



Image: Casimir Balthazar, portrait of John Law, 1843

Two books were published concerning John Law in Sheppard's era which may help us develop the relation between Sheppard and Law, or money and escape. In 1721 was published *The Memoirs, Life and Character of the Great Mr. Law*. The other was certain *Love-Letters of a Nobleman* published in 1723. Together they tell an important story.

While his countryman, William Paterson, was establishing the Bank of England in 1694, John Law was living it up, as a rake, a gallant, blade, sharper, or that 'bundle of vanity composed of ignorance, pride, folly and debauchery' as Mary Astell, a contemporary feminist, defined the 'beau'. On 9 April 'Beau' Law killed 'Beau' Wilson, 'the mirror of the town', in a duel in Bloomsbury Square. Now this man was very rich - possessing an abundance of horses, clothes, servants, coaches - but no one knew where his money came from, he had no estates nor stocks, though his credit was good with the most considerable bankers.

Was he the lover of the masked Betty Villiers, the King's favorite courtesan, hired to rid her of discovery to an inquisitive lover? 'Beau' Wilson's *Love-Letters* were published in 1723 implicating him in a homosexual relation with an anonymous but great nobleman. This nobleman paid him huge amounts of money and required that 'Beau' Wilson appear as a transvestite. Wilson was indebted to Villiers. John Law appears to have been hired to follow Wilson during his nocturnal commissions. Was Law hired by this nobleman to duel 'Beau' Wilson? While we may never know the full complexity of these intrigues (it was an open secret that the King preferred sex with boys), we do know that John Law was brought to trial in April 1694 at the Old Bailey, found guilty of murder, and sentenced to be hanged, two days prior to the founding of the Bank of England.

Although the Earl of Warristoun, the Secretary of State for Scotland, claimed 'the jury against him [Law] was bought', the Lord Chief Justice was against him, the Archbishop argued against a pardon, and the King was intent on the gallows. Yet thanks to the pillow talk in the palace, Law escaped. His escape was effected by drugging his guards with opiates, filing off his fetters, and climbing over a two storey wall with no other damage than a sprained ankle. Defoe summarised,

The case is plain, you must put on a sword, kill a beau or two, get into Newgate, be condemned to be hanged, break prison if you can - remember that by the way - get over to some strange country, turn stock-jobber, set up a Mississippi stock, bubble a nation, and you may soon be a great man.

That very month, the ship *Falconberg* embarked from London for the Gold Coast to take on six hundred people to be sold as slaves across the Atlantic in Barbados. The others condemned to be hanged with Beau Law were Richard Smith for raping a 15 year old girl, James and Jane Pattison for coining false money, and Susannah

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Crittenden for clipping five half crowns, ten shillings, and twenty six pences. They hanged for money, and the finest brains of the ruling class, John Locke and Isaac Newton, organised the logic and its execution. Violence was present at the birth of the Bank.

Surely, *The Last Days of Jack Sheppard* needs a sequel, *The Early Days of Jack Law*. Two escape artists, two beaux, two gamblers: Shepherd minds the flock, Law fleeces it. The second person omitted from *The Last Days of Jack Sheppard* was Jonathan Wild.

Jonathan Wild negotiated the relation between brute force and the commodity. He was a receiver of stolen goods, or a fence, and at the same time was the finder of 'lost property'. He organised London thieves, and he was a thief-taker. He supplied evidence at the Old Bailey and supplied victims to the gallows, £40 was the reward, blood money. He provided a 'service' to the victims of pick-pockets or thieves and he provided 'justice' as the municipal rulers understood it. He thus helped produce the climate of fear among the Have Nots. It has been an effective form of policing, accomplishing the urban trituration of class solidarity. But Sheppard eluded him. Jack Sheppard defied both organised law and organised crime. Jonathan Wild was the subject of a ballad which described the chaos of escape and which expresses that dissolution of legitimacy which reduced crime and law alike into force:

Ye Gallants of Newgate, whose Fingers are nice,  
In diving in Pockets, or cogging of Dice.  
Ye Sharpers so rich, who can buy off the Noose,  
Ye honest poor Rogues, who die in your Shoes,  
Attend and draw near,  
Good news ye shall hear,  
How Jonathan's Throat was cut from Ear to Ear;  
How Blueskin's sharp Penknife hath set you at Ease,  
And every Man round me may rob, if he please.

When to the Old Bailey this Blueskin was led,  
He held up his Hand, his Indictment was read,  
Loud rattled his Chains, near him Jonathan stood,  
For full Forty Pounds was the Price of his Blood.  
Then hopeless of Life,  
He drew his Penknife,  
And made a sad Widow of Jonathan's Wife.  
But Forty Pounds paid her, her Grief shall appease,  
And every Man round me may rob, if he please.

Some say there are Courtiers of highest Renown,  
Who steal the King's Gold, and leave him but a Crown;  
Some say there are Peers, and some Parliament Men,  
Who meet once a Year to rob Courtiers again:  
Let them all take their Swing,  
To pillage the King,  
And get a Blue Ribbon instead of a String.  
Now Blueskin's sharp Penknife hath set you at Ease,  
And every Man round me may rob, if he please.

Knives of old, to hide Guilt by their cunning Inventions,  
Called Briberies Grants, and plan Robberies Pensions;  
Physicians and Lawyers (who take their Degrees

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To be Learned Rogues) called their Pilfering Fees;  
Since this happy Day,  
Now every Man may  
Rob (as safe as in Office) upon the Highway.  
For Blueskin's sharp Penknife hath set you at Ease,  
And every Man round me may rob, if he please.

In fact, Blueskin's attempt on Wild's life failed, but it caused enough consternation so that Sheppard could make his best escape that day.



Image: Gallows ticket celebrating the execution of Jonathan Wild, 1725

After the unprecedented success of *The Beggar's Opera* (1728) the town wits said of the playwright, John Gay, and his producer, John Rich, that it made Rich Gay and Gay Rich. We might just as well say - no, we can say with even more justice! - that neither beggars nor opera, but the ruling class itself in its combination of money and power made Law wild and Wild law!

'Wildness' means risky, reckless, and violent. Certainly this was true of John Law, the high roller, the convicted murderer, the arrogant mathematician. There is also a touch of the indigenous in the connotation of 'wildness' and certainly at that time, the indigenous of America, Ireland, African, and England were becoming cosmopolitan, as the international labour of finance capitalism.

'Law means either explicit rules or force. Here is the semantic ambiguity which reflects the Marxist or ideological ambivalence. Are we talking legislation and judges' opinions? Or, are we talking the police and weapons of war. During this period, 1690-1720, the two were conjoined in the procedures of gangsterism or at the gallows, famously by Jonathan Wild.

The film makers emphasise paper representations, novels, engravings, playing cards, and this should not be dismissed as arty, postmodern cleverness, because it also leads to the central mystery, the holy fetish, sordid lucre. The film does not explore how money obtained its power. Backing such money was the violence of the state. That month three vessels left Bristol and three departed London for slaving voyages and almost 2,000 people embarked in Africa to be sold in the South Seas as slaves. It was a very good year for the slavers; 85 vessels left British ports to carry 23,573 people while the year before 40 vessels departed Britain to embark 9,911, and going back to the Bubble year, 1720, 50 voyages set out carrying 12,399 people with 18% mortality. The 'postmodern' emphasis on representation, with the increasingly obscure monetary instruments of the era, helps us to understand the 'pre-modern' avarice, violence, and slavery which certainly underlay finance capitalism.

### Impossible Ideals, Impossible Histories

'Linebaugh in particular has some problems in terms of projecting certain ideas and ideals that weren't yet historically possible onto the periods he describes.' It is dangerous for the historian to be as confident as the artists in asserting what is historically possible and what is not. History changes as we learn more about our past, and what was once a romantic ideal has a way of becoming empirical facts, but it takes some digging to establish them. That is the historical labor. I am not interested in projecting back but in bringing forward, forward to Sheppard, and forward from Sheppard.

The social bandit is given the picaresque biography or the subject matter can dictate the form of presentation. As we become aware of this, the form becomes as important a subject as the material was to begin with. This is an important stage in research, and the historian learns to describe the evidence and interpretations in an historiographical introduction before returning to the subject, which is the bandit not the picaresque. There is an interplay between evidence and story. The means has replaced the material, form over content, the signifier over the signified, the documents over the story. What has happened in this film is that the traditional relation is inverted and the story becomes the document. Money however seems to confound them both for the mere numismatics seem utterly irrelevant to the huge amount of violence.

Lawrence Summers, the director of President Obama's National Economic Council, World Banker, Harvard Pres, Treasury man, Economics Prof., used to end his lectures saying, 'Things will happen in well-organized efforts without direction, controls, plans. That's the consensus among economists. That's Hayek's legacy.' F.A. Hayek is the principle free market theorist of the 20th century. He taught rulers like Margaret Thatcher, Ronald Reagan, and Pinochet, as well as advisors such as Ronald Coase, Milton Friedman, and Larry Summers. David Rockefeller also was one of his students. In 1966 Hayek lectured the British Academy on Bernard Mandeville, 'a Master Mind'. Hayek finds in Mandeville 'an awareness of the spontaneous order which the market produces.' 'A most beautiful superstructure may be raised upon a rotten and despicable foundation.' Society was the result of human action but not human design. The price system signals information. All the state must do is maintain rule of law! Mandeville 'for the first time developed all the classical paradigmata of the spontaneous growth of orderly social structures: of law and morals, of language, the market, and of money, and also the growth of technological knowledge.'

Hayek or Mandeville *assume* the justice of class society (Hayek actually found the expression 'social justice' to be meaningless). Equality is completely out of the question. Mandeville never addresses incorrigible habits of 'the free-born Briton.' Indeed he helps to turn the word 'level', a democratic political party opposing the dictatorship of Cromwell and the invasion of Ireland, into a scarecrow word designed to frighten just as communism has been used to frighten commoners. Writing about envy Mandeville says,

The rude and unpolish'd Multitude [...] murmur at Providence,  
and loudly complain that the good Things of this World are  
chiefly enjoy'd by those who do not deserve them. The grosser  
Sort of them it often affects so violently, that if they were  
not with-held by the Fear of the Laws, they would go directly  
and beat those their Envy is level'd at....

Or, again, 'it is undeniable that Servants in general are daily encroaching upon Masters and Mistresses, and endeavouring to be more upon the Level with them' above the 'the Original meanness which the Publick Welfare requires it should always remain in.'

Bernard Mandeville attempted to relate crime and economics. Thomas Parker, (1666-1732), former Lord Chancellor, was a Whig grandee, acquisitive of land, with a 'craving nature,' but a generous patron of Mandeville. He played his cards well during the Bubble becoming Earl of Macclesfield. He was impeached by Parliament for selling offices, and had himself bilked the public treasury of at least £60,000. Mandeville was sponsored by the man in the Whig regime who more than any other revamped the national magistracy into the Whig machine of private proprietors. Law is necessary to the economy, *ipso facto* Whig revenues depend on Whig magistracy, or 'Officers', Mandeville brutally wrote, 'That squeeze a Living out of Tears.' If crime disappeared so

would law which would only, in Mandeville's logic, up unemployment.

*The Fable of the Bee* began as a poem in 1705 and after several addenda (a prose commentary, an essay, a vindication) attained its final form in 1724. Mandeville defends corruption on the grounds that it makes a country rich and powerful. The rich may game each other (Betty Villiers + King Billy), and perforce must game the poor, but under no circumstances may the poor be permitted to game the rich. For a nation to be rich and great it requires a large population that 'must be poor, ignorant, and almost wholly destitute of what we call the Comforts of Life.' 'Ignorance, Folly and Credulity of the floating insipid Multitude' utterly necessary to the Body Politick because 'the Basis that supports all, [is] the multitude of Working Poor.' Such is the labour theory of value.

Mandeville's reasoning can be applied to the enclosure movement which constructs both the proletariat (human beings) and constant capital (land). The first is taking the land, the second is obtaining unemployed country people. 'Would you render a Society of Men strong and powerful, you must touch their Passions. Divide the Land, 'tho' there is never so much to spare, and their Possessions will make them Covetous.' There's the land. 'Ignorance is, to a Proverb, counted to be the Mother of Devotion, and it is certain that we shall find Innocence and Honesty nowhere more general than among the most illiterate, the poor silly Country People.' And there's the proletariat.

Of course he observed the energies of the proletariat and of course he exposed the hypocrisies of the rulers: how else to manipulate the 'vices'? Justice for instance,

Check'd but the Desp'rate and the Poor;  
That, urged by mere Necessity,  
Were tied up to the wretched [gallows] Tree  
For Crimes, which not deserv'd that Fate,  
But to secure the Rich, and Great.

In literature the era is called the Augustan Age, named after the ruler of the Roman Empire when satire and irony were the only permitted forms of literary opposition. This did not prevent class analysis; it prevented class advocacy or agitation. In 1971 there was plenty of class agitation - always by definition 'from below' - but no literary class analysis. Writing *In Cold Blood* the year Malcolm X was assassinated (1965), we would not accept Truman Capote as our historian of crime, or accept Norman Mailer's *The Executioner's Song* (1980) as the voice of the prisoner movement. They are the Defoe's in the era of George Jackson. And the law of the 1960s needs its social historian writing from below of the defendants whose names are attached to the great cases - *Escobedo* (1964), *Miranda* (1966), *Gideon* (1963), *Sherbert* (1963), *Griswold* (1965).



Image: My Lai massacre, 1968

We go back to the past as a fountain of experience to relieve our dessicated, parched

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present. It doesn't mean we have to take it all. Here for instance, writing under the pseudonym Cato (the Roman tyrannicide), is John Trenchard, boiling with rage in November 1720 as the Bubble burst, expressing the homicidal hostility institutionalised at Tyburn:

These monsters, therefore, stand single in the creation. They are stock-jobbers; they have served a whole people as Satan served Job; and so far the Devil is injured, by any analogy that you can make between him and them.

Well; but monsters as they are, what would you do with them? The answer is short and at hand, hang them; for, whatever they deserve, I would have no new torture invented, nor any new death devised. In this, I think, I show moderation; let them only be hanged, but hanged speedily.

while at the same time he calls for something resembling reparations:

As to their wealth, as it is the manifest plunder of the people, let it be restored to the people, and let the publick be their heirs; the only method by which the publick is ever like to get millions by them, or indeed anything.

The invention of 'law-and-order', the co-dependency of crime and punishment, and the worship of the self-generating effects of the market/society developed in a period of terrifying violence and resistance. In the first quarter of the 18<sup>th</sup> century there were some 18 insurrections on slave ships. The slaves rose up in 1721 aboard the *Robert* of Bristol sailing to Sierre Leone and Jamaica; the slaves rose up in 1723 on the *Ruby* sailing from London for Gambia and Charleston.

Before Rockefeller killed him, L.D. Barkley spoke for Attica. He was 21 years old, from Rochester, N.Y., and spoke for 1,200 prisoners, 'We are men! We are not beasts, and we do not intend to be beaten, or driven as such... What has happened here is but the sound before the fury of those who are oppressed.' He called for abolition of prisons and transport to a non-imperialist country. I don't know that he alluded to Macbeth though the speech certainly applies to the prisoner's experience of the institutional boredom,

To-morrow, and to-morrow, and to-morrow,  
Creeps in this petty pace from day to day

and the depressing negation of both history and life,

... it is a tale  
Told by an idiot, full of sound and fury,  
Signifying nothing.

This is what L.D. Barkley turned upside down. He told a story with revolutionary spirit giving voice to a fury which signified - yes, *signified!* - a future, Black Power, the victory of the Vietnamese in the NLF, the beginnings of the Irish civil rights movement (Bloody Sunday was January 1972), the development of the American Indian Movement, a world without enclosure or empire.



Image: Prison riot in Attica, 1971

This was a revolutionary challenge to the judicial, legal, and penological system of the state at the moment when the state's venerable responsibility in providing sound currency was also challenged. Money and law together screened the violence that is the essence, or health, of the state. Thenceforth neither could appear historically inevitable nor unquestionably legitimate. The Attica revolt revealed their contingency. Law was not eternal: imperialism was not inevitable: racism was not unchanging. I was in England in 1971 using these contingencies to 'discover', once again, Jack Sheppard. Yes, in 1971 the 'Pentagon Papers' exposed the lie of war and E.P. Thompson's 'The Moral Economy' exposed the lie of money.

What followed 1971 was the installation of a repressive apparatus under the slogan of 'law-and-order'. This hideous formulation denies the multiplicity of social orders and gags the discussion of alternative forms of social life. It links the inherent violence and insecurity of capitalism to the universal, law, which, for many people, expresses the simple command of mutuality - do as you would be done by - though in actuality 'law-and-order' devised more devious capital punishments, built a continent of prisons, and impoverished the country with the law of beggar thy neighbor.

**Peter Linebaugh <plineba AT yahoo.com>, author of *The London Hanged: Crime and Civil Society in the Eighteenth Century* (Allen Lane 1991) and the *The Magna Carta Manifesto: Liberties and Commons for All* (University of California Press, 2008) completed his PhD at the Centre for Social History at Warwick with E.P. Thompson**

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i Editor's note: For Benedict Seymour's reflections on Panos and Kirschner's film see, 'Notes on The Last Days of Jack Sheppard: Capital Crimes and Paper Claims', *Mute* Vol 2 #13, September 2009, available at [http://www.metamute.org/en/content/notes\\_on\\_the\\_last\\_days\\_of\\_jack\\_sheppard\\_capital\\_crimes\\_and\\_paper\\_claims](http://www.metamute.org/en/content/notes_on_the_last_days_of_jack_sheppard_capital_crimes_and_paper_claims)

ii Neil Gray, 'The Last Days of Jack Sheppard, Interview with Anja Kirschner and David Panos', Variant Issue 36, 2009, <http://www.variant.org.uk/36texts/LastDays.html>

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#### A Response to Peter Linebaugh.

[kirschnerpanos](#) - Wed, 27/01/2010 - 10:46am

Jack Sheppard and his Double: A Response to Peter Linebaugh.  
Anja Kirschner & David Panos

Firstly we insist that our interview in Variant was fundamentally supporting Peter Linebaugh's work. We have been greatly inspired by his writing and owe him a debt for many of the themes explored in our films (our film Polly II paid tribute to his work with Marcus Rediker on piracy in the closing credits). It is not just the research he has done in bringing these histories to light that we admire, but also

his sense of political commitment.

Perhaps Linebaugh's proximity to our work has led to a heightened sense of caution when asked to align ourselves to it publicly – we feel the need to treat all our sources and inspirations somewhat critically. Having seen Peter Linebaugh talk in public last year we were struck by the way that his deployment of social history to articulate a contemporary sense of injustice sometimes means drawing continuities and connections which seemed to do some violence to their historical specificity and separateness. As Peter Linebaugh's article above perhaps shows, his associative approach can be inspiring and productive. We ourselves often take a similar approach to historical material in our work – by juxtaposing different epochs and genres in our films and riffing on images and symbols. But what might make for interesting poetic provocations in a fictional/filmic work of art might be more problematic in the writing of history (we're well aware that this raises all sorts of tricky questions about the borders between these two disciplines).

In the course of researching our film 'The Last Days of Jack Sheppard' we engaged with many of the documents cited Linebaugh's book 'The London Hanged' and that led us to be more circumspect about some aspects of his methodology. Where we primarily differ with Linebaugh's reading of Sheppard is that we suspect that much of the discourse directly attributed to Jack Sheppard could be paraphrasing public debates of his period. Sheppard's two main biographies were anonymously compiled by hack journalists (probably including Defoe, although this is not proven) working for the Tory publisher, John Applebee. Linebaugh fails to mention that Applebee was notorious for fabricating and exploiting the life stories of famous criminals for profit and his publications were often spliced from various fictions and unreliable accounts. In 'The London Hanged' Linebaugh repeats quotes attributed to Jack from these publications without making the reader aware of the complex history of their possible construction. For example, on page 33 of 'The London Hanged' Linebaugh prefaces a quote taken from 'The History of the Remarkable Life of John Sheppard' with "Jack used to say..." and praises Sheppard's "acumen as a political economist". He goes on to compare this quote with Mandeville's economic satire 'The Fable of the Bees', claiming that Jack was "leading" such discussions. In fact, the first version of Mandeville's poem was written nearly twenty years previously and the debate it prompted was re-ignited by the tumultuous economic events of the 1720s. It seems very possible to us that a ghost writer such as Defoe (who had already blurred the line between fact and fiction in his 'autobiographies' Robinson Crusoe and Moll Flanders) took the opportunity to insert this kind of material into Sheppard's story. It could also be that Jack, who was literate and clever, posed questions in line with discussions of his day, but either way, it is problematic to attribute the quote unquestioningly to Sheppard. This isn't just pedantic empiricism – it raises questions about how we approach and tell history.

In his response to our criticism, Linebaugh once again demonstrates a similar attitude towards reconstructing proletarian subjectivity from historical documents. He quotes 'Betty Blewskin' on her bawdy 'love' for Jack. Linebaugh holds up Betty Blewskin's letter as evidence of Jack's full-blooded relations to working class lovers. He does mention in passing that this quote might 'perhaps be made up' but he appears to connect its fundamental intentions to 'real life women' that associated with Sheppard. Actually the original letter, published by Applebee after Jack's hanging, presents Blewskin as the niece of 'Moll Flanders' and many other allusions point to its fabrication. Fake letters were a staple of Applebee's armament of journalistic devices and its content would have played a part in boosting Sheppard as a publishing commodity. Despite this, later in the essay, when Linebaugh condemns relations between a courtier and King George as "unromantic" and "economic" he appears to use the Blewskin letter to construct an argument that contrasts the 'authentic' romantic love of proto-proletarians with the alienated trysts of the ruling class.

Linebaugh also claims that our presentation of Edgeworth Bess AKA Elizabeth Lyon, omits any romantic element and shows her 'strictly as inducement to commodity exchange'. But he has this wrong; Bess/Lyons is present throughout our film as Jack's lover and accomplice. Instead of simply being a 'love interest' Bess's character in the film works on multiple levels – she is presented as an aspiring petit-bourgeois but also as a bold and intelligent critic of the realities of her time. Furthermore, we also suggest in our work that Bess's overall portrayal as a corrupting influence on Sheppard is in part a fiction created by the ruling class (represented by Defoe). The figure of the wayward apprentice lured by a prostitute into vice was familiar from the many 'apprentice tales' which preceded the writing of Jack's narrative and, we would argue, in part provided its template.

To highlight this fictive dimension is not to deny that Jack existed, escaped, inspired etc. We don't want to reduce Jack to a mere bourgeois creation and our doubts about the provenance of his biographies do not necessarily rob him of his force as a popular hero of the time or prevent us from using him as a cipher for working class desire for escape. There is plenty of concrete evidence of his existence. Our intention was to present a double aspect to many of the themes in the Jack Sheppard story: Jack is held up both as a symbol of working class desire and irrepressibility AND a mythologised figure that is so resonant of his

time that upper class mediators try to use his story to think through their own problems. We are also very interested in how such semi-mythical constructions around an event or character can become operative in political struggles, sometimes in a progressive way.

To conclude, there are many things that we agree with Linebaugh about, chiefly the juxtaposition of finance and capital punishment, emphasised by us to reflect the present period where millions will get it in the neck because of capitalist crisis. We also agree with him about an early 'stage' in working class consciousness (something we figured in the film in the mass refusal of work at the news of Jack's escapes – an 18th Century premonition of general strike). Linebaugh admits that our treatment of representation leads us to confront 'filthy lucre' but he seems frustrated that we deal with 'critics, painters, authors' and hints at the limits of our 'post-modern' treatment were 'deed is secondary to its representation'.

We concede that our foregrounding of art and representation is, at one level, self-reflexive; we're very conscious of the treatment of working class political subjects in our films and their uneasy place in an 'art' context. Speculating on the Defoe/Sheppard relationship was part of investigating that unease. In fact, the last image of our film, where the 'commodified' form of Jack as Harlequin Sheppard hangs himself suggests our concerns about the dead end of the representational hall of mirrors, or the general complicity of art and representation with a fatal capitalist system.

But ultimately, beyond our interests as filmmakers, we insist that the question of representation and the way that commodity exchange and financialisation materially impacted all levels of 18th century society is crucial for any account of that period. It is not just some 'post-modern' predilection. The general slippage between fact and fiction that it ushered in is embodied by Jack's predicament as mediated class hero and Defoe's attempts to grapple with 18th Century reality. But, as society became more abstracted through exchange, bourgeois commentators like Defoe begin to give shape to the emergence of speculative consciousness and identity (as well as their speculative investments!) through fiction. Could this consciousness (prefigured in the film in the proto-Kantian work of Addison) be seen as the forerunner of German Romanticism and Idealism and ultimately of its great inversion in the work of Marx? In this way Defoe finds his double character, as our bourgeois villain who wants to reconcile morality with the 'naked, shameless, direct brutal exploitation' of capitalist commerce, but who also opens up the role of speculation in imagining another world. Looking at the history of capitalism requires us to see both sides of such contradictions as we seek to transcend them.

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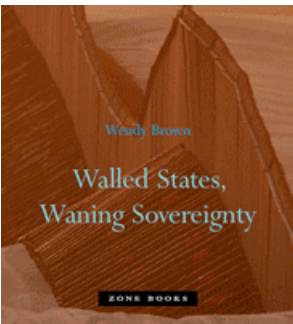
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**A Response to Peter Linebaugh** [News & Analysis](#)

Submitted by [kirschnerpanos](#) on Wednesday, 27 January, 2010 - 11:38

By  
Anja Kirschner & David Panos

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Anja Kirschner & David Panos

Firstly we insist that our interview in Variant was fundamentally supporting Peter Linebaugh's work. We have been greatly inspired by his writing and owe him a debt for many of the themes explored in our films (our film Polly II paid tribute to his work with Marcus Rediker on piracy in the closing credits). It is not just the research he has done in bringing these histories to light that we admire, but also his sense of political commitment.

Perhaps Linebaugh's proximity to our work has led to a heightened sense of caution when asked to align ourselves to it publicly - we feel the need to treat all our sources and inspirations somewhat critically. Having seen Peter Linebaugh talk in public last year we were struck by the way that his deployment of social history to articulate a contemporary sense of injustice sometimes means drawing continuities and connections which seemed to do some violence to their historical specificity and separateness. As Peter Linebaugh's article above perhaps shows, his associative approach can be inspiring and productive. We ourselves often take a similar approach to historical material in our work - by juxtaposing different epochs and genres in our films and riffing on images and symbols. But what might make for interesting poetic provocations in a fictional/filmic work of art might be more problematic in the writing of history (we're well aware that this raises all sorts of tricky questions about the borders between these two disciplines).

In the course of researching our film 'The Last Days of Jack Sheppard' we engaged with many of the documents cited Linebaugh's book 'The London Hanged' and that led us to be more circumspect about some aspects of his methodology. Where we primarily differ with Linebaugh's reading of Sheppard is that we suspect that much of the discourse directly attributed to Jack Sheppard could be paraphrasing public debates of his period. Sheppard's two main biographies were anonymously compiled by hack journalists (probably including Defoe, although this is not proven) working for the Tory publisher, John Applebee. Linebaugh fails to mention that Applebee was notorious for fabricating and exploiting the life stories of famous criminals for profit and his publications were often spliced from various fictions and unreliable accounts. In 'The London Hanged' Linebaugh repeats quotes attributed to Jack from these publications without making the reader aware of the complex history of their possible construction. For example, on page 33 of 'The London Hanged' Linebaugh prefaces a quote taken from 'The History of the Remarkable Life of John Sheppard' with "Jack used to say..." and praises Sheppard's "acumen as a political economist". He goes on to compare this quote with Mandeville's economic satire 'The Fable of the Bees', claiming that Jack was "leading" such discussions. In fact, the first version of Mandeville's

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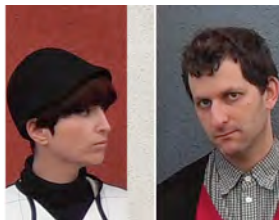


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poem was written nearly twenty years previously and the debate it prompted was re-ignited by the tumultuous economic events of the 1720s. It seems very possible to us that a ghost writer such as Defoe (who had already blurred the line between fact and fiction in his 'autobiographies' Robinson Crusoe and Moll Flanders) took the opportunity to insert this kind of material into Sheppard's story. It could also be that Jack, who was literate and clever, posed questions in line with discussions of his day, but either way, it is problematic to attribute the quote unquestioningly to Sheppard. This isn't just pedantic empiricism - it raises questions about how we approach and tell history.

In his response to our criticism, Linebaugh once again demonstrates a similar attitude towards reconstructing proletarian subjectivity from historical documents. He quotes 'Betty Blewskin' on her bawdy 'love' for Jack. Linebaugh holds up Betty Blewskin's letter as evidence of Jack's full-blooded relations to working class lovers. He does mention in passing that this quote might 'perhaps be made up' but he appears to connect its fundamental intentions to 'real life women' that associated with Sheppard. Actually the original letter, published by Applebee after Jack's hanging, presents Blewskin as the niece of 'Moll Flanders' and many other allusions point to its fabrication. Fake letters were a staple of Applebee's armament of journalistic devices and its content would have played a part in boosting Sheppard as a publishing commodity. Despite this, later in the essay, when Linebaugh condemns relations between a courtier and King George as "unromantic" and "economic" he appears to use the Blewskin letter to construct an argument that contrasts the 'authentic' romantic love of proto-proletarians with the alienated trysts of the ruling class.

Linebaugh also claims that our presentation of Edgeworth Bess AKA Elizabeth Lyon, omits any romantic element and shows her 'strictly as inducement to commodity exchange'. But he has this wrong; Bess/Lyons is present throughout our film as Jack's lover and accomplice. Instead of simply a being a 'love interest' Bess's character in the film works on multiple levels - she is presented as an aspiring petit-bourgeois but also as a bold and intelligent critic of the realities of her time. Furthermore, we also suggest in our work that Bess's overall portrayal as a corrupting influence on Sheppard is in part a fiction created by the ruling class (represented by Defoe). The figure of the wayward apprentice lured by a prostitute into vice was familiar from the many 'apprentice tales' which preceded the writing of Jack's narrative and, we would argue, in part provided its template.

To highlight this fictive dimension is not to deny that Jack existed, escaped, inspired etc. We don't want to reduce Jack to a mere bourgeois creation and our doubts about the provenance of his biographies do not necessarily rob him of his force as a popular hero of the time or prevent us from using him as a cipher for working class desire for escape. There is plenty of concrete evidence of his existence. Our intention was to present a double aspect to many of the themes in the Jack Sheppard story: Jack is held up both as a symbol of working class desire and irrepressibility AND a mythologised figure that is so resonant of his time that upper class mediators try to use his story to think through their own problems. We are also very interested in how such semi-mythical constructions around an event or character can become operative in political struggles, sometimes in a progressive way.

To conclude, there are many things that we agree with Linebaugh about, chiefly the juxtaposition of finance and capital punishment, emphasised by us to reflect the present period where millions will get it in the neck because of capitalist crisis. We also agree with him about an early 'stage' in working class consciousness (something we figured in the film in the mass refusal of work at the news of Jack's escapes - an 18th Century premonition of general strike). Linebaugh admits that our treatment of representation leads us to confront 'filthy lucre' but he seems frustrated that we deal with 'critics, painters, authors' and hints at the limits of our 'post-modern' treatment were 'deed is secondary to its representation'.

We concede that our foregrounding of art and representation is, at one

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level, self-reflexive; we're very conscious of the treatment of working class political subjects in our films and their uneasy place in an 'art' context. Speculating on the Defoe/Sheppard relationship was part of investigating that unease, In fact, the last image of our film, where the 'commodified' form of Jack as Harlequin Sheppard hangs himself suggests our concerns about the dead end of the representational hall of mirrors, or the general complicity of art and representation with a fatal capitalist system.

But ultimately, beyond our interests as filmmakers, we insist that the question of representation and the way that commodity exchange and financialisation materially impacted all levels of 18th century society is crucial for any account of that period. It is not just some 'post-modern' predilection. The general slippage between fact and fiction that it ushered in is embodied by Jack's predicament as mediated class hero and Defoe's attempts to grapple with 18th Century reality. But, as society became more abstracted through exchange, bourgeois commentators like Defoe begin to give shape to the emergence of speculative consciousness and identity (as well as their speculative investments!) through fiction. Could this consciousness (prefigured in the film in the proto-Kantian work of Addison) be seen as the forerunner of German Romanticism and Idealism and ultimately of its great inversion in the work of Marx? In this way Defoe finds his double character, as our bourgeois villain who wants to reconcile morality with the 'naked, shameless, direct brutal exploitation' of capitalist commerce, but who also opens up the role of speculation in imagining another world. Looking at the history of capitalism requires us to see both sides of such contradictions as we seek to transcend them.

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