It presents the arguments made against Tooke as a chain of false connections and associations, drawn by a magnetic force into the vortex of a mind governed by its emotional attachment to a particular cause. In the same way, Coleridge attributes the contempt in which those who seek change are held by tyrannous leaders to the foolish perception of 'any one thing to be of vast and infinite importance.' It is this behaviour which causes governments to discover evidence of imagined threats to national security in weak and circumstantial evidence. Just as he had sought to prevent the government mis-contextualising his words by publishing his lecture in the first place, Coleridge's reprinting of the work in *Conciones* displays in this way a maintained awareness of the tendency of oppressive regimes to justify their condemnations upon poor associations of terms and ideas.

Both Erskine's characterisation of Scott's 'natural infirmity' and Coleridge's use of the term 'enthusiasm' are rooted, on a fundamental level, in a shared understanding of the way in which ideas are arranged and expressed by the mind. In order to discuss the effect of this understanding upon their various statements about legal argument, their shared perspective must

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<sup>12</sup> *A Complete Selection of State Trials*, vol. 25, ed. William Cobbett and T. B. Howells (London: Longman et al., 1814) 266.

be understood in the wider context of the cultural attitudes to the mind which underpin it.

Associationism, as described and brought to prominence in England by Locke, is perhaps the most important theoretical framework governing their viewpoints. The central principle (based upon the empiricist notion the mind is created wholly empty of ideas of any kind) holds that all of our concepts are formed directly from lived experience or through associations and combinations of these basic experiential ideas, and may be shown to lie behind the positions espoused not just by Erskine, but each of the defendants of the Treason Trials.<sup>13</sup> It is, furthermore, crucial to Coleridge's consideration of these cases. In his image of Scott's unbalanced vortex-like mind, drawing new ideas into inappropriate and chaotic correlation with each other, Erskine is quite conspicuously drawing upon Locke's employment of associationism in his attempt to explain the causes of madness. Book Two of *An Essay Concerning Human Understanding* contains the following description of the disordered nature of a madman's mind:

Having joined together some *Ideas* very wrongly, [madmen] mistake them for Truths [...]. Hence it comes to pass, that a Man, who is very sober, and of a right Understanding in all other things, may in one particular be as frantick, as any in *Bedlam*; if either by any sudden very strong impression, or long fixing his Fancy upon one sort of Thoughts, incoherent *Ideas* have been cemented together so powerfully, as to remain united.<sup>14</sup>

Whether or not Erskine knew the conceptual debt his description of Scott's infirmity owed to Locke's frantic madman with his incoherent ideas, the essential diagnosis in both cases is identical: both identify a confused (or 'jumbled' as Locke puts it) association of ideas as the chief symptom of their subjects' madness. Though he does not make reference to Locke, John Barrell's discussion of Erskine's argument in *Imagining the King's Death* picks up on the

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<sup>13</sup> Martin Kallich, 'The Association of Ideas and Critical Theory: Hobbes, Locke, and Addison,' *ELH* 12 (1945): 290-92.

<sup>14</sup> John Locke, *An Essay Concerning Human Understanding*, ed. Peter H. Nidditch (Oxford: Clarendon, 1795) 161.

diagnostic quality of his language, contending that the accusation of mental imbalance was essentially ‘an insult clothed in the language of contemporary psychiatry.’<sup>15</sup> Without explicitly mentioning associationism, Barrell’s point highlights just how widespread the theory was in contemporary science: in attempting to slur his opposition with the suggestion of medical insanity, Erskine’s allegation is inextricably framed in terms originally laid out by *An Essay Concerning Human Understanding*. Coleridge’s ‘intense study’ of Locke in 1794 would have given him the conceptual vocabulary to recognise these undertones of associationism that pervaded the Treason Trials; his use of ‘enthusiasm’ is, as such, also noticeably Lockean in origin. The nineteenth chapter of Book Four of the *Essay* (subtitled ‘Of Enthusiasm’) features a lengthy definition and assessment of the term, in which it is described as the force responsible for creating deranged associations of ideas, allowing ‘the Conceits of a warmed or over-weening Brain [to work] powerfully on the Perswasions and Actions of Men.’<sup>16</sup> By echoing Erskine’s assessments of disordered ideas and mental infirmity with implicit references to passages like this from Locke, Coleridge reveals an underlying similarity of approach in his condemnations of tyrannous governments. Like Erskine, he presents the oppressive tendencies of the establishment as the result of an underlying infirmity of mind, and a failure to organise and associate ideas effectively.

It is clear that *Conciones*, from its inception as a lecture at Bristol and its first publication as *A Moral and Political Lecture*, is a text deeply affected by the 1794 Treason Trials. Though initially printed as a response to the threat of prosecution under false pretexts, and as means of providing objective evidence of the content of his lecture, the work’s republication as *Conciones* reveals a greater engagement with the conceptual underpinnings of the legal debate that had

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<sup>15</sup> Barrell, *Imagining* 370.

<sup>16</sup> Locke, *Essay* 699.



taken place at the trials. Like Erskine, Coleridge reveals a clear debt to Locke's associationist model of the mind, describing unsound connections of ideas as the result of the 'enthusiasm' of an unstable or deranged intellect, and productive of intrinsically false opinions and arguments. However, though the conceptual groundwork upon which Coleridge bases his discussion in *Conciones* may thus be shown to owe something to the arguments presented by the defence at the Treason Trials, his ultimate conclusions from this position fundamentally differ. As the next section will illustrate, his attitude to associationism, and to the enthusiasm which prevents it from functioning effectively, are much more idiosyncratic and complex.

## Section Two

### *Conciones ad Populum* as a Response to Tooke and Godwin

Whilst it is clear that Coleridge accepts the principle of association as a crucial model in representing the functions of the mind, the topic simultaneously encompasses the main area of divergence between himself and the majority of the period's radical thinkers. With respect to the nature of legal debate (both in a general sense and in specific relation to the Treason Trials), Coleridge's position may be exhibited in direct opposition to that of John Horne Tooke and William Godwin. It is an opposition rooted in the implications that Lockean associationism has for a theoretical understanding of linguistic communication, and it may be elucidated with reference to John Horne Tooke's thought upon the subject of language, and the influence of these considerations on his attitude to his defence. This section will demonstrate Coleridge's desire in *Conciones* to highlight the assumptions and errors made by these radical thinkers, ultimately claiming that his own conception of the nature of legal debate is defined in opposition to the position they espouse. In so doing, the argument will remain primarily framed in terms of Coleridge's response to the Treason Trials (or, more specifically, to radicals like Godwin's sentiments regarding those trials), seeking to expose his desire to alter the conceptual framework (and especially the attitude to language) with which they were discussed.

Tooke's defence provides a particularly interesting example of the way contemporary conceptions of language influenced legal debate in the period, which may be demonstrated with reference to his earlier theoretical writings on linguistics. An eminent proponent of Locke's thought, Tooke accepts the thinker's position that words are arbitrary signs, invented in order to 'stand as outward Marks of our internal *Ideas*,' bearing no intrinsic relationship to the concepts

they describe.<sup>1</sup> In his influential linguistic study *Epea Pteroenta, or, The Diversions of Purley*, the first part of which was published in 1786 (the second in 1805), Tooke develops Locke's assessment of words, expanding upon the nature of their relationship to internal ideas. Summarising the argument of a particular section of this first volume in a later edition, Tooke expressly contradicts the linguist Rowland Jones's notion that 'Language ought not to be considered as mere arbitrary sounds; or any thing less than a part, *at least*, of that living soul which God is said to have breathed into man.'<sup>2</sup> For Tooke words do not possess this divinely bestowed intrinsic meaning. Yet despite his opinion of its ultimately invented and 'arbitrary' nature, Tooke asserts that language is capable of communicating truth; as Brijraj Singh puts it, 'he is logocentric in that for him the etymologically correct use of language is the only way to apprehend and express moral and political truth.'<sup>3</sup> His two volume opus *Epea Pteroenta* is, for this reason, devoted to the analysis of the etymological roots of words and the functions of linguistic structures. It serves to illustrate the fundamental principle that, if the rules of a particular language are followed with precision, the associations of ideas in the mind of one person may be communicated exactly, and consequently recreated perfectly in the mind of the reader or listener. In analysing etymologies and linguistic structures as potential conveyors of truth, Tooke spends much time examining the ways in which particular grammatical forms are used and misused. He is particularly concerned with investigating the ways in which functions of speech, most especially pronouns and prepositions, are used to replace lengthier ways of expressing the same ideas, for the purpose of expediting communication. '*Abbreviations*,' as he calls these linguistic instruments,

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<sup>1</sup> Locke, *Essay* 159.

<sup>2</sup> John Horne Tooke, *Epea Pteroenta, or The Diversions of Purley*, vol. 1 (London: J. Johnson, 1798) 36.

<sup>3</sup> Brijraj Singh, 'Revisiting *Purley*: John Horne Tooke's Logocentrism,' *Age of Johnson* 19 (2009): 190.

are the *wheels* of language, the *wings* of Mercury. And though we might be dragged along without them, it would be with much difficulty, very heavily and tediously. There is nothing more admirable nor more useful than the invention of signs: at the same time there is nothing more productive of error when we neglect to observe their complication.<sup>4</sup>

Tooke had more of a reason than most to be wary of the error that improper usage of abbreviations might cause: in 1777 he had been charged and convicted of sedition upon evidence which hung upon, as he puts it, ‘two prepositions and a conjunction.’<sup>5</sup> *Epea Pteroenta* had been written in the wake of that trial, and the ideas he examined within it would fatefully resurface in his dissection of the case against him in 1794. After the arrest of Thomas Hardy, whose trial was to be the first of the Treason Trials, a member of the Society for Constitutional Information named Jeremiah Joyce wrote a letter to Tooke which contained the question ‘is it possible to get it ready by next Thursday?’<sup>6</sup> His inquiry, which Tooke would subsequently argue had only concerned the arrangement of a meeting with the imprisoned Hardy, was intercepted by the government and used by Pitt to fuel fears in the Privy Council of a plot against the king. Tooke approaches the matter, as Frederick Burwick puts it, ‘in terms of the distinction set forth in *Epea Pteroenta*,’ with an awareness that “‘is it possible to get ready by Thursday?’” is a question composed of words referring to other words rather than directly naming specific things and action.<sup>7</sup> As with his criticism of the grammatical failings of the 1777 case against him, which he claimed had only been successful through this misuse of language, Tooke foregrounds that accusations of his treasonable activity here are predicated upon abbreviations which have been isolated from the the context which provided them with their original meaning.<sup>8</sup> His comment in

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<sup>4</sup> Tooke, *The Diversions of Purley*, vol. 1: 34.

<sup>5</sup> Frederick Burwick, ‘The Language of High Treason: Thomas Hardy, John Horne Tooke, and the Edinburgh Seven,’ *Huntington Library Quarterly* 63 (2000): 263.

<sup>6</sup> *Trials for High Treason* 249.

<sup>7</sup> Burwick, ‘The Language of High Treason’ 270.

<sup>8</sup> See, for example, *Trials for High Treason* 242.

Thelwall's trial, that the evidence given there must also 'depend upon the context,' precisely echoes the same point: throughout the Treason Trials Tooke demonstrates his view that, whether deliberately or not, the government have not obeyed the rules by which language itself ought to operate. They have allowed erroneous associations of context to govern their accusations, as a result of their overlooking the genuine contextual associations necessary to make sense of such communications, ultimately proving Tooke's life-long assertion that (as Olivia Smith sums it up in her study of *Epea Pteroenta*) 'intellectual confusion and political oppression were efficiently interwoven.'<sup>9</sup> In this way Tooke's arguments are grounded in a conviction that if the original circumstances and reference points of abbreviated forms of language are recognised and comprehended fully, the truth of a statement will necessarily emerge. On this basis he seeks to expose false accusations, and the associations upon which they are based, as intrinsically unsubstantiated.

Despite Coleridge's agreement that the prosecution cases at the Treason Trials were replete with incorrect associations, Tooke's stance with regard to language takes the position further than he is able to accept. Though, as James McKusick details in his discussion of Tooke in *Coleridge's Philosophy of Language*, Coleridge did see the linguist as 'a model of dedication to political principles,' his approval does not encompass the specifics of his theories.<sup>10</sup> Tooke was essentially claiming that all that is required for truthful communication is a rigorous command of language, and an attention to the placement of abbreviations in inappropriate contexts. To Coleridge's mind, however, this is fundamentally misguided, and his desire to correct it may be shown to provide one of the primary impulses behind the publication of *Conciones*. Though he does deal with his views on the matter to some extent in *A Moral and*

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<sup>9</sup> Olivia Smith, *The Politics of Language: 1791-1819* (Oxford: Clarendon Press, 1984) 111.

<sup>10</sup> James McKusick, *Coleridge's Philosophy of Language* (New Haven: Yale UP, 1986) 39.

*Political Lecture*, it is in the additions inserted into the later work that his position is made most clear. Coleridge's confrontation of the issue is established from the outset of *Conciones*, with his pronouncement that 'we [must] not be the unstable Patriots of Passion or Accident, nor hurried away by names of which we have not sifted the meaning.'<sup>11</sup> Ostensibly, this statement appears to be relatively in line with what Tooke himself had asserted, stressing as it does the importance of observing the true meaning of words, by 'sifting' out potentially incorrect assumptions. Yet the differences in Coleridge's perspective begin to emerge as *Conciones* progresses, and may be illustrated with the following passage:

whether we be Christians or Infidels, Aristocrats or Republicans, [...] our minds are in a state unsusceptible of Knowledge, when we feel an eagerness to detect the Falsehood of an Adversary's reasonings, not a sincere wish to discover if there be Truth in them;— when we examine an argument in order that we may answer it, instead of answering because we have examined it.<sup>12</sup>

Though this would not make sense if it were to be read a piece of advice for the defendants at the Treason Trials, who already knew the truth of the matter under discussion, it does reveal a different perspective upon the nature of communication. Coleridge is saying that, though an argument may be 'examined' and found to be fallacious, yet it may still have an element of truth within it; in contrast to Tooke, he claims that the meaning of a statement does not rest solely upon the manner of its communication, but on a different and deeper criterion. His contention here, even upon a cursory reading, quite clearly stands in opposition to the position espoused by Tooke: carefully associated argument, Coleridge makes plain, is not the only means by which truth may be communicated.

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<sup>11</sup> *Lects 1795*: 33.

<sup>12</sup> *Lects 1795*: 47.

To demonstrate exactly what Coleridge is suggesting, it is necessary to examine the epistemological argument which underpins Tooke's basic linguistic thesis. In *Epea Pteroenta*, Tooke, building upon foundations laid by Locke, assumes that common experience of the physical world would allow all sane individuals to abstract identical simple ideas. Each would thus have the same idea of the colour green, for example, and could combine this with the idea of, say, a square, to create a composite notion of a green square that would be indistinguishable from that of the next person. By ensuring that the signs which denote these ideas (of which language is the most efficient) are used accurately, Tooke asserts that composite associations of ideas may be effectively communicated:

we are enabled when we employ the sign of an idea, to communicate at the same time to the hearer, that such sign is then meant to be added to another sign in such a manner as that the two signs together may answer the purpose of one complex term.<sup>13</sup>

This basic contention stands fundamentally opposed to the arguments expressed by Coleridge in *Conciones*, most particularly with regard to the articulation of moral judgement. As Douglas Hedley puts it in his discussion of *The Friend*, Coleridge is inherently aware of 'the difference between truth as verbal accuracy and the higher sense of veracity,' the latter term referring to what Coleridge refers to as 'moral truth.'<sup>14</sup> It is an awareness which may equally be shown to underlie *Conciones*. Throughout the piece Coleridge consistently refers to morality as a kind of inward sense, of a different order from outward perceptions of the physical world, a fact clearly visible in his description of the prediction of political upheaval:

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<sup>13</sup> Tooke, *The Diversions of Purley*, vol. 2: 439.

<sup>14</sup> Douglas Hedley, *Coleridge, Philosophy and Religion: Aids to Reflection and the Mirror of the Spirit* (Cambridge: Cambridge UP, 2004) 146.

Revolutions are sudden to the unthinking only. Political Disturbances happen not without their warning Harbingers. Strange Rumbings and confused Noises still precede these earthquakes and hurricanes of the moral World.<sup>15</sup>

Moral intuition is here presented upon an alternative plane distinct from the quotidian perception of physical reality. Humans, Coleridge indicates, are able to enter into an internal dialogue with this moral world through the application of what Hedley calls an inward ‘higher sense:’ it is precisely this dialogue which the ‘thinking and disinterested patriots,’ described several pages later, have cultivated.<sup>16</sup> In this way Coleridge persistently intimates his awareness that moral truths are innately distinct from the physical world, and that they require a different form of perception to discern.

Yet though all have the same ability to perceive this inward moral core, *Conciones* stresses that not everyone is in a position to do so. Coleridge cites the example of the poor, they ‘who live *from Hand to Mouth,*’ and who have been ‘benumbed into selfishness by the torpedo touch of extreme want.’<sup>17</sup> ‘Benumbed’ here indicates their inability to sense internal feelings of natural benevolence and morality which others, due to the greater comfort of their situation, are able to discern, and from which their minds form and refine ideas of morality. As such it is not possible, under the system Tooke expounds, for the poor to make sense of signs which refer to ideas they have not been able to formulate from their own experience. It is with this in mind that Coleridge proclaims

the Man who would find Truth, must likewise seek it with an humble and simple Heart, otherwise he will be precipitant and overlook it; or he will be prejudiced, and refuse to see it. *To emancipate itself from the Tyranny of Association,* is the most arduous effort of the mind, particularly in Religious and Political disquisitions.<sup>18</sup>

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<sup>15</sup> *Lects 1795:* 36

<sup>16</sup> *Lects 1795:* 40.

<sup>17</sup> *Lects 1795:* 45.

<sup>18</sup> *Lects 1795:* 47.



He is stating that it is not possible to discover moral truth through precisely constructed associations and arguments alone, implying that these in fact complicate and frustrate the intended moral message within religious and political speeches. Moral truth, Coleridge asserts, is discovered not through tyrannical overuse of associations and meticulous arguments, but rather by means of ‘humble and simple’ receptiveness to moral feeling. If an individual has developed this inward sense, Coleridge underlines that their ability to comprehend and formulate ‘Religious and Political disquisitions’ will be much improved. *Conciones*, as he stresses throughout, was written to express the notion that this inward moral feeling (or, as it has been labelled in Chapter One, conscience) must first be cultivated in the minds of one’s audience, before moral truth can be disseminated and fully received.

It might be contended, in response to this discussion of the communication of morality, that the Treason Trials were not a debate about the nature of moral truth, but instead were merely an attempt to prove or disprove basic facts which lay behind the prosecution’s accusations. This is certainly true, and Coleridge explicitly avoids criticism of the conduct of the defendants and their counsels; indeed his sonnet ‘To Erskine’ goes as far as to describe the lawyer as ‘an hireless Priest before th’ insulted shrine [of Freedom].’<sup>19</sup> *Conciones*’ target (and it is more directly addressed in *Conciones* than in *A Moral and Political Lecture*) is not the arguments of the trials themselves, but the mentality which, Coleridge feels, lies behind them: a mentality which finds itself explicitly reiterated in subsequent commentaries upon the trials. Godwin’s *Cursory Strictures on the Charge Delivered by Lord Chief Justice Eyre to the Grand Jury* provides a case in point, and, it may be argued, a central text to which Coleridge seeks to respond in *Conciones*.

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<sup>19</sup> *PW*, I, part 1: 156.

The essay, printed in the *Morning Chronicle* whilst the trials were ongoing, makes use of linguistic issues of the kind Tooke and Thelwall had raised to substantiate more sweeping claims about the way in which legal debate ought to be conducted. Godwin's point is particularly visible in his forceful conclusion, in which he entreats his audience to avoid being 'deceived with high sounding words,' insisting that

an attempt to subvert the Monarchy is nothing, if it be not definite, and capable of some clear and precise explanation. An attempt to procure a reform in the Commons' House of Parliament, through the medium of associations and Conventions, is not a conspiracy to subvert the Monarchy. If it be a crime, it will not be less so, for being called by its appropriate name.<sup>20</sup>

This concluding section portrays the trials as, in essence, a question of linguistic communication. Godwin is underscoring a view expressed throughout his essay, that 'precise explanation' is the best tool for dissecting the falsehood of the accusations, allowing the jury, as he puts it, to 'detect and expose [their] sophistries.'<sup>21</sup> Like Tooke, Godwin evinces a faith that, through close attention to linguistic meaning and appropriate juxtapositions of words, the truth of a matter may be conveyed.

Having established this underlying premise, *Cursory Strictures* goes on to substantiate a broader and more subtle position on the way in which truth, and especially moral truth, is conveyed. The position is most clear in Godwin's exclamation that wrongly applied 'appellations' and misused terms, when exposed by carefully constructed argument,

will be regarded with contempt by every man of common sense, and with the deepest abhorrence by every man of common humanity.<sup>22</sup>

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<sup>20</sup> William Godwin, *Cursory Strictures on the Charge Delivered by Lord Chief Justice Eyre to the Grand Jury, October 2, 1794* (London: C. and G. Kearsley, 1794) 47.

<sup>21</sup> Godwin, *Cursory Strictures* 11.

<sup>22</sup> Godwin, *Cursory Strictures* 47.

Godwin's phrase gives away the fundamental opposition between his own stance and that of Coleridge. It reveals that his model of legal debate relies on a 'common humanity,' a universal appreciation of the dictates of conscience (which would allow a jury to recognise when an action is morally wrong), of a kind which Coleridge has stressed may not be assumed present within everyone, and particularly not amongst those who have been 'benumbed into selfishness by [...] extreme want.' Godwin's analysis in *Cursory Strictures* intimates that he understands the Treason Trials in the context of his wider musings upon the way in which moral truth is communicated: he sees precise argument as the only means by which legal debate may be conducted according to 'common sense,' and able to achieve morally sound verdicts. It is this approach, this ideological stance upon the trials, which may be shown to have provoked Coleridge's response in *Conciones*.

Though the whole work tacitly presents itself in opposition to Godwin's position, Coleridge ventures to criticise him by name only once. Following a reproduction of Southey's poem 'To the Exiled Patriots,' Coleridge introduces a direct denunciation of Godwin's thought:

The Author of an essay on political Justice considers private Societies as the sphere of real utility—that (each one illuminating those immediately beneath him,) Truth by a gradual descent may at last reach the lowest order.<sup>23</sup>

This succinct summary, and the criticism which accompanies it, follows in the vein of *Conciones*' central point about the need to prepare all members of society to understand moral ideas; it proclaims that Godwin's image of truth spreading easily throughout society is only plausible if the unready nature of the minds of much of the population is overlooked. 'Society,'

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<sup>23</sup> *Lects 1795*: 43.

Coleridge states, ‘as at present constituted does not resemble a chain that ascends in a continuity of Links;’ the means by which ideas about morality are communicated and enforced, he contends, must be considered accordingly.<sup>24</sup> Accordingly, when Coleridge himself comes explicitly to consider the Treason Trials in *Conciones*, the language he employs differs on a basic level from that which Godwin had used in *Cursory Strictures*. Instead of following Godwin and promoting careful dissection of the imprecisions and ‘sophistries’ within the charge the government had brought, Coleridge discusses the trials from a deliberately emotive standpoint. After quoting a parliamentary speech of Sheridan’s in which the supposed crimes of the ‘desperate Conspirators’ are displayed palpably absurd (seeking, for example, to bring down ‘the established Government of Great-Britain’ with the support of ‘an exchequer containing nine pounds and one bad shilling’), Coleridge invites instinctive reaction:

Fellow Citizens! our laughter may be raised by the cause, but our indignation and sorrow must be excited by the consequences.<sup>25</sup>

He emphasises that the error of the ‘Accusers’ must be perceived not through inspecting their sophistry, but by means of an emotional response, whether it be laughter or sorrow, to their ‘foul imagination.’ Revealing fallacies and contradictions is nothing, Coleridge intimates, unless an emotional response prompts a moral evaluation on a basic individual level. It is this internal moral evaluation, the result of an intuitive emotional response, which Coleridge suggests allowed the ‘impartial Juries’ to assess the moral truth of the matter, and to detect the innocence of the defendants. Pamela Edwards’ contention that ‘already in 1795, Coleridge emphasised personal feelings and affections and their corresponding relationship to intuitive knowledge in politics’

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<sup>24</sup> *Lects 1795*: 43.

<sup>25</sup> *Lects 1795*: 61.

may thus been seen to be particularly true in the case of the Treason Trials, and the discourse they precipitated.<sup>26</sup> It is clear, in this section of *Conciones* most of all, that for Coleridge legal debate must not consist solely of the clinical and precise analysis Godwin recommends: without an instinctive and impassioned reaction to the moral qualities of a case, a truthful verdict cannot be guaranteed.

Edwards' labelling this instinctive reaction as a specifically 'personal' feeling perceptively gestures towards the root, not yet fully articulated in *Conciones*, of the disagreement between Coleridge and Godwin. It is a disagreement about the role of the self in society, and the place of the personal in moral argument and investigation, and it may be found succinctly expressed by Nicola Trott in her essay for *The Coleridge Connection*. Discussing the difference between the two men's opinions in 1795, Trott makes a claim with useful implications for a full understanding of their attitudes to legal discourse: 'for Godwin,' she writes, 'feelings connected with the self block the path to general benevolence; for Coleridge, they *are* that path.'<sup>27</sup> As Trott suggests, *Cursory Strictures*, with its focus upon the superior importance of rational argument, had deliberately (and openly) striven to avoid any reflection on the personal and domestic lives of those involved in the trials, announcing that

I have hitherto abstained from saying any thing respecting the personal character of the men now under accusation. [It would] be foreign to the question I purpose to consider.<sup>28</sup>

The self, and emotions connected with the self, are to Godwin an obstruction to effective legal process. For Coleridge, on the other hand, they are key. After encouraging the reader to feel

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<sup>26</sup> Edwards, *The Statesman's Science* 68.

<sup>27</sup> Nicola Trott, 'The Coleridge Circle and "The Answer to Godwin,"' *The Coleridge Connection*, eds. Richard Gravil and Molly Lefebure (Penrith: Humanities E-Books, 2007) 47-48.

<sup>28</sup> Godwin, *Cursory Strictures* 39.

‘sorrow’ for the defendants, *Conciones* proceeds to draw heavily upon details of Hardy’s imprisonment in his description of the government’s excesses:

we can be torn from the bleeding breast of domestic affection—we can be thrown into foul and damp dungeons—we can hear of the death of a dearly loved Wife, heart-broken by our Imprisonment—till overpowered by disease and wounded sensibilities we sink into the Grave; or if we live, live only to wish in bitterness of Soul, that th’ ‘Almighty had not placed his Canon 'gainst Self-murder.’<sup>29</sup>

The image is intensely and unapologetically personal, lapsing very strongly into a sentimental and emotive attempt to stir pity. Hardy’s wife had died whilst he was in prison awaiting trial, and news of this had been widely reported, gaining much popular sympathy for his cause.<sup>30</sup> By drawing upon this information as part of an attempt to provoke an emotional reaction in his reader, Coleridge perfectly illustrates his wider message about the way in which innocence and guilt must be established. Far from finding the personal and the domestic ‘foreign’ to moral inquiry, Coleridge proposes that they provide an essential foundation, allowing individuals to feel the moral validity of a particular case, before matters are complicated by the skewed arguments and misrepresented facts Coleridge so feared.

This proposition, this focus upon (as Trott puts it) ‘the personal and emotional basis of morality,’ must be understood as a natural development from his earlier uncertainty regarding the actions of the French revolutionaries, as expressed in *The Fall of Robespierre*.<sup>31</sup> The character of Adelaide in that play, for example, stands as a symbol of the domestic home-born feeling Coleridge felt to be lacking from Robespierre’s administration. Her uncomplicated love for Tallien, and the desire for ‘domestic peace’ which springs from this love, directly contrasts with

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<sup>29</sup> *Lects 1795*: 62.

<sup>30</sup> Thompson, *Making* 135.

<sup>31</sup> Trott, ‘The Coleridge Circle’ 47.

the tyrant's willingness to use violence for political ends: his keenness to attain 'the right/ (If right it be) worked by most foul means!'.<sup>32</sup> This 'disastrous' inclination to commit 'great bad actions' in order to achieve a predetermined goal is reiterated, more authoritatively, in *Conciones*.<sup>33</sup> Early on in the works 'Introductory Address,' Coleridge describes Robespierre's 'glowing ardour that still remembered the *end*,' and his 'cool ferocity that never [scrupled] the means:'

I rather think, that the distant prospect, to which he was travelling, appeared to him grand and beautiful; but that he fixed his eye on it with such intense eagerness as to neglect the foulness of the road.<sup>34</sup>

The criticism Coleridge expresses here (which Jibon Banerjee has described as among most pressing moral concerns in the poet's early writings) is of the same type as that with which he critiques Godwin.<sup>35</sup> Both have overlooked the importance of cultivating and heeding their emotional response, and, as Robespierre's case all too vividly reveals, this has a tendency to produce disastrous results. It is with this in mind that Coleridge puts forward his counter-argument. By planting all thought and dialogue regarding moral matters (and thus all legal debate on the innocence or guilt of individuals) in the 'deep and strong Soil' of emotional intuition, Coleridge insists that valid verdicts may assuredly be obtained. 'The Man who would find Truth,' he writes, must 'seek it with an humble and simple Heart, otherwise he will be precipitant and overlook it.'<sup>36</sup>

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<sup>32</sup> *PW*, III, part 1: 20.

<sup>33</sup> *PW*, III, part 1: 12.

<sup>34</sup> *Lects 1795*: 35.

<sup>35</sup> Jibon Banerjee, *Dramatic Works of Coleridge and Southey* (New Delhi: Atlantic, 1994) 84.

<sup>36</sup> *Lects 1795*: 47.

It is clear in this implied equation of Godwin's mentality with that of a figure whose actions Coleridge repeatedly terms misguided and 'foul,' that Coleridge felt a growing distance between himself and the views held by Godwin and much of the radical community.<sup>37</sup> This distance, however, is not yet fully articulated, and Coleridge continues to laud his works publicly, perhaps most notably in his sonnet 'To Godwin,' in which the thinker is described as a 'Mimic Morn / Electric pour[ing] a stream of rosy light,' to 'illuminate a sunless world forlorn.'<sup>38</sup> Yet even here, despite the illuminating power implied by the image, a sense is given that Godwin is not a true dawn for the world: he is the aurora borealis and not a genuine sunrise. This intimation of doubtfulness, discreetly present behind Coleridge's tentative praise, points towards a conceptual divide which runs much more deeply in *Conciones. A Moral and Political Lecture's* main aim, at the outset of the year, had been a general desire to 'regulate the feelings of the ardent,' but in revising and substantially adding to the lecture for publication as *Conciones* months later, Coleridge more overtly and directly begins to target Godwin's views. Indeed, in the time which passed between these two works, Coleridge gave other lectures which featured material also directly critical of the author of *Political Justice*; his third lecture on Revealed Religion forthrightly describes Godwin's philosophical viewpoint as 'build[ing] without a foundation,' and, repeating the phrase he uses often, 'propos[ing] an end without establishing the means.'<sup>39</sup> 1795 is consequently a vital year in the development of Coleridge's political views: the uncertainty about aspects of the mentality which lay behind the radical cause, which may be found latent within works like *The Fall* of 1794, begin to be expressed with more confidence. Distancing himself somewhat from his radical peers, he starts to articulate instinctive concerns

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<sup>37</sup> *Lects 1795*: lxx.

<sup>38</sup> *PW*, I, part 1: 166.

<sup>39</sup> *Lects 1795*: 164.



about the power of careful association wholly to communicate moral truth, or to guide legal proceedings to just conclusions.

Expressed in different terms, Coleridge's disagreement with figures like Godwin may be boiled down to an intrinsic scepticism regarding the intellectual capabilities of man. The grounds for this scepticism are laid out in his first lecture on Revealed Religion, in which atheists are roundly condemned as followers of an ill-considered doctrine:

These men think by [formulating] Argument that they have incontrovertibly proved the impossibility of Divine Existence, when in reality they have demonstrated the limited nature of the human Intellect.<sup>40</sup>

Substantiating his point with reference to gravity and magnetism, Coleridge states that, like God, these forces may not be sorted into linguistic categories (being neither 'immaterial or material'), and yet no one would claim they do not exist. He concludes that our inability to comprehend God through language and argument must be blamed upon the insufficiency of these tools. Precise and carefully constructed argument, as a result, cannot constitute the best method of making sense of the world, of 'Divine Existence.' With this basic tenet at the forefront of his mind, Coleridge follows *Conciones*' explicit criticism of Godwinism with an invocation quoted from the Gospel of Mark: 'Go, preach the Gospel to the Poor.'<sup>41</sup> 'By its Simplicity it will meet their comprehension,' he continues, 'by its Benevolence soften their affections;' unlike the cold syllogisms of logical argument, the Bible, and the pious emotional response it generates, will allow the poor to comprehend and abide by ideas of morality. In this way, just as Peter Kitson argues that 'a prior moral revolution becomes a key idea in [Coleridge's] thinking about political change,' so too it may be contended that the spread of religion plays a crucial role in his ideas

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<sup>40</sup> *Lects 1795*: 96-97.

<sup>41</sup> *Lects 1795*: 44.

about the improvement of the legal system.<sup>42</sup> Religion's ability to encourage the 'sympathetic passions,' and a gradual acquaintance with moral truth, lies at the root of Coleridge's attitude to the law.

Ultimately, this position must be understood in terms of Coleridge's reaction to Tooke: carefully associated argument, *Conciones* suggests, can articulate no moral certainties unless the individuals to whom it is directed have moral ideas of their own (moral ideas which can be gained only through intuitive emotional response), full communication is impossible. Thus for debate to be conducted effectively in Coleridge's view, all individuals present must possess intuited notions of morality; the best way to ensure that this is the case, he advises, is by promoting the spread of religion. In this light, Coleridge's presentation of the defendants as individuals whose innocence could be established primarily through empathy, his encouraging an emotional response to the imprisoned family men, must be seen as part of a wider attitude to morality and the communication of moral truth. Without an essential grounding in an instinctive emotional consciousness (as promoted by religion), legal debate, or discussion of any form regarding morality, cannot be successful.

For Coleridge, using one's emotional intuition to make ethical decisions is thus not just a necessary foundation for courtroom disputation, but a basic requirement for language to communicate effectively. *Conciones* is a work which deliberately adjusts its source material, the lectures Coleridge gave in the first half of 1795, in order to address this basic issue. *A Moral and Political Lecture*'s more general response to the Treason Trials, and the threat of misrepresentation they entailed, becomes in *Conciones* an invective explicitly directed at the misguided mentality which lay beneath the radical response to those trials. It shows Coleridge

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<sup>42</sup> Peter Kitson, 'Coleridge, the French Revolution, and 'The Ancient Mariner': Collective Guilt and Individual Salvation,' *The Yearbook of English Studies* 19 (1989): 200.

beginning to articulate what critics like John Colmer have presented as a long-standing disinclination from the views of Godwin and his many followers among the radical community at that time. Godwin is denounced for assuming that a personal emotional response limits, rather than promotes, the perception of moral truth. Coleridge instead proposes that religious faith, and the encouragement of strong emotional responses, is the only means by which juries (and society more widely) may form and discuss ideas of morality. The success of the Treason Trials, and indeed all legal debate, for Coleridge thus depends not on precise association, but upon intuition: all our ethical judgements, *Conciones* asserts, must be formed from and strengthened by instinctive emotional reactions. 'We must feed on them,' Coleridge proclaims, 'as insects on a leaf, till the whole heart be coloured by their qualities, and shew its food in every the minutest fibre.'<sup>43</sup>

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<sup>43</sup> *Lects 1795*: 49.

## Section Three

### Common Law and *The Plot Discovered*

As Coleridge was finishing his preparation of *Conciones ad Populum* for print, only a few days before November 16th (the date with which the work's preface is signed), parliament began debating two bills which would critically alter the British political climate. Eventually passed on the 18th of December 1795, these bills, which would come to be known as the Two Acts, proposed a legislative programme 'so comprehensive as to encompass and eradicate the cause of every legal embarrassment the Government had experienced in attempting to destroy the popular radical movement in 1793 and 1794.'<sup>1</sup> The first of these Two Bills was officially titled the 'Treasonable and Seditious Practices Act,' though it became more commonly known as the 'Treason Act 1795.' It was intended to support extant treason laws by developing their use of the phrase 'imagining the king's death,' and forbidding all persons to 'compass, imagine, invent, devise, or intend, death or destruction, or any bodily harm tending to the death or destruction [of the King].'<sup>2</sup> In essence, it allowed the government to convict individuals of treason upon much broader grounds, providing much less scope for the kind of arguments made by Erskine in the Treason Trials.<sup>3</sup> The second of the two proposed bills was often referred to contemporarily as the 'Convention Bill,' but is better known today under its full title of the 'Seditious Meetings Act 1795.'<sup>4</sup> Providing magistrates, once it was passed, with the power to enforce the dissolution of meetings consisting of more than fifty persons, this act was rightly perceived by critics as a deliberate attempt to incapacitate large radical societies, especially the Society for Constitutional

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<sup>1</sup> Barrell, *Imagining* 570.

<sup>2</sup> *The History of Two Acts* (London: G. G. and J. Robinson) 35.

<sup>3</sup> Barrell, *Imagining* 570.

<sup>4</sup> See, for example, Peter Pindar, *The Convention Bill: An Ode* (London: J. Walker, 1795).

Information and the London Corresponding Society, under the pretext of national security. It is this second part of the Two Bills, the so-called ‘Convention Bill’ and future ‘Seditious Meetings Act,’ to which this section will primarily refer, leaving the ‘Treasonable and Seditious Practices Act’ to the next chapter.

The severity of the alteration to the law which these Two Bills promised to incur, and the nature of its attack on radical discourse and expression, prompted Coleridge speedily to prepare a response in a short pamphlet entitled *The Plot Discovered*. Published on a date either at the very end of November, or the beginning of December that year, the work is primarily concerned with exposing the corruptive effect of the government’s proposed changes to the law, and to alert the people to what its subtitle describes as ‘Ministerial Treason.’<sup>5</sup> This focus upon specific laws naturally forces Coleridge to take a different approach to the topic of law and legal debate from that of his earlier works. Rather than explicitly critiquing the government and the English legal system, *Conciones ad Populum* had instead concentrated on the attitudes of fellow radicals: the Treason Trials which provided the most important context for the work had proved to Coleridge, by acquitting the accused, that justice could still be served in English courts. When he comes to write *The Plot Discovered*, however, the situation has dramatically altered. The proposed bills present an imminent threat not just to the legal system which Coleridge felt had worked so well in the case of the Treason Trials, but more fundamentally threatened the rights of free speech and association under which Coleridge’s 1795 lectures had been allowed to take place. Faced with this threat, Coleridge was compelled to organise his thoughts and opinions on the nature of the legal system that was about to be ‘corrupted,’ as he saw it. He conducted detailed research into the law, reading the discourses and commentaries of political essayists like James Burgh, in

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<sup>5</sup> Lucyle Werkmeister, ‘Coleridge’s “The Plot Discovered”: Some Facts and a Speculation,’ *Modern Philology* 56 (1959): 254-263.

order to frame his personal response.<sup>6</sup> In this section it will be argued that, in terms of the philosophical ideology which underpins the work, *The Plot Discovered* may be seen as a direct successor of *Conciones ad Populum*. By evidencing the same distrust of a Godwinian belief that carefully associated language is alone capable of conveying moral truth, it will ultimately be proposed that Coleridge sought to praise specific aspects of the English legal system for their acceptance of the imperfections of language. Instead of decrying the government's bills by presenting radical arguments for wholesale legal reform, Coleridge will be shown to suggest that the proposed bills are dangerous because they contradict what he felt to be the spirit of the English legal system. Ancient legal institutions like the Common Law, *The Plot Discovered* contends, are much better expressions of morality than the ill-considered statutes of oppressive governments.

The reservations indicated in *Conciones*, particularly regarding Godwin's advocacy of the precise association of terms in the courtroom, had in essence gestured towards Coleridge's wholly different attitude to the relationship between (as he would later put it) 'words and things.' In a letter written to Godwin in 1800, Coleridge puts several questions to him on the nature of this relationship:

'Is Logic the *Essence* of Thinking?' in other words—Is *thinking* impossible without arbitrary signs? &—how far is the word 'arbitrary' a misnomer? Are not words &c parts & germinations of the Plant? And what is the Law of their Growth?—In something of this order I would endeavor to destroy the old antithesis of *Words & Things*, elevating, as it were, words into Things, & living Things too.<sup>7</sup>

Coleridge's letter displays a clear concern about the division he perceived between language and the reality to which it refers, and a urge to prompt Godwin to remedy what he felt to be a failure

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<sup>6</sup> Whalley, 'The Bristol Library Borrowings' 122.

<sup>7</sup> S T. Coleridge to W. Godwin, September 22, 1800. *CL*, I: 625-26.

to tackle this subject adequately. For Godwin, as has been demonstrated in the previous chapter, and as Jane Hodson succinctly describes, ‘language is becoming increasingly capable of communicating reason and truth clearly.’<sup>8</sup> Though not perfect at the present time, it is (as he writes in an essay in *The Enquirer*) in a ‘progressive state;’ through the increasing exercise of careful argument and association, Godwin believes language will eventually attain ‘purity and perfection.’<sup>9</sup> Coleridge’s perception of language’s limitations, particularly when it comes to expressing moral feeling, leads him to challenge the assumption which underpins Godwin’s position. By querying whether ‘Logic’ really is ‘the Essence of Thinking,’ Coleridge points out the flaw which, as *Conciones* makes clear, he feels undermines Godwin’s argument: logic (which in this case may be said to refer to precise argument) cannot, in his view, express moral feeling, and thus cannot be ‘the Essence of Thinking.’ The words with which this logic is carried out, Coleridge contends, are potentially mere ‘arbitrary signs:’ empty symbols which cannot communicate meaning (moral or otherwise) unless the individual to whom they are communicated has already experienced the sensations to which they refer. No amount of ‘progressive’ refinement of linguistic argument can, in Coleridge’s view, change that fact. It is clear that, even half a decade after *Conciones*’ initial attack upon Godwin, Coleridge’s understanding of language does not considerably alter: though it may *encourage* moral feeling, it cannot intrinsically communicate that feeling to one who has not experienced it. Though he seeks to reconcile words with things, which is to say language with real experience, he cannot escape his awareness that the two may not unquestioningly be assumed to be inherently interlinked.

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<sup>8</sup> Jane Hodson, *Language and Revolution in Burke, Wollstonecraft, Paine, and Godwin* (Aldershot: Ashgate, 2007) 175.

<sup>9</sup> William Godwin, *The Enquirer: Reflections on Education, Manners, and Literature* (London: G. G. and J. Robinson, 1797) 369-70.

Coleridge's basic concern, so clearly expressed both in his letter of 1800 and in *Conciones*, about 'the old antithesis of Words & Things' may similarly be discerned in *The Plot Discovered* and its attitude to the Two Bills proposed by Pitt's government. In discussing the effect they would have upon 'the right of meeting together to petition,' Coleridge asserts that

The present Bills annihilate this right. The *forms* of it will indeed remain; (the *forms* of the Roman republic were preserved under Tiberius and Nero) but the reality will have flown.<sup>10</sup>

What Coleridge is specifically referring to here is the fact that, though in principle the right to petition would not be superseded by the new bills, in practice they render petitioning impossible, because the only way in which to gain enough signatures to support a petition was at the very public meetings the bills explicitly proposed to outlaw.<sup>11</sup> The way Coleridge expresses his point, however, allows for this argument to be interpreted as part of a wider philosophical statement. In the same way that Coleridge views language as somewhat worryingly removed from the meaning it signifies, so this comment underlines that laws possess a degree of distance from the purposes for which they were originally created. The fact that the 'forms' of the law may continue to exist while the 'reality' has ceased to substantiate them implicitly reveals an ontological divide. Legislation, and the meaning and intention with which it had been originally supplied, are not as intrinsically interbound as Coleridge would like them to be: their content may be undermined whilst their form remains superficially intact.

The pamphlet connects this contention about the form and reality of the law with several more broad statements which overtly indicate that Coleridge, in his analysis of the Two Bills, is

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<sup>10</sup> *Lects 1795*: 313.

<sup>11</sup> *The Parliamentary History of England, From the Earliest Period to the Year 1803*, vol. 33 (London: T. C. Hansard et al., 1818) 618-20.



building upon the conceptual groundwork he had established in *Conciones*. ‘The feelings of men are always founded in the truth,’ he writes a few pages beforehand, but ‘[t]he modes of expressing them may be blended with error:’ law, like the language in which it is written, is not innately and irrevocably bound with the principles it seeks to enforce.<sup>12</sup> Subsequent adaptations, of which the proposed bills were a perfect example, have the potential to corrupt and subvert any truth in which it may have been founded by the feelings of the men who created it. Ultimately, this criticism of the bills, rooted as it is in Coleridge’s attitude to linguistic expression, must be interpreted alongside wider eighteenth century contention over the relationship between language and legislative authority, on which theme the writings of William Keach are particularly insightful. In *Arbitrary Power*, Keach conducts detailed critical analysis of the link between arbitrary rule and arbitrary language:

In the political language of the eighteenth and early-nineteenth centuries, *arbitrary* [refers to] a condition of political tyranny or despotism. [...] In linguistic discourse, however, *arbitrary* [indicates that] words originate through collective acts of “Imposition” (Locke) of “institution” that are not founded in nature.<sup>13</sup>

By examining the divergence between these two definitions of the word ‘arbitrary,’ and their shared root in the notion of an arbiter’s subjective decisions, Keach foregrounds that ideas of tyranny and of the subjectivity of language were etymologically and conceptually related in the eighteenth century mind. It is exactly this relation which may be seen to lie beneath Coleridge’s criticisms of the Two Bills: by viewing them simultaneously as the dictates of a despotic state, and as entities which corrupt and ‘annihilate’ the meaning within the extant linguistic ‘forms’ of the law, he evidences the conceptual relation Keach describes. *The Plot Discovered* in this way

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<sup>12</sup> *Lects 1795*: 297.

<sup>13</sup> Keach, *Arbitrary Power* 6.

presents the Two Bills not only as a straightforward threat to traditional English rights, but also (and perhaps more significantly) as a kind of insidious threat to the linguistic integrity, and consequently the moral validity, of English law.

Coleridge's basic premise (inherited from *Conciones*) that law is as corruptible as the language in which it is written, and that its original meaning may thus be subverted over time, serves as a platform upon which he begins explicitly to determine his attitude to the English legal system itself in *The Plot Discovered*. The whole work displays an overt, and somewhat unexpected, preference for extant legal institutions: though *Conciones* reveals his increasing disagreements with the political perspectives of radicals like Godwin, it does not in expressing this view recommend a re-strengthening of old political and legal structures. Yet it is on these grounds that Coleridge submits the bulk of his criticism of the actions of the government, and it is his studies of works which lean distinctly towards praise of established legal procedures that provide the foundation of his case. From November until the end of December, a time exactly coinciding with the writing of *The Plot Discovered*, Coleridge had withdrawn James Burgh's *Political Disquisitions* from the Bristol Library.<sup>14</sup> Evidence of his reading of this work, originally published in 1774, is conspicuously apparent throughout the essay, and its whig-leaning liberal analysis of English politics and law suffuses Coleridge's argument deeply.<sup>15</sup> Though the central thrust of Burgh's treatise focuses on parliamentary reform, the parts which particularly interest Coleridge concern law and the judiciary: '[Burgh's] remarks on laws,' he writes in a footnote, 'are as profound as they are pointed.'<sup>16</sup> A significant number of the specific remarks Coleridge draws upon in *The Plot Discovered* pertain to the Riot Act of 1714, which, very much like the

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<sup>14</sup> Whalley 122.

<sup>15</sup> Isaac Kramnick, 'Republicanism Revisited: The Case of James Burgh,' *Proceedings of the American Antiquarian Society* 102 (1992): 90.

<sup>16</sup> *Lects 1795*: 302.

1795 Convention Bill, outlawed gatherings of more than twelve individuals, permitting the government to arrest peaceful groups of protesters under a charge of being ‘riotous.’<sup>17</sup> In discussing the Riot Act, Burgh reveals his position most clearly through an apposite quotation of the Jacobite MP Sir John Hinde Cotton:

Is it no grievance, [...] that a little dirty justice of the peace, the meanest and vilest tool a minister can make use of, [...] should have it in his power, by reading a proclamation, to put perhaps 20 or 30 of the best subjects in England to immediate death, without any trial or form of law?<sup>18</sup>

Burgh, like Cotton here, protests against the Riot Act’s having allowed judges to exercise unchecked and arbitrary power, unfettering them from the original ‘caution’ of the law on such matters. He is stressing that, if new laws are written which carry weighty punishments for deliberately vague offenses (ie: whether or not a meeting is judged to be ‘seditious’), judges are effectively granted absolute and unrestrained power over citizens. Burgh, in this section to which Coleridge directs his reader, is quite overtly linking arbitrary and vague language with arbitrary and tyrannous power.

For Coleridge the implications for the government’s actions in his own time, and for his wider consideration of law and language, are clear. Just as the Riot Act’s generalised language, combined with its prescription of heavy punishment, directly contributed to the exercise of arbitrary power by judges (who, as Cotton implies, were in the pockets of ministers), so the language of the Two Bills essentially disguised a crude attempt by Pitt and his ministers to assert unchecked tyrannical power through the legal system. Coleridge stresses this repeatedly throughout *The Plot Discovered*, nowhere more lucidly and comprehensibly than in his opening

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<sup>17</sup> James Burgh, *Political Disquisitions*, vol. 1: 259.

<sup>18</sup> James Burgh, *Political Disquisitions*, vol. 3: 234-5.

paragraph's warning that the proposed bills will make it 'legal for Ministers to act with vigour beyond law.'<sup>19</sup> The paradox which lies within this statement establishes the substance of his argument throughout: by authorising judges and ministers to act 'beyond' law, the bills fundamentally invert the purpose of law in the first place. They undermine its meaning by, in all but name, authorising arbitrary decision. In other words, they give weight, Coleridge contends, to the partial determinations of a subjective arbiter, instead of providing an objective code by which this arbiter or judge's decisions must be regulated. A short while later, Coleridge reiterates the point with an indicative metaphor, declaring that old laws and rights are 'superseded by the exploded commentaries of obsequious Crown lawyers,' accentuating the point by proclaiming that 'the commentary has conspired against the text.'<sup>20</sup> The metaphor of text and commentary neatly describes the inversion which, as Coleridge sees it, the Two Bills if passed would produce: the idea that a law may license its own obsolescence is as nonsensical as the notion that a commentary attached to a text may be assigned more significance than the text to which it is responding. By reverting to these images of texts corrupted and misused, Coleridge asserts that, primarily, the issue is one of language: Pitt's government, like a conspiratorial appendix, are undermining the substance of the legislature, demanding absolute control over the text to which it is appended. By sanctioning the exercise of arbitrary power, the proposed bills are thus shown in *The Plot Discovered* to expose the inherently hollow nature of the language in which they are expressed.

This issue of language, namely the tendency for the meaning with which it was originally articulated to be subverted (allowing laws to be undermined by those seeking unrestricted power), pervades Coleridge's project in *The Plot Discovered*. In tackling the problem, Coleridge

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<sup>19</sup> *Lects 1795*: 286.

<sup>20</sup> *Lects 1795*: 288.

may be seen to use the work as a means of evaluating and assessing potential solutions; his writing reveals an underlying consideration of how a legal system might insure against such inward corruption. It is a concern which would undoubtedly have been in his mind as he read Burgh's *Political Disquisitions*, and it is from this work that he began to form more definite ideas about a model of law he believed to be able to provide against the dangers of arbitrariness: Common Law. Following William Blackstone (and making much use of his highly respected *Commentaries on the Laws of England*), Burgh upholds Common Law as a central pillar of the English legal system.<sup>21</sup> Blackstone had defined Common Law as the 'maxims and customs' which constitute both the 'particular' and the 'universal rule of the whole kingdom,' explaining that, under this institution,

[Judges] are the depositary of the laws; the living oracles, who must decide in all cases of doubt, and who are bound by an oath to decide according to the law of the land. Their knowledge of the law is derived from experience and study [...] and from being long personally accustomed to the judicial decisions of their predecessors.<sup>22</sup>

Blackstone's emphasis upon judges' acquaintance with 'the judicial decisions of their predecessors' underlines the importance of interpretation of legal custom and convention. Justices acting under Common Law adjudicate according to the precedents set by prior cases; they are, as Mark Barr states, 'steeped in a knowledge of tradition maintained and supplemented by the written rules of past decisions.'<sup>23</sup> Though there is no explicit evidence that Coleridge had read Blackstone's *Commentaries* (despite his explicit quotations from the work, which mostly may be traced back to Burgh and other secondary sources), *The Plot Discovered* frequently

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<sup>21</sup> James Burgh, *Political Disquisitions*, vol. 1: 282.

<sup>22</sup> William Blackstone, *Commentaries on the Laws of England*, vol. 1 (London: A Strahan and W. Woodfall, 1791) 69.

<sup>23</sup> Mark L. Barr, 'The Common Law Illusion: Literary Justice in Coleridge's "On the Constitution of the Church and State,"' *College Literature* 35 (2008): 129.

employs the nomenclature of Common Law in its analysis of contemporary political events.<sup>24</sup> This is perhaps most overt in the way Coleridge frames the work's many literary and historical allusions, and may be demonstrated with the example of Coleridge's discussion of the need for punishment to be kept proportional to the crime committed (which, he insists, the proposed bills would decidedly threaten, by making the mere act of gathering together a punishable offence).<sup>25</sup> Citing a story from Plutarch's *Life of Pericles*, Coleridge relates an account of the hero being insulted by the unwarranted calumny of an opponent, only to find that the 'injustice' of the accusations had the contrary effect of 'reminding him of his merits,' thereby undermining the original intention of the chastisement.<sup>26</sup> Punishment, he underscores with this reference, only achieves its desired effect if it is appropriate to the crime. In contemplating the allusion, however, Coleridge proceeds to question its relevance, declaring that 'Pericles was a republican, and therefore it may be objected, not an apposite precedent.'<sup>27</sup> His uncertainty regarding the applicability of his literary reference here, it may be argued, is explicitly couched in the language of Common Law. In considering a retraction of the comment, Coleridge stresses the importance of 'precedent' in the reaching of decisions; just as Blackstone and Burgh had stressed the need for judgement to be guided by 'useful historical precedents,' so Coleridge seeks to regulate his own literary arguments by the same principle.<sup>28</sup> By presenting literary allusion as an analogous form of legal precedent in this way, Coleridge intimates a view that Common Law, and the respect for custom and inherited tradition which it entails, are a useful means of validating intellectual arguments, and of guiding judgements on social and political matters.

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<sup>24</sup> See footnote, *Lects 1795* 308.

<sup>25</sup> *Lects 1795*: 293.

<sup>26</sup> *Lects 1795*: 293.

<sup>27</sup> *Lects 1795*: 294.

<sup>28</sup> James Burgh, *Political Disquisitions*, vol. 1: ix.

Though Coleridge does not refer to Common Law by name in *The Plot Discovered*, it is clear from the language he chooses in sections like these that the institution was on his mind as he was writing. Pamela Edwards, in her book *The Statesman's Science*, is among a handful of critics to have mentioned this link, arguing, albeit briefly, that

The core of Coleridge's argument in *The Plot* was that Pitt's real reason for changing the existing law of treason was to obfuscate the concept of treason as it had theretofore existed in the Common Law.<sup>29</sup>

Edwards contends that *The Plot Discovered* seeks to demonstrate that the main danger portended by the government's actions, namely its forcing the Two Bills through parliament, consisted of an obfuscation of Common Law; it is this institution, she emphasises, which Coleridge is intent upon preserving. In making this argument, however, Edwards does not elucidate the underlying reasons behind Coleridge's high regard for Common Law: these reasons, it may be contended, primarily relate to his central concern about the relationship between law and language. As we have seen, Coleridge saw the intrinsic corruptibility of language as an inherent hazard in the formation of law: the arbitrary nature of words, he indicates, allows new meanings to be supplied to even the most simple statements. Common Law, however, does not exist as a series of simple statements and statutes. Rather than leaving judges and juries to determine the sense and applicability of a single statute (inevitably leading to legal debate more concerned with the interpretation of language than the intuition and expression of moral truth), Common Law provides an interpretative framework under which cases may be discussed, and decisions regulated and directed. 'It is an established rule,' Blackstone states,

to abide by former precedents, where the same points come again in litigation; as well to keep the scales of justice even and steady, and not liable to waver with every new judge's

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<sup>29</sup> Edwards, *The Statesman's Science* 73.

opinion; [...] it is not in the breast of any subsequent judge to alter or vary from, according to his private sentiments.<sup>30</sup>

For Coleridge this is the most important aspect of Common Law, the quality which stands most strongly in its favour: because individual ‘judges,’ as he puts it, ‘might make strange interpretations,’ it is better that the scales of justice be kept ‘steady’ by the guidance of past example.<sup>31</sup> In this way, Coleridge implies, the inherent ambiguity of language, which renders it susceptible to multiple interpretations and consequently potential corruptions of its original intention, may be circumvented. The subtextual, yet conspicuous, influence of Common Law in *The Plot Discovered* presents an image of the system as a kind of safeguard, protecting against the possible corruption which unguided individual interpretation and judgement might produce. Though not a perfect expression of the moral code by which society must be governed, it is, the work indicates, capable of coming much closer to objectivity than the arbitrary and ill-considered statutes of a tyrannical government.

It may be objected at this point that the bills Pitt’s government had put forward were not threatening directly to supplant precedents from Common Law, but rather to supersede the old treason laws under which previous cases, including the 1794 Treason Trials, had been conducted. These old treason laws, however, though recorded as statutes, may perhaps more truthfully be characterised as ancillary guidelines intended to aid courts in following Common Law on the subject of treason. John Barrell describes them as ‘declaratory of ancient Common Law,’ by virtue of the fact that their origins lie in Edward III and his parliament’s attempt to clarify extant ancient Common Law tradition.<sup>32</sup> By replacing the existing statutes relating to treason, and the

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<sup>30</sup> Blackstone, *Commentaries* 69.

<sup>31</sup> *Lects 1795*: 288.

<sup>32</sup> Barrell, *Imagining* 382.



Common Law tradition which they both support and represent, the proposed Two Bills thus stand fundamentally opposed to the principles of respect for custom and tradition according to which, in Coleridge's view, an effective legal system must run. Where most of his peers in the radical community were condemning the bills on the grounds that they were tyrannous because they were regressive (betokening an era in which kings issued arbitrary laws and levied unnecessary taxes), Coleridge, by contrast, argues that they are tyrannous precisely because they are *not* regressive.<sup>33</sup> They do not rise out of a centuries-old process of refinement and adaptation, and consequently, because their moral validity has not been tested in this way by (as he describes them) 'wisely cautious' ancestors, they must necessarily give rise to morally unjust verdicts if applied in a court of law.<sup>34</sup> By examining his writing from this perspective, it becomes clear that the critical model of Coleridge's thought cannot be so neatly categorised as a progression through the stages of 'Jacobin radicalism,' 'apostasy,' and 'conservatism.'<sup>35</sup> Like *Conciones, The Plot Discovered* reveals an inherent scepticism towards contemporary radicals' attitudes to the reform of legal process. Coleridge is not seeking to fashion anew the way trials are conducted and laws made, but rather to return to a system rooted, by nature, in the conventions of the past. This respect for tradition, he argues, constitutes the best means by which linguistic ambiguity in law might be allayed, and by which the exercise of arbitrary power, in court and government, may be checked.

Coleridge's contemplation of language, and the problematic notion that 'words' are merely arbitrary signs without inherent connection to the 'things' they represent, ultimately entirely defines his response not only to the Two Bills, but to the legal system they threatened to

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<sup>33</sup> See, for example, Albert Goodwin, *The Friends of Liberty: The English Democratic Movement in the Age of the French Revolution* (Oxford: Routledge, 1979) 391.

<sup>34</sup> *Lects 1795*: 291.

<sup>35</sup> See Edwards, *The Statesman's Science* 14; Thompson, *Making* 363.

undermine. *The Plot Discovered*, consequently, must be viewed as a direct conceptual successor to the issues of linguistic ambivalence and corruptibility which had defined the thematic content of *Conciones ad Populum*. By stressing that the government's proposed legislation, most particularly its limitation of what it referred to as 'seditious meetings,' would preserve the 'form' of the existing law whilst simultaneously removing its content and significance, Coleridge displays this clear thematic parallel. Just as *Conciones* had criticised Godwin for neglecting to consider the distance between 'words and things,' so *The Plot Discovered* views this distance, and its exploitation by an oppressive government, as a worrying danger to public safety. In conducting research on the legal system he felt was being exploited and corrupted in this way, Coleridge may be seen to have begun to think for perhaps the first time about how law might be organised so as to lessen and avoid such dangers. Perhaps because his main resource for *The Plot Discovered*, James Burgh's *Political Disquisitions*, extolled Common Law as an exemplary legal institution, or perhaps because of a longer standing esteem for it, Coleridge may be seen to turn to Common Law as a useful way of limiting arbitrary power. Even from this early period in his literary career, Coleridge displays a respect for the traditions and customs of the establishment, intimating a belief that Common Law, by relying on an abundance of precedent rather than the unfounded subjective interpretation of statutes, may produce morally acceptable legal decisions. 'Do ye know not,' he warns at the outset of his essay, 'that our nature is liable to corruption:' our laws and legal processes, he argues as a result, must be designed accordingly.<sup>36</sup>

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<sup>36</sup> *Lects* 1795 292.

## Chapter Three

### Dramatic Agency and Criminal Intention: Coleridge's Return to Drama

#### Introduction

Stepping into 1796, after a turbulent year at the centre of radical discourse and political upheaval in Bristol, Coleridge was entering upon a period in his life which would have a profound effect upon his political beliefs, and the attitude he took to his work. After his marriage to Sara Fricker in the October of 1795 at St Mary Redcliffe in Bristol, Coleridge and his new wife had begun their six week honeymoon at Clevedon.<sup>1</sup> It was here that Coleridge composed and prepared *Conciones ad Populum* and *The Plot Discovered*, whilst walking the coast and living with Sara in their 'pretty cot.'<sup>2</sup> Yet as the year drew to a close Coleridge found himself increasingly eager to return to the political activity of the city, feeling discontentedness with the restraints of his married domestic life, with its 'seclusion' 'feelings all too delicate for use.' He was looking to begin fresh projects and find new avenues for the dissemination of his beliefs.<sup>3</sup> These efforts were to be of a different nature to those of the previous year; tensions with Southey, which had been brewing since disagreements over their collaborative work on the 1795 lectures, forced him to devise new undertakings largely single-handedly. In discussions with Joseph Cottle, his publisher at Bristol, Coleridge hit upon the idea of a weekly journal composed of miscellaneous political and poetic content intended to appeal to moderate democrats, radical republicans, and

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<sup>1</sup> Holmes, *Early Visions* 102.

<sup>2</sup> *PW*, I, part 1: 260-61.

<sup>3</sup> *PW*, I, part 1: 261-263.

Christian dissenters alike.<sup>4</sup> In early 1796, leaving his pregnant wife behind with her family in Bristol, Coleridge embarked upon a lengthy tour of the country to gather subscriptions for this projected journal, *The Watchman*.<sup>5</sup> Running for a total of ten issues, it was to occupy much of Coleridge's time over the first half of the year, but was ultimately to prove a commercially unsuccessful enterprise. *The Watchman*'s wide-ranging variety failed fully to satisfy any of the diverse interests of its readership, which fell off in the following months.<sup>6</sup> This left Coleridge not only despondent but also lacking in income, unable adequately to provide for the now pregnant Sara and their expected child.<sup>7</sup> Moreover the growing split from Southey had effectively put an end to their plans to emigrate to America: Pantisocracy appeared by late 1796 a confirmed impossibility.<sup>8</sup> However serious Coleridge had been about the scheme, it is certain that its failure to materialise, combined with *The Watchman*'s lack of success, affected Coleridge's faith in his ability to initiate political change through his work. Discussing his position in a letter to Thelwall of November that year, Coleridge succinctly expresses his despondency in its opening exclamation: 'Ah me!' he laments, 'literary *Adventure* is but bread and cheese *by chance*.'<sup>9</sup>

It is this array of difficulties which provides the backdrop to Coleridge's decision to start work upon *Osorio* in February, 1797. Commissioned by Sheridan, in his capacity as manager of London's Theatre Royal on Drury Lane, to 'write a tragedy on some popular subject,' Coleridge quickly became engrossed in his writing again.<sup>10</sup> Though by this time he had moved away from Bristol, and was staying near his friend Thomas Poole in Nether Stowey, the ideas which had

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<sup>4</sup> Stuart Andrews, *The British Periodical Press and the French Revolution 1789-99* (Basingstoke: Palgrave, 2000) 63.

<sup>5</sup> J. E. Cookson, *The Friends of Peace: Anti-War Liberalism in England 1793-1815* (Cambridge: Cambridge UP, 1982) 95.

<sup>6</sup> Nicholas Roe, 'Coleridge's Watchman Tour,' *Coleridge Bulletin* 21 (2003): 44-45.

<sup>7</sup> Holmes 109.

<sup>8</sup> *Lects 1795*: xlii.

<sup>9</sup> S. T. Coleridge to J. Thelwall, November 19, 1796. *CL*, I: 258.

<sup>10</sup> W. L. Bowles, 'Recollections of the Late William Linley, Esq.,' *Gentleman's Magazine* Jun. 1835: 574-76.

found their expression in his lectures and prose works of 1795 visibly run through *Osorio*.<sup>11</sup> It is a play which reinterprets and builds upon the positions he had taken in those earlier writings, particularly, it will here be argued, with regard to the Treason Trials and the subsequent Two Acts (which had now been in force for a little over a year). Yet the manner in which these topics are approached differs considerably from their treatment in either *Conciones ad Populum* or *The Plot Discovered*: *Osorio* is a complex work without a straightforward political or religious message. It does not proclaim his opinion of the English legal system, or his response to the processes of particular trials, as unambiguously as Coleridge's may be seen to have aimed for in his previous writing. Yet whether this change is a result of the failure of Coleridge's recent intellectual endeavours (and a consequent reduction in literary confidence), or a natural effect of working in a medium which encourages consideration of a range of perspectives, it is nevertheless clear that Coleridge was still contemplating the legal issues and concerns he had written about in previous years. By first demonstrating that the influence of events like the 1794 Treason Trials and the passing of the Two Acts is manifest in Coleridge's writing in *Osorio*, this chapter will display the similarities and changes in Coleridge's attitude to their implications and significance. In the final sections of the chapter Coleridge's opinion of courtrooms and trials will be discussed more generally, and wider conclusions will be drawn regarding his response to legal process in the 1790s. To this end, the argument will largely focus upon his handling of intention and agency in the work, seeking to prove that, despite its frequently ambiguous message, *Osorio* is a play which sets out to encourage its audience to reassess the way they judge the intended and unintended results of individual characters' actions. Coleridge, it will ultimately be contended,

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<sup>11</sup> Gurion Taussig, *Coleridge and the Idea of Friendship, 1789-1804* (Newark: Rosemont, 2002) 94.

casts his audience as a jury, using the plot to guide them to a re-evaluation of the manner in which they reach their verdicts.

## Section One

### Defining Criminal Intention in *Osorio*

*Osorio* is a play fundamentally preoccupied with the proper apportioning of guilt. Throughout the work the reader is presented with numerous examples of actions which accidentally cause harm, or which, having been intended to cause harm, in reality do not. Coleridge prompts his audience to form judgements upon the relative culpability of the characters responsible for these actions, and then deliberately challenges the processes by which such decisions are reached. In executing these patterns of judgement and reassessment, Coleridge's writing in *Osorio* may be shown to be significantly influenced by the way guilt was determined in contemporary trials, and by one aspect of the law in particular: the contentious clause in the old treason law which made 'imagining the king's death' the cornerstone of the definition of treason.<sup>1</sup> This clause lay at the centre of much of the Treason Trials' debate, with the prosecution and defence of each trial attempting to interpret its implications in their favour.<sup>2</sup> The linguistic ambivalence which emerged as a result of these vexed interchanges was to provide the basis for the government's subsequent formulation of the Two Acts, and the constituent Treasonable Practices Act in particular. The act, as will be discussed in detail, sought to reframe the way treacherous acts were legally defined and substantiated, in order to strengthen the cases of future prosecutions that might lack direct evidence of a physical act of treason.<sup>3</sup> This section seeks to establish Coleridge's continued concern over the ramifications of the Treason Trials and Two Acts, and to display the profound influence of the government's attempts, in these trials and acts, to make

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<sup>1</sup> Barrell, *Imagining* 570.

<sup>2</sup> Barrell, *Imagining* 41.

<sup>3</sup> *History of Two Acts* 526.

assumed intention sufficient proof of a crime where physical evidence is unavailable. The implications of this shift in the way proof was established, it will be asserted, are ubiquitously apparent within the themes and characters of *Osorio*. This assertion, once illustrated, will eventually provide the foundation for the claim that Coleridge sought, through the often seemingly ambiguous elements of his language and characterisation, to criticise the government's attitude to legislation concerning the subject of treason.

Choosing to set *Osorio* in Spain at the height of the Inquisition, it is plain that Coleridge wanted directly to tackle issues surrounding false condemnations and unjust presumptions of guilt. This interest is evident from the opening scenes of the work, most notably in Osorio's interactions with Francesco, the high priest responsible for conducting the Inquisition. Francesco first enters the play amidst an early encounter between Osorio (the prince who, having ordered his brother's assassination, has usurped his place as heir to the throne) and Alhadra, wife to the commissioned assassin Ferdinand. On hearing Alhadra mention the name of the man he had hired to commit this covert act, Osorio reacts with violent shock (intermingled with a suppressed guilt): '*starting as in sudden agitation,*' and sweating profusely.<sup>4</sup> However, in lines later deleted from the manuscript by Coleridge, Francesco interprets Osorio's unusual behaviour not as a product of shock, but as the result of witchcraft:

I have a thought—i faith, it is most likely.  
Mayhap, this woman is a witch; and now  
Her spells are working. Such things are on record.  
I'll take her off.<sup>5</sup>

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<sup>4</sup> *PW*, III, part 1: 66.

<sup>5</sup> See note on *PW*, III, part 1: 67. (The scored-out misspelling of 'witch' has been deleted)



Francesco has no evidence other than the seeming link between Alhadra's having spoken her husband's name, and Osorio's immediate distress; yet by taking contextual correlation for direct causation, he assumes that her words must necessarily have somehow enchanted him.

Francesco's readiness to assume that a crime has taken place, and the confidence in drawing this conclusion indicated by his describing it as 'likely,' sets up a prevalent thematic undertone within *Osorio*. This early example of an assumption of criminality establishes the dominant atmosphere of the play: one in which 'the primary actions,' as George Erving puts it, 'are motivated by dreams, reveries, and staged fictions.'<sup>6</sup> Francesco, like many of the play's characters, is much too quick to justify his condemnations and punishments upon inconclusive evidence and fictitious presumption.

Francesco's inclusion in *Osorio*, and indeed Coleridge's wider decision to set the work during the time of the Inquisition, must be seen as at least a partial consequence of his contemporary interest in the plays of Friedrich Schiller. In correspondence with Thelwall and Cottle, Coleridge openly acknowledges the impact which the German playwright's powerful works had had on his own literary endeavours. The admiration had been growing since its first kindling two years earlier, whereupon he had extolled the exhilarating quality of the elder author's writing:

My God! Southey! Who is this Schiller? This Convulser of the Heart? Did he write his Tragedy amid the yelling of Fiends?<sup>7</sup>

Coleridge's outspoken praise for Schiller, evident in passages like these, is distinctly mirrored in *Osorio*, which displays a clear debt to one work of his in particular: *The Robbers*. Also set in the

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<sup>6</sup> George Erving, 'The Breakdown of Moral Order in Coleridge's *Osorio*,' *Coleridge Bulletin* 16 (2000): 52.

<sup>7</sup> S. T. Coleridge to R. Southey, 3 November, 1794. *CL*, I: 120.

16th century, with a plot that similarly focuses upon a dishonest second son seeking to usurp his brother's position, this 1781 play unmistakably influenced *Osorio* in a variety of ways (an influence first analysed by John Louis Haney in his 1902 work *The German Influence on Samuel Taylor Coleridge*).<sup>8</sup> Less noticeable than the conspicuous parallels between the two plays' plots, however, is *Osorio*'s treatment of the topic of Inquisitions, which may also be usefully interpreted in the light of Schiller's drama. J. C. C. Mays speculates that Coleridge had encountered this work through Alexander Tytler's translation, and as such it is this version, published in 1792, which will be used here.<sup>9</sup> Though *The Robbers* does not deal with the Spanish Inquisition itself, the events of *The Robbers* are likewise placed in an environment of religious fear and suspicion, one which is overtly attributed to contemporary Inquisitions in central Europe.<sup>10</sup> The theme crucially emerges in an interesting interchange between the eponymous robbers (namely the men who the noble elder brother Karl falls in with after the usurpation), and a commissary of the church who enters upon their camp. Beginning the encounter (his first with these men) with a stream of accusations and insults, the commissary '*clasp[s] his hands*' and proclaims:

Hast thou not set fire to our most upright and sanctified city, and blown up our holy powder-magazine over the heads of many pious Christians? [...] Abomination of abominations! The horrible savour of thy sins has ascended to Heaven, and will bring on the day of judgement before its time, to punish such a wicked—damn'd—infernal monster!<sup>11</sup>

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<sup>8</sup> John Louis Haney, *The German Influence on Samuel Taylor Coleridge* (Lancaster: New Era, 1902) 8.

<sup>9</sup> *PW*, I, part 1: 151

<sup>10</sup> Werner Von Stransky-Stranka-Greifensfels, 'Die Rauber: Structure, Models, and an Emblem,' *A Companion to the Works of Friedrich Schiller*, ed. Steven D. Martinson (Rochester: Camden House, 2005) 104.

<sup>11</sup> Frederick Schiller, *The Robbers: A Tragedy*, trans. Alexander Tytler (London: G. G. and J. Robertson, 1792) 94.

To the monk's hyperbolic claims, however, the robbers calmly respond with sarcasm, commenting upon his 'masterly oration' and directing him back 'to the point in hand.'<sup>12</sup> The interchange is comparable to Francesco's persona as drawn in *Osorio*: both he and Father Dominic form instinctive judgements, based upon no direct physical evidence, about the crimes of others. Coleridge quite clearly felt that the theme of mediaeval and early modern Inquisitions, which Schiller himself had interwoven into the play as a comment upon the jealous suspicion and unjust condemnation which occurs in the main narrative, provided a useful thematic undertone for own work. It establishes, from the very beginning of *Osorio*, a trend of characters jumping to conclusions regarding guilty intentions, without substantiating those conclusions with proof of action.

Known for being 'conspicuously political,' Schiller's work must have given Coleridge some inspiration with regard to the expression of distinctly political themes in drama; *Osorio*'s underlying background of religious Inquisitions provided him with fruitful material for analogous comment upon the events of the present day.<sup>13</sup> In this respect, Francesco's aggressive and specious denunciations of supposed witches and blasphemers bear an interesting relation to the activities of Pitt's government, and particularly to their (ultimately successful) attempts to alter the manner in which individuals were legally charged with the crime of treason. Perhaps the most controversial topic wrangled over by the various cases of the 1794 Treason Trials (and dominating much of the trials' debate) was the precise manner in which examples of verbal evidence could be construed as confirmations of criminal premeditation. Alongside evidence (which would eventually be deemed inconclusive) from the minutes of conventions of radical societies which Hardy, Thelwall, and Tooke had attended, much evidence from the testimonies

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<sup>12</sup> Schiller, *Robbers* 94.

<sup>13</sup> J. G. Robertson, *A History of German Literature* (Edinburgh: Blackwood, 1949) 333.

of spies was presented in the cases for the prosecution. Among the most infamous of these testimonies was given by a man named John Groves, known as ‘spy Groves,’ and concerned a comment he had overheard Thelwall make in a public house:

He [Thelwall] took up a pot of porter which had been brought in by some waiter. He blew off the head of the froth, and said, *This is the way I would have all Kings served, or, This is the way I would serve all Kings.*<sup>14</sup>

Erskine’s response to evidence like this defined much of the nature of the radical community’s response to the trials, and the arguments the government had tried to put:

Supposing this man had been no spy, and the Jury had given credit to him; who would be safe, if they were to be judged upon the words that might escape from them in the moment of heat or incaution?<sup>15</sup>

Erskine’s response here falls very much into the vein of linguistic criticism discussed in the previous chapter: it gestures towards much the same position as John Horne Tooke’s comment, discussed in the previous chapter, that linguistic meaning ‘must depend on context.’<sup>16</sup> When compared with Coleridge’s depiction of the character of Francesco, Erskine’s criticism of spy Grove’s comment may certainly be seen to represent the kind of attitude Coleridge takes to condemnations based upon the questionable evidence of witnesses. Deducing witchcraft from the inconclusive correlation of Alhadra’s words (pleading genuinely for information about her husband) with Osorio’s disturbed response to them, Francesco is revealed to be just as guilty of assuming guilt from ambiguous verbal evidence as Scott had been in substantiating the government’s unjust case. Contemporary comments made by men like Henry Crabb Robinson,

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<sup>14</sup> *Trials for High Treason* 73.

<sup>15</sup> *Trials for High Treason* 351.

<sup>16</sup> *Trials for High Treason* 355.

who found himself unsettled by the government's reliance on the misconstrued evidence of spies, may consequently be just as well applied to Francesco himself: both of them ignominiously '[catch] at the indiscreet but zealous and well-meant effusions of [fellow citizens]; by torturing every hasty expression into sedition or treason.'<sup>17</sup>

This comparison between the characterisation of Francesco and the actions of Pitt's government in calling the Treason Trials is by no means a particularly hidden or subtextual one. Arnold Fox, in his article on *Osorio*'s biographical background, declares that 'the Inquisition obviously was related in [Coleridge's] mind to the despotic government of England, and in creating the Inquisitor, Francesco, he must certainly have thought of Pitt.'<sup>18</sup> With specific regard to the Treason Trials, Fox's comment may be borne out with examples of more explicit references in Coleridge's work to spies, and to cases based upon evidence obtained from eavesdropping and stripped of their original context. Perhaps the most overt connection may be drawn from the reaction of Francesco to the feigned summoning of the spirit of Albert in Act Three. Presuming the assassination attempt on his brother to have been successful, Osorio commissions a strange moor (who, as the audience are aware, is in reality the elder brother himself, Albert, in disguise) to perform a seemingly mystic (but in fact wholly staged) ritual by which his old lover might be at last convinced of his death, and thus be free to give herself up to the infatuated Osorio. This incident, which displays a clear debt to the gothic tradition of the explained supernatural (Coleridge had been reading gothic works by Lewis and Radcliffe in the preceding months), is later revealed to have been covertly observed by an agent of Francesco.<sup>19</sup>

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<sup>17</sup> Henry Crabb Robinson, 'On the Essential and Accidental Characteristics of Informers,' *The Cabinet*, vol. 1 (Norwich: J. March, 1794) 281-86.

<sup>18</sup> Arnold B. Fox, 'Political and Biographical Background of Coleridge's *Osorio*,' *The Journal of English and Germanic Philology* 61 (1962): 261.

<sup>19</sup> George Erving, 'Coleridge as Playwright,' *The Oxford Handbook of Samuel Taylor Coleridge*, ed. Frederick Burwick (Oxford: Oxford University Press, 2009) 398.

A few moments into the following scene Francesco, acting upon this intelligence, is shown ordering his men to ‘seize and gag’ Albert, declaring that ‘good evidence have I, of most foul sorcery.’<sup>20</sup> His statement, emphatically underlining the irony of Francesco’s assessment of his evidence as ‘good,’ is indicative of Coleridge’s wider response to the actions of Pitt’s government as described by Fox. The accusation of ‘sorcery,’ which may be seen here in the same light as the Treason Trials’ accusations of treason, is in fact the direct product of a plan initiated by the man from whom Francesco receives his orders: Osorio. In this way, Coleridge may be seen to comment upon the hypocrisies of the government of his present day; their assumptions of criminal and iniquitous intentions upon inconclusive evidence, drawn from improperly reported and misinterpreted speech alone, is in itself shown to be hollow and reprehensible.

These scenes with Francesco, and indeed the majority of the plot, appear deliberately constructed to illustrate the notion that speech, however it is reported, cannot serve as central evidence in the construction of a criminal case. This basic point represents a principle which may be found precisely and straightforwardly articulated by Coleridge in *The Plot Discovered*, in his discussion of the old treason laws: their chief advantage, Coleridge asserts, lay in the fact that they ‘would not admit words as sufficient evidences of intention.’<sup>21</sup> As Coleridge saw it, this was the principal reason for the ultimate verdicts of innocence at the Treason Trials: the dubious reports of eavesdroppers were not heeded, and instead of ‘eight hecatombs of condemned traitors,’ there survived ‘eight triumphant acquitted felons!’<sup>22</sup> However, the Two Acts, and in particular the Treasonable Practices Act, once passed intrinsically altered the way subsequent

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<sup>20</sup> *PW*, III, part 1: 110.

<sup>21</sup> *Lects 1795*: 291.

<sup>22</sup> *Lects 1795*: 288.

treason trials could be conducted. It is worthwhile at this point to quote in full the crucial passage of the bill to which Coleridge was reacting in *The Plot Discovered*:

If any person or persons whatsoever, after the day of the passing of this act, [...] shall, within the realm or without, compass, imagine, invent, devise, or intend death or destruction, or any bodily harm tending to death or destruction, maim or wounding, imprisonment or restraint, of the person of the same our sovereign Lord, the King, his heirs and successors, [...] then every such person and persons, so as aforesaid offending, shall be deemed, declared, and adjudged, to be a traitor and traitors, and shall suffer pains of death, and lose and forfeit as in cases of high treason.<sup>23</sup>

The bill goes on further to specify the way evidence, particularly that which is spoken or written, may now be deemed admissible under this clause, stating that treason may now be proved if a defendant's

compassings, imaginations, inventions, devices, or intentions, or any of them, [have been] express[ed], utter[ed], or declare[d], by publishing any printing or writing, or by any overt act or deed; being legally convicted thereof upon the oaths of two lawful and credible witnesses upon trial.<sup>24</sup>

What the government were effectively attempting to achieve by reframing the law in this way was a fundamental shift in the burden of proof, one which Coleridge was perceptive to have grasped so early. Government ministers had attempted to hide, in language which Godwin denounced as unnecessarily and deliberately 'complicated in its structure' (the entire bill is lengthy and involved), a loosening in the requirements a prosecutor must satisfy in order to demonstrate the existence of an intention to commit treason.<sup>25</sup>

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<sup>23</sup> William Dickinson, *The Justice Law of the Last Five Years, viz. from 1813 to 1817, Both Inclusive: Being Supplementary to the Several Treatises on the Office and Duties of a Justice of the Peace* (London: Clarke and Sons, 1818) 707-07.

<sup>24</sup> Dickinson, *Justice Law* 707.

<sup>25</sup> William Godwin, *Considerations on Lord Grenville's and Mr. Pitt's Bills* (London: J. Johnson, 1795) 41.

Where, previously, greater weight had been placed upon concrete evidence of a conspiracy, and an imminent threat to the king, this new legislation placed greater value upon much more inconclusive indicators of radical leanings. In Coleridge's words, the alterations would effectively entail that 'if any man should publish, nay, if even in a friendly letter or in a social conversation any should assert a Republic to be the most perfect form of government, and endeavour by all argument to prove it so, he is guilty of High Treason: for what he declares to be the more perfect, and the most productive of happiness, he recommends; and to recommend a Republic is to recommend an abolition of the kingly name.'<sup>26</sup> Though the bill was framed, as John Barrell describes, as an 'acting rather than a declaratory bill,' one which sought to clarify rather than expand extant legislation, it is clear from Coleridge's astute analysis that the definition of treason had grown much broader.<sup>27</sup> As became apparent in the trials which were to be brought in the following months, the law had been made significantly more severe; in exactly the way Coleridge had stressed they should not, 'words' had become 'sufficient evidences of intention.'<sup>28</sup>

Given Coleridge's perception of the seriousness of this adjustment to the law, *Osorio* must be interpreted not only as a reflection of the Treason Trials, but also as an expression of a deeper anxiety about what he saw as a corruption of the proper function of legal process. Though the work does explicitly criticise unlawful and severe condemnations, perhaps most overtly in the figure of Francesco, Coleridge's underlying anxiety about the government's actions manifests itself more directly (and perhaps to greater effect) in the figure of Osorio. Though a complex and multifaceted character, Osorio at first glance seems to fall into the pattern of a stock

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<sup>26</sup> *Lects 1795*: 289.

<sup>27</sup> Barrell, *Imagining* 574.

<sup>28</sup> *Lects 1795*: 291.



gothic villain: he usurps his noble brother, deceives his father, and attempts throughout the play to murder and imprison many of the most virtuous characters.<sup>29</sup> Where Francesco merely follows with zeal the directives by which the Inquisition was conducted, Osorio's motives present a much more damning parallel to the government's objectives in pushing through legislation like the Two Acts. It is a parallel made clear in his responses to other characters' intimations of his responsibility for the assassination he had secretly commissioned:

I'll dash thee to the Earth, if thou but think'st it.  
Thou Slave! thou Galley-slave! thou Mountebank!  
I leave thee to the Hangman!<sup>30</sup>

Describing his subject here (though Albert, who he is addressing, is in fact superior to him) as a 'slave,' and threatening summary execution for so little as 'thinking' or insinuating what is in reality a truth, Osorio may quite reasonably be seen as a reflection of the despotism Coleridge perceived in the contemporary government's actions.

The comparison is made yet more plausible when viewed in the light of various other, more ingenious, connections, scattered throughout the work. In his prose and poetic writing Coleridge reveals himself fascinated by puns and the allusions they are capable of drawing, finding himself in the 1790s particularly drawn to experiment with the linguistic possibilities of Pitt's name. By centring the dramatic climax of *Osorio* upon a 'hellish pit,' into which Ferdinand is pushed by Osorio in order to silence him, Coleridge may be seen to be setting up a visual pun on the nature of the current government.<sup>31</sup> The fact that 'chasm' is never spelt with a capital in the manuscript, whereas 'Pit' is often capitalised, gestures towards an inherent link in

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<sup>29</sup> Peter L. Thorslev, *The Byronic Hero: Types and Prototypes* (Minneapolis: Minnesota UP, 1962) 52.

<sup>30</sup> *PW*, III, part 1: 92.

<sup>31</sup> *PW*, III, part 1: 112.

Coleridge's mind between this black void, responsible only for unjust and secretive murder, and the cruelty of Pitt himself.<sup>32</sup> This punning reference, which Patrick Keane also spots in his discussion of *Osorio* in *Coleridge's Submerged Politics*, does not constitute the first time Coleridge had communicated his criticism of Pitt through the linguistic implications of his name.<sup>33</sup> In *Fire, Famine, and Slaughter* (which, though published in 1798, Ernest Hartley Coleridge suggests was written contemporaneously with *Osorio*),<sup>34</sup> the eponymous allegorical figures hint at their allegiance to Pitt:

Famine:	Sisters! sisters! who sent you here?
Slaughter ( <i>to Fire</i> ):	I will whisper it in her ear. [...]
Famine:	Whisper it, sister! so and so! In a dark hint, soft and slow.
Slaughter:	Letters four do form his name— And who sent you?
Both:	The same! the same!
Slaughter:	He came by stealth, and unlocked my den, And I have drunk the blood since then Of thrice three hundred thousand men. <sup>35</sup>

When the four letters Slaughter mentions are taken as an implication of those which makes up Pitt's name, the political implications of this poem become clearly visible, and have been discussed from the earliest scholarly analyses of the work.<sup>36</sup> Such evidence of Coleridge's tendency for oblique political commentary supports the view that Coleridge was deliberately critiquing the recent actions of the British government. The politically-motivated trials that had been brought, and the oppressive legislation that had been enacted, finds mirrors and parallels

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<sup>32</sup> *PW*, III, part 1: 132.

<sup>33</sup> Patrick J. Keane, *Coleridge's Submerged Politics: The Ancient Mariner and Robinson Crusoe* (Columbia: Missouri UP, 1994) 306.

<sup>34</sup> See note in Samuel Taylor Coleridge, *The Complete Poetical Works of Samuel Taylor Coleridge*, ed. Ernest Hartley Coleridge, vol. 1 (Oxford: Clarendon, 1912) 237.

<sup>35</sup> *PW*, I, part 1: 440-41.

<sup>36</sup> Henry Duff Traill, *Coleridge* (London: Macmillan, 1884) 78.

throughout the play: *Osorio* is a work fundamentally preoccupied with contemporary legal affairs, one which may not be fully understood without an understanding of events in and around the courtroom in the 1790s. As he implies in *Fire, Famine, and Slaughter*, Coleridge felt that Pitt and his government had, ‘by stealth’ and in an underhand manner, unleashed unnecessary and copious slaughter upon the nation. Osorio’s violent excess, his suspicious attitude and his eagerness to murder his own subjects upon the slightest hint of disloyalty or dissent, must ultimately be seen in this light; by characterising him in this way, Coleridge vents his dissatisfaction with a government that reacted, with tyrannous force, to unfounded suspicions of treasonous intentions in its subjects.

It is evident that the Treason Trials, along with the subsequently passed Two Acts, had a profound and lasting effect upon Coleridge’s writing: they raised issues which he would continue to analyse for many months, and which may be seen running through the events of *Osorio*. The most significant of these themes, at least where this work is concerned, was the notion of intention, and the way in which an intention to commit treason ought to be substantiated in court. The government had failed successfully to prosecute the three defendants of the Treason Trials, in large part because the jury had not been convinced that the reported evidence of their having used treasonous language validated an assumption of criminal intent. The Two Acts, about which Coleridge had eloquently written in *The Plot Discovered*, and in particular the Treasonable Practices Act, sought to prevent such an acquittal from occurring again, by essentially (although not conspicuously) allowing words to be viewed as ‘sufficient evidences of intention’ in legal trials. Perhaps inspired by Schiller’s overtly political dramatic writing, Coleridge’s inclusion of the Inquisitor Francesco and the tyrant Osorio may be interpreted as direct reflections upon the politics of the present day, and the increasingly despotic treatment of those falsely suspected of

treason. Through wordplay, and through shrewd characterisation, Coleridge presents a distinct and scathing attack upon the actions of Pitt's government, the violent and oppressive tendencies he perceived in them, and the atmosphere of fear and suspicion which had resulted. In *Osorio* Coleridge affirms what he warned of in *The Plot Discovered*: that the government had succeeded in their aim to corrupt the law, and to transform English courtrooms into replicas of the ruthless Spanish Inquisition.

## Section Two

### The Courthouse and the Playhouse: *Osorio* and the Contemporary Stage

Though *Osorio* certainly does imply fundamental criticisms of the actions of Pitt's government, it is evident, when compared with the spirited and outspoken arguments of his 1795 prose writing, that these criticisms are not expressed with the same evangelistic zeal as much of his earlier work. Where *The Plot Discovered*, for example, had directly urged its readership to observe imminent corruptions to the law, *Osorio* conveys its position upon the subject much less overtly, choosing instead to employ the suggestive influence of wordplay and allusion. This has much to do with the intended audience for whom Coleridge was writing. Commissioned by Sheridan, and intended ultimately for the London stage, *Osorio* reveals its author's intrinsic awareness of the need to temper potentially unpalatable political critique, in order not only to appeal to a broader audience, but indeed to be performed at all.<sup>1</sup> Though Sheridan's ultimate rejection of the work suggests that Coleridge had not quite kept to the right side of this line, *Osorio* does display a conscious attempt to produce a work appropriate (at least superficially) to the mores of the contemporary stage.<sup>2</sup> In employing traditional dramatic genres and conventions, perhaps most noticeable among them being those associated with the gothic, Coleridge may be shown to seek openly to satisfy the tastes of London theatregoers. Yet, in the same way that Coleridge concealed damning parallels with political events within the various strands of his plot, his use of particular dramatic conventions may more accurately be described as a kind of shrewd manipulation. By comparing *Osorio* with popular plays of the period, to which Coleridge would certainly have given thought when composing his work, the exact nature of this

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<sup>1</sup> Parker, *Romantic Tragedies* i.

<sup>2</sup> See *CL*, I: 213.

manipulation may be exposed. In drawing such comparisons, this section will investigate the extent to which Coleridge was influenced by, and responding to, theatrical conventions and dramatic works of the time, particularly those which deal with similar themes regarding trials and the law. It will be contended that, in reflecting and subverting specific dramatic conventions, Coleridge sought to draw a connection between the manner in which popular contemporary plays encouraged their audiences to make hasty condemnations of particular characters, and the government's desire more easily to incriminate and execute individuals it felt to possess treacherous intentions. By making this comparison, Coleridge will ultimately be shown to compel his intended audience to reassess the process by which they form judgements of characters. Rather than presuming a villain guilty due to unfounded suspicions of malicious intention, audiences are persuaded to ground their verdicts, as he argues in *Conciones ad Populum*, in the 'deep and strong soil' of emotional intuition: *Osorio*'s purpose, on a basic level, is to illustrate how this is done.<sup>3</sup>

In the final decades of the eighteenth century, the tastes of London theatregoers underwent a marked transition, with popular plays tending ever more to the sensational and spectacular.<sup>4</sup> This growing trend replaced the traditional techniques of acting and stagecraft of the 'old school,' a style exemplified in the performances of Garrick (who had retired in 1776), and which placed much weight upon the communication of emotion through subtle modulations of voice and expression.<sup>5</sup> Based upon what was then termed 'physiognomy,' defined by Johnson as 'the act of discovering the temperature, and foreknowing the fortune, by the features of the

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<sup>3</sup> *Lects 1795*: 33.

<sup>4</sup> Jacky Bratton, 'Romantic Melodrama,' *The Cambridge Companion to British Theatre, 1730-1830*, eds. Jane Moody and Daniel O'Quinn (Cambridge: Cambridge UP, 2007) 117.

<sup>5</sup> Peter Thomson, 'Acting and Actors from Garrick to Kean,' *The Cambridge Companion to British Theatre, 1730-1830*, eds. Jane Moody and Daniel O'Quinn (Cambridge: Cambridge UP, 2007) 7.

face,' actors would attempt outwardly to convey the passions of their characters through studied physical gesture and regulation of tone.<sup>6</sup> As the actress Elizabeth Craven put it in her *Memoirs*:

the muscles, which extend, the veins which swell, the skin which reddens, prove our interior emotion, without which it is impossible to exhibit great talent.<sup>7</sup>

With London's rapid growth in the final decades of the eighteenth century, however, came a concurrent expansion in theatre attendance, and a consequent shift in the type of drama that was not only preferred, but possible.<sup>8</sup> The subtleties of expression and articulation, as described by Elizabeth Craven, could not impart the same effect to an audience of thousands as it could to one of hundreds. In 1792 Covent Garden had expanded its capacity to 3,013 (an increase of over fifty percent), whilst Drury lane, following extensive reconstruction in 1794, had similarly grown to a capacity of between 3,600 and 3,900.<sup>9</sup> These changes had a profound and direct effect upon the way plays were written, staged, and performed: as the playwright Richard Cumberland reports, 'the splendour of the scenes, the ingenuity of the machinist and the rich display of dresses, aided by the captivating charms of music, now in a great degree supercede the labours of the poet.'<sup>10</sup> Spectacle increasingly came to possess greater currency than the skill of the actors, or the lines they delivered. Characters and narratives became simpler, with less complexity of motive and emotion, so as to communicate to every tier of these large auditoriums; relatively modern genres, the Gothic perhaps foremost among them, quickly gained great popularity as vehicles for opulent

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<sup>6</sup> Samuel Johnson, *A Dictionary of the English Language*, vol. 2 (London: J. F. and C. Rivington et al., 1785) 323.

<sup>7</sup> Elizabeth Craven, *The Beautiful Lady Craven: The Original Memoirs of Elizabeth Baroness Craven (1826)*, eds. A. M. Broadley and Lewis Melville, vol. 1 (London: The Bodley Head, 1914) 235-6. See Claudia Corti, 'Discursive Cross-References and Genre-Interferences in Romantic Theory and Practice of Dramatic Art,' *The Languages of Performance in British Romanticism*, eds. Lisa Maria Crisafulli and Cecilia Pietropoli (Bern: Lang, 2008) 42-43.

<sup>8</sup> M. Dorothy George, 'Some Causes of the Increase of Population in the Eighteenth Century as Illustrated by London,' *The Economic Journal* 32 (1922): 325.

<sup>9</sup> *Seven Gothic Dramas: 1789-1825*, ed. Jeffrey N. Cox, (Ohio: Ohio UP, 1992), p.8.

<sup>10</sup> Richard Cumberland, *Supplement to the Memoirs of Richard Cumberland* (London: Lackington, Allen, & Co., 1807) 57-58.

scenery and effects, as well as intense uncomplicated displays of passion (though in the 1790s these were by no means as violent and fiery as they would become in later years, particularly after the debut of Kean).<sup>11</sup> It was for this changing theatrical environment, in which theatrical spectacle and sensationalism were held in high popular esteem, that Coleridge wrote *Osorio*, and in order to be fully understood, the features of his plot and characterisation must be analysed in relation to it.

Having been commissioned by Sheridan, then manager of Drury Lane, Coleridge was certainly writing *Osorio* with the sizeable audiences of that theatre, and its ostentatiously melodramatic productions, in mind. Indeed from his correspondence we know that Coleridge envisioned the company's most celebrated actress, Sarah Siddons (who acted there until 1802), in the part of Maria from an early stage in the play's conception.<sup>12</sup> Though it is unclear exactly which performances Coleridge attended in London in the 1790s, he had probably at least seen Siddons perform there (given his high opinion of her), and his writing in *Osorio* quite clearly displays an awareness of the theatrical devices and special effects used in the spectacular productions for which the two London patent theatres (Drury Lane and Covent Garden) had become known.<sup>13</sup> This awareness is particularly apparent in the final meeting of Ferdinand and Osorio, at the dramatic crux of Act Four, in a cavern in the dead of night. Whilst establishing this setting (in a stage direction at the opening of the first scene), Coleridge pays close attention to the appearance of the stage and the way light should affect the atmosphere created:

*A cavern, dark except where a gleam of Moonlight is seen on one side of the further end of it; supposed to be cast on it from a Cranny in a part of the Cavern out of sight.*<sup>14</sup>

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<sup>11</sup> Jacky Bratton, 'Romantic Melodrama' 121.

<sup>12</sup> S T. Coleridge to W. L. Bowles, 16 March, 1797. *CL*, I: 318.

<sup>13</sup> *CL*, I: 318-19.

<sup>14</sup> *PW*, III, part 1: 112.



Where *The Fall of Robespierre*, which had not been intended for the stage, gives no such indication of the visual effect of its scenes, *Osorio*'s careful detailing of the manner in which light is utilised affirms that Coleridge planned his work to make full use of Drury Lane's capacity for dramatic visual effects. In this case, it is clear that he had witnessed the London theatres' commonplace usage of oil lamps, which, with the aid of highly polished reflectors, were capable of casting concentrated beams of light upon specific points of the stage.<sup>15</sup> By indicating how this beam should be directed, and where its origin is to be concealed, Coleridge emphasises his intention for theatrical technology to be used fully in performances of his work. In the same way, *Osorio* contains occasional references to sudden flashes of light, as when Ferdinand comments upon how 'the moonshine came and went, like a Flash of Lightning,' which also constitute clear prompts for the inclusion of lighting tricks.<sup>16</sup> Details like these reveal Coleridge's consciousness of the environment for which he was writing, underlining his desire to make the text appear appropriate to the London stage: he wanted *Osorio* to seem, at least on the surface, to follow in the mould of the traditional melodramatic and spectacular repertoire of Drury Lane.

Coleridge's readiness to adopt the dramatic effects to which London audiences had become accustomed is not, however, the result of a straightforward and uncomplicated attempt to appeal to their predilections. *Osorio* may instead be seen to represent a sustained, though not immediately apparent, critique of those predilections, and of the way in which audiences responded to and interacted with the contemporary productions that catered to them. It is a

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<sup>15</sup> Christopher Baugh, 'Scenography and Technology,' *The Cambridge Companion to British Theatre, 1730-1830*, eds. Jane Moody and Daniel O'Quinn (Cambridge: Cambridge UP, 2007) 51.

<sup>16</sup> *PW*, III, part 1: 113.

critique most apparent in the figure of Maria, and particularly in her response to the feigned sorcery scene in Act Three. Attempting to convince Maria of her beloved Albert's death, in order to marry her himself, Osorio plans an elaborate spectacle in which the spirit of the (supposedly) dead Albert may be called from beyond the grave to prove his death. As the priest (who is in fact Albert in disguise, unbeknownst to all present) summons the spirit, Coleridge's stage direction reads:

*Here a strain of Music is heard from behind the Scenes, from an Instrument of Glass or Steel—the Harmonica or Celestina Stop, or Clagget's metallic Organ.*<sup>17</sup>

By detailing the way in which Osorio seeks to delude Maria so precisely, Coleridge draws an implicit connection between her and the audience themselves: both are to be duped into blind acceptance of the truth of a contrived display. Clagget's metallic organ, as described in an article in the *Monthly Magazine*, was an instrument with 'a great resemblance to the organ, [acting] by pressure on a system of metallic bars, (or pitch-forks),' and capable of much 'clearness, purity, and fullness of tone.'<sup>18</sup> The inclusion of such a specific reference to the manner in which the effect ought to be created illustrates Coleridge's keenness that scene be carefully staged to leave as strong an impression on the audience as it does on Maria. In her response a few lines later, Coleridge holds a mirror up to contemporary audiences' own reactions to dramatic effects like these:

This is some trick—I know, it is a trick—  
Yet my weak Fancy, and these bodily creepings,  
Would fain give substance to the shadow.<sup>19</sup>

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<sup>17</sup> *PW*, III, part 1: 97.

<sup>18</sup> Capel Lofft, 'Clavi-Cylinder,' *The Monthly Magazine* 1 Nov. 1810: 305.

<sup>19</sup> *PW*, III, part 1: 101.

Against her better judgement, Maria finds herself convinced of the veracity of the feigned sorcery; though she reveals an underlying awareness of its illusory nature, she cannot help but accept what on a superficial level appears to occur. By showing Maria to be deceived in this way, with specific instruments and effects commonly used in the London theatres, Coleridge is commenting upon the attitude of the audience themselves. Like Maria, he suggests, they are also essentially unable to see beyond the superficial appeal of spectacle.

Maria's error, and in a wider sense the error of the audience, essentially consists of a failure correctly to interpret the evidence with which she is presented. Her ability to judge events and characters correctly is plainly impaired by her fascination with the contrived display: her 'bodily creepings' stifle underlying doubts in a way that directly mimics theatrical audiences' desire to suspend their disbelief in performed spectacle.<sup>20</sup> Once Coleridge's implication of this inability to assess evidence properly is recognised, it becomes clear that the structure of the plot is itself specifically designed to prompt a realisation of this fact. *Osorio*, on a fundamental level, seeks to highlight audiences' tendency to avoid probing more deeply into characters and events, and to be satisfied with merely superficial displays of stagecraft and dramatic effect. As such it may be argued that Maria's actions in this scene stand as a warning of how not to form judgements: her failure to recognise the true identity and motivations of the man before her, despite the fact that she had known him so well, is an illustration of how individuals are liable to be deceived by the way in which evidence is presented.

Throughout *Osorio* the legal implications of Maria's easily swayed judgement are made particularly apparent, and are perhaps most clearly visible in Act Four's aforementioned cavern scene. On the face of it, Osorio's encounter with Ferdinand clearly displays his embodiment of

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<sup>20</sup> Jeffrey N. Cox, 'Staging Baillie,' *Joanna Baillie, Romantic Dramatist: Critical Essays*, ed. Thomas C. Crochunis (London: Routledge, 2004) 158.

the role of a stock Gothic protagonist. This may be best demonstrated with reference to Coleridge's review of *The Monk* in the February issue of the *Critical Review* that year, in which he details how the eponymous monk, Ambrosio, 'act[s] under the influence of an appetite which could not coexist with his other emotions,' resulting in deeds which 'shock the imagination, and narratives that mangle the feelings.'<sup>21</sup> As with Ambrosio, the actions of Osorio (whose name alone is somewhat suggestive of a parallel) are shown to be controlled and guided by an internal force he is unable to control: describing himself (in the third person) to Ferdinand, he explains how

phantasies, unsought for, troubl'd him.  
Something within would still be shadowing out  
All possibilities, and with these shadows  
His mind held dalliance.<sup>22</sup>

The image of shadows within the mind, directing and manipulating the thoughts of their unconscious host, bears a notable similarity with the inwardly tormented gothic protagonist typified in *The Monk*. Osorio's 'unsought for' fantasies, like Ambrosio's 'appetite,' control his actions without his consent; both are 'consumed,' as Charles Passage puts it, by their own subversive ambition and 'raging passion.'<sup>23</sup> Superficially, Osorio's wild behaviour, and his expressions frequently full of 'scorn,' seem to substantiate this stereotype: they prompt the viewer to see Osorio as a figure cast in the same mould as characters like Ambrosio. In the same way that the protagonist of *The Monk* is presented as a 'highly criminal' individual unable to control his appetites, and ultimately condemned for his unrestrained actions, Osorio's brooding

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<sup>21</sup> S. T. Coleridge, 'Lewis's Romance of the Monk,' *Critical Review* Feb. 1797: 194-97. See *Gothic Readings: The First Wave, 1764-1840*, ed. Rictor Norton (London: Leicester UP, 2000) 297.

<sup>22</sup> *PW*, III, part 1: 117.

<sup>23</sup> Charles E. Passage, 'E. T. A. Hoffmann's "The Devil's Elixirs": A Flawed Masterpiece,' *The Journal of English and Germanic Philology* 75 (1976): 534.

speeches and turbulent demeanour similarly establish him as a character whose very nature renders him innately deserving of punishment. Just as Maria, having been deceived by the contrived spectacle, fails to see beyond Albert's disguise, so Coleridge initially seems to induce his audience not to re-examine Osorio's character, and to find him guilty of villainy merely because he appears to accord with a generic stereotype.

Yet when the plot's central crimes, for which Osorio is ostensibly presented as culpable, are investigated a little more deeply, it becomes clear that blame for these deeds cannot so easily be assigned. Unlike Ambrosio, whose criminal actions are described in what Coleridge terms 'powerful and fervid detail,' Osorio is never directly and physically linked on stage with the crimes for which he is subsequently accused.<sup>24</sup> When read in the light of Coleridge's earlier comment, made in reaction to the proposed legislative changes of the Two Acts, that 'words are not sufficient evidences of intention,' a wholly different perspective of Osorio begins to emerge. From the earliest moments of the narrative, it is impressed upon the audience that Osorio is guilty of actively attempting to have his brother assassinated. Not only does Albert affirm that he 'meant to murder me,' but Osorio himself appears to discuss the orders he had given to the assassin, detailing for example the 'Portrait, which from off the dead Man's neck / I bade thee take.'<sup>25</sup> From this early stage in the plot a strong impression is given, through various statements like these, of Osorio's harbouring corrupt and immoral desires whose physical consequences were only averted by chance. Later in the play, however, Coleridge deliberately and intriguingly subverts these established expectations regarding Osorio's criminality. Thinking over the commissioning of Albert's death in his argument with Ferdinand, Osorio presents an explanation of events explicitly framed as a legal 'case:'

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<sup>24</sup> *Gothic Readings* 296.

<sup>25</sup> *PW*, III, part 1: 78; *PW*, III, part 1: 82.

A Fancy cross'd [me] wilder than the rest:  
To this in moody murmur, and low voice  
[I] yielded utterance, as some talk in sleep.  
The man who heard [me,]  
[...]

    With his human hand  
He gave a being and reality  
To that wild fancy of a possible thing.<sup>26</sup>

His self-defence here introduces a degree of difficulty to the process of ascribing guilt in the play; Coleridge forces the audience to reconsider the extent to which the murder was actually planned and fully intended by Osorio, and thus how far it may be used as proof that he deserves punishment. By presenting the order he had given as if it had been merely 'talk in sleep,' Osorio argues that what supposedly had been a firm and unquestionable order instead could well have been merely an almost unconscious and purely speculative momentary 'fancy.' Though his wild gestures, and his fear of re-encountering Albert, certainly intimate a feeling of guilt (and consequently an implied acceptance of criminality), sections like these force the audience to contemplate the concrete evidence for Osorio's deliberate assassination plot. When reconsidered in this light, the firm evidence of the words spoken by Osorio and Albert earlier in the play, which seemingly suggests Osorio's certain culpability, in fact begins to appear more tenuous. Though these words may well have been spoken, they cannot be used to prove intention: Osorio's later defence, however implausible members of the audience may subjectively judge it to be, highlights that the context in which the supposed order was given is absolutely crucial. It is precisely this context which, because it occurs before the events of the narrative, Coleridge denies his audience.

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<sup>26</sup> *PW*, III, part 1: 117.

The legal implications, particularly with regard to the Two Acts and Treason Trials, are clear. Osorio's position as laid out in his self-defence bears significant parallels with that of, for example, John Thelwall, in whose case the lawyer Erskine similarly asserts the vital importance of context to the reaching of verdicts in the courtroom. Expressed in response to Spy Groves's contention that Thelwall had committed treason by blowing the head off his pot of porter with the comment '*This is the way I would have all Kings served,*' Erskine's argument (discussed in the previous section) unmistakably possesses a great deal of significance to the case proposed by Osorio:

Supposing this man had been no spy, and the Jury had given credit to him; who would be safe, if they were to be judged upon the words that might escape from them in the moment of heat or incaution?<sup>27</sup>

Just as Osorio pleads the insincerity of his momentary 'fancy,' and the command he had spoken unwittingly 'as some talk in sleep,' so Erskine declares that vague expressions uttered in moments of 'incaution' cannot conclusively prove hard and fast criminal intent. By introducing this legally-influenced element of uncertainty to Osorio's guilt, Coleridge forces the viewer to reassess the grounds upon which they had condemned him. Though verbal evidence seems conclusively to weigh against him, and though his outward expressions appear to convey guilt (especially in his various moments of shock at the news of Albert's return), we cannot, Coleridge suggests, condemn him upon such slim grounds. It may be argued, as such, that in the presentation of the figure of Osorio Coleridge deliberately aligns the attitude towards the law taken by Pitt's government (namely their desire to corrupt what Coleridge felt to be due process in the establishment of criminal intention), with what Wordsworth would later describe as

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<sup>27</sup> *Trials for High Treason* 73; *Trials for High Treason* 351.

contemporary audiences' 'craving for extraordinary incident.'<sup>28</sup> Both attitudes reveal an underlying urge to simplify the way criminal acts are perceived, and to anticipate and demand retribution for wrongdoings that exist solely in the imagination.

This is all very well, one might object, but it does not account for Osorio's deliberate and witnessed murder of Ferdinand at the end of the cavern scene, in which he silences the assassin by pushing him into a vast and hidden chasm. However, as with the unsuccessful murder of Albert, Coleridge similarly introduces a degree of uncertainty into the presentation of this crime as well. Occurring off-stage, all that is seen of the event is Osorio's re-entrance alone, and his subsequent utterance of an apparent confession to having murdered Ferdinand:

So!—this was luck!—No blood-stains—no dead body!  
His dream too is made out—Now for his friend—.29

From this line the audience are lead naturally to deduce that Osorio has pushed Ferdinand down the pit to his death (an act presaged by the 'dream' to which he refers), and that he intends to murder the priest (namely the disguised Albert) as well. Yet when inspected a little more closely, this deduction cannot be conclusively derived from these two short lines; in fact, the only firm detail we are given is that there is 'no dead body.' It is an element of doubt which Coleridge, in the next scene, may be seen deliberately to intensify. Breaking from the immediate plot, the scene features an interchange between Maria and the family's Foster Mother (dialogue which would go on to be included in *Lyrical Ballads*), in which an account is related of an event from the past of the paterfamilias, Lord Velez. The story concerns a young abandoned child who, having been discovered and brought to the family home, was brought up by Velez as a son of his

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<sup>28</sup> William Wordsworth and Samuel Taylor Coleridge, *Lyrical Ballads*, eds. R. L. Brett and A. R. Jones (London: Routledge, 1991) 249.

<sup>29</sup> *PW*, III, part 1: 120.



own. The Foster Mother tells of how the two began to engage in ‘heretical and lawless talk’ in private with each other, until Velez, in a fit of guilt, flung the boy into the very pit which would later become central to the play itself. Yet rather than meeting his demise, Maria is informed, ‘the young Man escaped’ and sailed to distant ‘golden lands’ never to be seen again. This unexpected bathetic shift from the intense cavern scene immediately preceding it has been interpreted by critics as a supportive, though inconsequential, commentary on the main plot. Chris Murray, for example, states that it is designed to achieve a kind of general reinforcement of the play’s key topics, one in which ‘all the thematic concerns of the play *Osorio* are represented.’<sup>30</sup> However, whilst Murray’s assertion may certainly be true, when placed in the context of Coleridge’s thoughts on contemporary legal matters a more direct implication for the plot itself may be perceived, one which has hitherto gone unnoticed in scholarly analysis. What the Foster Mother’s tale highlights, once all thematic considerations are put to one side, is that it is possible to escape from the pit alive. Consequently, in the same way that Albert was not in reality assassinated, Osorio may potentially neither be guilty of the death of Ferdinand. We are not told whether Osorio knew of the story, but, if he had known, it follows that he would be aware that the fall may not be fatal, and thus that he may not have intended to kill Ferdinand. Whilst there is much uncertainty surrounding this hypothesis, it may be claimed that, by introducing room for it, Coleridge deliberately hints at grounds upon which to question earlier assumptions of Osorio’s culpability. The verbal evidence which on first glance seemed so definitely to gesture towards his guilt now seems somewhat less firm. As with the suggestion of inadvertence in the commission of his brother’s murder, Osorio is once again made the centre of an essentially legal quandary; Coleridge prompts his audience, here as throughout the play’s

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<sup>30</sup> Murray, *Tragic Coleridge* 82.

narrative, to reassess how criminals are defined as such. In the absence of direct and unambiguous physical evidence, ambivalent words bereft of their full context cannot, Coleridge illustrates, stand in for conclusive proof of criminal intent.

It is apparent, particularly from evidence such as this, that the legal context of the years preceding the composition of *Osorio* possess a fundamental influence upon Coleridge's conception of the events of the play, and his presentation of its characters. This noticeable influence underlines Coleridge's continued concern regarding the effects of the Treason Trials and the Two Acts, and, it may be argued, reveals an underlying attempt to persuade his audience of his own attitude to legal process and the courtroom. It is an attempt which may be substantiated through comparison with dramas written by other outspoken opponents of the government's actions, perhaps most significant among them being the London-born playwright and author Thomas Holcroft. Himself imprisoned and nearly brought to trial as part of the 1794 Treason Trials (though ultimately acquitted once it became clear that the government could not win), Holcroft's work is deeply suffused with his attitude to the government's handling of those trials.<sup>31</sup> *The Deserted Daughter*, written in 1795, tells the story of a misanthropic husband who, hiding details of a daughter from a previous marriage, is lead astray by two dishonest lawyers. These lawyers, Item and Grime, defraud and rob the protagonist, Mordent, to the point of destitution, until they are exposed by an intercepted document. Though the play ends happily, with Mordent's return to affluence and his acknowledgement of his daughter, the implications of the work with regard to the law are clear: lawyers are in general disreputable tricksters who seek to deceive individuals into hasty decisions. When viewed in relation to the Treason Trials, however, Holcroft's position in the work becomes a little more clear. Discussing Mordent with

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<sup>31</sup> Alan Wharam, *The Treason Trials, 1794* (London: Leicester University Press, 1992) 134.

her nurse (although ignorant of his in fact being her father), the eponymous daughter Joanna asserts that ‘he’s a wicked man’ and ‘I don’t quite like him.’<sup>32</sup> Knowing the truth of the matter, the nurse responds with a simple but revealing line: ‘can you judge so certainly?’<sup>33</sup> Her question, and the underlying theme of the play which it exemplifies, directly encourages the audience to perceive the errors of forming hasty judgements upon incomplete evidence. As the prosecution of the Treason Trials had attempted to convict men of harbouring criminal and treacherous intentions upon the insubstantial verbal evidence of unreliable witnesses, so Joanna is shown instinctively to presume Mordent ‘wicked’ without full understanding of his true identity or circumstances. The nurse’s intimation of this error, and the plot’s ultimate correction of Joanna’s mistake, clearly display Holcroft emphasising his criticisms of the approach taken by the government in the prosecutions with which he himself had been threatened.

It is in relation to works like *The Deserted Daughter* that Coleridge’s project in *Osorio* must be analysed. Familiar with Holcroft, having first met him at a dinner hosted by the editors of the *Morning Chronicle* in 1794, Coleridge would certainly have read his plays, and understood the relevance of their immediate legal context.<sup>34</sup> Holcroft’s work had been written for the notoriously loyalist audience at Covent Garden, and as such his implied criticisms of the government may be read as something of an attempt to persuade his viewers (who may until that point have felt some sympathy toward its actions) of the folly of what the crown’s prosecutions had attempted to achieve in the Treason Trials.<sup>35</sup> To achieve this end, *The Deserted Daughter*’s frequent incitements to ‘judge’ the intentions of others with greater caution deliberately play off

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<sup>32</sup> Thomas Holcroft, *The Deserted Daughter: A Comedy* (Dublin: R. Kelly, 1795) 18-19.

<sup>33</sup> Holcroft, *Deserted Daughter*, 19.

<sup>34</sup> S. T. Coleridge to R. Southey, 17 December, 1794. *CL*, I: 139.

<sup>35</sup> John Barrell, *The Spirit of Despotism: Invasions of Privacy in the 1790s* (Oxford: Oxford University Press, 2006) 29.

an intrinsic similarity between the spaces of the courtroom and of the playhouse. ‘Trials,’ as Susan Broomhall and David Barrie put it,

were awe-inspiring spectacles akin to public theatre designed as much to convey wider social messages as to administer justice. Lawyers and justice officials were central actors in the court and in shaping the production of the criminal trial.<sup>36</sup>

In respect of this parallel, Holcroft presents his theatrical audience with clear echoes of the arguments of the Treason Trials, removed of their immediate political implications, and seeks to persuade them of the inappropriate nature of the attitude to legal process which lay beneath government’s hasty approach to those litigations. He encourages them to avoid making passive assumptions of guilt, and instead to perceive the injustice of condemnation upon insufficient contextual evidence, whether it be of a character in a play or a defendant in a trial. Coleridge, in composing *Osorio*, follows directly in these footsteps. Though Drury Lane was a somewhat less overtly loyalist and patriotic theatre (its manager, Sheridan, being famed for his outspoken criticism of Pitt), Coleridge nonetheless uses the same persuasive technique to inculcate his political message in what would have been a broadly middle and upper class well-to-do audience.<sup>37</sup> The significance of, for example, Holcroft’s Mrs Enfield highlighting that one should not ‘judge so certainly’ upon reputation and weak verbal evidence, is distinctly reflected in *Osorio*’s frequent exhortations to condemn the supposedly criminal intentions of certain characters with greater personal caution and thought: ‘Thyself be Judge,’ Coleridge urges his audience throughout.<sup>38</sup> In this way, when viewed in the light of works by playwrights like

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<sup>36</sup> David G. Barrie and Susan Broomhall, *Police Courts in Nineteenth-Century Scotland: Magistrates, Media and the Masses*, vol. 1 (Farnham: Ashgate, 2014) 225.

<sup>37</sup> Barrell, *The Spirit of Despotism* 29; Joel Sachs, ‘London: The Professionalisation of Music,’ *Early Romantic Era: Between Revolutions, 1789 and 1848*, ed. Alexander Ringer (Basingstoke: Macmillan, 1990) 202.

<sup>38</sup> *PW*, III, part 1: 116.

Holcroft, it becomes clear that Coleridge sought in *Osorio* to convince his audience of the importance of being ‘wisely cautious’ (as he put it in 1795) when ascribing blame. The validity of evidence, as John Horne Tooke had emphatically proclaimed in the trial of Thelwall, ‘must depend upon the context:’ by encouraging his audience to reconsider their judgements of characters on this basis, Coleridge ultimately persuades them to take the same attitude towards verdicts in the courtroom.<sup>39</sup>

When analysed in the light of recent legal events which we know to have had a significant impact upon Coleridge, *Osorio* reveals itself to be a play which communicates a strong political message by ingenious and often understated means. Knowing he was writing for a stage, and for an audience, which favoured simple characterisation and awe-inspiring spectacle over the intricacies of underlying psychological and philosophical themes and ideas, Coleridge composed a work which superficially catered to contemporary tastes. *Osorio* is seemingly full of ruthless tyranny and the ever-present threat of violence. Yet, as many critical discussions of the play have noted, this threat is never wholly materialised on-stage: ‘power drives the plot of *Osorio*,’ Reeve Parker states, but it acts ‘through consummate pantomimical artifice.’<sup>40</sup> Violent conflict never openly occurs, and even as the curtain is about to fall and *Osorio* is confronted for his supposed crimes by the indignant mob of moors, they merely escort him off-stage to a tantalisingly uncertain fate.<sup>41</sup> When viewed as a response to the Treason Trials and the Two Acts, the purpose of what Parker describes as the play’s ‘pantomimical artifice’ may be convincingly explained. Just as the government had pressed for the rapid conviction of the radical authors and speakers by which it had felt threatened, so too did popular Gothic fiction

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<sup>39</sup> *Trials for High Treason* 355.

<sup>40</sup> Reeve Parker, ‘*Osorio*’s Dark Employments: Tricking out Coleridgean Tragedy,’ *Studies in Romanticism* 33 (1994): 125.

<sup>41</sup> *PW*, III, part 1: 147.

and typical melodramas of the contemporary stage present their characters as unquestionably immoral villains, whose uncontrollable inward desires incontrovertibly destined them for punishment. In pushing the Two Acts through parliament, the government had for Coleridge only clarified their implied position upon the law: convictions, in their eyes, ought not to rest upon the proper analysis of evidence in its original context. Words spoken inadvertently or in haste, Coleridge believes, provide in their view enough ground upon which to assume criminal intention. It is against this attitude to legal process that *Osorio*, in its narrative and characterisation, is intrinsically positioned. Coleridge, like Holcroft and others before him, prompts the typically well-off audiences of the London patent-theatres to see not only the shallow and (as Wordsworth would later write) ‘degrading’ nature of its dramatic taste, but also to gain an understanding of the fundamental problems with Pitt’s government’s attitude to the conviction of criminals.<sup>42</sup> By encouraging them to reassess the instinctive readiness to condemn *Osorio* as a stock villain worthy of punishment, Coleridge foregrounds that legal decisions must also be made in the same spirit of caution and attentiveness to circumstances. In the absence of an observed and verifiable crime, Coleridge stresses that criminal intention cannot, whether in the playhouse or the courthouse, be hastily assumed.

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<sup>42</sup> Wordsworth and Coleridge, *Lyrical Ballads* 249.

## Section Three

### Self-Interest and Community

Having recommended to his intended Drury Lane audience the kind of caution which the old treason laws had emphasised, Coleridge uses this platform of scepticism towards the government's actions to set out a more idealistic proposition for reform not just of the law, but of society more widely. Beneath the clear contempt within *Osorio* for Pitt and his attitude to English law lies a more fundamental ideological criticism of the motivations Coleridge felt to be driving the government's actions: what the prosecutions of the Treason Trials had attempted, and what had subsequently been achieved with the Two Acts, was to Coleridge's mind fundamentally instigated by selfishness and individualism. Where the old treason laws had, in essence, ensured the rule of law by legislating for the cautious interpretation of potentially insubstantial evidence in all treason trials, the Two Acts had granted judges the ability to condemn accused individuals upon subjective whims. Rather than allowing law to continue to serve as an impartial tool by which all members of society are judged equally, Pitt and his government had striven to corrupt and bend it to their personal ends. Coleridge's instinctive objection to this behaviour, and to the dishonest self-interest which underpins it, lies at the heart of *Osorio*. By comparing the play with *Conciones ad Populum* and *The Plot Discovered*, this section aims to elucidate the nature of Coleridge's instinctive response to the perceived self-serving approach Pitt had taken to English law. It seeks to expose the manner in which individualistic and selfish urges are presented within the plot, and to compare them directly to Coleridge's perspective of the actions of the contemporary government. In so doing, this section will ultimately propose that Coleridge uses this underlying criticism of Pitt's selfish motivations

not simply as a satirical attack, but as the basis for his advocacy of the importance of sympathetic feeling in the governance of society. Law, he suggests, must not be used as an instrument of self-interest, arbitrarily altered by the whims of a tyrannical regime, but instead must constitute a communal set of bonds by which individuals in society are held together in common feeling.

Coleridge's criticism of the highly negative influence of self-interest upon law, and upon the governance of society, may perhaps be best illustrated through the prism of his attitude to commerce in contemporary England. It is an attitude which he summarises most outspokenly in a particular passage towards the end of *The Plot Discovered*:

our vast commerce has made general among us that dependence and selfishness and unmanly love of splendour and pleasure, which necessarily preclude all public spirit. [From this] source it arises, that Government which ought to employ itself for the benefit of the people, is engrossed by the anxieties of self-preservation, and that legislative power, which might have been successfully exerted to the cure and prevention of national immorality, is wasted in degrading hostilities against libels and treason.<sup>1</sup>

It is evident from this passage (though in this case it is delivered as an indirect comment upon English politics through the medium of a letter written as if from the people of Denmark) that Coleridge blames the self-interested nature of the government's legislation directly upon the corrupting 'unmanly' influence of money, and 'the anxieties of self-preservation' which have been inspired by a culture that idolises financial profit and material gain. His perspective is by no means unique; indeed it may well have been partially inherited from the strong scepticism of free trade manifest in the writings of the republican James Burgh, which, as Chapter Two discusses, he had been studying at the time. Like Thelwall, Coleridge blamed commercial attitudes directly for the political environment which led to the Treason Trials and Two Acts.<sup>2</sup> His position with

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<sup>1</sup> *Lects 1795*: 317.

<sup>2</sup> See John Thelwall, *Politics of English Jacobinism: Writings of John Thelwall*, ed. Gregory Claeys (University Park: Pennsylvania State UP, 1995) xl.



regard to the issue, given the strength with which he articulates it in *The Plot Discovered*, pervasively echoes through his writing in *Osorio* a few months later, perhaps most noticeably in the use of the term ‘bartering.’ From the earliest moments of the play’s opening scene, the images associated with the term are cast very precisely in an unfavourable light: after being encouraged by Velez to abandon her constancy to Albert and instead find happiness in a new marriage to Osorio, Maria responds with the decisive exclamation that ‘There are woes / Ill-barter’d for the garishness of Joy!’<sup>3</sup> Trade, and the interest solely in garish personal pleasure which for Coleridge it implies, is presented by Maria as an inappropriate and selfish attitude. He underlines, from this earliest part of the work, the corruptive influence of this self-interested and instinctively commercial approach to life which, as we know from *The Plot Discovered*, he firmly associates with Pitt.

Coleridge’s position here is foregrounded many times throughout the play, and as the narrative progresses, the ‘unmanly’ influence of commerce is shown to be directly responsible for the corruption of the work’s central figure of authority: Osorio himself. It is an influence especially conspicuous in Osorio’s attempt to persuade the disguised Albert to perform the feigned rite which constitutes the sorcery scene:

Osorio:	It strikes me you are poor!
Albert:	What follows thence?
Osorio:	That you would fain be richer.
	[...] Now I have wealth and power—
	Can quench the flames, and cure your poverty—
	And for this service, all I ask you, is
	That you should serve me—once—for a few hours. <sup>4</sup>

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<sup>3</sup> *PW*, III, part 1: 62.

<sup>4</sup> *PW*, III, part 1: 91.

Osorio reveals, in this interchange, that for him the most fundamental driving motivation is love of money: desire of wealth naturally and inevitably ‘follows’ from a lack of it. His attitude is immediately shown to produce an inherent absence of trust and faith in his fellow man: ‘thou art a man,’ Osorio proclaims a few lines later, ‘and as a Man I’ll trust thee!’, sarcastically asserting a basic distrust. By viewing both himself and all men as innately self-serving, and as goods to be bought for a price (who might ‘charge [themselves]/ At a round sum’), Osorio openly reflects Coleridge’s explicit accusations of Pitt’s administration. Osorio is no less corrupt than the legislators described in *The Plot Discovered*, who ‘vote away the pittance of the poor,’ or the government, which ‘can always put into a great man’s pocket incalculably more than they take from his estate.’<sup>5</sup> These contemporary acts reveal, in Coleridge’s eyes, the same motivations and the same cynical perception of human nature as Osorio so unsettlingly articulates. It is in this context, and as a result of these stimuli, that Osorio condemns citizens to imprisonment and death upon the invalid evidence of immoral spies like Francesco. Coleridge’s representation of Osorio, as such, underlines his perception of the fundamental corruptness of the motivations of Pitt’s government, and the way they had legislated in the wake of the French Revolution: their attitude is shown to be inherently selfish, and is depicted as productive only of conflict and discord.

The notion that legislators like Osorio and Pitt’s dishonest self-interest is only capable of producing further hostility and division within society is emphasised, immediately, through its direct effects within the play itself. Though the ultimate sentence for treason was transportation or death, imprisonment before the trial was the more immediate threat to individuals who found themselves subject to the government’s severity.<sup>6</sup> Since the passing of the Habeas Corpus

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<sup>5</sup> *Lects 1795*: 311.

<sup>6</sup> *History of Two Acts* 322.

Suspension Act in 1794, the government had been free to imprison suspected individuals for indefinite periods of time without trial. ‘Every person or persons that are or shall be in prison,’ it stated, ‘within the kingdom of Great Britain at or upon the day on which this act shall receive his Majesty's royal assent, [...] may be detained in safe custody, without bail or main-prize.’<sup>7</sup> All the defendants of the Treason Trials had been subject to this unlawful imprisonment before their cases were brought, treatment which Coleridge outspokenly decried in *Conciones ad Populum*:

we can be torn from the bleeding breast of domestic affection—we can be thrown into foul and damp dungeons—we can hear of the death of a dearly loved Wife, heart-broken by our Imprisonment—till overpowered by disease and wounded sensibilities we sink into the Grave; or if we live, live only to wish in bitterness of Soul that th’ ‘Almighty had not placed his Canon ’gainst Self-murder.’<sup>8</sup>

As mentioned in Chapter Two, the specific example to which Coleridge is referring here is that of Thomas Hardy, whose wife had died alone during his long imprisonment.<sup>9</sup> His broader point, however, whilst encouraging sympathy for this individual case, lies in a wider criticism of the ill effects of wrongful imprisonment. Such imprisonment is shown to wound the ‘sensibilities’ and instil in their place a bitterness and a Hamletian misanthropy, eventually undermining an individual’s ability to empathise with the society of which they are a member. The specific argument made here is one which finds itself reiterated unmistakably in *Osorio*, most famously in Albert’s dungeon soliloquy, which would also be included in *Lyrical Ballads*.<sup>10</sup> Having been thrown into the dungeon on suspicion of witchcraft (after the sorcery scene that Osorio himself had arranged), Albert laments the place in which he finds himself:

And this place my forefathers made for Man!

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<sup>7</sup> E. N. Williams, *The Eighteenth-Century Constitution: 1688-1815* (Cambridge: Cambridge UP, 1960) 424-425.

<sup>8</sup> *Lects* 1795: 62.

<sup>9</sup> Thompson, *Making* 135.

<sup>10</sup> Wordsworth and Coleridge, *Lyrical Ballads* 82.

This is the process of our Love and Wisdom  
To each poor Brother who offends against us—  
Most innocent, perhaps—and what if guilty?  
Is this the only cure? Merciful God!  
Each pore and natural outlet shrivell'd up  
By ignorance and parching poverty;  
His energies roll back upon his heart,  
And stagnate and corrupt, 'till chang'd to poison,  
They break out on him, like a loathsome plague-spot!<sup>11</sup>

The similarities with Coleridge's criticisms of the incarceration of Hardy are plain: in both cases the false imprisonment is presented as metaphorically and literally productive of disease, in *Osorio's* case a 'loathsome plague-spot.' This disease, in a more conceptual sense, also takes the form of a kind of spiritual corruption, with the energies of the imprisoned 'stagnat[ing]' until 'changed to poison.' Unjust incarceration is shown to produce the same selfishness and resistance to brotherly 'love and wisdom' as may be found within the motivations of those who instigated it; just as Pitt and Osorio are themselves corruptly self-interested, they are displayed directly responsible for propagating this attitude in others. Albert's imprisonment, in this way, makes unmistakably plain the fundamentally corruptive influence of Osorio's self-interest: his summary punishments, issued for the purposes of personal gain alone, directly contribute to the stagnation and moral breakdown of the society around him.

Alongside this direct corruption of individuals, however, Coleridge displays a deeper and more abstract process of corruption resulting from Osorio's actions, one which subverts the fundamental nature of the law he purports to enforce. In order to display how this subversive influence is represented, it is necessary to view it in relation to Coleridge's analysis, in *The Plot Discovered*, of the way the concept of treason may itself be defined:

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<sup>11</sup> *PW*, III, part 1: 138-39

the antient Lex Majestatis, or law of Treason was intended against those who injured the *People*;—and Tiberius was the first who transferred this law from the people to the protection of tyrants.—In our laws the King is regarded as the voice and will of the people: which while he remains, it is consequently treasonable to conspire against him.<sup>12</sup>

Coleridge is in essence stating that treason can only be defined as such if an individual, or group of individuals, plot against ‘the voice and will’ of the population as a whole, as symbolically represented in the figure of the King. The changes to the law brought in by the Two Acts, when considered from this perspective, utterly warp the underlying meaning of treason as described here: they allow an unpopular government to condemn individuals who, to Coleridge’s mind, were themselves representative of the will of the people, rather than an isolated attack upon it. Pitt’s legislation had thus used the king’s name not in its proper signification as a symbol of popular feeling, but as a cover for the government’s true motivations of personal interest and hunger for power, describing acts as treasonous despite the fact that they did not threaten the king either physically or symbolically. Coleridge clearly felt that, despite continuing superficially to employ the word ‘treason,’ the Two Acts had inherently undermined the meaning of the term: Pitt’s selfishness had insidiously contaminated the ancient laws of the people, creating perverse echoes of them in his new legislation.

It is this intrinsic and ontological corruption, subverting the basis of society’s legal structure, which more than any other issue provides the narrative of *Osorio* with crucial dramatic power. Just as Pitt’s unnatural inversions of ancient laws are presented in *The Plot Discovered* as perverse and nonsensical echoes of that law, so Osorio’s attempts to condemn other characters using traditional legal terminology become increasingly meaningless as the play progresses. It is a process which culminates with Osorio upon the brink of madness in Act Five:

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<sup>12</sup> *Lects 1795*: 295.

Osorio:                    Ha!—my brain turns wild,  
At it's own dreams—off—off fantastic shadow!

Albert:                    (*Seizing his hand*)  
I would fain tell thee what I am—but dare not!

Osorio:                    (*Retiring from him*)  
Cheat, Villain, Traitor! Whatso'er thou be,  
I fear thee, Man!—  
(*He starts, and stands in the attitude of listening*)  
And is this too my madness?

Albert:                    It is the step of one that treads in fear,  
Seeking to cheat the echo.<sup>13</sup>

The scene is one which, as Reeve Parker points out in *Romantic Tragedies*, serves as the climax of an ongoing degeneration into madness and confusion within *Osorio*, one forecast by 'the fall of the very learned youth' (attacked by Velez in a violent fit) in the Foster-Mother's tale.<sup>14</sup>

Parker's comment, highlighting that the scene functions as the crisis point of the play's entropic degeneration into insanity, underlines an importance which becomes still more pressing when it is viewed in relation to the play's legal themes. The madness *Osorio* has descended into is directly linked by Coleridge with his self-interested misuse of legal frameworks. Indeed, *Osorio*'s moment of anagnorisis, his realisation that 'this too [is] my madness,' comes immediately after an uncertain (though forceful) final attempt to incriminate the innocent Albert with an accusation of treason. It is in this moment that Coleridge gives us a clear glimpse into the concealed emotion motivating *Osorio*'s actions: his exclamation that 'I fear thee, Man!—,' broken off by a dash as if in shock at this final exposure, displays the raw instinct of self-preservation that underpins his superficially legal attacks. In the same way that Pitt's adjustments to the ancient treason laws intrinsically contaminate their basic meaning and function, so *Osorio*'s

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<sup>13</sup> *PW*, III, part 1: 143.

<sup>14</sup> Parker, *Romantic Tragedies* 125.

abuse of terms like ‘traitor’ thus result in the eventual contamination of his own mind. For Coleridge, as this critical scene makes plain, any self-interested manipulation of the law is essentially and undeniably a corruptive influence, one which can only result in confusion and madness.

The alternative to Osorio’s attitude is clear. The eponymous protagonist’s descent through selfishness into insanity, a state from which he is never very far throughout the play, is noticeably mirrored in the calm benignity of his brother. This mirroring, it may be argued, represents the key ideological message that Coleridge seeks to communicate, with respect to the law, in *Osorio*. In contrast to Osorio’s rampant selfishness, Albert approaches the topic of justice and retribution in a spirit of continual altruism, a fact most clear in his response to Osorio’s inability, in the height of his madness, to recognise his brother:

Does then this thin disguise impenetrably  
Hide Albert from thee? Toil and painful wounds  
And long imprisonment in unwholesome Dungeons,  
Have marr’d, perhaps, all trace and lineament  
Of what I was! But chiefly, chiefly, Brother!  
My anguish for thy guilt.<sup>15</sup>

These lines establish a basic dichotomy between his brother’s and his own attitude to notions of punishment and guilt; in contrast to Osorio’s retributive violence, indicated in the allusion to his having ‘marr’d’ individuals through ‘long imprisonment,’ Albert foregrounds his own empathetic attitude to justice. His feeling of ‘anguish’ at Osorio’s guilt is defined primarily by its selflessness: where Osorio’s self-interest had lead him to imprison and condemn, and finally to his own lunacy, Albert’s empathy with his brother’s guilt presents a better alternative. Coleridge encourages his audience to view justice not through the eyes of the deranged and egomaniacal

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<sup>15</sup> *PW*, III, part 1: 144.

Osorio, but rather as a force which will ultimately, as he describes in *Conciones ad Populum*, ‘[establish] the universal fraternity of Love.’<sup>16</sup> At its core *Osorio* advocates, in the words of Setsuko Wake, a ‘sincere hope for the experience of genuine freedom from our petty selfishness.’ Coleridge is presenting brotherly love as the ideal basis upon which to build conceptions of justice and law.<sup>17</sup> Once the corrupting self-interest of Osorio has been overcome, Coleridge suggests that a fairer and more compassionate legal system, one more true to the nature of justice as he perceived it, may emerge.

This conception of true justice as a quality fundamentally interbound with the idea of fraternity and brotherhood, not just with regard to treason but in all matters, serves as the main lesson which Coleridge wishes Osorio (and by implication Pitt) to appreciate over the course of the narrative. Albert’s interactions with his usurping brother are frequently dominated by this gradual encouragement of Osorio’s ability to empathise, and to understand the notion of fraternity. In response to Osorio’s declaration that ‘the death of a man [is but] the breaking of a bubble— / Tis true, I cannot sob for such misfortunes,’ Albert, rejecting the simultaneously proffered goblet of poisoned wine, pronounces an encomium upon the value of life:

Yon Insect on the Wall,  
Which moves this way and that its hundred legs—  
Were it a Toy of mere mechanic craft,  
It were an infinitely curious thing!  
But it has life, Osorio! life and thought—  
[...] Saw I that Insect on this Goblet’s brink,  
I would remove it with an eager terror.<sup>18</sup>

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<sup>16</sup> *Lects 1795*: 40.

<sup>17</sup> Setsuko Wake, ‘Coleridge’s Transcendental Philosophy: Knowing through Conscience as “a Spiritual Sensation,”’ *The Coleridge Bulletin The Journal of the Friends of Coleridge* 32 (2008): 54.

<sup>18</sup> *PW*, III, part 1: 140.



Analysing this exchange in *Justice, Dissent, and the Sublime*, Mark Canuel asserts that ‘Albert’s point isn’t simply that he won’t drink the wine and kill himself; it is that Osorio should have respect for all living things.’<sup>19</sup> When viewed in this way it is clear that Albert’s speech constitutes one among a number of similar encouragements towards the respect for life Canuel describes, all of them carrying a particular weight in terms of the ancient laws which the Two Acts had infringed upon (namely, as discussed above, the Bill of Rights, the statute of Edward III, and Habeas Corpus). Just as Albert persuades Osorio to perceive the value in the life of all things, so these laws (as Coleridge stresses in *The Plot Discovered*) persuade legislators to appreciate the privileges and freedoms of their subjects, rather than be blinded to them by their own self-interest.<sup>20</sup> For Coleridge, then, the essential purpose of legislation, particularly that surrounding the subject of treason, is to promote this ability to sympathise with the rights and feelings of all members of one’s community. Law and legal process are in this way represented, within *Osorio* and indeed much of Coleridge’s writing in the 1790s, as instruments which must nurture bonds of brotherhood among individuals.

The attitude taken to law and justice in *Osorio* thus must be understood primarily through the lens of self-interest, and a basic conflict between sentiments of selfishness and of fraternity. It is a play inherently concerned with the way in which the self-interest of a ruler is liable to corrupt not only their own actions and intentions, but the entirety of the society around him: harsh punishments and rampant consumerism are represented within the events of the narrative as direct and detrimental results of that essential blinkered drive towards ‘self-preservation’ (as Coleridge often labels it in his earlier prose).<sup>21</sup> Ultimately this corruptive influence is shown to

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<sup>19</sup> Mark Canuel, *Justice, Dissent, and the Sublime* (Baltimore: John Hopkins UP, 2012) 136.

<sup>20</sup> *Lects 1795*: 300.

<sup>21</sup> *Lects 1795*: 317.

undermine the very essence of the bonds of fraternity with which Coleridge sees communities to be tied together. By overcoming the restraints placed upon rulers who fail to respect these bonds of common interest and equality under the law, Osorio, like Pitt, fundamentally poisons his society (just as he seeks literally to poison Albert). In altering and superseding the extant laws concerning treason with the Two Acts, Pitt had in Coleridge's eyes poisoned the British constitution in exactly this way. By using the term treason, which ought to refer solely to an act which contravenes the will of the people, instead to refer to any perceived act or intention which was felt to threaten the personal interests of the government, Pitt had corrupted the very meaning of the law itself. Written a little over a year after the passing of those acts, *Osorio* represents Coleridge's desire to urge Pitt, as Albert urges Osorio, to awaken an inward sense of compassion and brotherhood. Attendant upon this awakening (to carry the underlying political message of *Osorio* to its natural conclusion) would be a realisation of the validity and integrity of the superseded laws, and the consequent generation of a kinder and more fraternal approach to legislation. It is this message which, once grasped, may be seen to run throughout all of Coleridge's thought and work concerning the subject of justice and law in the 1790s; his sole objective is to remove the corruptive influence of self-interest.

## Conclusion

It has been contended throughout this thesis that law, and the public application of law in court, is primarily for Coleridge a matter of the accurate perception and articulation of conscience, and that this fact may be discerned from the earliest stages in his literary career. Where Michael John Kooy, among other critics, has suggested that it was only in later years that Coleridge discovered an interest in the subject (Kooy in fact stating that this interest may be traced only as far back as the poet's 'work as a leader-writer for *The Morning Post*' between 1799 and 1802), this thesis has sought to posit a considerably earlier attraction.<sup>1</sup> Each of the four works examined in detail here do not simply reveal direct responses to contemporary trials and governmental legislative action, but also display the development of an overarching conception of what law is, and what its purpose ought to be. The development of this conception, however, is not always overtly visible: Coleridge does not lay out a comprehensive systematised analysis, and only rarely does he directly mention legal issues by name. Nevertheless, by detecting the strands of his reflections upon law and legal process that are present within his writing, it is possible to draw out his ideas and attitudes towards the subject. As has been substantiated in each chapter of this thesis, the development of these attitudes is fundamentally connected with his attitude to the actions of authoritative and dictatorial political leaders, and may be traced from its origins in his earliest responses to Robespierre, to his outspoken later criticisms of Pitt.

From the outset of *The Fall of Robespierre*, Coleridge emphasises an inherent distance between Robespierre and his society: his intimidation and his eloquence prompt those around him publicly to distance themselves from their private opinion, and in this way to condone his

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<sup>1</sup> Hough and Davis, *Coleridge's Laws* xvii.

actions as legislator. Robespierre is shown to justify this dictatorial pursuit of his own political ends with the clearly implied claim that he is, in a manner advocated by Rousseau, interpreting and enacting the general will of the population. Ultimately, however, whether or not Robespierre's motivations were honest (and Coleridge stresses his having withheld judgement on them in *Conciones ad Populum*), this distance and presumed personal authority is in itself revealed to be responsible for an inherent corruption of the legal system, and its ability to assess and pronounce guilt in a morally valid manner.<sup>2</sup> Three years later, when Coleridge came to write *Osorio*, this same notion governs his depiction of law. Osorio, whose behaviour conspicuously mirrors the legislative actions of Pitt's government, manifestly rules in his own self-interest, to the obvious corruption of the society around him. This corruption is dramatically underlined by Coleridge during Albert's imprisonment: 'each pore and natural outlet' of citizens' 'energies,' Albert claims, have become 'shrivell'd up' as a result of injustice and the tyrannous imposition of an individual will.<sup>3</sup> The point here, having been three years in the gestation, is much more explicitly made. By pursuing his own individual ends as legislator, Osorio is plainly shown to ignore the voice of conscience within him, to suppress his innate ability to perceive moral truth, and consequently to create corrupt and unjust laws. Where in *The Fall of Robespierre* the corruptive influence of self-interest is intimated but never overtly brought to the fore, in *Osorio* the point is made much more definitively. The characterisation of Osorio underscores the evils of dictatorial legislation at every turn: his disregard for the counsel of those around him is conspicuously shown to prevent him from ruling justly. Government, Coleridge unambiguously emphasises, cannot legislate in this way.

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<sup>2</sup> *Lects 1795*: 35.

<sup>3</sup> *PW*, III, part 1: 138.

In order for a legal system to define and punish wrongdoing fairly, Coleridge stresses that it must not consist of the arbitrary statutes and commands of single legislator or government. Not only are these vulnerable to the corruptive force self-interest, but regardless of whether laws are made under the most virtuous of intentions they are liable to imprecision and heavy-handedness in their attempt to proscribe immoral behaviour. As Coleridge makes clear in *Conciones ad Populum*, this inevitable failure to articulate moral truth correctly is ultimately rooted in the way language expresses meaning. In direct contrast to Godwin, who asserts (whilst discussing the legal definition of treason) that ‘an attempt to subvert the Monarchy is nothing, if it be not definite, and capable of some clear and precise explanation,’ Coleridge persistently gestures towards the way in which subjective interpretations of context can alter the significance of such explanation.<sup>4</sup> This thesis has argued that, for Coleridge, words ‘imply,’ they do not explicitly ‘mean,’ because their sense is necessarily contingent upon the context in which they were spoken, and their receiver’s ability to intuit meaning from this context.<sup>5</sup> Statutes, written and enforced by authoritative rulers and governments, can thus never define crime in a ‘clear and precise’ manner. Consequently legal debate, Coleridge suggests, must be sensitive to this reality in its attempts to apply such definitions in court.

Because of this growing belief in the need for an intuitive understanding of context in order to communicate using language (an understanding which it has been argued here that Coleridge developed through his contemplation of the philosophical writings of Godwin and John Horne Tooke), his writing comes to reveal a clear attraction to models of law which encourage subjective intuition and sensitivity to circumstances, rather than the strict implementation of absolutes. Chief among these, as the final section of Chapter Two discusses in

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<sup>4</sup> Godwin, *Cursory Strictures* 47.

<sup>5</sup> See, for example, *Lects 1795*: 65.

detail, is common law. From writers like William Blackstone and James Burgh, Coleridge came to realise that this institution, which requires precedents set in former cases to be used to aid with (rather than pre-define) the assessment and judgement of the case in hand, was far more able to allow for differences in context than statute law. By taking into account past decisions, without being limited by them, the verdicts reached under common law were to Coleridge's mind far more morally valid, and the institution as a whole could come much closer to articulating moral truth in its discussions and definitions of crime. For Coleridge, in this way, common law stands in clear opposition to the authoritative and ultimately corruptible statutes of individual legislators: it is a communal process developed over time, one which encourages an intrinsic sensitivity to context in its assessment and definition of crime.

Coleridge's legal reflections, and his criticism of the legislative actions of specific individual rulers, may thus in large part be reduced to an issue of linguistic communication. This thesis has argued that acts and statutes, which Coleridge's writing presents as the fundamentally arbitrary impositions of individual wills, represent to him an inherent distancing of legal structures from morality. In presenting this view, Coleridge reveals an awareness governments' increasing dependence upon statute law: the period saw, as David Lemmings puts it, 'a massive increase in legislation, including many acts that overturned customary rights and cultures of government associated with common law proceedings.'<sup>6</sup> For Coleridge, as we have seen, this phenomenon represents a fundamental threat to just rulings and the accurate articulation of moral truth in the courtroom, a perceived threat which provides the underlying stimulus for his discussion of the subject of law. It is Coleridge's almost instinctive fear for the corruption of legal process which this thesis has at its core sought to illustrate: the increasing production of

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<sup>6</sup> Lemmings, *Law and Government* 2.

acts and statutes, written by self-interested governments and tyrannical rulers, provoked a deep-rooted concern for the manner in which moral truth could be articulated, and guilt accurately defined, in the courtroom.

Once detected, this undercurrent of fear for the primarily linguistic corruption of legal process, which this thesis has principally examined in Coleridge's work of the mid 1790s, may be used to discover new perspectives upon later texts. A good example of this is his 1798 poem 'Fears in Solitude,' which, as much criticism has noted, reveals fundamental concerns about language. Karl Kroeber, for example, explores in an acclaimed article the significance of Coleridge's mistitling of the poem, when later published in an edition of *The Friend*, as 'Fears of Solitude.'<sup>7</sup> This mistake, Kroeber argues, is 'of more than Freudian significance:' it reveals Coleridge's increasing feeling of isolation from what he terms the 'language of communal feelings,' an impression which Kroeber goes on to evidence in the poem itself.<sup>8</sup> Upon analysing the root of this feeling, Kroeber directly attributes it to 'deteriorations in the relations between [Coleridge's] personal and political life,' a deterioration which he argues had begun in 1798, and continued through the decade leading up to the poem's republication in *The Friend*.<sup>9</sup> When viewed from the perspective laid out in this thesis, however, Kroeber's conclusions about the source of Coleridge's position in the poem may be presented in a different light. Rather than representing a newfound deterioration between Coleridge's personal and political life, the anxieties about language and the communication of feeling manifest within the poem may in fact be shown to be entirely in keeping with the concerns Coleridge voices in the years leading up to 1798. This is made perhaps most clear upon inspection of the poem's treatment of the subject of

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<sup>7</sup> Karl Kroeber, 'Coleridge's "Fears": Problems in Patriotic Poetry,' *Clio* 7 (1978): 359.

<sup>8</sup> Kroeber, "Coleridge's "Fears"" 372.

<sup>9</sup> Kroeber, "Coleridge's "Fears"" 360.

law, which, though only briefly mentioned, may be seen to follow directly in the vein of Coleridge's thought as discussed in this thesis:

Oh! blasphemous! the book of life is made  
A superstitious instrument, on which  
We gabble o'er the oaths we mean to break;  
For all must swear—all and in every place,  
College and wharf, council and justice-court;  
All, all must swear, the briber and the bribed,  
Merchant and lawyer, senator and priest,  
The rich, the poor, the old man and the young;  
All, all make up one scheme of perjury,  
That faith doth reel; the very name of God  
Sounds like a juggler's charm.<sup>10</sup>

Coleridge in this passage reveals an underlying anxiety about the use of language in the courtroom: oaths, words which ought to convey deep personal significance, have become merely hollow names juggled in performance during trials. It is a concern which may be best understood as part of a long succession of reflections upon legal process; when read in the context of this thesis it is clear that Coleridge's fears about the corruption of legal process had not abated by 1798 (or perhaps indeed by 1809 when the poem was mistitled in *The Friend*). Language, and the accurate communication of personal conviction and moral feeling, is still at this point central to Coleridge's reflections upon trials and the law.

The answer to these problems outlined in his writings, an answer epitomised in the organic and communal process of common law, similarly finds itself echoing down the following years of Coleridge's life. Prompted by his fear that law was increasingly becoming a matter of arbitrary dictates, authoritatively enacted and applied in courtrooms, Coleridge's praise for common law has in this thesis been argued to be largely rooted in its intrinsic incompatibility

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<sup>10</sup> *PW*, I, part 1: 472.



with arbitrary individual power. By definition, common law requires courtrooms in which it is practiced to draw upon a multiplicity of past decisions, a process which structurally avoids the imposition of a single legislator's will. The attitude which underpins Coleridge's preference for such institutions, once discerned, helps one to understand the opinions Coleridge expressed in later life. One clear instance of this is the high regard in which he would hold Alexander Ball, the Civil Commissioner of Malta, under whom he worked during his time on the island in 1805.<sup>11</sup> As Barry Hough and Howard Davis discuss in detail in *Coleridge's Laws: A Study of Coleridge in Malta*, Coleridge frequently described Ball 'as a good listener who would make time to invite all opinion, even from those whose judgement would, it seems, not carry much weight.'<sup>12</sup> As a result of this attentiveness, Coleridge stressed, Ball allowed himself to be 'guided by principles of morality and justice.'<sup>13</sup> Though the study conducted in *Coleridge's Laws* does not significantly cover the years prior to the poet's time in Malta, the opinion Coleridge expresses here may be best understood as a continuation of the approach to the law he had developed between 1794 and 1797. In the same way that he does in his discussions of common law, Coleridge here praises Ball because, unlike Pitt and Robespierre, he does not impose his personal will upon the population by issuing arbitrary legislation. His readiness to accept counsel allows him, in Coleridge's view, to overcome the inadequacies of language, and to legislate in a just and morally valid manner.

Examples such as these display the continuing pertinence of Coleridge's early reflections upon law and legal process, and reveal how deeply Coleridge held the principles which had emerged from these reflections. The years between 1794 and 1797 were a time of profound

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<sup>11</sup> *Friend*, II: 255.

<sup>12</sup> Hough and Davis, *Coleridge's Laws* 29-30.

<sup>13</sup> Hough and Davis, *Coleridge's Laws* 30.

importance in the development of Coleridge's attitude to the law, and it is hoped that this thesis has gone some way to explicating this importance, and the influence it may go on to possess over critical analysis of his later thought and work. In going about this explication, two principal elements have been asserted: firstly, that a development did indeed occur as Coleridge became exposed to more trials and read more about legal institutions, and secondly, that this development was all the while underpinned by an innate set of beliefs and feelings. Perhaps most significant among these may be said to be his scepticism of authoritarian leaders, and governments which enact over-simplistic and often self-interested legislation. This basic opinion lies beneath his representation of Robespierre in *The Fall* just as much as it fuels his condemnation of Pitt, and his negative depiction of Osorio. Ultimately, this thesis has argued that the suspicion Coleridge expresses about these figures has its origins, fundamentally, in a perception of their corruptive influence upon law's ability to articulate moral truth. It is the importance of this ability which lies at the centre of Coleridge's legal reflections: he asserts ubiquitously that law, and the application of law in the courtroom, must at its core aim to express the inward voice of the human conscience.

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