

Law, Crime, Morals, and Sense of Justice in *Treasure Island*

IKER NABASKUES*

Nabaskues, I., 2018. Law, Crime, Morals, and Sense of Justice in *Treasure Island*. *Oñati Socio-legal Series* [online], 8 (7), 1001-1019. Received : 15-08-2017 ; Accepted : 01-10-2018. Available from: <https://doi.org/10.35295/osls.iisl/0000-0000-0000-0983>



Abstract

The aim of this article is to examine the legal, ethical and moral complications shown in Robert Louis Stevenson's masterpiece, *Treasure Island*, and the short story *The Persons of the Tale*. The methodology followed consisted on qualitative observation on different passages of the book. This analysis shows a shifting moral landscape where the characters of the plot make ethical choice out of the moral and social conventions of society. There are not legal institutions on the island. But we are reminded of the presence of the rule of law at all times. Stevenson uses this particular scenario to express a special and suggestive moral code where ambiguity, paradox and contradiction are the dominant pattern. There are very few works about Stevenson from the iusphilosophical approach, so the article makes a contribution on the field of Law and Literature.

Key words

Treasure Island; *The Persons of the Tale*; Stevenson; sense of justice; pirates; Long John Silver; Jim Hawkins

Resumen

El objetivo de este artículo es analizar las complejidades jurídicas, éticas y morales presentes en *La isla del tesoro*, obra maestra de Robert Louis Stevenson, y en la narración *Los personajes del relato*. La metodología consiste en la observación cualitativa de varios pasajes del libro. Ese análisis muestra un paisaje moral cambiante donde los personajes hacen elecciones morales fuera de las convenciones morales y sociales. No hay instituciones jurídicas en la isla; pero en todo momento se nos hace recordar el imperio de la ley. Stevenson utiliza este particular escenario para expresar un código moral muy especial y sugerente, donde la ambigüedad, lo paradójico y lo contradictorio son las tónicas dominantes. Hay muy pocas obras sobre Stevenson desde un enfoque iusfilosófico, por lo cual el artículo hace una aportación al campo del Derecho y la Literatura.

* Iker Nabaskues Martínez de Eulate is PhD in Philosophy of Law in the Department of Administrative, Constitutional and Philosophy of Law of the Faculty of Law of the Basque Country University (UPV/EHU) 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 (University of the Basque Country). Facultad de Economía y Empresa de Sarriko. Avenida Lehendakari Agirre, 83, 48015, Bilbao (Bizkaia), Spain. Email: iker.navascues@ehu.eus ORCID ID: <https://orcid.org/0000-0002-1226-3743>



Palabras clave

La isla del tesoro; Los personajes del relato; Stevenson; sentido de justicia; piratas; Long John Silver; Jim Hawkins

Table of contents / Índice

1. Analysis of <i>Treasure Island</i>	1004
1.1. Historical background of the pirates	1004
1.2. Law and crime in the <i>Hispaniola</i>	1005
1.3. The map as a legal title.....	1007
1.4. Insensitive legality or Fascinating illegality	1007
1.5. Jim Hawkins upholding the law	1008
1.6. Legality on a desert island.....	1010
1.7. Jim Hawkins's crimes in order to restore legality	1011
1.8. Silver's contract	1012
2. Duality in <i>The Persons of the Tale</i>	1013
3. Conclusion: The dynamic game of figures of law in the story	1016
References.....	1018

1. Analysis of *Treasure Island*

1.1. Historical background of the pirates

Robert Louis Stevenson was a meticulous writer developing his characters. He did not leave to chance the characteristics of the pirates from his fiction story and based his book in historical material compiled in Captain Charles Johnson's *A General History of the Pirates*, published in 1724. This is a book that addresses the 18th century pirates' essential features and the political problems that piracy caused to the British legislators of that time. Since the 16th century, the use of the term *pirate* had a very different treatment depending on the countries and their political interests. Thus, one of the most famous pirates, Francis Drake¹ became vice admiral of the British Royal Navy and actively participated in the defeat of the Spanish Armada sent by King Philip II. In his beginnings, Drake was just a slave trader and a merchant of dubious reputation but managed to establish a full agreement between the royal navy and the adventurers who waged an unconventional war against Spain.

Due to the need of help at the sea in a political friction context with Spain, England ended tolerating the pirates' activities when they were useful to the British Crown's interest. Sir Francis Walsingham, secretary of the Queen Elisabeth Tudor convinced her of the need that the only way to save her crown was to support the criminal activity of Drake and his companions (Macaulay Trevelyan 1943/1984, p. 242). Therefore the Queen sponsored the pirate attacks to Philip II's ships and colonies. It can be observed in this Queen Elisabeth's political double game a form of combination of diverse means of struggle, legal and illegal against her enemies. The Regent stated her intentions to pursue piracy meanwhile however, she was sponsoring it.

Therefore, the British comprehensive treatment towards pirates was very different from other countries like Spain. England chose to integrate the activity of pirates within its political strategy, but in the following centuries, when their criminal activity was considered pernicious for the interests of the crown at sea, the tables turned. In the 18th century piracy became such an economic and political problem that gave rise to monographic debates in the House of Lords of the British Parliament. The members of this Assembly even submitted a report to the King on the negative consequences that piracy caused to the political and economic interests of Great Britain. When piracy threatened the interests of the State at sea, British legislators engaged in the task of drafting regulations that included lists of activities considered piracy.

Moreover, mutinies had begun to proliferate on the ships of the Royal Navy, creating a feeling of insubordination towards the Navy that contributed to spread the political insecurity trough the British islands.² The problem of piracy became a major issue throughout the 18th century, once Great Britain became the most powerful colonial power at sea.

In 1717, the first legal manifestation of the above mentioned parliamentary work was produced, a King George's *Edict against Piracy*. In the *Abstract of the Civil Law and Statute Law in Relation to Piracy (1717-1724)*, according to British law:

Pirate is *Hostis humanis generis*, a common Enemy, with whom neither Faith nor Oath is to be kept, according to Tully. And by the Laws of Nature, Princes and States are responsible for their Neglect, if they do not provide Remedies for restraining these sort of Robberies. (Defoe 1724/2012, p. 424)

¹ Sir Francis Drake (1543-1596) was an English pirate and a controversial figure at a time when England and Spain were politically and militarily hostile to each other. He was considered a pirate by the Spanish authorities while, by contrast, he was admired as a corsair and honored as a hero in England, being knighted in reward for his services to the English Crown by Queen Elizabeth I (Macaulay Trevelyan 1943/1984, p. 236).

² One of the most famous cases of mutiny occurred on the Royal Navy vessel *HMS Bounty* occurred in 1789 (Macaulay Trevelyan 1943/1984, p. 211).

This regulation was an embryo of the legislation on piracy that was later incorporated into the British legal system. These laws considered piracy as a practice contrary to the law and to the principles of the legal order from the XVIII century onwards.

A general history of the Pirates contains, in addition to the major anti-piracy laws, extensive accounts of the main 18th century pirates' lives such as Avery, Mary Read or Blackbeard. This book became for Stevenson an inexhaustible resource for *Treasure Island* and provided him with a source of personal references of pirates and their main features, as well as a legal perspective to interpret their activity in the light of the legal system. In 1881, the Scottish writer requested to W.H. Henley "the best book on buccaneers he had" to collect material for the story of pirates he was conceiving (Stevenson 1912/2010b, 327). In another letter to Sidney Colvin, when the novel had already been published, the writer conveys to his friend, editor and literary critic, that *Treasure Island* had mostly come from Captain Johnson's work.³ The plot would be pure romance: a boy, a treasure map, pirates, a deserted island; loyalties tested and betrayed, a frantic chase to find gold. In some ways it was utterly conventional, not to say derivative; besides debts to Ballantyne, Defoe and Johnson (Harman 2006).

In view of all the points made in this brief historical contextualization, the Scottish writer's novel possesses a documentary support of an unquestionable historical-normative rigor as it portrayed real situations and crimes previously collected by Captain Johnson. Therefore, the author based his account of fiction in reality, manifested in the most relevant pirates' personal stories and in legal documents against piracy from the British legal system. Considering Stevenson's historical rigor, there is a clear parallel between his fiction and the political situation of the century preceding that of the publication of the novel. The description in Defoe's account of how the pirates received the publication of the First Edict for the Suppression of Pirates of 1717 on the island of Providence, recalls the way of proceeding and the most unique features of the pirates of *Treasure Island*:

Before Governor Rogers went over, the Proclamation was sent to them, which they took as Teague took the Covenant, that is, they made Prize of the Ship and Proclamation too; however, they sent for those who were out a Cruising, and called a general Council, but there was so much Noise and Glamour, that nothing could be agreed on; some were for fortifying the Island, to stand upon their own Terms, and Treating with the Government upon the Foot of a Commonwealth; others were also for strengthening the Island for their own Security, but were not strenuous for these Punctillios, so that they might have a general Pardon, without being obliged to make any Restitution, and to retire, with all their Effects, to the neighbouring British Plantations. But Captain Jennings, who was their Commadore, and who always bore a great Sway among them, being a Man of good Understanding, and good Estate, before this Whim took him of going a Pyrating, resolved upon surrendering, without more ado, to the Terms of the Proclamation, which so disconcerted all their Measures, that the Congress broke up very abruptly without doing any Thing. (Defoe 1724/2012, pp. 34-35)

In this text there are already glimpses of some of the features of the mutineers of the *Hispaniola*. This historical passage serves as a sample to what extent the writer was involved with the use of historical-scientific sources in the style and tradition of Scottish Enlightenment's *literati*.

1.2. Law and crime in the Hispaniola

The central core of the plot in this novel is a mutiny, a crime that, as mentioned above, was committed repeatedly with particular proliferation in the English royal

³ In time, with Stevenson already deceased, the mystery that surrounded his work was solved, since there were serious doubts about its authorship and even the existence of the so-called "Captain Johnson". It was later established that *The History of Pirates* had been written by Daniel Defoe. So the connection of the latter with the Scottish writer even gains in strength to the extent that Defoe was one of its most direct sources of inspiration.

ships during the 18th century. The main distinguishing feature that characterizes *Treasure Island* is duality. The novel contrasts the existence of two antagonistic worlds. The crew members are on the side of the law: Captain Smollett, Knight Trelawney, Doctor Livesey, and Sailors Redruth, Joyce, Gray and Hunter. This side represents the legality of the crown and the British legal corpus order. On the other side, the pirates captained by Long John Silver and aided by freebooters, Israel Hands, Pew, Merry, Morgan and O'Brien, enlisted in the crew to mutiny and get the treasure. This side represents the antagonistic values: indiscipline, murder and illegality.

Treasure Island reflects the inherent contradiction in any form of social organization: law and order facing crime, and Stevenson takes this dichotomy to its maximum expression. The plot unfolds in a wild environment, in a lost corner of the Caribbean Sea, where the coercive mechanisms of modern society do not exist. This wild environment and isolated location allows the author to depict the struggle between legality and illegality in a stark way. A singular feature of the novel is its enormous complexity and ethical ambiguity. In *Treasure Island* serious violations of legality are committed: mutiny, murder, kidnap, blackmail... but what is interesting is that the plot unfolds in a virgin context, a desert island with a buried treasure which both sides want to seize. The spirit of definitive judgment has never been as hopelessly frustrated as in *Treasure Island*. Even though the narrative structure of the novel is rather simple, the ethic complexity of it breaks the prejudices regarding its supposed Manichaeism and puerility.

Jim Hawkins's ethical-moral adventure is an essential aspect of *Treasure Island*, since the main character, a young boy, is the one who keeps his gaze fixed on the events that occur in the story. Hawkins is the instrument used by the author to weigh the behavior of the characters in relation to justice. Jim Hawkins must confront certain events that require an ethical positioning from him. The incidents on the island force him to quick discernment and choice making. Thus, the role of Hawkins is crucial for the development of situations that opposes the representation of legality against the representation of crime. The figure of the boy suggests a scrutinizing look at the incidents on the island. He is some kind of the "impartial spectator" of Adam Smith's *Theory of Moral Sentiments*. The influence of Adam Smith's epistemological approach is very deep in Stevenson's romances (Nabaskues 2012) where sympathy plays a key role in the plot. To begin to understand is to begin to sympathize; for comprehension comes only when we have stated another's faults and virtues in terms of our own. Hence the proverbial toleration of artists for their own evil creation (Callow 2011). As Robert Louis Stevenson writes on sympathy:

But to be a true disciple is to think of the same things as our prophet, and to think of different things in the same order. To be of the same mind with another is to see all things in the same perspective. (Stevenson 1912/2010a)

The introduction of a teenager into the story by Stevenson is not by chance. The boy's gaze acts as a catalyst for ethical discernment, as it shows the contrast between inexperience and experience, manifested in the actions of adults. Hawkins represents the innocent child, he is a virgin character with regards to the world of legality and crime, which enables the other characters' actions to come out in a deeply blunt way and showing this dialectic with more strength.

The events in the story lead Hawkins to take moral choices considering his friendship with Silver, who exercises a paternal and seductive influence over the boy, and this is precisely where the ethical tension of the story lies: Jim makes his moral decisions while empathizing with the biggest criminal. The consequence of this paradox is also paradoxical: the adolescent's moral universe does not crack. Jim's loyalty remains with the legal crew at all times, despite the fact that the pirate is his closest icon. Jim's relationship with Silver broadens his moral imagery, although this fact doesn't force Jim to renounce his values. This moral ambivalence is a typical feature of Scottish writers:

Moral ambivalence may at first sight appear to be remote from Calvinism, but, as Hogg showed it in his *Memoirs of a Justified Sinner*, it is precisely the Calvinist doctrine of predestined election, regardless of good works, that can lead to the most appalling moral ambivalence of all a man who feels himself to be one of the elect indulging in vice because he knows that it cannot affect his election. Burns saw this in *Holy Willie's Prayer*. Stevenson used this insight somewhat differently in *Treasure Island*. (Calder 1981)

1.3. *The map as a legal title*

The map containing the location of the treasure is the most precious asset for which the characters are willing to kill. Whoever has the chart should have the treasure. If the map were a legal document, it would prove that the legitimate holder is entitled to the loot. However, this is not the case. The map is a document that is passed from hand to hand, making the holder the only one who can seize it, but no one can claim the legitimacy of a "legal title" on the wealth hidden on the island. This implies an interesting ethical question: to whom should the treasure belong?

At the beginning of the novel, the pirate Billy Bones has the map until he dies and Jim manage to get it. The story that we get from Billy Bones mentions that the chart belonged to Captain Flint, but it is unclear how it came to Flint's hands. We don't know who the rightful owner is. Any of the characters of the novel are entitled to the treasure. The British gentlemen are a part of a world that is alien to the treasure story. It belongs to the pirates' world and it was transported to the island by Captain Flint's men. The gentlemen who intend to seize it are a representation of the British establishment: a captain, a squire and a doctor. We cannot say that their moral legitimacy to take possession of the treasure is greater than the buccaneers'. The loot is part of the pirate's universe after all. From this perspective, the legal representatives of society are trying to get their hands on riches that do not belong to them, while the pirates aspire to appropriate something that is an essential part of their own universe. This conflict projects a suggestive ethical ambiguity to the novel.

1.4. *Insensitive legality or Fascinating illegality*

Silver shows a great power of attraction on Jim throughout the story and becomes a personal icon for the boy:

And he began to laugh again, and that so heartily, that though I did not see the joke as he did, I was again obliged to join him in his mirth. On our little walk along the quays, he made himself the most interesting companion, telling me about the different ships that we passed by, their rig, tonnage, and nationality, explaining the work that was going forward – how one was discharging, another taking in cargo, and a third making ready for sea; and every now and then telling me some little anecdote of ships or seamen, or repeating a nautical phrase till I had learned it perfectly. I began to see that here was one of the best of possible shipmates. (Stevenson 1911/2009b)

Once the *Hispaniola* set sail for the island, Silver and Jim's friendship grows, and the cook exerts a special kind of magnetism on the young boy. Jim and Silver's relationship contrasts with the impression that Captain Smollett produces to the youngster. Silver and Jim continue their fluid relationship because, in Jim's eyes, Silver treats him like a man. Although Jim has no reason to reject Smollett, there is an obvious tension between these two characters. There is nothing more seductive for a teenager than to be treated like a man, while the captain's behavior towards Jim is cold and distant. This duality between fascination, exercised by the criminal, and the coldness, transmitted by the captain is very suggestive. Silver will become the most Machiavellian of all characters and the captain, although portrayed as an authoritarian person, he is a most respectable figure as well as the highest authority on the ship. Stevenson emphasizes the paradoxical aspect of the duality between legality and illegality, introducing a representative of the authority with a strict and

dominant role, while Silver, the maximum expression of murder, gains Hawkins' friendship being fascinatingly attractive.

1.5. *Jim Hawkins upholding the law*

A crucial event takes place during the trip to the island. While Jim is hiding in an apple barrel, he overhears a conversation between Silver and Israel Hands about seizing the ship. Then, the boy discovers the crew's intention to mutiny.

You may imagine how I felt when I heard this abominable old rogue addressing another in the very same words of flattery as he had used to myself. I think, if I had been able, that I would have killed him through the barrel. Meantime he ran on, little supposing he was overheard. (Stevenson 1911/2009b)

At that moment, Jim feels personally betrayed: Silver, his confidant, has deceived him. His plot endangers the rest of the crew also and this is a moral shock for Jim. The same man who has treated Jim like a man suddenly now represents the greatest enemy of Hawkins's principles. Jim's affection for Silver does not shake his moral code, for as soon as he is aware of the mutiny, he reports to Captain Smollett. Jim "betrays" Silver by becoming Captain Smollett's confidant. From the apple barrel affair, the dual tension of the story changes course, Silver continues to be a vital reference for Jim, but now they are morally confronted. From that moment on, Hawkins experiences different sensations when dealing with the pirate:

I was half-frightened when I saw him drawing nearer to myself. He did not know, to be sure, that I had overheard his council from the apple-barrel, and yet I had, by this time, taken such a horror of his cruelty, duplicity, and power, that I could scarce conceal a shudder when he laid his hand upon my arm. (Stevenson 1911/2009b)

Hawkins admiration for Silver is not because Jim likes everything he does, but rather due to the fact that the pirate is diabolically lively in the extreme. Silver is an assassin and an unscrupulous character, but Jim still values some admirable attributes in him. He sees a man with a drive for life greater than the other "officially good" characters surrounding him. This particular relationship between Silver and Jim paradoxically speeds up the boy's moral choice because he feels betrayed, and that feeling gives even more determination to his decision to report to captain Smollett about the mutiny.

Jim's moral choice in favor of the legal side is reinforced when he witnesses the murder of Tom, a sailor not involved in the mutiny, at the hands of Silver on the island:

With a cry, John seized the branch of a tree, whipped the crutch out of his arm-pit, and sent that uncouth missile hurtling through the air. It struck poor Tom, point foremost, and with stunning violence, right between the shoulders in the middle of his back. His hands flew up, he gave a sort of gasp, and fell (...). Silver, agile as a monkey, even without leg or crutch, was on the top of him next moment, and had twice buried his knife up to the hilt in that defenceless body. From my place of ambush I could hear him pant aloud as he struck the blows. (Stevenson 1911/2009b)

This scene is crucial in Jim's evolution. For the first time, Hawkins witnesses a murder in cold blood, which produces in him a combination of feelings of horror. After witnessing the crime, there is a clash between Jim's moral feelings and what Silver meant to him. From that moment on, Silver is his enemy. John Silver's virtue is showing the demonic face of audacity to Jim. And there is no doubt that Jim amply benefits from that lesson, without giving back any of the violent, rapacious, or heartbreaking aspects of demonic audacity (Savater 1994). Jim Hawkins brings into play the wild and primary qualities which Silver has unintentionally taught him, but this time at the service of what he believes is right.

Silver acts as a catalyst in Jim's moral decisions. Intersubjectivity emerges as a key component of moral choice, and in this regard Silver plays a crucial role. Savater wonders: "Could there not be any kind of vitality which helping to get our confidence

in life back, even if what that person does with his vitality is not what we would want to do with it? That's why it's critical that Jim gets to know Silver so he can act differently" (Savater 1994).

On this duality between the two characters, even when he knows Silver's low moral stature under the guise of kindness, Jim Hawkins still feels some fondness for the old pirate, who is full of strength and cunning, "full of life". But John Silver also, in his own way, admires the boy, protects him and even risks his life to defend him. This relationship between the two characters is not unidirectional. Jim's childish innocence also exerts a definite influence on Silver's moral decisions. Possibly, what the pirate sees in the boy is an unadulterated human being, even purer than anyone in the ship, and, to some extent, he is able to recognize in the boy the child that every man has previously been. So, at one point in the story he expresses:

I'll give you a piece of my mind. I've always liked you, I have, for a lad of spirit, and the picter of my own self when I was young and handsome. I always wanted you to jine and take your share, and die a gentleman. (Stevenson 1911/2009b)

In this regard, the novel is a symbolic representation in which life experience provides the measurement of morality and that its resulting complications reveal the limits of conventional morality. Hawkins has no knowledge of life yet, but Silver *is* life for him. Hawkins sees vitality in Silver and the pirate sees in Hawkins virtue in its purest integrity. This implies that life is not a passive object but is transformed according to attitude, in this case Jim's. The novel shows the dynamic relationship between subject and object, between individual and life.

The Hawkins-Silver alliance takes place twice in the story, at first, the pirate takes advantage of his power of attraction over the boy with the aim of having allies in the legal side. Later in the story, once Jim has become aware of Silver's double dealing, Jim Hawkins disrupts the pirates' plan when he is able to steal the *Hispaniola* and take it to the opposite end of the island in order to leave the Mutineers without a way out. When Jim returns to the stockade, believing that he will find the members of the legal side there, he is captured by the pirates, who in exchange for the map have let the officers go. The pirates and Silver himself realize that who really has thwarted their plans is Hawkins. Standing in front of them all, Jim exclaims:

I am not such a fool but I know pretty well what I have to look for. Let the worst come to the worst, it's little I care. I've seen too many die since I fell in with you. But there's a thing or two I have to tell you, I said, and by this time I was quite excited; and the first is this: here you are, in a bad way: ship lost, treasure lost, men lost; your whole business gone to wreck; and if you want to know who did it – it was I! I was in the apple-barrel the night we sighted land, and I heard you, John, and you, Dick Johnson, and Hands, who is now at the bottom of the sea, and told every word you said before the hour was out. And as for the schooner, it was I who cut her cable, and it was I that killed the men you had aboard of her, and it was I who brought her where you'll never see her more, not one of you. The laugh's on my side; I've had the top of this business from the first; I no more fear you than I fear a fly. Kill me, if you please, or spare me. But one thing I'll say, and no more: if you spare me, bygones are bygones, and when you fellows are in court for piracy, I'll save you all I can. It is for you to choose. Kill another and do yourselves no good, or spare me and keep a witness to save you from the gallows. (Stevenson 1911/2009b)

Then Silver realizes that the one responsible of disrupting his plans is the one who can save him in case of a desperate situation and at that point intercedes for the boy's life in front of the pirates. Silver perceives Jim's insight and boldness, and now looks at the boy as a strong and virtuous figure, who might be very useful for his plans to get away with the treasure. Stevenson shows here that virtue (Jim's virtue) is strength and a special capacity to face life.⁴

⁴ *Virtus* means "strength" in Latin, understood as an activity to produce certain effects. There is no doubt that, in this passage, this is Jim's strength.

This point is paradoxical again since the most cunning and dangerous buccaneer is the one who saves the boy's life. And that's because Silver glimpses in Jim's courage what the group of pirates lacks: the virtue of persistence. This is what makes Jim an extraordinary character in Silver's eyes. That's why the pirate recognizes him:

I know when a game's up, I do; and I know a lad that's staunch. Ah, you that's young – you and me might have done a power of good together! (Stevenson 1911/2009b)

This is the only time in the story where Silver is portrayed with a hint of virtue since he saves the boy's life. Nevertheless, the pirate's maneuver is rather ambiguous again, since his intent is to keep Jim alive in view of an eventual agreement with the legal crew which would ensure a personal exit to him in case the tide turns.

Jim Hawkins's choice in favor of the law and his allegiance to Alexander Smollett's crew is firm. From being Silver's confidant initially, he decides in favor of becoming the captain's confidant when reporting to him on the mutineers' plans. But later, standing in front of the pirates he displays a steadfast commitment when he exclaims: "[W]hen you fellows are in court for piracy, I'll save you all I can". Jim's tenacity in defending his shipmates is commendable as well as the resolve he shows in front of the pirates.

The young boy's point of view assimilates "justice" with the law, to the extent that even when Hawkins admires Silver and has not sympathy for the captain, he never doubts where his duty lies, so his commitment to the law is solid. The protagonist has a strong sense of what is fair, leading him to remain loyal to Captain Smollett even above the loyalty to the paternal and seductive image of the pirate. This is even reflected in Silver's own words: "I know a lad that's staunch".

1.6. Legality on a desert island

The characters of each side have some features different from the opposing side. The organization capacity is a distinctive feature of the legal side, in contrast to the complete lack of ability of the pirates to plan a well-organized attack. Thus, although the pirates manage to mutiny, they show a clear lack of aptitude to get hold of the treasure. Silver is aware of the pirates' ineptitude and this is how he confesses it to Hawkins:

As for that lot and their council, mark me, they're outright fools and cowards.

In all circumstances, the legal side reveals more persistent than the pirates. The captain and his men have the courage and moral strength to win the battle in the stockade against the attack by the mutineers because they do not back down even when they find themselves with their backs against the wall. In contrast, the pirates act in a cowardly manner, especially during their retreat in which some of them flee at the risk of being shot. Moreover, they do not launch a second attack when the legal crew has been reduced and the pirates simply stop to deliberate on a next attack. This lack of persistence among the pirates is noted by Jim himself, who reflects:

I never in my life saw men so careless of the morrow; hand to mouth is the only word that can describe their way of doing; and what with wasted food and sleeping sentries, though they were bold enough for a brush and be done with it, I could see their entire unfitness for anything like a prolonged campaign. (Stevenson 1911/2009b)

The maneuvers of the pirates are harmless in contrast with the organizational capacity of the legal crew that represents the modern and instituted power of Great Britain. The gap between the world of civilization and savagery is highlighted when Dr. Livesey provides medical attention to the pirates who have been injured in the confrontation. Dr. Livesey represents a legality by which the Physicians' Code of Ethics is applied even in the context of an armed combat. Jim Hawkins describes it this way:

A moment afterwards he had entered the block-house, and, with one grim nod to me, proceeded with his work among the sick. He seemed under no apprehension, though he must have known that his life, among these treacherous demons, depended on a hair; and he rattled on to his patients as if he were paying an ordinary professional visit in a quiet English family. His manner, I suppose, reacted on the men; for they behaved to him as if nothing had occurred – as if he were still ship's doctor, and they still faithful hands before the mast. (Stevenson 1911/2009b)

Despite this gesture, Dr. Livesey does not ignore the bond that binds him to his profession as well as to the legal obligations, and he does not forget that those who receive his medical attention are criminals who have committed acts against the British Crown:

Because, you see, since I am mutineers' doctor, or prison doctor, as I prefer to call it," says Dr. Livesey, in his pleasantest way, 'I make it a point of honour not to lose a man for King George (God bless him!) and the gallows'. (Stevenson 1911/2009b)

Livesey's line perfectly expresses the double bond to both the Code of Ethics and the legal framework that protects the former at the same time. Stevenson wants to make clear that there is no absence of the law on the island. The Doctor's reference to the gallows reminds us that the rule of law still prevails on the island and that the mutineers are crew members sailing in a ship of the Royal Army under the British flag.

The Navy officials' determination upholding the law is also evidenced when Captain Smollett reminds Silver that law and justice still prevail, and that he represents both figures on the island. When the two characters parley, the pirate asks for the treasure map in exchange for respecting their life. Then Smollett says:

Now you'll hear me. If you'll come up one by one, unarmed, I'll engage to clap you all in irons, and take you home to a fair trial in England. If you won't, my name is Alexander Smollett, I've flown my sovereign's colours, and I'll see you all to Davy Jones. (Stevenson 1911/2009b)

Smollett's position in the story is conclusive, representing legality in its most convincing sense. The metaphor of the British flag waving in the palisade represents the rule of law and the principles of civil society represented by his vessel. The captain does not admit compromises with the pirate and reminds Silver that legality is always applied to those who seek to break it, even if that happens on a desert and unknown island.

The consistency of the legal crew in the defense of the law as well as their persistence defending the stockade, their greater proficiency with firearms and cutlasses, Livesey's medical assistance to the pirates, his remind of the consequences of their criminal actions and the offer of a fair trial to Silver by Captain Smollett, all of them reflect the submission to the law in the island. Stevenson reflects that legality prevails even in those extreme circumstances.

1.7. *Jim Hawkins's crimes in order to restore legality*

Boldness, courage and persistence are moral qualities in any hero character, but the paradox in this story is that Hawkins becomes a "pirate" to carry out his actions. Jim takes control of the *Hispaniola* and this is not a trivial fact. According to British law, under the *Abstract of the Civil Law and Statute Law in Relation to Piracy (1717-1724)*, Jim commits a serious crime punishable by hanging:

If a Ship is riding at Anchor, and the Mariners all ashore, and a Pirate attack her, and rob her, this is Piracy. (Defoe 1724/2012, p. 425)

Here is another ambiguous situation again. The sailors who are ashore are the pirates and the one who takes possession of the ship is Jim Hawkins, who here represents legality correcting an illegal situation, such as mutineers illegally seizing a ship flying the British flag. Hawkins is therefore the one who performs an act of piracy, but he acts with the aim of returning the ship to its rightful owners. What he is actually doing

is to combat piracy using means that the legal precepts themselves qualify as acts of piracy.

But Jim would be considered a pirate only in terms of committing punishable illegal acts. The difference between "Hawkins pirate" from the "other pirates" is, in any case, sensitive, since the young boy fights for the restitution of legality. In this respect Jim is not a pirate because he shows the same virtues recognized in Dr. Livesey and Captain Smollett: these are the virtues that enable us to defend living as part of society against barbarism, even when, paradoxically, Hawkins has to commit acts of "piracy".

The paradox is that Hawkins, who belongs to the world of the legal side, finds in a murderer, Silver, the key that opens the chest of his life education training. All Jim's primary education drives him to respect and imitate Captain Smollett, and not to seek salvation outside him; but, and this is the subtle argument hidden in the story, the circumstances draw him to the world of the pirates, giving him the hint that in order to gain a real pirate treasure he must first become a pirate, somehow. At this point John Silver appears, master of buccaneers, providing him his irresistible lesson at no cost.

The boy performs different roles throughout the novel, such as helping his mother in the Admiral Benbow inn, spying on the mutineers, shooting them defending the stockade, seizing the schooner and steering it around the island, killing Israel Hands when he is about to stab him and in sum, becoming the decisive element that favors fortune falling towards the side of the legal side. In a context of legality vs. illegality, Jim Hawkins witnesses this dual universe unfolding on the desert island. He is the materialization of these two worlds within one person, since he is the only one who exhibits the talent to find his way with extraordinary sagacity in these antithetical universes.

Hawkins's impregnation of attitudes from the world of piracy where the essential elements are war and looting, does not mean that Hawkins assumes the pirates' *ethos*. He is able to perceive, as defender of the law, the pirates' hidden humanity beyond their lack of virtue as fighters. Jim's moral greatness shows that he is able to discover a human face in those who are unable to perceive his, because while he feels sorry for the wounded pirate on the ship, the pirates are eager to slit his throat when he returns to the stockade. This doesn't prevent him from killing Israel Hands in self-defense after taking control of the ship, or steering the *Hispaniola*. That's why Jim is part Smollett and part Silver, because he defends what Smollett represents, but making use of what Silver has taught him. This situation is well representing of Stevenson's narrative in which shifty situations are often represented in his novels. The "crimes" committed by Jim to "restore legality" represents the world of ambiguity that shows the novel in which law and violation of law goes hand in hand. This does not mean obviously that is necessary to commit a crime to do the law, but it does mean that the relation of the law with the ethics is often ambiguous. And that duality is one of the main features of style in Stevenson romances as Claire Harman writes:

Stevenson was unusually greedy of experience, and open to the widest, possible interpretation of personality. Duality, the theme of his most famous work, is present in almost all his writing: *The Master of Ballantrae*, *Markheim*, *Deacon Brodie*, *Catriona*; he even introduced the theme into a topographical study of Edinburgh. He was a bilingual writer, too, in Scots and English, and 'double-handed', ambidextrous. Doubleness is central to his very theory of composition, as set out in his essay *A Chapter on Dreams*, where he claims that the inventive side of his writing was beyond his conscious control. He was fascinated by the uneven surface of 'the self', its endless, ability to surprise the conscious. (Harman 2006)

1.8. *Silver's contract*

Jim's hidden abilities are shrewdly acknowledged by the cunning Silver, who, when the tide turns, sees in Hawkins the means to save his own skin. Jim's story makes a

deep impression on the pirate, who considers Jim above his mutiny comrades. In that moment he offers Hawkins a deal behind the pirates' backs:

'Now, look you here, Jim Hawkins', he said, in a steady whisper, that was no more than audible, 'you're within half a plank of death, and, what's a long sight worse, of torture. They're going to throw me off. But, you mark, I stand by you through thick and thin. I didn't mean to; no, not till you spoke up. I was about desperate to lose that much blunt, and be hanged into the bargain. But I see you was the right sort. I says to myself: You stand by Hawkins, John, and Hawkins'll stand by you. You're his last card, and, by the living thunder, John, he's yours! Back to back, says I. You save your witness, and he'll save your neck!'

Here it is an ambivalent situation again. We don't know whether Silver wants to keep Jim alive as a hostage to blackmail the legal crew members, or the pirate has really changed sides and that is the reason to save the boy's life. ¿Does he think he has a final chance to find Flint's loot or he just pushes through the ritual of the treasure hunt to the end, in order to get rid of their companions, leading them to a trap? This balancing act, allows him to play both sides before the possibility they might not be able to find the treasure, even they have the map in their possession. This sophistication of Silver contrasts with the primary behavior of his comrades; Silver proves to be intellectually superior to his shipmates, talent that he puts in action to get the treasure at all costs.

Silver, despite his obsessive personal gain and self-preservation philosophy, is aware of the power of virtue when he sees Hawkins using the instruments of piracy better than his own charade of respectability. This shows an identification of both characters in two directions. Silver sees in Hawkins the innocence he once had and Hawkins brings into play against the pirates, the skills he has learned from Silver. Personal interest and affection, in the end, are not in contradiction with Silver's salvation, and Silver shows his great sagacity, when surrounded by pirates, he understands that the boy, who is the cause of all the misfortunes of the mutineers, can eventually be the key for his own salvation.

The agreement Silver reaches with Captain Smollett seems to be a social contract: the pirate admits Smollett's authority and in return he respects the boy's life. We do not refer here to the social contract theory developed by Rousseau or Locke in which individuals do an agreement with the promise of living in society and organizing a powerful institution to ensure peaceful coexistence. In the peculiar "social contract" between Smollett and Silver, in a metaphorical sense, Silver gives up the freedom provided by the state of nature, characteristic of the world of piracy in exchange of respect Jim's life. So there is an agreement between Smollett and Silver which we can name "social contract" but it is a contract only valid for the situation in the island, beyond of further considerations in relation to the political institution of Liberalism. We are again in front of an original "contract" provided by the singular facts in the island.

2. Duality in *The Persons of the Tale*

In *The Persons of the Tale*, included in his book of short stories *Fables*, Stevenson performs an interesting exercise that opens us to the sense of justice in *Treasure Island*. In this brief fable, whose protagonists are the main characters of the novel, an imaginary dialogue between Captain Smollett and Long John Silver takes place once Stevenson has finished writing Chapter XXXII, he has put the inkwell to rest when he gets a break. The dialogue has no spatial-temporal dimension, similar to Jorge Luis Borges's narrative line, in which the author puts himself in his characters' shoes when they are caught up in a debate about who the most important character in the story is.

The pirate is convinced of his power of attraction over the author. Silver claims to be his favorite, so he tells Smollett that Stevenson has more affection for him:

What I know is this: if there is such a thing as a Author, I'm his favourite character. He does me fathoms better'n he does you – fathoms, he does. And he likes doing me. He keeps me on deck mostly all the time, crutch and all; and he leaves you measling in the hold, where nobody can't see you, nor wants to, and you may lay to that! If there is a Author, by thunder, but he's on my side, and you may lay to it! (Stevenson 1911/2009b)

The issue of Smollett's cold and authoritarian character has already been discussed. However, Silver's argument does not seem to be reason enough to claim for himself the author's sympathy towards "everything he does" in the story. Here, we could separate the affection that Stevenson may feel towards the pirate from the author's own sense of justice. The world of affections is somehow arbitrary, and it has nothing to do, neither with the actions that the characters execute, nor with their moral sense. So far, it does not matter that Silver is a murderer, the author appreciates him because he wants to and that does not imply that the author of the story considers his acts good, it is only a matter of affection. Therefore, we cannot take the pirate's assertion for granted since the affection that, according to him, the author keeps for him does not imply in any way that Stevenson believes that everything he does in the story is fair. Later, the pirate asks Captain Smollett:

But come now, do you consider yourself a virtuous chara'ter clean through?

To which Smollett replies:

God forbid! I am a man that tries to do his duty, and makes a mess of it as often as not.

Opposing Silver's self-interested approach, Smollett appears in this case closer to the moral position Stevenson adopts in his essays. A key point of the Scottish writer's thought is put in the mouth of his character. Smollett does not consider himself a righteous person: "God forbid" is his answer. The captain then drifts away from the over-rigorous legal approach he has on the story and seems to open himself to a more philosophical interpretation of justice. Instead of offering a simplistic response, he expresses a more complex conception of justice when confronting the pirate's apparently simple question.

In contrast to the inflexible captain depicted in *Treasure Island*, always eager to defend legality with great rigor, what we can see here is a character aware of the limitations of justice. Silver's question is quite straightforward and Smollett responds by saying that he is a man who does what he can, like all human beings in all circumstances. The captain, from a Stevensonian perspective, is absolutely aware of his own fallibility, which is only one of many possible testimonies of the fallibility of human condition itself. That is the reason why he can be considered a righteous person, because he is aware that justice does not have a perfect incarnation in anyone. From the vision of Captain Smollett, which is Stevenson's perspective, since the character is his creation, justice is an elusive notion to human beings, but must be applied nevertheless. We know that Smollett is willing to give his life and to kill as many times as necessary to defend it, but this is a different matter. That is why his position shifts when Silver asks about justice in abstract terms. On the island, the captain acts. In the fable, from a philosophical approach and out of life's complications, he responds that he does what he can. And all his actions do not mean that he is righteous as Silver calls him. Smollett adds:

I know the Author's on the side of good; he tells me so, it runs out of his pen as he writes. Well, that's all I need to know; I'll take my chance upon the rest.

This seems a reply to Silver's claim that the author's sympathies are with the pirate. Smollett counterattacks expressing that although he is not a friendly character, for him it is clear that the author is defending the good. This would indicate, for Smollett, that Stevenson does not accept Silver's crimes. To which the buccaneer responds:

What is this good? I made a mutiny, and I been a gentleman o' fortune; well, but by all stories, you ain't no such saint. I'm a man that keeps company very easy; even

by your own account, you ain't, and to my certain knowledge you're a devil to haze. Which is which? Which is good and which bad? Ah, you tell me that! Here we are in stays, and you may lay to it!

And here we have the doublespeak of the pirate; Silver the greatest murderer, uses Smollett's own moral standard to impose a contradiction upon his position. But Smollett replies:

'I would be both judge and hangman for you, my man, and never turn a hair', returned the Captain. 'But I get beyond that: it mayn't be sound theology, but it's common sense, that what is good is useful too – or there and thereabout, for I don't set up to be a thinker. Now, where would a story go to if there were no virtuous characters?'

The captain takes distance from extreme positions, opposing that justice is not an absolute. The captain expresses convincingly: "It's Common sense that what is good is useful too". Smollett refers here to the benefits of ethics for human life. The "good" promotes happiness, and here Smollett's sense of virtue presents a Hutchesonian root. From this perspective then, to do good deeds is what is useful, because doing good is the way to achieve happiness in life. This is the approach of the Scottish Enlightenment thinkers that defended an Aristotelian Virtue Ethics linked to practical experience more than to conceptual framework. One of the preoccupations of the eighteenth century was virtue. What is a good action, and how was to known to be good. As Alexander Broadie writes the thought of Scottish Enlightenment thinkers was:

We should concentrate on that which is according to our abilities and capacities, living a virtuous life, attending to all the studies and pursuits, the arts and labours which now employ the activity of a man, which support the order, or promote the happiness of society. (Broadie 2007)

Furthermore, the captain does not allow Silver to appropriate the legitimacy of being "the man of action" in the story. In order to consider "action" in the sense used by Silver, the duality of the human condition should also be taken into account: "Where would a story go to if there were no virtuous characters?" The Captain says that for a mutiny to take place there must be mutineers; But those who fight to prevent it are also needed in the story. In other words, if delinquents exist it is because there is an established power to rebel against. Smollett in response to Silver, lets him know that virtue is also part of human action. Silver cannot claim the representation of action for himself because good and evil are nothing more than different elements of the same unit: evil is indispensable, so is good.

'If you go to that', replied Silver, 'where would a story begin, if there wasn't no villains?'

Silver responds in kind to Smollett. Duality is thus reinforced in the dialogue. Both sides of the moral spectrum must be present in the story. That duality must coexist. This is a prerequisite to ensure that justice reveals itself. The fable ends with this final dialogue:

'Well, that's pretty much my thought', said Captain Smollett. 'The Author has to get a story; that's what he wants; and to get a story, and to have a man like the doctor (say) given a proper chance, he has to put in men like you and Hands. But he's on the right side; and you mind your eye! You're not through this story yet; there's trouble coming for you.'

'What'll you bet?' asked John.

'Much I care if there ain't', returned the Captain. 'I'm glad enough to be Alexander Smollett, bad as he is; and I thank my stars upon my knees that I'm not Silver. But there's the ink-bottle opening. To quarters!'

And indeed the Author was just then beginning to write the words (end of the Fable).

The Captain ends saying he is glad enough to be Alexander Smollett. This is a reasonable conclusion. Silver is a man who, at this point of the story (Chapter XXXII),

has already killed several members of the crew. What Smollett states here is that the condition of murderer would only cause him grief, which leads again to the universe of Hutchesonian virtues.

The doctrine of the happiness of Hutcheson implies the satisfaction for a happy and satisfied life, theory that linked happiness of the individual to the society, since happiness only could be built as the citizen was open to his fellow-citizens in the practice of the virtue. Some years after Hutcheson, David Hume refined this perspective when he said "the reward of virtue was virtue itself" (Hume 1751/1998). This hutchesonian perspective is recognized in the writer when it affirms:

There is no duty we so much underrate as the duty of being happy. By being happy, we sow anonymous benefits upon the world, which remain unknown even to ourselves, or when they are disclosed, surprise nobody so much as the benefactor. (Stevenson 1918/2004)

In *Treasure Island* the moral choice is relentless and absolute, but affections and circumstances are ambiguous and changeable. That's why Smollett claims he's not perfect. While Stevenson shows his predilection for the pirate, at the same time he is revealing that he would not like to be Silver. A duality in constant battle, because even though we are told that Silver is convinced to be the author's most loved character, it is also stated that Smollett would hate to be Silver. Smollett is a creation of Stevenson, so is Silver, thus, duality is reinforced without establishing a final resolution in relation to justice.

3. Conclusion: The dynamic game of figures of law in the story

Treasure Island has the power to show symbolic and archetypal figures in its midst where good and evil are necessary elements for the emergence of a sense of justice. This duality between archetypal figures, between representatives of the law against agents who violate the law, has also been depicted by authors like Chesterton. For Chesterton, who applied this concept to the detective novel of his time, duality is the popular embodiment of poetry contained in daily life. Chesterton writes:

When the detective in a police romance stands alone, and somewhat fatuously fearless amid the knives and fists of a thieves' kitchen, it does certainly serve to make us remember that it is the agent of social justice who is the original and poetic figure; while the burglars and footpads are merely placid old cosmic conservatives, happy in the immemorial respectability of apes and wolves. The romance of the police force is thus the whole romance of man. It is based on the fact that morality is the most dark and daring of conspiracies. It reminds us that the whole noiseless and unnoticeable police management by which we are ruled and protected is only a successful knight-errantry. (Chesterton 1901/2014)

Following Chesterton's approach, "burglars and footpads", the pirates in *Treasure Island*, are "placid old cosmic conservatives", because they represent typical figures of society, or at least one aspect of it, and to that extent, they are elements of the flow of life. Chesterton refers to the wild nature of "burglars and footpads", because the primary essence of man is also wild and represents an archetypal figure of that which is perennial in a human being: the violation of social norm. The burglar in the detective novel, the pirate of *Treasure Island*, is like the monkey or the wolf; A wild animal, because he is a person of blooming passions but whose duration is brief. This is precisely what Stevenson points out regarding the pirates, they are beings that behave in a primary manner, elemental beings whose only guide is the natural instinct, showing in the novel their lack of organizational skills when it comes to taking action.

There is a permanent duality in the history of humanity that arises from the confrontation between "policemen" and "burglars and footpads"; between those who are in the world to preserve law and order and those who violate it. The struggle between law and crime has a symbolic aspect. According to this reasoning, both those

who violate the law and those who protect it have a special place reserved, since both aspects are representations of one human nature.

In the novel, the Scottish author shows the aesthetic dimension of justice, which in this case is a dynamic game between several figures of the law, like police and delinquent in detective stories. From this aesthetic perspective, justice is nothing more than concreteness, taking a stand in a given set of circumstances that occur in the context of a mythical scheme as the one described, and Stevenson turns this mythical scheme into a narrative framework referred to the romance. Stevenson writes about the connection between the event and justice:

Life may be compared, not to a single tree, but to a great and complicated forest; circumstance is more swiftly changing than a shadow, language much more inexact than the tools of a surveyor; Look now for your shadows. O man of formulae, is this a place for you? Have you fitted the spirit to a single case? Alas, in the cycle of the ages when shall such another be proposed for the judgment of man? Now when the sun shines and the winds blow, the wood is filled with an innumerable multitude of shadows, tumultuously tossed and changing; and at every gust the whole carpet leaps and becomes new. Can you or your heart say more? (Stevenson 1912/2010a)

Policemen and criminals, Smollett and Silver, are necessary figures in the development of the law, because the law is sustained in the dramatic background of human relations. This approach does not imply a Manichean scheme, but on the contrary, the story has the virtue of expressing that each of the sides has one truth, that which is related to their own interests. This truth arises from the contradiction between those who are the guardians of law and order and those who obey their primitive savage passions. In this context: Are the pirates less human than Captain Smollett for trying to seize the treasure at all costs? Brittany Nelson writes:

Stevenson himself claimed that this book has no moral lessons and this is one of the ways that he makes this prediction come to life in the pages. The fact that nature is mute in the face of this monstrous evil symbolizes the fact that nature does not judge Long John Silver's actions, they were merely necessary in order to ensure that their cause wins out. (Nelson 2000)

The fight between law and crime is a battle between powerful truths and without that force there would not been neither drama nor intensity. Drama is a necessary element of storytelling. Stevenson does not question the normative order of society but he perceives that the particular element of human drama is an inexhaustible source of paradoxes and contrasts, and he extracts the most out of the fascination for pirates and their psychology and their struggle with the officers of law and order on a desert island, very far from the coercive means of the civilized society. The fact that the story unfolds on an island, an original state of nature, is not accidental. Those who arrive searching for the treasure bring a moral background with them; Each one brings his own normative code, but oddly enough, in order to put into play their rules they need the presence of an opposing force. In this way the island merely functions as a mirror projecting the "civilized" society from which these characters have emerged.

In the desert island, human beings express themselves genuinely, beyond the constraints of respect for social convention. In this habitat, Captain Smollett's legal rigor, stands out in a more seductive manner than the character of a judge could have had if the plot would have taken place in the City of London. The novel has the virtue of displaying an opposing code, the pirate code, on the contrary more adequate to the conditions of the place where the action takes place.

The story shows some key moments, where the sense of justice reveals itself attached to the particular circumstance in which the story unfolds. The conditions in which the characters interact in these circumstances are certainly decisive because the sense of justice cannot be glimpsed without filtering it through the sieve of life. Although the sense of justice is a key aspect in the story, Stevenson portrays a drama that is essential to detect this sense of justice more clearly, where circumstance is

the core condition so justice manifests itself in a recognizable way. In the end, and this could be one of the moral of the story among others, Stevenson shows, in the line of Virtue Ethics of the Scottish Enlightenment thinkers, that, justice should not be linked to theory but to praxis.

References

- Broadie, A., 2007. *The Scottish Enlightenment*. Edinburgh: Birlinn.
- Calder, J., 1981. *Stevenson and Victorian Scotland*. Edinburgh University Press.
- Callow, P., 2011. *Louis: A life of Robert Louis Stevenson*. Chicago, IL: Ivan R. Dee.
- Chesterton, G.K., 2014. *A Defence of Detective Stories*, by G.K. Chesterton [online]. Available from: <https://www.chesterton.org/a-defence-of-detective-stories/> [Accessed 3 October 2018] (Originally published in 1901).
- Defoe, D., 2012. *A General History of The Pirates* [online]. Produced by Jens Sadowski (based on page scans provided by The Internet Archive). The Gutenberg Project. Available from: <https://www.gutenberg.org/files/40580/40580-h/40580-h.htm> [Accessed 3 October 2018] (Originally published in 1724 by T. Warner, London).
- Harman, C., 2006. *Robert Louis Stevenson. A biography*. London: Harper Perennial.
- Hume, D., 1998. *An Enquiry concerning the principles of Morals*. Ed.: T.L. Beauchamp. Oxford University Press.
- Macaulay Trevelyan, G., 1984. *Historia política de Inglaterra*. Trans.: R. Iglesia. Reprint. Ciudad de México: Fondo de Cultura Económica. (Originally published in 1943).
- Nabaskues, I., 2012. *Derecho y Literatura: el sentido de la justicia en las novelas de Robert Louis Stevenson*. Cizur Menor: Aranzadi Thomson & Reuters.
- Nelson, B., 2000. Treasure Island Study Guide. *GradeSaver* [online], 24 July. Available from: <https://www.gradesaver.com/treasure-island> [Accessed 3 October 2018].
- Savater, F., 1994. *La infancia recuperada*. Paper presented at March Foundation, Madrid, 7 November.
- Stevenson, R.L., 2004. An apology for idlers. In: J. Hagerson et al., prod., *Essays of Robert Louis Stevenson. Selected & Edited with an Introduction & Notes by William Lyon Phelps* [online]. The Gutenberg Project. Available from: <http://www.gutenberg.org/cache/epub/10761/pg10761-images.html> [Accessed 3 October 2018] (Originally published in 1918 by C. Scribner's sons. New York / Chicago, IL).
- Stevenson, R.L., 2009a. The Persons of the Tale. In: J. Ingram, M. Borrer and the Online Distributed Proofreading Team, prod., *The Works of Robert Louis Stevenson, Vol. 21* [online]. The Gutenberg Project. Available from: <https://www.gutenberg.org/files/30650/30650-h/30650-h.htm> [Accessed 3 October 2018] (Originally published in 1912 by Chatto and Windus, London).
- Stevenson, R.L., 2009b. Treasure Island. In: Ingram, M. Borrer and the Online Distributed Proofreading Team, prod., *The Works of Robert Louis Stevenson-Swanston Edition Vol. 6 (of 25)* [online]. The Gutenberg Project. Available from: <http://www.gutenberg.org/files/30393/30393-h/30393-h.htm> [Accessed 3 October 2018] (Originally published in 1911 by Chatto and Windus, London).
- Stevenson, R.L., 2010a. Lay morals. In: M. Masi, J. Ingram and the Online Distributed Proofreading Team, prod., *The Works of Robert Louis Stevenson-Swanston Edition Vol. 16 (of 25)* [online], p. 379. The Gutenberg Project.

Available from: <http://www.gutenberg.org/files/30990/30990-h/30990-h.htm#page379> [Accessed 3 October 2018] (Originally published in 1912 by Chatto and Windus, London).

Stevenson, R.L., 2010b. Letter to W.H. Henley. Braemar, August, 1881. *In*: M. Masi, J. Ingram and the Online Distributed Proofreading Team, prod., *The Works of Robert Louis Stevenson-Swanston Edition Vol. 23 (of 25)* [online]. The Gutenberg Project. Available from: <http://www.gutenberg.org/files/30894/30894-h/30894-h.htm#page326> [Accessed 3 October 2018] (Originally published in 1912 by Chatto and Windus, London).