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Moral Legibility

Dion Boucicault and the Melodramatic Legal Scene

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> He is studying the law […]; that accounts for his melancholy and abstracted air.
>
> —Dion Boucicault, *The Corsican Brothers* (1852)[1]

On 6 March 1875, on the stage of the Wallack's Theater on Broadway, on the occasion of an award from an Irish-American organisation, the Irish dramatist Dion Boucicault (1820–90) gave an acceptance speech reflecting on a career that had seen him rise to become one of the most popular dramatic writers of his age. Befitting a playwright whose work is littered with figures of the law, his speech that evening was one laden with legal metaphors, telling his audience: 'I have endeavoured to tell the truth about my country […] It is the Irish character as mispresented by the English dramatist that I wish to convict as a libel.'[2] In his assertion that he would speak the truth, his talk of conviction and libel, and in his claim that his aim was the vindication of a wronged innocent (Ireland), he rhetorically insisted on conjuring the theatre as a kind of courtroom. In so doing, Boucicault demonstrated just how fully he understood the deeply rooted and complex connections between the theatre and the law.[3] The shared concerns and

1 Dion Boucicault, *The Corsican Brothers*, in *Dion Boucicault: Selected Plays*, ed. Andrew Parkin (Gerards Cross: Colin Smythe, 2010), p. 114.

2 As quoted in Deirdre McFeely, *Dion Boucicault: Irish Identity on Stage* (Cambridge: Cambridge University Press, 2012), p. 103.

3 For a fuller discussion of these links see, for example: Alan Reid, *Theatre and Law* (London: Palgrave Macmillan, 2016); Austin Sarat, Lawrence Douglas and Martha

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histories between theatre and law, after all, help trace our modern existence as *homo juridicus*, as man before the law.[4] Thus it is not simply the obvious theatricality of the courtroom that led Jean-Paul Sartre to declare that 'the law *is* theatre'; it is, rather, the performative quality of the law and its actors in the social, cultural, economic and political matrices of modernity. While the law is homed in text, it is most often experienced as performance. The conditions of theatre, likewise, carry with them much that can be framed in terms of the law and its processes. As with the legal text, the theatrical script remains in a 'state of limbo' awaiting its proper performance by actors in the world.[5] Sartre's analogy that the 'stage is a courtroom in which the case is tried', moreover, opens theatre up as a pseudo-juridical space: a space in which evidence is presented, motive searched for, judgments made, truth revealed (or not).[6] Such structural symmetries remind us that the theatre has from its very origins acted as a public space in which man's relationship to the moral (or morally absent) universe has been explored, tested, re-imagined.

A key point of origin for these inter-connected legal and cultural performances is classical tragedy, with its working through of questions of law and morality acting as a space for the articulation and reception of these concepts in the nascent city-state.[7] One need think only of Sophocles's *Antigone* and its staging of the clash between the laws of man and those of the gods, or *Oedipus Rex* with its protagonist intent, as Richard H. Weisberg and Jean-Pierre Barricelli have observed, 'on investigating his own legal guilt or innocence'.[8] Lying at the very heart of our conceptions of the political, traces of this theatre/law complex are mappable across time and space. As much recent scholarship has shown, for example, there is a powerful imbrication of theatre with questions of authority, identity and the law in the early modern

Merrill Umphrey, eds, *Law and Performance* (Amherst: University of Massachusetts Press, 2018).

4 For more on this concept, see Alain Supiot, *Homo Juridicus: On the Anthropological Function of the Law* (London: Verso, 2007).

5 Stanford Levinson and Jack Balkin, 'Law, Music, and Other Performing Arts', *University of Pennsylvania Law Review*, 139.6 (1991), 1597–1658 (p. 1657).

6 Jean-Paul Sartre, *Sartre on Theater* (London: Quartet Books, 1976), p. 127.

7 For more see Edward Harris et al., eds, *Law and Drama in Ancient Greece* (London: Bristol Classical Press, 2010).

8 Richard Weisberg and Jean-Pierre Barricelli, 'Literature and Law', in *Interrelations of Literature*, ed. by Jean-Pierre Barricelli and Joseph Gibaldi (New York: MLA, 1982), pp. 150–175 (p. 153).

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period.[9] Subha Mukherji's demonstration that 'the theatre-as-court metaphor is pervasive in Renaissance drama, sometimes suggesting the theatricality of trials, at other times the judicial structure of drama',[10] provides the ground for Richard H. Weisberg's proposal of Hamlet as the 'first great literary lawyer'.[11] Such historical through-lines also sustain Richard Posner's sense that law's imagery has 'permeated Western culture from its earliest days'.[12] The theatre may thus be read as a particular kind of cultural force-field, one that does not simply 'present' questions of law at the surface-level of plot and dialogue to an adjudicating audience (though this it regularly does), but one rather that is deeply encoded with jurisprudential questions relating to the source of legal authority and the nature of its expression in the world.[13]

This chapter locates this theatre/law complex in the context of nineteenth-century melodrama – a dramatic mode that was, as Peter Brooks has so powerfully demonstrated, obsessively concerned with the expression of regulatory power and its relationship to a moral universe in search of proper revelation.[14] More specifically, the discussion focuses on Dion Boucicault's treatment of Ireland as a site of colonial power.[15] I argue that in his Irish-themed works – such as *The Colleen Bawn* (1860), *Arrah-na-Pogue* (1864) and *The Shaughraun* (1874) – Boucicault drew on the formal capacities of melodrama

9 For more on these connections, see Lorna Hutson, *The Invention of Suspicion: Law and Mimesis in Shakespeare and Renaissance Drama* (Oxford: Oxford University Press, 2011); Ian Ward, *Shakespeare and the Legal Imagination* (London: Butterworths, 1999); Richard Wilson and Richard Dutton, eds, *New Historicism and Renaissance Drama* (London: Longman, 1992).

10 Subha Mukherji, *Law and Representation in Early Modern Drama* (Cambridge: Cambridge University Press, 2006), p. 1.

11 Richard H. Weisberg, *The Failure of the Word: The Protagonist as Lawyer in Modern Fiction* (New Haven: Yale University Press, 1984), p. 8.

12 Richard A. Posner, *Law and Literature*, rev. edn (Cambridge, MA: Harvard University Press, 1998), p. 3.

13 For a more elaborated discussion of this intersection of law and literature as fields of force, see Kieran Dolin, *A Critical Introduction to Law and Literature* (Cambridge: Cambridge University Press, 2007), pp. 11–13.

14 Peter Brooks, *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* (New Haven: Yale University Press, 1996). For further discussions of theatrical melodrama, see Sara Hudston, *Victorian Theatricals: From Menageries to Melodrama* (London: Methuen, 2000); Michael Booth, *Theatre in the Victorian Age* (Cambridge: Cambridge University Press, 1991); George Rowell, *The Victorian Theatre 1792–1914*, 2nd edn (Cambridge: Cambridge University Press, 1978).

15 For a fuller sense of Boucicault's reading of Irish history in the context of empire see his pamphlet, *The Story of Ireland* (Boston: James R Osgood & Co., 1881).

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to re-stage the colonial encounter in terms of a confrontation between moral codes and legal processes. As we will see, much of this is framed by an implicit assumption – one that shadows much nineteenth-century romantic nationalism – that the project of imperial cosmopolitanism entails a disconnection with the moral order, an order that was presented as still struggling to hold its ground in Ireland.[16] Boucicault's 1852 work, *The Corsican Brothers*, for example, stages this in the context of another colonised island and its relationship to metropolitan modernity. Several of the exchanges between one of the eponymous brothers (Fabien) and a French visitor frame the colonial relationship as one predicated on an epistemological positivism that cannot accommodate other forms of knowledge or ways of being:

> Fabien: […] You dwellers in cities – what you gain in art you lose in nature. You are more prone to believe the miracles of a science which you have invented, than to believe the wonders of that creation which a divinity has made.[17]

This clash, furthermore, is posited as having particular consequences for the island's system of law and social regulation:

> Fabien: [….] And so you have come to visit Corsica? You do well not to postpone your visit. In a few years, our laws, our manners, will exist no longer. All will be swept away before the modern mania of improvement; we are degenerating hourly from our ancient habits.[18]

In this conjuring of a place that is 'picturesquely different to the life of the metropolis' – a form of 'romantic heterotopia' – it is not a difficult stretch to suggest that Ireland was as much in Boucicault's mind as was a Mediterranean island caught between contesting colonial gazes.[19] The setting and plot thus become a way, as Nicolas Daly puts it, of negotiating modernity 'through a fantasy of the pre-modern'.[20]

To suggest that a key site for this negotiation in Boucicault's work is the nexus of power and the law is in many ways simply to confirm that Boucicault

16 For a related discussion on the condition of Romantic legal theory, see James Kelly's essay in this collection.
17 Dion Boucicault, *The Corsican Brothers*, in *Selected Plays: Dion Boucicault*, ed. by Andrew Parkin (Gerrards Cross: Colin Smythe, 1987), p. 104.
18 Dion Boucicault, *The Corsican Brothers*, p. 106.
19 Nicholas Daly, 'The Many Lives of the Colleen Bawn: Pastoral Suspense', *Journal of Victorian Culture*, 12.1 (Spring 2007), 1–25 (p. 12).
20 Ibid., p. 14.

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was working within the contours of the theatrical mode that dominated the nineteenth-century stage before the emergence of the naturalist realism we associate with the likes of Zola, Strindberg and Ibsen. Indeed, given he spent his life embedded in the stage-world of the melodramatic, it is perhaps not surprising that Boucicault's vision of the theatrical enterprise is saturated with images of judgment and legal processes. In common with much of the fare that dominated the nineteenth-century stage, his work abounds with legal and para-legal characters: magistrates, judges, lawyers, police, soldiers; and with their illicit countersigns: horse thieves, poteen makers, renegades and political rebels. Writing about the primacy of the audience in the theatrical hierarchy of production and consumption, moreover, he declared that 'public opinion is the highest and sole court of jurisdiction in literary and artistic matters'.[21] Such images may also have come particularly easily to the mind of a writer no stranger to the inside of a courtroom. Throughout his career Boucicault demonstrated the uncanny knack of being able to make three fortunes but to lose four. Consequently, he was almost constantly in the process of either suing someone or defending an action taken against him. The result was clearly a thinker astute at thinking about the law from several sides and walking the boundaries between them.[22]

Boucicault, Melodrama and the Law: Transgression/Abjection

As Nicholas Daly puts it, melodrama is a 'secularized drama of good and evil, in which the absolutes of a […] moral universe fight it out in more quotidian forms'.[23] Questions of justice and the law, with a recurring critique of the 'inflexibility of the law and its inadequacy as a means of dealing fairly with people as individuals', thus often provided a key structural axis for the form's performance of regulatory forces and their impacts on representative bodies.[24]

21 As quoted in Richard Fawkes, *Dion Boucicault* (London: Quartet Books, 2011), p. 178.

22 In his play based on the life and work of Boucicault, *Heavenly Bodies* (1986), Stewart Parker captures much that goes to the heart of his subject when he has one character declare to Boucicault: 'you love to play the poacher – so long as you're still officially the gamekeeper'. Stewart Parker, *Plays Two* (London: Methuen Drama, 2000) pp. 153–154.

23 Nicholas Daly, *Sensation and Modernity in the 1860s* (Cambridge: Cambridge University Press, 2009), p. 57.

24 Stephanie J. Pocock, 'The Judicial and the Melodramatic Stage: Trial Scenes in Boucicault's *Arrah-na-Pogue* and *The Octoroon*', *Theatre Journal*, 60.4 (December 2008), 545–561 (p. 557).

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The context for the emergence of this form was, as Peter Brooks's seminal study *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* (1976) demonstrates, the energies unleased by the late eighteenth-century revolutionary period. Melodrama thus 'starts from and expresses the anxiety brought by a frightening new world in which the traditional patterns of moral order no longer provide the necessary social glue'. Its audiences, then, get to experience the 'force of that anxiety with the apparent triumph of villainy', before feeling it dissipate with the 'eventual victory of virtue'.[25] For Brooks, moreover, melodrama's insistent demonstration that the 'signs of ethical forces can be discovered and can be made' not just legible but legible to everyone makes it fundamentally democratic.[26] The source of this demotic capacity is to be found in the excessive legibility of 'morality and its signs'.[27] In place of the realist search for conflict's interiority, melodrama 'exteriorizes conflict and psychic structure', presenting what Brooks describes as 'a drama of pure psychic signs'.[28] The very excessiveness of these signs – 'called [for example] Father, Daughter, Protector, Persecutor, Judge, Duty, Obedience, Justice' – produces a performative vocabulary through which conceptual abstractions are handled 'virtually as plastic entities', staged as 'visual and tactile models held out for all to see and to handle'.[29] Hence it is in its very legibility, in its capacity to performatively 'plasticate' the abstract into the concrete, that melodrama provides its audience with a form of resolution to the complex anxieties of modernity.

Boucicault's own declaration that theatre is the 'necessary product of the age in which it lives, and of which it is the moral, social and physical expression' hints at just how knowing he was in the manipulation of these signs for his audience.[30] His mastery of melodrama's craft is perhaps best discerned in his capacity to ideologically 'double-voice' his plays – making them legible in different ways to different audiences. Perhaps the most remarkable thing about Boucicault's success, in this regard, was just how global it was – his plays were a success not just in Ireland, Irish-America, Irish-Australia, but in the grand theatres of London and smaller houses of provincial England

25 Peter Brooks, *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* (New Haven: Yale University Press, 1996 [1976]), p. 20.
26 Ibid., respectively p. 20, p. 15, p. 15.
27 Ibid., p. 44.
28 Ibid., p. 35, p. 36.
29 Ibid., p. 35, p. 41.
30 As quoted in Richard Fawkes, *Dion Boucicault*, p. 50.

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(famously, Queen Victoria was a fan who made repeat visits to see his work and commissioned a portrait of the playwright for Windsor Castle). My argument in what follows is that it is the representation of the law, and its relationship to other moral codes, that is key to this successful performance of a multivalent legibility and its reception by audiences scattered across the ideological spectrum.

We might begin first with those characters, or psychic signs as Brooks would describe them – magistrates, judges, lawyers, police, soldiers – who stand as guardians of State-sanctioned law (with all the complexities that such a status entailed in nineteenth-century Ireland). Crucially, in terms of how these figures are presented to their very different audiences, while always present at some level, Boucicault's critique of empire never tips into properly radical territory. 'Melodrama's Manichaean dualities' as Elizabeth Butler Cullingford has it, 'which pit virtuous hero against dastardly villain, absolute good against absolute evil, are not mapped directly onto the colonial relation between Ireland and England'.[31] This balancing act is best exemplified by the English (legal) characters Boucicault lands in the Irish landscape, who are always thoroughly decent and not a little suspicious of the whole colonial enterprise (a device that Brian Friel borrows for the character Lieutenant Yolland in *Translations*).[32] The English military officer Molineux in *The Shaughraun* (1874) provides a fine example of this legal 'double-legibility', with the emphasis on the 'private virtue' of this stage Englishmen functioning to signal to the audience the inhumanity of the 'public code' regulating the colonial relationship.[33] When we first meet Molineux he is adrift on the Irish landscape and its nomenclature:

> Molineux: Is this place called Swillabeg?
>
> Claire: No; it is called Shoolabeg.
>
> Molineux: Beg pardon; your Irish names are so unpronounceable. You see, I'm an Englishman.
>
> Claire: I remarked your misfortune. Poor creature, you couldn't help it.

31 Elizabeth Butler Cullingford, 'National Identities in Performance: The Stage Englishman of Boucicault's Irish Drama', *Theatre Journal*, 49.3 (October 1997), 287–300 (p. 289).

32 One could read Somerville and Ross's 'Irish RM', Yates, as another example of this character type.

33 Elizabeth Butler Cullingford, 'National Identities in Performance', p. 293.

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> Molineux: I do not regard it as a misfortune.
>
> Claire: Got accustomed to it, I suppose. Were you born so?[34]

This proto-Frielian scene of translation and communicative slippage (Molineux remarks that he is 'astray on an Irish bog here, and every step I take gets me deeper in the mire') marks the beginning of a transgressive encounter that will become central to the play's double-legibility.[35] For Molineux – read on stage as a pure sign of colonial legal power – will quickly fall in love with Claire, who will turn out to be the sister of Robert Ffolliott, a convicted Fenian (and an 'Irish Gentleman' as he is described in the *Dramatis Personae*) who had been deported but has escaped and secretly made his way back to Ireland. This wonderfully improbable scenario ensures that Molineux is forced to act out on stage the confrontation between his morally informed 'private virtue' – he will come to realise that Robert has been wronged by a system that convicted him on the basis of false testimony – and his duty to the 'public code' of the State's law – he is tasked with returning Robert to an incarceration that he knows is unjust. The clash allows Boucicault to present the colonial system as rotten while foregrounding the natural justness of those duty-bound to enforce it. Later in the action, for example, when Robert has surrendered himself (to save his friends from harm as they attempt to shelter him) and has been placed in prison, Molineux suggests that the soldiers guarding Robert would not put up much resistance if someone were to attempt to rescue this figure of virtue-wronged:

> Molineux: Soldiers will not move without orders; besides, my men have such a distaste for this business, that I believe, if left to defend their prisoner against an attempt to rescue him, they would disgrace themselves.[36]

Later still, when Robert has received what is presented as his rightful pardon, and the hunt is on for the man who has wronged him, Molineux unleashes the force of a law now seen as unambiguously on the side of the just (and justice):

34 Dion Boucicault, *The Shaughraun*, in *Selected Plays: Dion Boucicault*, ed. by Andrew Parkin (Gerrards Cross: Colin Smythe, 1987) p. 260.
35 Ibid., p. 262.
36 Ibid., p. 299.

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> Molineux: I'll send over to Sligo, and get a warrant to arrest the fellow. I like to have the law on my side. If we are to have a hunt, let us have a licence.[37]

This modulation of positions allows Boucicault to stage a doubly signified version of colonial law: while it confirms the sense of many audiences that it is a mechanism capable of deep injustices, it reassures other audience-profiles of its equally deep-set commitment to realign the law with moral order.

Reading Boucicault's Irish works as exercises in the fine balancing of legal psychic signs is complexified further when we turn our attention to the representation of Irish characters. In this regard the Fenian Robert Ffolliott is but one example of Boucicault's fascination with the law's illicit countersigns; as noted above, his works abound with (charismatic) horse thieves, (loveable) vagabonds, (generous) poteen makers, (kind-hearted) renegades and (honourable) political rebels. Most straightforwardly, each represents and enacts a point of resistance to colonial law and its disciplinary strategies. The attraction of *The Shaughraun*'s Fenian subplot and the 1798 setting of *Arrah-na-Pogue* to audiences with largely nationalist sympathies is clear in this regard. The sympathetic reception of such works by English audiences suggests a more multivalent complexity at work. Unpicking this a little further might be usefully done by drawing on the differentiation John Lechte (following Georges Bataille and Julia Kristeva) makes between those figures who stand in transgressive relation to the law and those who occupy a position of legal abjection.[38] The difference is important; as Lechte puts it: 'Transgression is not abject because it is an entirely open challenge to the law, while the abject tends to be its opposite: an underhand, insidious opposition to law, including the moral law.'[39] Boucicault's illicit figures – whether political rebels or carnivalesque spirits of mischief – stand in openly transgressive opposition to colonial law. The rightness of their actions (such as Ffolliott's act of self-sacrifice in aid of his friends) in the end affirms the existence of a moral order that stands in prior and superior relation to State law. The moral universe, in other words, is affirmed in Boucicault's

37 Ibid., p. 314.

38 For more, in addition to Lechte, see Julia Kristeva, *The Powers of Horror: An Essay on Abjection* (New York: Columbia University Press, 1984), and George Bataille, *Literature and Evil* (London: Penguin Classics, 2012 [1973]).

39 John Lechte, 'Crime, Abjection, Transgression and the Image', in *Crime Cultures: Figuring Criminality in Fiction and Film*, ed. by Bran Nicol, Patricia Pulham and Eugene McNulty (London: Continuum, 2011), pp. 51–67 (p. 51).

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work by the colonial law's transgression. The life-affirming pleasure of such transgression is perhaps best encapsulated in the mischievous, but in the end heroic, poteen-maker Myles-na-Coppaleen in *The Colleen Bawn*. As Richard Fawkes puts it: 'He is a lazy, lying rogue, a horse-thief, a poacher and an operator of an illicit whiskey still – everything that was an anathema to respectable Victorians. And yet it was Myles who proved irresistible to Victorian audiences.'[40] The attraction of Myles-na-Coppaleen lies, I argue, exactly in his open resistance to the law while enacting a simultaneous defence of the moral order – such as those moments when he defends the Colleen Bawn from what he sees as the dubious actions of the socially superior Hardress Cregan:

> Myles: I am an outlaw, Mr Cregan – a felon may be – but if you do this thing to that poor girl that loves you so much – had I my neck in the rope – or my fut on the deck of a convict ship – I'd turn round and say to ye, 'Hardress Cregan, I make ye the present of the contempt of a rogue'.[41]

This open refusal of the usual alignment of power and class may be read, as David Krause does, as having given the English Victorian audiences 'a chance to find vicarious release from the solemn and righteous standards by which they tried to live', with Myles's 'freedom from the numberless constraints of society' making 'him a better and more natural man than the effete gentlemen of an urban civilization'.[42]

This careful balancing act is given its final performative weighting by the fact that the outright villains of Boucicault's Irish plays are in fact Irish 'middlemen': land agents, police spies, crooked lawyers.[43] These are figures who stand in problematic relation to both the law and the moral realm, making them, to borrow Kristeva's term, performative sites of abjection. In *The Colleen Bawn*, for example, it is Corrigan (described as a 'pettifogging Attorney') who occupies this role in his use of the law to blackmail the widowed Mrs Cregan for her hand in marriage and the title deeds to her property. An early conversation between her and her son, Hardress, establishes the morally ambivalent space occupied by the hypocritical lawyer:

40 Richard Fawkes, *Dion Boucicault*, p. 117.
41 Dion Boucicault, *The Colleen Bawn*, p. 211.
42 David Krause, *The Dolmen Boucicault* (Dublin: The Dublin Press, 1964), p. 32.
43 For a further discussion of one of the classic middlemen characters in Maria Edgeworth's *Castle Rackrent*, see Max Barrett's essay in this collection.

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> Mrs Cregan: […] Show Mr Corrigan here. I hate this man; he was my husband's agent, or what the people here call a middle-man – vulgarly polite, and impudently obsequious.
>
> Hardress: Genus squireen – a half sir, and a whole scoundrel.[44]

In his manoeuvrings under the shadow of the law – he has in effect used its mechanisms to trap Mrs Cregan in an economic snare and is demanding her body as payment – Corrigan's actions are revealed as a species of hypocritical crime. This is a species of crime 'that pretends to be on the side of the law and is not, crime that is absolutely deceitful, premeditated and underhand but appears to be the exact opposite'.[45] Exactly because this form of abject crime is, as Lechte argues, 'dishonest in the deepest sense', it brings us into 'contact with the moral order of culture and society'.[46] Thus, when Corrigan ends the play beaten and thrown into a duck pond, it is not simply that this punishment unites all classes (land owners and peasants) in celebration on stage but that this performative purification of abjection becomes a source of pleasure for audiences from every political hue.[47]

The figure of Harvey Duff, the police-spy in *The Shaughraun*, is perhaps the most extreme example of this staging of abjection and the energies it channels. This character is based on a real-life police-spy, Head Constable Thomas Talbot, who moved around the country swearing in Fenians and then informing on them. His fictitious surrogate Duff, in a moment of crisis, and under pressure from his handler to continue, reveals how his actions have helped trap the play's hero Robert Ffolliott and other young men in the locality:

> Harvey Duff: My jooty! Was it my jooty to come down here among the people disguised as a Fenian delegate, and pass myself off for a head centre, so that I could swear them in an' denounce 'em? Who gave me the office to trap young Ffolliott? Who was it picked out Andy Donovan, an' sent him in irons across the say, laving his young wife to die in a madhouse?[48]

44 Dion Boucicault, *The Colleen Bawn*, p. 195.
45 John Lechte, 'Crime, Abjection, Transgression and the Image', p. 54.
46 Ibid., p. 52.
47 For a further reading of the play's ending and its politicality, see Eugene McNulty, 'The Cultural Afterlife of the Colleen Bawn Murder: From Crime-scene to Law-scene', *New Hibernia Review*, 20.2 (2016), 98–114.
48 Dion Boucicault, *The Shaughraun*, p. 283. For more on Constable Talbot and his activities, see Deirdre McFeely, *Dion Boucicault*, pp. 83–85.

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Duff's underhand actions position him in line with the Kristevian abject as that which 'does not respect borders, positions, rules', and with her related roll-call of the 'traitor, the liar, […] the killer who claims he is a savior'.[49] Unlike Boucicault's transgressive figures, who affirm the moral order through their defiance of the legal order, Duff and his ilk stand in hypocritical relation to both the law and the moral order. In his actions we find the shadow of Kristeva's figure of abjection as 'a terror that dissembles, a hatred that smiles […], a debtor who sells you up, a friend who stabs you'.[50] In the end, the depth of Duff's abject betrayal requires that the violent nature of the revenge meted out to him is of a different order to that experienced by the more comedically flawed Corrigan. It is the heroic vagabond 'Conn the Shaughraun' (perhaps Boucicault's most brilliantly transgressive creation) that explains Duff's options to him as he stands trapped on the midway point of a cliff with a deathly drop below him and the local community intent on revenge quickly approaching him from above:

> Conn: D'ye see that wild ould woman, wid the knife? that's Bridget Madigan, whose son's life you swore away.
>
> Harvey Duff: Save me! – you can – they will tear me into rags.
>
> Conn: D'ye know Andy Donovan? that's him with the scythe! You sent his brother across the say! (*Shouts outside*) Egorra, he knows you! Look at him.
>
> Harvey Duff (*on his knees, to* Conn): Spare me! Pity me!
>
> Conn: Ay, as you spared me! – as you spared them at whose side you knelt before the altar! – as you pitied them whose salt you ate, but whose blood you dhrank! There's death coming down upon you from above! – there's death wating for you below! Now, *informer*, take your choice![51]

The choice is in the end no choice and Duff leaps over the cliff edge '*Uttering a scream of terror*'. His fellow figure of abjection – his handler and crooked local magistrate, Corry Kinchela – ends the play being shot and carted away to gaol. The legally transgressive but morally grounded Conn, on the other

49 Julia Kristeva, *The Portable Kristeva*, ed. by Kelly Oliver (New York: Columbia University Press, 2010), p. 232.
50 Ibid.
51 Dion Boucicault, *The Shaughraun*, p. 324.

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hand, ends the play receiving the long-withheld permission from the local priest to marry his sweetheart Moya. The English officer Molineux's marriage to Claire is likewise given the blessing of her Fenian brother and guardian Robert. It is, in Brooks's terms, the perfectly modulated melodramatic denouement – the seeming 'triumph of villainy' dissipated by the final 'victory of virtue'.[52] In Boucicault's version of Irish melodrama, the law may be 'out of joint' but resolution is to be found in transgression that draws its energies from a still extant moral universe. Politically it is brilliantly balanced also, allowing Boucicault to perform dissent while refraining from outright dissension.[53] Read through this lens, that Boucicault was dressed as his famous creation Conn when he delivered the acceptance speech described in the introduction above seems all the more apt. In Boucicault's world, the world of realpolitik is always on the cusp of being theatricalised, with the mask of costume allowing his audience once again here to experience vicariously the seductions of radicalism through the safety of the (meta) performative.

52 Peter Brooks, *The Melodramatic Imagination*, p. 20.

53 For a fuller discussion of this line between performance and actual radical dissent see Deirdre McFeely's discussion of the reception of *Arrah-na-Pogue* in *Dion Boucicault*, pp. 29–58.