

## DEATH, DISSECTION AND THE DESTITUTE IN VICTORIAN ENGLAND (WITH REFERENCE TO ERNEST JONES' THE YOUNG MILLINER)

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**Abstract:** In my paper, I will discuss the practice of dissection in Victorian England's anatomy schools, how the New Poor Law criminalised poverty, how the Anatomy Act appropriated paupers' bodies for dissection and how the situation was bleaker for unwed mothers and other such stereotypically 'fallen' women.

**Keywords:** Anatomy Act, Chartism, Dissection, New Poor Law

The practice of dissection in England dates back to 1540, when the Barbers and Surgeons, united by the Royal Charter and Henry VIII were granted an annual right of four condemned corpses, marking the beginning of the merging of the medical profession with exemplary punishment. Dissection was not merely regarded as the dismemberment of the body for medical knowledge – part of the punishment carried the intention to deny the wrongdoer a grave. The Murder act of 1752 reads:

“Whereas the horrid crime of murder has of late been more frequently perpetrated than formerly...it has thereby become necessary, that some further terror and peculiar mark of infamy be added to the punishment of death...The body of any such murderer shall...be immediately conveyed by the sheriff ...to the hall of the Surgeon's Company...and the body so delivered...shall be dissected and anatomised by the said surgeons...in no case whatsoever the body of any murderer shall be suffered to be buried, unless after such body shall have been dissected and anatomised as aforesaid.”

As the historian Jonathan Sawday explains, with the Act,

“Two birds were to be killed with one stone and the demands of 'justice' mingled with the prospect of deterrence....Whilst, equally, the needs of 'science' could be fulfilled”.

By the 1720s, body-snatching from the London graveyards had become commonplace, especially from shallow pauper graves. As public awareness of grave-robbing and body-snatching increased, a shortfall of corpses followed, which led some anatomists to cover the costs by obtaining corpses themselves. But this did not render dissection less abhorrent. Anatomists were seen as agents of death, not of justice or of law. In case of incomplete hangings, and there were many such cases, criminals would be revived by friends. But the surgeons, through dissection, aimed at destroying, rather than reviving a corpse. Capital punishment was never a final process, an irrevocable sentence forever ending a life, but rather perceived as a way to reprimand the condemned's case until he reached a higher, divine,

'appeals court'. “Dissection was a very final process”, remarks Ruth Richardson, as there was no possibility of the survival of either individual identity or bodily integrity of the dissected. Additionally, it was an assault upon the repose of the soul. Folklorist beliefs and rituals discussed in great detail by Richardson in the first chapter of her book highlight the centrality and sacredness of the corpse in popular culture. Since the number of murderers' bodies legally available to the anatomists for dissection was only six per annum (and this threatened the city's reputation as a centre of medical excellence), grave-robbers who supplied many medical and anatomy schools began charging up to £10 for each fresh adult corpse. The status of the corpse was thus transformed from an object of reverence to a commodity. Body-snatching became a means to earn a comfortable livelihood. The profits were more if the corpses filched were 'remarkable' or freaky; for instance, the corpse of the Irish Giant was procured by John Hunter from the undertaker for 500 pounds! Interestingly, since a corpse did not constitute 'real' property, exhumation was not really labelled as theft by law. The corpse has been an object of fascination and concern. Its disposal and treatment turns on issues of human dignity, bodily integrity and respect. The habit of thinking of one's body as one's property is ingrained during one's life and forms the background of thinking about the corpse. Property can exist only if there is someone to own it. Since the dead person can no longer assert ownership, the corpse is not property. Further, if it is considered as property, someone must own it—which raises the question of who legitimately owns it. Integral to the corpse is an array of built-in memories, leading to the conviction that a corpse should be respected and treated decently. To desecrate a corpse is similar to desecrating a person, even though the person we know is no longer there. Anatomists, artists, physicians, undertakers, surgeons, depended upon corpses – whole or dismembered, for economic survival. Commodification of corpses led to criminality – Burke, Hare, Bishop, Williams murdered people to obtain bodies for dissection. The murders

were generally very artfully contrived by suffocation, so as to leave no outward signs of ill-treatment. Pauper graves were more vulnerable to being plundered than those of the upper-Classes. Infact, due to the practise of pit burials, body-snatchers preferred to steal corpses from pauper graves – they just had to remove earth from the surface, successively lift coffins, empty them and replace them. In stark contrast were the graves of aristocrats – they were buried in double or triple coffins made up of wood and lead, in heavily guarded ancestral burial vaults. In his essay entitled “Use of The Dead to the Living”, which appeared in the Westminster Review in 1824, Dr. Southwood Smith asserts: “The basis of all medical and surgical knowledge is anatomy. Not a single step can be made either in medicine or surgery, considered either as an art or a science without it...The organs on which all the important functions of the human body depend are concealed from view. The mechanism itself is concealed, and must be investigated to be perceived...veneration for the dead is connected with the noblest and sweetest sympathies of our nature, but the promotion of the happiness of the living is a duty from which we can never be exonerated. In ancient times, the voice of reason could not be heard. Dissection was then regarded with horror. Even at present the prejudices of the people on this subject are violent and deep-rooted. Until anatomy is publicly sanctioned, the schools of medicine can never flourish. Exhumation is revolting in the highest degree, but until no other means of procuring dead bodies for dissection are provided, it must be tolerated.” Further, he points out that it is a mistake to believe that punishing those who practise exhumation will only raise the price of corpses. Corpses must be procured for dissection and whatever difficulties arise, corpses will continue to be procured. Diseases will occur, operations must be performed, medical men must be educated, anatomy must be studied and dissection must go on. Exhumation is, according to him, a practice which, from absolute necessity of the case, must be allowed. Additionally, he supported the proposition that the bodies of paupers should be made public property-it is quite just that those who are supported by the public should die in its debt and their remains be converted to public use. Only that portion of the poor should be disposed of in this manner that dies unclaimed. If the dead bodies of the poor are not appropriated to this use, their living bodies will and must be (Richardson gives instances of ‘burking’ and also, surgeons experimenting on paupers’ live bodies in order to serve their rich clients with ‘safety and dexterity’). Within two years of the publication of this article, Bentham drafted a legislation – which was to provide a basis for the 1832 Anatomy Act. Bentham

viewed the human carcass as matter created by death. Death was a waste of resources. The body – a source of disease and a cause of unnecessary funerary expenditure – was of value to medicine through dissection. Bentham gave directions for the dissection of his own corpse. The directions were resonant with his utilitarianism, as they were calculated to benefit mankind. Additionally, they provided him with the certitude of escaping a worse fate – the anonymity of anatomical observation. In 1828, a Select Committee on Anatomy reported to the parliament, and its chairman Henry Warburton drafted an Anatomy Bill that would give the schools access to the unclaimed bodies of people who died in workhouses and hospitals. (Whether to claim a body meant to profess oneself a relative and to accompany the parish funeral or to appropriate the body and finance burial oneself was unclear). This first attempt to regulate anatomy failed to pass through the House of Lords. Within three years, however, the discovery that people were being murdered in Edinburgh and London so that their corpses could be sold to anatomy schools, led Warburton to introduce a new Anatomy Bill in 1831. The new draft was titled ‘A Bill for Regulating Schools of Anatomy’, though it would do no such thing. Instead, it enabled people to donate their own or their relatives’ remains for anatomical examination, though given the public abhorrence of dissection, no one taking part in the parliamentary debate actually envisaged donation becoming a major source of supply. More importantly therefore, the bill established a regime of presumed consent to dissection. It authorized certain parties to be in lawful possession of corpses for the purpose of disposing of them to medical schools, if the person had not, in life, formally registered their dissent to being dissected, and if no relatives claimed the body for burial within forty-eight hours of the death. The bill failed to specify who these powerful parties would be, but they were envisaged as the men who were in positions of authority in places where large numbers of poor people died, especially workhouses and hospitals. The Anatomy Act was considered an instrument of ‘class reprisal’, points out Richardson – since it legalized the use of the dead poor for anatomical observation and therefore, made paupers and their families repay their welfare debt to society. The bodies of the poor, regardless of their ability, inability, willingness or refusal to labour, became economically valuable commodities. Malthus saw able pauper bodies as threats to the resources of the nation. But the dead pauper bodies ensured continuous resources for society. For instance, in *Oliver Twist*, Mr. Sowerberry, the undertaker, profits not only from the dead paupers, but also from the emaciated, starving and shrivelled body of the pauper

Oliver, as he uses him as a 'funeral mute'. Richardson examines the motivations behind and reactions to the Anatomy Act (1832). The Act was passed during a climate of "violent popular antipathy" towards grave-robbers who supplied bodies for anatomical teaching purposes. The 1832 legislation, therefore, had three aims. First, to protect respectable families from becoming the victims of grave-robbing for profit. Second, to halt trafficking in corpses, exemplified by the notorious activities of William Burke and William Hare, who not only resurrected but murdered for profit. Third, to increase supplies from legally authorized sources, other than prisons (executed criminals). Ironically, the new legislation exacerbated trafficking activities. Pauper corpse acquisition now operated through a greater diversity of "official" channels, notably asylums and Poor Law unions. An unauthorized trade was legalized and integrated into a complex welfare framework. The fee-income this generated for asylum and Poor Law officials from covert sales was hidden from public scrutiny to the detriment of the poor. In this way, the Anatomy Act discriminated against the impoverished and vulnerable, ignoring time-honoured death customs. This action was justified as advancing medical science. The Anatomy Act is often called an 'appendage' to the Poor Law Amendment Act of 1834. The timing of the crusade against outdoor relief mirrors the pattern of anatomical cadaver acquisition. The economic interests of asylums and guardians of the poor converged with the research and training agendas of anatomists. Many Poor Law unions that denied their involvement in the crusade were supplying pauper corpses to recover costs. The unions were told what they wanted to hear—it was their "duty", it made "financial sense", and "not all bodies were dismembered". No one checked these claims. In fact, all bodies were dismembered because of the need for teaching material. The anatomist was promoting the desecration of the body for the benefit of humankind. Second, the Anatomy Act (1832) gave anatomical schools a high degree of autonomy. These schools shaped their research agendas and procured material as they saw fit. Their methods of procurement and payment were unchecked and there was considerable scope for fraud. They were not motivated by the necessity of keeping proper dissection records on behalf of pauper families, even though the latter were anxious to ensure that human remains were buried together. Third, paupers dreaded entering into workhouses, because they were increasingly becoming enclosures where pauper populations were left to die. Living in close proximity of the anatomy school, cemetery or workhouse enhanced the chances of ending up as research material. Paupers even avoided going to hospitals

because for them, there were no hygienic medical practices. Death in the hospital was as sure as death in the workhouse, and both entailed dissection. The New Poor Law cast poverty as a crime. Additionally, its appendage – the Anatomy Act, marginalised the poor and construed their existence as morally reprehensible. Poverty reflected moral shortcomings, and the vulnerability of the poor and criminal alike were adequate grounds for exploitation. The inscription on the Strand Workhouse in Cleveland Street reads – "Avoid Idleness and Intemperance". It captures perfectly the judgmental attitude towards poverty so characteristic of the Victorian work-house regime. Called "bastilles" by the paupers, they imprisoned the sick, the unemployed, the disabled, the insane and the elderly. Thomas Lacquer's essay "Bodies, Death, and Pauper Funerals", discusses the state of the pauper and how they had no claim whatsoever over their own bodies. Somebody else – an unknown, unrelated stranger would appropriate their bodies after death. Lacquer quotes a popular ditty reflective from the period:

"Rattle his bones over the stones, he's only a pauper who nobody owns."

Lacquer argues,

"To be a pauper meant not only to contemplate burial with indignity, having one's life publicly marked the most dismal of failures, but also having one's body, worth nothing alive, sold for dissection when one had ceased to own it. To be a pauper was to be so vulnerable...that one risked death by accepting help from those who appeared to offer food and shelter."

Morgan and Rushton remark that the "habit of dissection...did establish the idea that social reality – and the consequence of a particular way of life – were to some extent written on the body, and that if the truth about someone was to be obtained, the body was the first place to start". The criminalized body is an example of embodied identity, with the mark of moral fallibility apparently inscribed on the body itself; thus criminals were usually described as physically repulsive, and any deformities as a mark of "criminality". Helkiah Crooke's *An Explanation of the Fashion and Use of Three and Fifty Instruments of Surgery* contains a detailed description of a criminal's deformed body brought to the College of Physician's Hall = "to be cut up for an Anatomy". The criminal had been sentenced to execution for the murder of a fellow member of the college. What is remarkable in this description is the focus on the criminal's feet, which were deformed and thus, associated by the author with demonic evil. The name of the criminal is not mentioned. The Young Milliner In Ernest Jones' *The Young Milliner*, Anna works as a seamstress to fight against the poverty which makes her vulnerable to sexual immorality or consignment to the work-

house. Needlework was the ultimate sign of femininity in Victorian England. It was sedentary and passive. Chartists frequently used the figure of the needlewoman in their fiction. The needle stood for women's 'natural' place in the home. Where other female workers were seen to develop masculine characteristics, the seamstress remained a woman, remarks Beth Harris in "Slaves of the Needle". It is no wonder then that the needlework performed by women for the marketplace, for strangers, like prostitution, became a source of intense anxiety. Ideological notions of motherhood, home, and morality became dislocated when the needle moved from the home to the garret. Anna has almost no economic agency. This is evident from Treadstone's early proclamation in the story – "Remember you are a penniless pauper!". She is the suffering victim whose body is a synecdoche for the wider body of the suffering poor under the New Poor Law and the Anatomy Act. Jones deliberately presents the milliner as a desiring sexual subject. Charles desires her and also attaches himself emotionally to her. Jones' point is that this cross-class relationship could have worked if the woman's economic condition had been favourable. The denouement of the story relies on invoking the working-class resentment of the Anatomy Act. Regarded as a piece of class legislation, the Act provided that unclaimed pauper bodies could be sold for the purpose of anatomical observation and experimentation. The story ends sensationally – Charles recognizes the body on the slab and faints with shock. In a way, when Charles recognition of Anna's body can be read as the infliction of a "fictive retribution" upon the anatomist. It also shows the difficulty involved in acquiring clinical detachment. The eighteenth century surgeon-anatomist, William Hunter, urged his students to gain a "Necessary Inhumanity" by dissecting the dead. Richardson calls it "clinical detachment". In her article, "A Necessary Inhumanity?" she remarks that Hunter's phrase is

more "honest" because they clarify what he was actually urging-inhumanity-but only to a necessary degree. It describes the necessary distance from the patient which the trainee doctor must attain, in order to become a good clinician. The dead female body is an intriguing spectacle; it provides a titillating subject for observation and is a vehicle for fetishism. Mary Paterson, an 18 year old prostitute, was murdered by William Burke in 1828. As her body was appropriated for anatomical study, students admired her youth, her physical symmetry, and the freshness of her body and even sketched her naked corpse. One of the students had been physically intimate with her just a few hours before she was murdered. Robert Knox preserved her body for 3 months in whisky in his lab for lectures on muscles. The corpse of a woman is a confronting presence-she is the object of desire and the subject of anatomical observation on the slab. The passive female body fulfils the ideal offemininity within patriarchy. Helene Cixous writes: "Man's dream: I love her-absent, hence desirable, a dependent non-entity, hence adorable. Because she isn't there where she is. She is no more than this shape made for him, a body caught in his gaze." Another case discussed by Richardson is that of Polly Chapman-a prostitute who committed suicide. Since her body was unclaimed, it was sent to the London Hospital. Her friends raised 3 pounds for her funeral but the coroner, intent on making her an example, refused. Dissection was the instrument of retribution for fallen women, in the similar way that it was for murderers. Her dissection was a judgement upon her fallen-ness. Although her body was not unclaimed, the Anatomy Act made it so, points out Richardson. Dissection asserted that she deserved it-that the anatomist's knife flayed the flesh that was already corrupted. The perception about women who ended up on the slab was one of failure and depravity, a moral and physical sickness.

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