

## Law, Science, Facts and Morals in Robert Louis Stevenson's *The Strange Case of Dr. Jekyll and Mr. Hyde*

IKER NABASKUES\*

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### Abstract

The impressive novel of the Scottish Master, despite his surprisingly simple narrative, shows an unquestionable moral and philosophical depth and it is considered as a canon of literature. The mystery of the plot shows how conscience and self-knowledge, both core components of human condition and modern rationality make clear the limits of legal and scientific rationality. The concept of Justice is shown from the distinctive perspective of Stevenson's narrative; complex, paradoxical and ethically unclassifiable from the perspective of systematic thought.

### Key words

Robert Louis Stevenson; The Strange Case of Dr. Jekyll and Mr. Hyde; Victorian society; Edinburgh; Limits of legal and scientific rationality; Duality; Justice and self discovery; Justice and conscience

### Resumen

A pesar de su sorprendente simplicidad narrativa, la impresionante novela del maestro escocés muestra una profundidad filosófica incuestionable y es considerada un canon de la literatura. El misterio argumental de la novela muestra cómo la consciencia y el auto-conocimiento, ambos componentes esenciales de la condición humana y la racionalidad moderna, muestran los límites de la racionalidad legal y científica. El concepto de Justicia se muestra desde la singular perspectiva de Stevenson; complejo, paradójico y éticamente inclasificable desde la perspectiva de cualquier pensamiento sistemático.

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\* Iker Nabaskues is PhD in Philosophy of Law in the Department of Administrative, Constitutional and Philosophy of Law of the Faculty of Law in San Sebastian. He worked in Social Services of Public Administration for a decade. Since 2010 he specialized in the iusphilosophical approach of Literature and Cinema. In 2012 he obtained his PhD with the thesis "Robert Louis Stevenson: ethics, narrative and justice". Nowadays he is teaching at Universidad del País Vasco-Euskal Herriko Unibertsitatea. Universidad del País Vasco-Euskal Herriko Unibertsitatea. Facultad Derecho. Despacho 302. Paseo Manuel Lardizábal s/n. 20018 Donostia-San Sebastián (Gipuzkoa) Spain. [iker.navascues@ehu.es](mailto:iker.navascues@ehu.es)



**Palabras clave**

Robert Louis Stevenson; El extraño caso del Dr. Jekyll and Mr. Hyde; sociedad victoriana; Edimburgo; límites de la racionalidad legal y científica; dualidad; justicia y auto-descubrimiento; justicia y conciencia

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## 1. Stevenson Philosopher of Law

Robert Louis Stevenson was a multifaceted character. Not only is he the author of some of the most famous novels of English Literature as *Treasure Island* and *Dr. Jekyll and Mr. Hyde*, but he also got his University degrees in Engineering and Law. He studied at Edinburgh University and during his studies was member of the Speculative Society, a club of intellectual debate located at the same University where he participated in numerous discussions of philosophical and moral content. Between 1870 and 1875 Stevenson wrote some works that show his deep interest on moral issues: *"The influence of the covenanting persecution on the scottish mind"*; *"Notes on Paradise Lost"*; *"Notes on the nineteenth Century"*; *"Two questions on the relation between Christ's teaching and Modern Christianity"*; *"On law and free will"*; *"Notes on the Duke of Argyll"* *"John Knox"* and *"John Knox and women"* (Swearingen 1980, p. 8).

The ripples of Stevenson with the advocate's gown were very brief, as he abandoned the legal profession very soon. In 1881 at a time of economic hardship, he went in for a public contest of Lecturer in History and Constitutional Law at the University of Edinburgh. In the competition to provide the vacancy, he got favourable testimony from different friends and academic teachers who promoted his candidacy, however, in spite of the vast knowledge of the writer in the history of Scotland and his solid intellectual preparation, he finally was not elected.

It is natural to link the interests of the writer on law and morality with his status as lawyer. His knowledge of the law provided a valuable tool to reflect situations where the complexity and ambiguity of his ethical and legal thinking are projected in the stories with amazing realism. The fact that the numerous biographies on Stevenson do not give excessive attention to the legal formation of the Scottish writer has meant that the influence of this in his work has received a limited relevance, but his studies of law enriched the legal perspective that the writer projects in his novels, that would not be possible without his in-depth knowledge of legal institutions. The presence of conducts against the law in the form of offences (homicide), legal institutions (inheritance) and the legal world (judges and lawyers) is redundant in his work, as well as the presence of the outsider (the displaced), represented as a counterweight to the legal system, always through characters who pass on the edges of the law or even outside it.

A solid knowledge of the history of Scotland is emerging in Stevenson's novels too. This issue relates directly to his University times. As a student of Law, he showed his interest in classes of Professor James Lorimer, a lawyer strongly influenced by front row enlightened thinkers as Francis Hutcheson and Thomas Reid (Mackinnon 1987, p. 12), whose approach of the Law was markedly Scottish. This fact is not trivial, since Scottish lawyers emphasized and studied the strong relationship in Scotland between history and law. James Lorimer was characterized in his classes for research on legal aspects related to this link.

In words of some of his University classmates as Lord Guthrie, Stevenson was in class "only when it was bad weather" (Guthrie 1924, p. 31), but it should be noted that in the course of James Lorimer he won an honourable mention achieving the third place in class. For Paul Maharg, the nexus between historiography and literature is particularly visible in the work of Stevenson, historical perspective that was acquired by him at the University, link between narrative and history that is also recognized in other Scottish writers as Macaulay or Walter Scott (Maharg 1995).

His deep knowledge of history was useful in the use of a method of historical research in his works, an enlightened feature of the writer that shows the modernity of his work method. As a member of the Scottish Bar Stevenson knew Scots law very well and was fully aware of its historical dimension (Menikoff 2005, p. 1).

Stevenson showed a particular sensitivity at the end of his life in Samoa towards the indigenous inhabitants. He strengthened ties with political leaders and was fully involved in their conflict with the colonial powers. This relation implied an enrichment of his perspective of Justice. In his letters to *The Times* on the indigenous conflict he contended that respect for the individual conscience of natives was the way to achieve the law to prevail against the hidden interests of the colonial justice administration of England and Germany.<sup>1</sup>

His legal approach helped him when he took part in colonial issues and racism in the Pacific because they incorporated an unknown dimension to a native monolithic legal culture. The writer had studied Scots law, which based its legal institutions on Roman Law and this view clashed with the indigenous rationality. His deep knowledge of Scottish history with its constant conflicts provided the perspective better to understand Samoan reality. This also allowed the writer to learn about political approaches of minorities. The traditional contradictions in Scotland arising in the coexistence of a tribal culture (highlands) with more modern and advanced societies (lowlands), allowed him to understand the problems of the natives and their relationship with the colonial administration of justice.

Stevenson had studied the renowned jurist Henry Maine at the University through his famous work *Ancient law*. The ideas of this jurist provided the possibility of understanding the Samoan reality through its legal institutions. The writings published by Stevenson during his Pacific years address the colonial relationship between the great powers and the indigenous tribes. His approach is that this relationship could not be addressed without understanding the conflict that involved the clash of so different legal cultures. In this sense the legal formation of the Scottish writer was a useful tool to understand the indigenous legal culture (Jolly 2006).

His solid historical academic training and the application of his legal-philosophical approach to the colonial conflict in Samoa are not the only features of Robert Louis Stevenson as legal philosopher. His particular empathy with the characters rejected by society, victims, the social outcasts, the defeated or those who break conventional morality, one of the most marked features of his narrative, may be related to his particular biography. Probably the Stevensonian duality germ, one of the most marked features of *Dr. Jekyll and Mr. Hyde* and most of his work, relates his life in the underworld of the city of Edinburgh, opposite to the rules of the Short Catechism of the Scottish Church. Stevenson felt a stranger in the social milieu where which he belonged, but neither did he belong in the micro-society he loved: in the underworld of Edinburgh where marines, beggars, prostitutes and criminals of all kind flocked and knew of his desire to be one of them, also as a way to be accepted by them (McLaren 1950, p. 103-104). The bourgeois writer did not fit amongst the socially uprooted, which probably increased his feeling of isolation, but in that context he could see the misery of human beings and he developed a special empathy with displaced persons which led to his deep knowledge of the peculiarities of criminality.

## 2. Context of The Strange Case of Dr. Jekyll and Mr. Hyde

*The Strange Case of Dr. Jekyll and Mr. Hyde* is one of the most studied novels from different fields of knowledge as Medicine, Criminology, Psychology, Psychiatry or Moral philosophy and where characteristic features of Victorian society as the rigid morals or the rise of the scientific community are explicitly reflected. Stevenson wrote the novel in Bournemouth, meeting place for families of the British bourgeoisie and coastal town in England who offered him a climate more suitable to his health routine. During this period a young and rebellious Stevenson lived with

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<sup>1</sup> In the last years of the 19th century had not surfaced yet social and cultural rights, which it would later be attributed to indigenous minorities. Stevenson defends the natives from his Scottish legal culture, so it is not surprising to defend the perspective of personal conscience.

the cream of society, an ideal setting for his history of duality and which offered a framework of contrasts in relation to his own subversive life (Letley 1998, p. viii).

There are some features of *Dr. Jekyll and Mr. Hyde* that must be mentioned in order better to understand the plot and the bizarre characters of the novel.

### 2.1. *The Calvinist and Victorian Edinburgh*

Chesterton (2001, p. 39-40) points out that the city where the events of the novel develop, more than London, seems to be Edinburgh, home of the author. Stevenson could not abstract the atmosphere of moral severity he breathed in his hometown in the mid-19th century and the truth is that the most extreme doctrines of Calvinism influenced his personality. The strict judgment on human behaviour so characteristic of Calvinism, was an aspect which Stevenson rejected with special virulence in his works. To Stevenson Calvinist morality demanded a perfection that was impractical for people because it went against human nature. Stevenson thought that Scottish Calvinism was hypocritical. Calvinism demanded to live life with a mask of perfection that was unattainable for human beings. The error of Calvinism was to understand that its ethical basis was absolute and therefore, immutable.

In Victorian times Edinburgh was known for being a city associated to the icon of the "double" due to some events and scandals occurred in the city. One of them was the Deacon Brodie affair. Brodie was a respectable President of the Chamber of Commerce of Edinburgh and inventor of safety systems. At night he turned into a robber of his own systems sold to his customers. When he was arrested, at the trial the authentic double life of Deacon Brodie was revealed. He recognized five children from different relationships, and two different lovers at the same time. The case helped to formulate an idea of Edinburgh associated with the idea of double life that germinated in the popular imagination. There is no doubt about the Scottishness of the *Strange Case of Dr. Jekyll and Mr. Hyde*. The duality of Scottish mind, a well researched issue, and the divided self are clearly shown in the novel (Muir 1982, p. 9).

Protestantism has been seldom linked to the idea of personal freedom. There is no doubt that the particular conception of individual freedom drawn from Calvinism influenced the marked individualism and sense of personal freedom of Stevenson. But, paradoxically Stevenson relied on his individual freedom in order to escape from the Calvinist moral severity and harsh creeds which he detested deeply during his lifetime. He defended his personal freedom to escape from simplifying schemes of the morals of the individual. Stevenson is a product of the Victorian and Calvinist Scotland. If we analyze his personality and his literary works, we can easily see how the most significant features of his hometown and the historical period in which he lived influenced him.

The scholar of the figure of the 'double' in Victorian literature Miyoshi Masao (1969, p. xvi) says that men of the 19th Century Victorian conventions saw little more than deception and hypocrisy. In *Dr. Jekyll and Mr. Hyde* we recognize the image of social respectability that hides a shameful private vice. Stevenson explores sarcastically the paradoxes of the scientific world and the power relations of the medicine of the 19th Century featuring the main character of this story as a powerful doctor, socially important but sick at the same time. The main character of *Dr. Jekyll and Mr. Hyde*, has money, honorary degrees, knowledge, culture, intelligence and social position. Henry Jekyll is a Doctor of medicine, doctor in law and member of the prestigious Royal Society, honour awarded to distinguish the most illustrious scientists of society.

## 2.2. Romanticism of Stevenson

The influence of the ideas generated by the German philosophers of the period is relevant in the development of the theme of duality (Abi-Ezzi 2003, p. 38-39). The *Doppelgänger* was the product of the German Romantic movement. *Doppelgänger* is the German word to define the ghostly double of a living person. The term is used to designate any double of a person, commonly in reference to the phenomenon of bilocation.

Stevenson loved Mary Shelley's novel *Frankenstein*. *Strange case of Dr. Jekyll and Mr. Hyde* and *Frankenstein* have indeed some similarities. The main characters in the novels Victor Frankenstein and Henry Jekyll are men of science with great training, always working on physical discoveries but who are reluctant to reveal the details of their researches. The only difference between the two experiments is that while doctor Frankenstein's monster, is an external creation made of pieces of human beasts and remains stuck in a laboratory, Mr. Hyde is the result of the chemical experiment of its creator on his own body (Rankin 1987, p. 214).

## 2.3. Scientific environment

At the time of Stevenson, personal and domestic experiments to expand knowledge were very common. Walter Simpson, friend of Stevenson, son of James Simpson directed his first essay on chloroform in 1847 (Edwards 2000). Relatives of Walter Simpson managed the formula of chloroform, drinking together and experimenting with all kinds of drinks and concoctions.

This culture of experimentation was a typical Victorian feature. In 1884, two years before *Dr. Jekyll and Mr. Hyde* was published, Stevenson published the story *The Body Snatcher*, based on the crimes in series of Burke and Hare, a real fact that shocked Edinburgh society in 1829. Robert Knox was a surgeon and Professor of anatomy at Edinburgh Medical College and member of the Royal Society. The practical subject of *dissection*, had been incorporated in the curriculum for medical students so the demand of human bodies for medical experimentation grew enormously during those years. Knox was involved with Irish immigrants Hare and Burke in a clandestine business of trafficking with corpses. Due to the growing demand and the shortage of bodies, the couple came to killing seventeen people, for whose corpses the academic paid high price and when the case came to light Knox, a member of the Royal Society, became a public scandal of great magnitude.

## 2.4. Medicines and drugs

The power of Stevenson at the time of writing the first version of the work could have come from consuming cocaine in order to combat his breathing problems. The consumption of this substance as a remedy against certain pathologies was widespread at the end of the 19th century: Freud used cocaine regularly and Arthur Conan Doyle believed that the brilliant powers of his fictional character, Sherlock Holmes could be exacerbated with small solutions of this drug. Stevenson lived surrounded by bottles of medicine, some of them with psychotropic as laudanum or substances like *ergotin*, which the writer took as remedy for their continuous bleeding. *Ergotin* comes from ergot, the same parasite which was derived later known as *LSD*. It is likely that the side effects of these drugs could have helped the writer to inspire his story. Stevenson recognized that the novel was partly product from the situations and scenes he had lived in dreams (Rankin 1987, p. 217).

## 3. Plot, characters and iusphilosophical approach in *The Strange Case of Dr. Jekyll and Mr. Hyde*

A strange character, Mr. Hyde described in the novel, as repellent and creepy, commits a series of crimes in the city of London and compensates the victims with cheques signed under the name of the prestigious physician, Dr. Jekyll. The lawyer

Utterson, the trustee of Dr Jekyll's will, is interested in the character since Jekyll's will appoints Hyde as the benefactor of the Doctor's properties. Utterson believes it's a case of blackmail. One night, a Member of Parliament is killed by Mr. Hyde. After a series of events, Utterson discovers the truth of all the events in a letter Dr. Jekyll sends him.

In the letter Jekyll explains that he had developed a concoction that would open new horizons of knowledge and which consisted of a chemical experiment to separate the good and the evil. Hyde committed some serious crimes and experienced a sensation of great vitality. But after that, the doctor was aware of his acts and felt dreadfully guilty. One day he had to choose between the two personalities and decided to be Jekyll forever. But suddenly he becomes Hyde without drinking the potion. Horrified with his fatal fate, the doctor decided to commit suicide.

There are two legal interesting subjects in the novel:

On one hand, Dr. Jekyll's penal responsibility. The responsibility of the doctor in relation to the crime of the Member of Parliament is an important issue. Is Jekyll trying to run away from his legal responsibility? The doctor expresses that the situation was "far from the common law". Jekyll knows the law but expresses that the fact that he cannot be charged for the crime "relaxed the power of the conscience", which implies an interpretation of the law as a way to evade his responsibility for the crime. Hyde is the killer of the Member of Parliament. This is an act that would be impossible to be committed by Henry Jekyll, but it is also true that Jekyll knows the consequences of drinking the concoction he prepares before committing the crime. Jekyll's penal responsibility is very difficult to establish. It seems to be in the air.

On the other hand, we see that Utterson is trustee of Dr. Jekyll's testament. He knows that Mr. Hyde is the benefactor of the will. Utterson the lawyer has a partial view of the facts. Utterson, who is the representative of the law in the novel is "close" to reality with their guesses, but misses to decrypt enigma. The lawyer is not able to even imagine what is happening because the strange reality of the case exceeds his capacity of legal discernment. The facts in the novel are more complex offences than what Utterson's legal knowledge could suspect. The failure of Utterson's discernment, representing reason and social establishment, indicates the failure of moral and legal rationality by the strange incidents that occur in the novel. Stevenson shows here the limits of legal reasoning.

#### **4. Justice in *The Strange Case of Dr. Jekyll and Mr. Hyde***

We can highlight two original dimensions of Justice shown in the novel:

##### *4.1. Justice as self-discovery*

Robert Louis Stevenson (1911-1912) writes in *Lay Morals*: "A man through his life, is on variable terms through himself. His inner self or soul appears to him by successive revelations, and is frequently obscured. If is from a study of these alternations that we can alone hope to discover, even dimly, what seems right and what seems wrong to this veiled prophet of ourselves. It demands that we shall not live alternately with our opposing tendencies in continual see-saw of passion and disgust, but seek some path on which the tendencies shall no longer oppose, but serve each other to a common end".

Jekyll's life is a source of fears and moral reproach, on the contrary Hyde's is completely free of moral sense. Hyde has no fear, whereas Jekyll has all of them. It is the consequence of separating good and evil within the same person. The physician has the ambition to scientific practice which is part of his personality, a dissociated duality, which he seems unable to assimilate. Jekyll has the ambition to change the nature of the person through his experiment to perfect humanity, but



his error is to try to change something that is impossible. Jekyll's mistake is not the purpose of his experiment but the wrong premise upon which it is based.

The doctor, unconsciously, makes an identification between perfect life and evil, while virtue is something that has a weak significance. His experiment is nothing more than a projection of this thought: believing that one cannot be happy doing good but that doing evil the state of happiness can be achieved. For Calvinist orthodoxy such harsh idea of virtue causes Jekyll to consider breaking the Knoxian moral code through his experiment. Jekyll understands Calvinist good as the obedience to external commandments, for him the good is something formal and dogma condemned the simple idea to separate from that moral formality as "evil". This is the moral universe in which the experiment is forged.

Dr. Jekyll feels terror to confront his own inner "shadow", a shadow that is part of human condition. The magic and all our future possibilities as human beings are also hidden in that darkness, and too often, with our short-sightedness we confuse them with evil" (Robertson 2002, p. 51). The novel reflects the conflict generated when the character is unable to integrate the contrary inclinations from the "shadow" with individual morality. Where is Henry Jekyll's mistake? Not understanding that the way to achieve harmonious life is walking accompanied by our "shadow". Jekyll tries to dissociate "shadow" and "conscience". Then the story is the Chronicle of a battle between shadow and conscience.

According to Jung, we must know ourselves in Socratic terms. If we are able to confront our own shadow we are also ready to understand others. Thus, self-knowledge would not need any experiment as Dr. Jekyll's, but merely engaging in it would represent something virtuous itself. The journey undertaken by Dr. Jekyll is, from this Jungian perspective, erratic. The process of self-knowledge is like his experiment conditioned by his Calvinist perspective. It is true that in his experiment Jekyll develops his knowledge but that knowledge increases until it is irreversible, therefore his essay implies a negative projection of self-knowledge.

The negative projection of self-knowledge in the novel presents a double perspective: religious and scientific. On the one hand, the Calvinist universe of Henry Jekyll idealizes the Jungian concept of "shadow" as well as the concept of "good" because his Calvinist backgrounds precludes the integration of both elements of human being. The events of the novel come to show a reality about Calvinism: his conception of good and evil presupposes a potentially schizophrenic ethics. The radical separation between both poles feeds its tendency to disintegration in the human being. The doctrine of Calvinist predestination is a restraint for Jekyll.

On the other hand, scientific negative projection is manifested in the ambition of Jekyll because he is trying to pretend something impossible. Jekyll tries to separate the good and the evil, in principle something forbidden even for a renowned scientist and the main problem in his experiment is precisely his Calvinist education. We can see that any scientific experiment may necessarily have consequences on the moral ground. It is the same case of Victor Frankenstein. Both Frankenstein and Jekyll fail in their pretensions because they do not anticipate the consequences of their experiments. Jekyll tries to separate the good and the evil and the consequences of the experiment are necessarily negative because the balance of the human condition is broken and the result is that the experiment reinforces the negative side of Dr. Jekyll. Stevenson shows that the pretension to dissociate the duality of the human condition cannot lead to anything positive.

#### 4.2. *Justice as conscience*

Stevenson (1911-1912) points out the link between conscience and Justice in *Lay Morals*: "What is right is that for which a man's central self is ever ready to sacrifice immediate or distant interests; what is wrong is what the central self discards or

rejects as incompatible with the fixed design of righteousness. To make this admission is to lay aside all hope of definition of Justice. That which is right upon this theory is intimately dictated to each man by himself. The conscience, has, then, a vision that like of the eyes, which is incommunicable, and for the most part illuminates none but its possessor."

In this novel conscience is pointed as a fundamental element in relation to Justice. If we want to reach justice we must take conscience into consideration. The core element of the novel is the importance given by the author to the individual conscience as an inseparable element of human nature. Stevenson does not judge Jekyll's actions. His actions are judged by himself from his peculiar strict sense of morality. The Scottish writer puts the focus on the attempt of the characters to escape from conscience, something that in the end, is a complete failure. The Chronicle of the novel is the failure of the experiment and the outcome, Henry Jekyll's death.

Stevenson runs away from any pretension of moralization: he is interested in showing the stormy relationship of the human being with morality. Moreover, he has the ability to show moral conflict disregarding both Puritan and Victorian morality categories. For him they are not much more than external forms. The writer limits himself to showing in the novel that Henry Jekyll's conscience is conditioned by the Calvinist moral code because he projects the good and evil idea of this moral code. The Chronicle of the novel is that Dr. Jekyll's experiment has no future. Jekyll suffers doing good and suffers doing evil. He isn't able to reach happiness neither following the moral precepts nor breaking them completely. The Calvinist code dissociates his intimate feelings and instincts with the idea of virtue. But he also suffers doing evil because he requires too much from it. "Evil" cannot provide happiness or the vitality he aspires to. In any case, the idea of Jekyll's "evil" comes from his mistaken idea of the "good", because his wrong conception of the good, conditions his experiment. This is doomed from the start to failure and tragedy without the possibility of return.

Stevenson rejects the Calvinist strictness, but also rejects the fact that the human being can escape from his conscience. Neither good nor evil can be separated from conscience. It is conscience which cannot be separated from the human soul. The author claims two fundamental issues: on the one hand, that the multiplicity of human personality is inside the human being and, on the other hand, that justice is linked to conscience and appears in every occasion, time and circumstance like it or not.

The key issue of the story is that conscience is inseparable from human nature. Like it or not it is not possible to escape from conscience. And although the legal code points to a responsibility with the commission of a crime, we all have our personal Court inside us. Stevenson shows that there are different ways to avoid responsibilities but at the end, we have always to confront our own conscience.

Stevenson shows that whatever the fact, at the end, we must always confront our personal jury.

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