

XI. The Twelve Men

The other day, while I was meditating on morality and Mr. H. Pitt, I was, so to speak, snatched up and put into a jury box to try people. The snatching took some weeks, but to me it seemed something sudden and arbitrary. I was put into this box because I lived in Battersea, and my name began with a C. Looking round me, I saw that there were also summoned and in attendance in the court whole crowds and processions of men, all of whom lived in Battersea, and all of whose names began with a C.

It seems that they always summon jurymen in this sweeping alphabetical way. At one official blow, so to speak, Battersea is denuded of all its C's, and left to get on as best it can with the rest of the alphabet. A Cumberpatch is missing from one street--a Chizzolpop from another--three Chucksterfields from Chucksterfield House; the children are crying out for an absent Cadgerboy; the woman at the street corner is weeping for her Coffintop, and will not be comforted. We settle down with a rollicking ease into our seats (for we are a bold, devil-may-care race, the C's of Battersea), and an oath is administered to us in a totally inaudible manner by an individual resembling an Army surgeon in his second childhood. We understand, however, that we are to well and truly try the case between our sovereign lord the King and the prisoner at the bar, neither of whom has put in an appearance as yet.

.....

Just when I was wondering whether the King and the prisoner were, perhaps, coming to an amicable understanding in some adjoining public house, the prisoner's head appears above the barrier of the dock; he is accused of stealing bicycles, and he is the living image of a great friend of mine. We go into the matter of the stealing of the bicycles. We do well and truly try the case between the King and the prisoner in the affair of the bicycles. And we come to the conclusion, after a brief but reasonable discussion, that the King is not in any way implicated. Then we pass on to a woman who neglected her children, and who looks as if somebody or something had neglected her. And I am one of those who fancy that something had.

All the time that the eye took in these light appearances and the brain passed these light criticisms, there was in the heart a barbaric pity and fear which men have never been able to utter from the beginning, but which is the power behind half the poems of the world. The mood cannot even adequately be suggested, except faintly by this statement that tragedy is the highest expression of the

infinite value of human life. Never had I stood so close to pain; and never so far away from pessimism. Ordinarily, I should not have spoken of these dark emotions at all, for speech about them is too difficult; but I mention them now for a specific and particular reason to the statement of which I will proceed at once. I speak these feelings because out of the furnace of them there came a curious realisation of a political or social truth. I saw with a queer and indescribable kind of clearness what a jury really is, and why we must never let it go.

The trend of our epoch up to this time has been consistently towards specialism and professionalism. We tend to have trained soldiers because they fight better, trained singers because they sing better, trained dancers because they dance better, specially instructed laughers because they laugh better, and so on and so on. The principle has been applied to law and politics by innumerable modern writers. Many Fabians have insisted that a greater part of our political work should be performed by experts. Many legalists have declared that the untrained jury should be altogether supplanted by the trained Judge.

.....

Now, if this world of ours were really what is called reasonable, I do not know that there would be any fault to find with this. But the true result of all experience and the true foundation of all religion is this. That the four or five things that it is most practically essential that a man should know, are all of them what people call paradoxes. That is to say, that though we all find them in life to be mere plain truths, yet we cannot easily state them in words without being guilty of seeming verbal contradictions. One of them, for instance, is the unimpeachable platitude that the man who finds most pleasure for himself is often the man who least hunts for it. Another is the paradox of courage; the fact that the way to avoid death is not to have too much aversion to it. Whoever is careless enough of his bones to climb some hopeful cliff above the tide may save his bones by that carelessness. Whoever will lose his life, the same shall save it; an entirely practical and prosaic statement.

Now, one of these four or five paradoxes which should be taught to every infant prattling at his mother's knee is the following: That the more a man looks at a thing, the less he can see it, and the more a man learns a thing the less he knows it. The Fabian argument of the expert, that the man who is trained should be the man who is trusted would be absolutely unanswerable if it were really true that a man who studied a thing and practiced it every day went on seeing more and more of its significance. But he does not. He goes on seeing less and less of its significance. In the same way, alas! we all go on every day, unless we are continually goading ourselves into gratitude and humility, seeing less and less of the significance of the sky or the stones.

.....

Now it is a terrible business to mark a man out for the vengeance of men. But it is a thing to which a man can grow accustomed, as he can to other terrible things; he can even grow accustomed to the sun. And the horrible thing about all legal officials, even the best, about all judges, magistrates, barristers, detectives, and policemen, is not that they are wicked (some of them are good), not that they are stupid (several of them are quite intelligent), it is simply that they have got used to it.

Strictly they do not see the prisoner in the dock; all they see is the usual man in the usual place. They do not see the awful court of judgment; they only see their own workshop. Therefore, the instinct of Christian civilisation has most wisely declared that into their judgments there shall upon every occasion be infused fresh blood and fresh thoughts from the streets. Men shall come in who can see the court and the crowd, and coarse faces of the policeman and the professional criminals, the wasted faces of the wastrels, the unreal faces of the gesticulating counsel, and see it all as one sees a new picture or a play hitherto unvisited.

Our civilisation has decided, and very justly decided, that determining the guilt or innocence of men is a thing too important to be trusted to trained men. It wishes for light upon that awful matter, it asks men who know no more law than I know, but who can feel the things that I felt in the jury box. When it wants a library catalogued, or the solar system discovered, or any trifle of that kind, it uses up specialists. But when it wishes anything done which is really serious, it collects twelve of the ordinary men standing round. The same thing was done, if I remember right, by the Founder of Christianity.