

***The Advocate as Biographer: James Boswell and The
Life of Samuel Johnson***

Lawyers as Writers (Laws 524)

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ABSTRACT

James Boswell (1740-1795) was an advocate at the bars of both England and Scotland, and the author of some of the eighteenth century's most important works of literature. He is best known for the biography of his friend and fellow author Samuel Johnson (1709-1784), which overturned the conventions of the era and laid the foundations of biography as it is now understood and practiced. Boswell's innovations were intensely legalistic: the novel use of detailed particulars; an exhaustive commitment to collection of evidence; and a highly developed ability to manipulate material to convey the best possible impression of his subject, while maintaining an almost religious devotion to accuracy. A remarkable further twist is that until the twentieth century he was widely regarded as an idiot and a buffoon, who had produced a great work by an accident consequent on recording the words of a great man. That view has been completely revised in the last eighty years, since his working papers came to light. It is now apparent that Boswell was supremely successful in the advocate's art of hiding all traces of his manipulative skill beneath the apparent reality of his creation, to the point where informed opinion had trouble recognising his creative ability without his manuscript for guidance.

The text of this paper (excluding abstract, table of contents, footnotes and bibliography) comprises approximately 14, 600 words.

Advocacy – Biography – Eighteenth Century Literature

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I THE AUTHOR

James Boswell (1740-1795) was the first-born son of an ancient Scottish family, the descendant of both Dutch and Scottish aristocracy.¹ His father was Lord Auchinleck, laird of the hereditary estate of Auchinleck in Ayrshire,² and a judge of the Courts of Session and Justiciary, the highest civil and criminal courts in Scotland.³ Boswell began his legal training in Edinburgh at the age of thirteen, but was frequently distracted by the city's taverns and theatres.⁴ After six years of indifferent study his father sent him to Glasgow,⁵ but his resolution became fixed on residence in London, and a relatively undemanding commission in the army.⁶ After a few unsuccessful months in pursuit of a military career his father intervened again, and induced him to spend a year in Utrecht studying Roman law in preparation for a career at the Scottish Bar.⁷ He was admitted on the 29th July 1766, after successfully defending his Latin thesis on the legacies of household furniture.⁸

Boswell was a complex figure, whose abilities were repeatedly handicapped by erratic and self-destructive behaviour.⁹ He was a notoriously heavy drinker, and possibly the first recorded alcoholic in history.¹⁰ He suffered black depressions that rapidly alternated with periods of elevated mood, in a manner that a modern psychiatrist would recognise as "cyclothymic personality" disorder.¹¹ His buffoonery during his manic phases was an embarrassment to those around him, and coloured public

¹ Peter Martin *A Life of James Boswell* (Phoenix Press, London, 1999) 27.

² *Ibid*, 25.

³ Marlies K Danziger, Frank Brady (eds) *Boswell The Great Biographer 1789-1795* (McGraw-Hill, New York, 1989) 1. Note that Lord's Auchinleck's title is judicial, not hereditary.

⁴ Iain Finlayson *The Moth and the Candle: a Life of James Boswell* (Constable, London, 1984) 12.

⁵ Martin above n 1, 64.

⁶ Walker Lowry "James Boswell, Scots Advocate and English Barrister, 1740-1795" (1950) 2 *Stan L Rev* 471,473.

⁷ Martin above n 1, 136.

⁸ *Ibid*, 224.

⁹ Martin above n 1, 3.

¹⁰ Thomas B Gilmore "James Boswell's Drinking" (1991) 24 *Eighteenth-Century Studies* 337, 338.

¹¹ DW Purdie, N Gow "The Maladies of James Boswell, Advocate" (2002) 32 *JR Coll Physicians Edinb* 197, 201.

perceptions of him long after his death.¹² He once tried to impress the Prime Minister by reciting some doggerel verse of his own composition while standing on his chair at a city feast.¹³ On another occasion he entertained the audience at a London theatre with his impression of a cow mooing.¹⁴ He frequently consorted with prostitutes, and contracted nineteen venereal infections over his lifetime,¹⁵ the last of which was probably the cause of the fever that killed him, at the age of fifty-five.¹⁶

He appears to have had talent as a barrister,¹⁷ and appeared in some high profile trials, where he was fond of representing the underdog.¹⁸ In his early years he had a respectable practice in Edinburgh,¹⁹ but his ambition was to practice in London, where he longed to be part of high society.²⁰ He was accepted to the English bar late in his career, in 1786, but he was limited by not knowing any English law, and his practice eventually petered out for lack of clients.²¹ He cultivated political patronage in an attempt to win a seat in Parliament, but fell out with his patron.²² It was only his writing, particularly Johnson's biography, which brought him any sustained success.²³

In addition to his biography of Johnson, he is noted for *Account of Corsica*, a travel book published in 1768;²⁴ *A Journal of the Tour to the Hebrides* (1773), his account of traveling with Johnson in the Scottish Highlands;²⁵ and his voluminous personal journals, which have only been published in modern times.²⁶

¹² Adam Sisman *Boswell's Presumptuous Task: The Making of the Life of Johnson* (Penguin, Middlesex, England, 2002) 289.

¹³ Lowry above n 6, 493.

¹⁴ Finlayson above n 4, 36.

¹⁵ Purdie above n 11, 199.

¹⁶ *Ibid*, 202.

¹⁷ Martin above n 1, 328.

¹⁸ *Ibid*, 386.

¹⁹ Lowry above n 6, 477.

²⁰ *Ibid*, 489.

²¹ Martin above n 1, 491.

²² Finlayson above n 4, 235.

²³ *Ibid*, 261.

²⁴ Martin above n 1, 217.

²⁵ *Ibid*, 26.

²⁶ *Ibid*, 12.

II THE SUBJECT

Samuel Johnson (1709-1784) was the son of a Lichfield bookseller ²⁷ who dominated the literary circles of England during his lifetime, and whose work is often considered the yardstick for eighteenth century literature. ²⁸ He is best remembered for *A Dictionary of the English Language*, a monumental book of forty-two thousand entries, one of the cultural icons of its age, published in 1755. ²⁹ His body of work also includes major poems such as *London* (1738) and *The Vanity of Human Wishes* (1749); a biography of poet Richard Savage; a novel called *Rasselas* (composed in one week to pay for his mother's funeral); several hundred moral and intellectual essays; an edition of Shakespeare; fifty two *Lives of the Poets*; travel writing – *Journey to the Western Isle of Scotland*; and a vast quantity of other sermons, tracts, treatises, and poems, in Latin as well as English. ³⁰ His influence is such that even today he remains the second most quoted person in the English language after Shakespeare. ³¹

Johnson had a difficult life. He was blind in one eye from childhood, and carried permanent facial scarring from 'scrofula' – lymph nodes infected with tuberculosis – contracted from his wet nurse. ³² His early ambition to become a lawyer was frustrated by lack of money, and he left university without a degree, ³³ to make what living he could as a school teacher. ³⁴ He married a woman twenty years his senior, who died an opium addict. ³⁵ He was a neurotic self-doubter, a depressive, ³⁶ and an eccentric (he

²⁷ Walter Jackson Bate *Samuel Johnson* (Hogarth Press, London, 1984) 5.

²⁸ Richard B Schwartz "Epilogue: The Boswell problem" in John A Vance (ed) *Boswell's Life of Johnson : New Questions, New Answers* (University of Georgia Press, USA, 1985) 255.

²⁹ Henry Hitchings *Dr Johnson's Dictionary: The Extraordinary Story of the Book that Defined the World* (John Murray, London, 2005) 1.

³⁰ Greg Clingham (ed) *The Cambridge Companion to Samuel Johnson* (Cambridge University Press, Cambridge, 1997) 7-8.

³¹ Schwartz above n 28, 249.

³² Hitchings above n 29, 10.

³³ Bate above n 27, 107.

³⁴ *Ibid*, 130.

³⁵ *Ibid*, 236.

³⁶ *Ibid*, 371-373.

collected orange peel, and touched every lamp post as walked down the street).³⁷ He was well-known in London high society,³⁸ despite being notorious for his rough manners and dress, and off-putting mannerisms.³⁹

He was a forceful personality, and an impressive exponent of the art of conversation.⁴⁰ He was very widely read (economist Adam Smith considered he “knew more books than any man alive”)⁴¹ and he held progressive views on many of the issues of his day, such as slavery and the role of women⁴² (Boswell records him drinking a toast to “the next insurrection of the negroes in the West Indies”)⁴³. He embraced traditional Christian morality to the point where he maintained a morbid fear of what awaited him after death.⁴⁴ He was so widely admired that when Boswell released his biography in 1791, seven years after his death, seventeen rival accounts had already been published.⁴⁵

III THE BOOK

Many authorities consider James Boswell’s *Life of Johnson* the most influential biography ever written.⁴⁶ It is a stupendous work – the complete text runs to four hundred and sixty thousand words, more than half the length of the complete works of Shakespeare.⁴⁷ It was an immediate success, artistically as well as commercially. Thomas Carlyle wrote that “Boswell has given more pleasure than any other man of this time”.⁴⁸ Robert Lois Stephenson recorded that “I am taking a little of Boswell daily by

³⁷ Hitchings above n 29, 4.

³⁸ Ibid, 207.

³⁹ Christopher Hibbert *The Personal History of Samuel Johnson* (Penguin, Middlesex, England, 1984) 200.

⁴⁰ Clingham above n 30, 18.

⁴¹ Schwartz above n 28, 253.

⁴² Hibbert above n 39, 198-199.

⁴³ RW Chapman (ed) *James Boswell Life of Johnson* (Oxford University Press, Oxford, 1980), 876.

⁴⁴ Chapman above n 43, 579.

⁴⁵ Robert E Kelley, OM Brack *Samuel Johnson’s Early Biographers* (University of Iowa Press, USA, 1971) 121-124.

⁴⁶ Martin above n 1, 1.

⁴⁷ 884,647 words . See <<http://www-math.cudenver.edu/~wbriggs/qr/shakespeare.html>> (last accessed 6 July 2007).

⁴⁸ Martin above n 1, 1.

way of a bible. I mean to read him now until the day I die”.⁴⁹ The combined profit from the first two editions alone ran to two thousand five hundred pounds, a very substantial sum.⁵⁰ Its success has endured. The book has been continually in print for the last two hundred years⁵¹ (it went through forty-one editions in the nineteenth century alone),⁵² and has rendered Samuel Johnson the best documented figure in history.⁵³

A *Technique*

Prior to Boswell, a biography was a generalised assessment of its subject’s character.⁵⁴ Boswell’s insight, and his lasting contribution to the genre of biography writing, was to portray his subject in extensive and concrete particulars, from which a reader could draw an assessment of their own. One critic summarised his technique in the following terms:⁵⁵

The reader is not told in a few highly condensed, well-pondered sentences what the essence of Johnson’s soul was, but is asked to follow his life through many pages to listen to his talk, to observe him repeatedly under different circumstances, to draw inferences and make deductions, and to verify and revise every conclusion in the light of later observations.

This was a major break with tradition, and it caught the imagination of its audience as soon as it appeared. Banker, painter and scientist William Elford spoke for many when he wrote to Boswell that: “This kind of biography appears to me perfectly new, and of all others the most excellent...instead of describing your characters, you *exhibit them to the reader* (emphasis added)”.⁵⁶ Elman’s term – ‘exhibit’- identifies the legalistic character of what Boswell was trying to do. Like any advocate, he recognised that he would not engage his audience with generalities, or by asking them to accept Johnson’s greatness as an assertion in a vacuum. His subject was his exhibit, and he

⁴⁹ Ibid.

⁵⁰ Sisman above n 12, 278.

⁵¹ Ibid, 15.

⁵² Martin above n 1, 1.

⁵³ Sisman above n 12, 15.

⁵⁴ Richard B Schwartz *Boswell’s Johnson: A preface to the Life* (University of Wisconsin, USA, 1978), 12.

⁵⁵ Clarence Tracy “Johnson and the Art of Anecdote” *University of Toronto Quarterly*, 15 (1945) 86-93.

⁵⁶ Sisman above n 12, 269.

intended to give the jury everything it needed to draw out and appreciate its depth and complexities for themselves.

The idea occurred to Boswell many years before, when he was contemplating a structure for the book that would best give a reader a lasting impression of Johnson's personality. He decided he would "write Dr Johnson's life in scenes".⁵⁷ He expanded on this to their mutual friend Thomas Percy, Bishop of Dromore:⁵⁸

It appears to me that mine is the best plan of biography that can be conceived; for my readers will as near as may be accompany Johnson in his progress, and as it were see each scene as it happened.

Boswell also recognised that the central aspect of his mosaic ought to be Johnson's conversations, and the reaction of other people to them.⁵⁹ Johnson's writing was already available. His conversations, for which he had been famous, were what the public wanted to read. Johnson took the art of conversation seriously. He approached it as a performance, with forethought, planning and rehearsal. He confided as much to Boswell:⁶⁰

Of conversation he said, 'There must in the first place be knowledge; there must be materials. In the second place, there must be a command of words. In the third place, there must be imagination to place things in such views as they are not commonly seen. And in the fourth place, there must be presence of mind and a resolution which is not to be overcome by failures.

Yet Boswell also recognised that the written word was a limited medium with which to convey the sparkle and wit of Johnson in person. He wrote in his journal that:⁶¹

⁵⁷ Joseph W Reed, Frederick A Pottle (eds) *Boswell, Laird of Auchinleck* (McGraw-Hill, New York, 1977) 260.

⁵⁸ Charles N Fifer (ed) *The Correspondence of James Boswell with Certain Members of The Club* (McGraw-Hill, New York, 1976) 258.

⁵⁹ Schwartz above n 28, 252.

⁶⁰ Chapman above n 43, 1195.

⁶¹ Charles Ryskamp, Frederick A Pottle (eds) *Boswell: The Ominous Years 1774-1776* (McGraw-Hill, New York, 1963), 133.

It is impossible to put down an exact transcript of a conversation with all its particulars. It is impossible to clap the mind upon paper as one does an engraved plate, and to leave the full vivid impression.

His solution was to record sayings in their context, with the scene in which they were set.⁶² As discussed in section VI, Boswell was extraordinarily successful in giving his scenes of Johnson's conversation, and the other aspects of his life and personality, a foundation of carefully organised details that not only made them vivid, but created the most favourable impression of Johnson that consistency with the truth would bear.

He committed himself to including every detail that would assist his purpose, no matter how small. He recorded in his journal "With how small a spec does a painter give life to an eye".⁶³ The analogy of a picture is particularly relevant to Boswell's portrayal, as Johnson does not grow and develop over the course of the book, as a character in fiction would. History in the eighteenth century was a study of the fixed events of the past, a "series of still points".⁶⁴ Boswell borrows directly from this model. He met Johnson when his great writing was behind him, and his reputation was established. The substance of the biography is scenes, to be appreciated in themselves. There is very little connected narrative. There is little attempt to remain true to the time course of events. Parts of conversations from different occasions may appear together, for the point of the book is what he did and said. Johnson is a snapshot, in exactly the same way a jury view a client. He is fixed at the moment of examination. The totality of his virtues and vices are available, to be weighed in the balance.

B The Nature of Biography

In all biography there is a tension between the dictates of history and art. On one hand a successful biography must entertain in much the same way as a novel does, by carrying the reader along by the story, and entertaining with him or her with everything

⁶² Bruce Redford *Designing the Life of Johnson* (Oxford University Press, Oxford, 2002), 86.

⁶³ David Passler *Time, Form and Style in Boswell's Life of Johnson* (Yale University Press, London, 1971), 38.

⁶⁴ *Ibid.*

that goes with it - the scenes, the characters, and the insights into life. One the other, the life-writer faces constraints that do not exist with fiction. There is a bond of trust between writers of biography and their readers, which requires the material details of the account to be true. The line that marks the territory of true fiction must not be crossed. Biography has been described as an “unholy alliance”, in which “fiction married fact, without the benefit of clergy”.⁶⁵ Boswell was acutely aware of this tension, and remarked after Johnson’s biography was published: “As my book was to be a real history and not a novel, it was necessary to suppress all erroneous particulars, however entertaining”.⁶⁶

The life-writer must therefore both collect facts (history), and to shape them (art). Biographies can be ‘artistic’, or light on facts, with emphasis on an entertaining narrative, or ‘scientific’, with an emphasis on facts of interest to a scholar.⁶⁷ The two are fundamentally different. Art is a totality; one never hears of art being improved. History, on the other hand, is subject to ongoing revision and expansion. So is the writer of biography a craftsman or artist? A journalist or an author? Is he or she recording a life or creating it?

A lawyer is well qualified to bridge the gap. A lawyer must pay scrupulous attention to facts, for it is facts that a case is built upon. At the same time, those facts must be shaped. Facts are never set in concrete, and their arrangement in relation to each other, the way some are emphasised and others played down, and the impression created when they are worked on, is the heart of advocacy.

Even a biography as exhaustive as Boswell’s must leave some materials out, and emphasise others. What is produced is not a database, but an image of the subject. The template is inevitably the biographer’s sense of the subject. The image emerges from the

⁶⁵ Redford above n 62, 4.

⁶⁶ Sisman above n 12, 278.

⁶⁷ Schwartz above n 54, 8.

biographer's choice and use of detail, but the choice and use are directed by the biographer's sense of the image he wants to create.⁶⁸

In fact, it is not even clear whether a bright line between fact and interpretation can always be drawn. Even an objective biographical document, such as a will, or a diary entry, is subject to the biographer's treatment, which inevitably requires digestion, transmutation, and interpretation.

Nor can one work encompass everything there is to know about an individual's life. Boswell's *Life* is complete and immutable as a work of literature, but just one part, albeit a vital one, of the world's knowledge of Johnson's life.⁶⁹ The materials and techniques available to biographers in the twentieth century have made it possible for biographers of Johnson to present far more facets of his life and character to their readers than Boswell achieved, even with his substantial contribution.⁷⁰

Ultimately, the reader of a biography is left, not with an impression of a person he or she has met, but with a witnesses' account. A third party has intervened, and the jury can only hear the evidence, not the original.

IV THE EVIDENCE

It is not uncommon for eighteenth century biographers to refer to the accuracy of their accounts, but Boswell was the first to support his claim of "scrupulous authenticity" with extensively gathered evidence.⁷¹ Boswell spent twenty years recording and collecting every possible detail of Johnson's life, so that his biography would be as complete and reliable as it could be. He assured the reading public in advertisements for the book that where necessary he had been prepared to "run half over London, in order to

⁶⁸ Ibid, 11.

⁶⁹ Schwartz above n 28, 251.

⁷⁰ Ibid, 252-3.

⁷¹ Richard D Altick "Johnson and Boswell" in James L Clifford *Twentieth Century Interpretations of Boswell's Life of Johnson* (1970, Prentice-Hall, New Jersey) 105.

fix a date correctly”.⁷² His legal instincts recognised that evidence was the basis for credibility, particularly where, as discussed, he intended to build his account on minute particulars.

A Collection of Evidence

Boswell began his record keeping literally from the time of his first meeting with Johnson, in a London bookshop, where he preserved a ‘short minute’ of their conversation.⁷³ He continued for years to keep a note book with him to write down anything others could tell him about Johnson, often in their presence.⁷⁴ He was particularly interested in documents. He was delighted to obtain Johnson’s own minute of meeting the King, as a foundation for writing about the occasion.⁷⁵ He went to significant trouble to obtain Johnson’s letters, as contemporary and reliable records of Johnson’s life and thoughts.⁷⁶

His enthusiasm frequently crossed the line of social propriety. On one occasion, Boswell approached Fanny Burney, daughter of novelist Charles Burney, and a lady-in-waiting to the Queen, who had been a particular friend of Johnson’s, for letters and extracts from her personal diary. He made his request in the grounds of Windsor castle, and pressed home his point by pulling a proof sheet from his pocket and reading it out in front of a crowd of by-passers, even though the King and Queen were approaching. Ms Burney was reluctant to provide the material he requested, and was publicly humiliated by his behavior. She recorded the episode in a diary entry published after her death, which made a significant contribution to the public perception of Boswell’s eccentricity.⁷⁷

⁷² Chapman above n 43, 4.

⁷³ Redford above n 62, 86.

⁷⁴ Sisman above n 12, 123.

⁷⁵ Ibid, 127.

⁷⁶ Ibid, 124.

⁷⁷ Ibid, 243.

Boswell's collecting activities continued even when the book was being typeset. He was receiving letters and reminiscences from Johnson's acquaintances as proof sheets were arriving from the printer for his assessment.⁷⁸ He was already committed to a two volume work; the detail he was accumulating was threatening to add another hundred pages.⁷⁹ Subsequent editions of the book fared even worse. Information continued to arrive after the first edition was published, and Boswell was determined to include it.⁸⁰ Because material was received after the early parts of the second edition had been typeset, the additional material was included in the first volume, before the main text, under the heading: "Additions to Dr Johnson's Life Recollected, and Received after the Second Edition was Printed"; other headings were called "Corrections" and "Additional Corrections".⁸¹ The second edition in consequence ran to three volumes, set out illogically, and a forty two page pamphlet was provided free of charge, for the benefit of those who had bought the first one.⁸² A conventional writer would have succumbed to the temptation to exercise editorial authority much earlier.

B Presentation of Evidence

Boswell not only advises readers that he takes the collection of evidence seriously, he repeatedly provides the provenance of his material as part and parcel of the story. Where he is not providing testimony from his own notes, the reader is consistently informed of the basis for which a particular detail or anecdote is asserted. Where Boswell is uncertain, he does not necessarily avoid a point, but he treads carefully, and he uses better evidence if it is available. He is sensitive to degrees of authenticity, and directs the reader to the most recent or reliable authority of the point he wants to make. Scholars have noted the legal character of this approach, as in one modern work which observes that he "navigates delicately among differing degrees of authority", and that "his

⁷⁸ Ibid, 245.

⁷⁹ Ibid, 246.

⁸⁰ Ibid, 271.

⁸¹ Ibid, 276.

⁸² Ibid, 277.

sensitivity is generally that of a lawyer, ready to explode a dubious testimony only in order to substitute a more reliable one”.⁸³

He can be seen at his most cautious dealing with Johnson’s childhood, which occurred long before Boswell made his acquaintance, and can only be filled out with second and third-hand accounts. The reader learns that when Johnson was an infant he had killed a duckling by accidentally treading on it, and composed some lines of poetry as an epitaph which showed literary ability well beyond his age.⁸⁴ Boswell not only provides the story and the poem, but equal space for a discussion of its provenance: Johnson’s step-daughter, who claimed to have heard it from his mother, although Johnson himself declared to Boswell that the poetry had been written by his father.⁸⁵ Boswell inclines to Johnson as the most reliable account particularly as, although he does not say so, Johnson is not claiming a virtue but denying one. The discussion of competing memories runs seamlessly into the anecdote itself, and is as much a part of the account as the unfortunate duckling.

Boswell provides an anecdote about Johnson being in thrall of a preacher at the age of three, and the Chinese whisper of three people he relies on for the information.⁸⁶ He drops his guard over an account of the school boy Johnson striking a servant who antagonised him by following him home to keep him safe (he was so short-sighted he had to navigate obstacles on his hands and knees).⁸⁷ He gives his authority for the story as Johnson himself “upon the authority of his mother”, but in the account as written his mother was not there.⁸⁸ The reader lifts all of this information off the page, not from footnotes, or blind faith in the author’s integrity.

As noted in section III, Boswell considered his record of Johnson’s conversations was one of the book’s selling points, and time and again he provides them in the manner

⁸³ Irma S Lustig “Uncertainty in the *Life of Johnson*” in Irma S Lustig (ed) *Boswell: Citizen of the World, Man of Letters* (University Press of Kentucky, USA, 1995), 235.

⁸⁴ Chapman above n 43, 30.

⁸⁵ *Ibid*, 31.

⁸⁶ Chapman above n 43, 29. .

⁸⁷ *Ibid* 30.

⁸⁸ *Ibid*.

of a witness statement. Each character's name is written out in block capitals, followed by the line he spoke. As a technique it is at risk of appearing clumsy, but Boswell's priority is authenticity, and the confidence he wants his readers to have that they are reading the actual statement each person made. In fact, Boswell's skill is such that the conversations remain vivid and believable, but the controlling imperative is verbatim repetition.

He did the same with documents such as letters. Boswell considered his trove of letters one of the strengths of his work, and filled pages with them. The book was advertised before publication with reference to the enormous number of supporting documents from Johnson and others that authenticated its text.⁸⁹ The emphasis on evidence was such that even unhelpful material was included if it was of adequate provenance.⁹⁰ Sir Joshua Reynolds was the source of a claim that Johnson had said he was to be the heir of one of his mentors, Dr Taylor.⁹¹ Coming from Sir Joshua, Boswell felt bound to include it, although the claim does not sit well with what is known about Johnson's attitude to wealth.

Even the dramatic needs of the story came second to the emphasis on documentation. In the last phase of the book, where the suspense and solemnity of Johnson's death is building, the space is cluttered with examples of the work of writers who had imitated Johnson, in fulfillment of an undertaking Boswell had given earlier.⁹²

By the same token, material that would have sparked interest was suppressed when its source could not be given. Boswell recorded that in his personal papers that Johnson intended to marry a second time.⁹³ It is likely this information came from a diary that Johnson had burned.⁹⁴ It would have been of great interest to the reading

⁸⁹ David Buchanan *The Treasure of Auchinleck: The Story of the Boswell Papers* (McGraw-Hill, New York, 1974) 5.

⁹⁰ John J Burke Jr "But Boswell's Johnson is Not Boswell's Johnson" in Vance above n 28, 190.

⁹¹ Chapman above n 43, 860.

⁹² *Ibid*, 1367-1374.

⁹³ Frederick A Pottle "The Dark Hints of Hawkins and Boswell" in Frederick W Hilles (ed) *New light on Johnson* (Archon Books, USA, 1967) 161.

⁹⁴ *Ibid*, 161

public, but no mention appears in the book, because there was no existing source of information to cite.⁹⁵

With his own notebooks the chain of evidence is not as straightforward. It seems unlikely that even Boswell's enthusiasm for contemporary record keeping would extend to writing down what Johnson said at the moment he spoke. Boswell was well known to enjoy social occasions, and to throw himself into them. He was unlikely to stand apart with his notebook open, particularly as he lacked the ability to write quickly with any sort of short hand method.⁹⁶ In fact, he repeatedly admits that he made his notes days or even weeks subsequent to the time they were spoken.⁹⁷ His surviving papers show that his notes were frequently brief, and that his memory played a large part in producing the full accounts in the book, often years after the event.⁹⁸ It is instructive to analyse how he manages the possibility of his reader questioning his accuracy under these circumstances. It has been suggested that Boswell was alive to the lawyer's experience of eye witnesses, who can be notoriously unreliable, and recognised that the credibility of eye witness accounts has to be demonstrated, not assumed.⁹⁹ He could have made no mention of his methods, but that would have left open the possibility of readers and reviewers speculating about them, and coming to unflattering conclusions. He could have asserted his accuracy as a fact, but he had no guarantee that skeptical observers would be convinced. What he did is another example of an advocate making the best of what he has to work with. He disarms his critics by recording the lapse of time inherent in making notes of Johnson's sayings, and by admitting his limitations in these circumstances. He repeatedly says that some aspect has "escaped my memory", or "I do not recollect", and that he finds it difficult to record Johnson's talk with complete accuracy.¹⁰⁰

⁹⁵ Ibid, 162.

⁹⁶ Chapman above n 43, 930.

⁹⁷ Paul J Korshin "Johnson's conversation in Boswell's *Life of Johnson*" in Greg Clingham (ed) *New Light on Boswell* (Cambridge University Press, England, 1991) 179.

⁹⁸ William R Siebensschuh "Boswell's second crop of memory: a new look at the role of memory in the making of the *Life*" in Vance above n 28, 95.

⁹⁹ Korshin above n 97, 179.

¹⁰⁰ Ibid.

He offers a defence of his methods, in a part of the book replete with famous Johnsonian sayings:¹⁰¹

I must again, intreat (sic) of my readers not to suppose that my imperfect record of conversation contains the whole of what was said by Johnson, or other eminent persons who lived with him. What I have preserved, however, has the value of the most perfect authenticity.

Boswell's commitment to evidence is particularly evident in his account of Johnson's death. The final moments of a literary hero are always a significant part of his story, on which an emotionally satisfying experience of all that has gone before depends. The formula is traceable to Aristotle: a beginning in which a character is placed in a dilemma; a middle that develops it, and the reader's response to it; and an end that resolves it and releases the emotional tension.¹⁰² The reader was told much earlier that Johnson's guiding philosophical precept was to lead a life of "obedience and repentance", in the "hope that a good life might end at last in a contented death".¹⁰³ The book proceeds with "a thousand instances of his benevolent exertions in almost every way that can be conceived"¹⁰⁴ accompanied by numerous references to Johnson's fear of death and judgment.¹⁰⁵ It is of great importance that these themes are properly addressed at the time of Johnson's death, so that the reader's expectations of his final struggle – he deserves peace, for he is a fundamentally moral and decent man – are answered.

It is therefore intriguing to get to those pages and discover that Boswell steps back from providing a seamless scene of the death from his own pen. Boswell was not present when Johnson died, and that posed a problem for his commitment to authenticity. He had detailed accounts of Johnson's death from a number of eyewitnesses, and any hack-writer, let alone a master of prose like Boswell, could have cobbled together a scene from them.

¹⁰¹ Chapman above n 43, 617.

¹⁰² Donald J Newman "The Death Scene and the Art of Suspense in Boswell's *Life of Johnson*" in Vance above n 28, 56.

¹⁰³ Chapman above n 43, 259.

¹⁰⁴ Ibid, 1330.

¹⁰⁵ Ibid, 416, 579, 839, 1275.

He chose instead to let his sources speak for themselves. The bulk of Johnson's death is given to us in the letters of its witnesses.¹⁰⁶

His decision is particularly commendable in light of his anxiety that the end of Johnson's life be properly handled. "I am conscious that I am approaching the most difficult and dangerous part of my biographical work, and I cannot but be very anxious concerning it".¹⁰⁷ It must have been a great temptation for a writer, one who knows he has the ability, one who fears for the commercial success of his book, to cut and run, and finish the book with his own words, not more of the jigsaw. But his very next sentence underlines an even greater concern: "I trust I have got through it, preserving at once my regard to the truth".¹⁰⁸

Previously, letters were quoted because the text of the letter was the point in itself. What Johnson said to Lord Chesterfield, or his reference in various letters to Mrs Boswell, were informative. The death scene accounts, however, concern a vital part of the narrative that deserved to stand alone. Many writers treat their source materials as a basis for writing up a summary, and no criticism could have attached to Boswell if he had done likewise. The problem was the same issue that coloured Boswell's compositional style throughout the book, of his instinct to constantly present the provenance of his second hand material embedded in the narrative. He could have abandoned this preference for the book's ultimate scene, given its importance, but his commitment to evidence prevailed. If Boswell could not attest to the truth because he was not there, then he gives his reader the witness statements of those who were, not a summary.

He even relinquishes his basic biographical method, the accumulation of concrete particulars, when the evidence will not sustain him. Scholars have noted that in comparison to many other vignettes, the death scene lacks focus and unity, and the details do not have the same artistic effect as the highly selected mosaics the precede it.¹⁰⁹

¹⁰⁶ Ibid, 1378-1394.

¹⁰⁷ Ibid, 1378.

¹⁰⁸ Ibid.

¹⁰⁹ Newman above n 102, 55.

Boswell acknowledges this by writing “It is not my intention to give a very minute detail of the particulars of Johnson’s remaining days”, but in the same paragraph he advises readers he will provide what information he can “on the authenticity of which they may perfectly rely, as I have been at the utmost pains to obtain an accurate account of his last illness, from the best authority”.¹¹⁰ The paragraph is a window on his philosophy. Above all else, the reader will be told exactly where the information is coming from. No hand will break the chain of evidence by rewriting it, or by fleshing it out with any detail that can not be traced to its origin. That he succeeds in doing the death justice is a testament to his literary skill.¹¹¹ The fetters on his artistic freedom are of his own making, and parallel the priorities imposed by legal training.

Few writers would have allowed their evidence to take centre stage the way Boswell does. It is a measure of his innovative legalistic method, that he can give his materials such a priority in the finished work.

C Lord Chesterfield and the Best Evidence Rule.

A particularly good example of the importance of Boswell’s reliance on evidence concerns his account of Johnson’s dispute with an aristocrat called Lord Chesterfield. A story had circulated for years that Johnson had written a surprisingly strong letter to Lord Chesterfield, who had written articles praising his dictionary just before it was published.¹¹² It was believed Chesterfield anticipated the book would be dedicated to him, yet Johnson rebuffed the implication with a forcefulness that appeared out of keeping with the situation. The anecdote was well known in London society at the time, and held up as an example of Johnson’s colourful and idiosyncratic personality. It appeared in various accounts of Johnson’s life that predate Boswell. The different versions did not agree on essential details, although all were unfavourable to Johnson, in

¹¹⁰ Chapman above n 43, 1378.

¹¹¹ Newman above n 102, 65.

¹¹² John J Burke Jr “The Originality of Boswell’s Version of Johnson’s Quarrel with Lord Chesterfield” in Clingham above n 97, 145.

painting him as unduly sensitive to unintended discourtesy, or simply mean spirited without good cause.

The story first appeared in print in an article by Isaac Reid in *Westminster Magazine*, which gave the essential details of Johnson's opinion of Lord Chesterfield without any mention of the latter offering offence.¹¹³ Juxtaposed with Johnson's comments was an account of Chesterfield's "elegant and friendly" recommendation in *The World*.¹¹⁴ The story was advanced a little in detail, if not in impression, by an anonymous piece in *Universal Magazine* in 1784 which attributed the grounds for Johnson's towering contempt a simple mistake by a servant, refusing him entry to Chesterfield's home.¹¹⁵ The possibility of Johnson being offended by anything more than this is alluded to indirectly to in the first biography after Johnson's death, by Thomas Tyers, which implied that Chesterfield's failure to show "substantial proofs of approbation" was the cause of the quarrel.¹¹⁶ Sir John Hawkins, the major rival to Boswell, put the quarrel down to Johnson being kept waiting, and losing his temper. He compresses the famous letter into a single sentence, in which Johnson simply expresses his resentment, and renounces any possibility of his Lordship's patronage.¹¹⁷ Hawkins does not present any of the substance of the letter, which would have given the reader a significantly different impression. He puts Chesterfield's opinion pieces in *The World* after the letter, which makes Chesterfield look magnanimous, although in fact the Chesterfield articles came first.¹¹⁸ He also claims that Chesterfield sent several people to Johnson to smooth things over, one of whom, Sir Thomas Robinson, a former governor of Barbados, Johnson threatened to throw down the stairs.¹¹⁹

Boswell's account is substantially more detailed, and puts a perspective on it that allows the reader to understand Johnson's actions, and quite probably to endorse them.

¹¹³ Ibid, 145-6.

¹¹⁴ Ibid, 146.

¹¹⁵ Ibid, 147.

¹¹⁶ Ibid, 148.

¹¹⁷ Ibid, 152.

¹¹⁸ The relevant editions of the *World* were 28/11/1754 and 5/12/1754, and Johnson's letter was sent in the first week of February 1755. Ibid, 154.

¹¹⁹ Ibid, 152.

In particular, he removes the impression that Johnson's reaction to being kept waiting is the substance of his grievance. It appears that out of all the biographers that actually knew Johnson (Tyers, Thrale and Hawkins), only Boswell ever asked Johnson his version of events.¹²⁰ Boswell records that Johnson told him that the much magnified story of his annoyance was "not the least foundation" for his letter; Chesterfield's patronage was rejected because of his "continued neglect".¹²¹ This neglect was brought to a head by Chesterfield's pieces in the *World*, which Johnson interpreted as Chesterfield fishing to be beneficiary of a dedication. Boswell provides his readers with the complete text of the letter, in which Johnson makes it clear he is rejecting Lord Chesterfield for failing to support his project during the lean years when support was sorely needed.¹²² It is a stand that many readers would have admired, particularly given the power that the aristocracy of that era could wield over the fortunes of impecunious dictionary writers. The letter does not shy away from the episode seven years earlier when Johnson was made to wait in Chesterfield's anteroom, but it would be difficult to continue believing that it was the basis for Johnson's attitude, when it is seen in context.

The text of the letter survives because Boswell, with characteristic thoroughness, asked Johnson to dictate a copy to him while still alive.¹²³ When preparing the book for the publisher he also obtained a second copy from a mutual acquaintance that Johnson had entrusted it to.¹²⁴ He was the only biographer to have the text, although it seems probable that others could have done the same, particularly if they had done as Boswell did, and made use of their access to Johnson when he was alive.

As always, the fuller the evidence the more complete the picture. Boswell alone gives this famous story the perspective that most flatters his subject, and sees off any objections with a practical example of the best evidence rule, that none of his competitors could match. The best evidence rule, though considerably attenuated in modern courts, is a principle of considerable antiquity, which requires the original of a document be

¹²⁰ Ibid 153-155.

¹²¹ Ibid, 153-4.

¹²² Chapman above n 43, 184-186.

¹²³ Ibid, 184.

¹²⁴ Burke above n 112, 155-6.

produced unless its absence can be explained.¹²⁵ Boswell's efforts illustrate very well why the law of evidence should emphasise original documents over secondary sources.

Yet even when triumphing with the best evidence, Boswell's sleight of hand is not far away. He omits any substantial mention of the claims made by his rivals that Chesterfield attempted to placate Johnson through intermediaries, but he does acknowledge that Johnson's attitude to his former patron did mellow with time.¹²⁶ Chesterfield's olive branches might have implied that he was less deserving of Johnson's high-minded rejection that he otherwise appeared; Johnson's apparent mellowing makes him look the bigger man, particularly when it appears to be of his own making, and not in response to overtures.¹²⁷

V REPUTATION

One of the most curious aspects of Boswell's career is the extent to which informed opinion denied for so long that he had any claim to genuine literary ability, even while acknowledging the greatness of the biography he had written. It is likely he is the only writer of significance in history to have suffered from such a lack of understanding,¹²⁸ and it is arguable that this aspect of his achievement is much better understood from the perspective of an advocate's skills than those of an author.

The popular belief for many years was that Boswell's work drew its strength from the words and wisdom of Johnson, which Boswell merely transmitted.¹²⁹ This view sprang partly from a perusal of the book's contents. Every page is so dominated by the life and saying of its subject, and every detail is recorded so faithfully, right down to pages of verbatim letters, that it is easy to picture Boswell as a journalist, admirable for

¹²⁵ Donald L Mathieson, Hon Justice Grant Hammond (eds) *Cross on Evidence* (8th ed, LexisNexis, Wellington, 2005) 22-24.

¹²⁶ Burke above n 112, 156-7.

¹²⁷ Although readers might also have been acquainted with Johnson's definition of 'patron' in his dictionary: 'One who countenances, supports or protects. Commonly a wretch who supports with insolence, and is paid with flattery'. Hichings above n 29, 167.

¹²⁸ Martin above n 1, 2.

¹²⁹ Altick above n 71, 108.

his industry in recording so much information, but not for literary skill. The impression was assisted by the well documented excesses of Boswell's personality, which did not sit easily with an impression of creative talent. The main impetus for his reputation, however, appears to date from first edition of the work that appeared after copyright expired in 1805, a substantial revision in five volumes by a scholar called John Croker, which contained numerous footnotes disparaging of Boswell's role.¹³⁰ Published in 1829, it was the subject of a famously vitriolic review by Whig Essayist and historian Thomas Babington Macaulay. Macaulay praised the book, but offered an assessment of its author that was the basis of public opinion for the next hundred years:¹³¹

“[Boswell] was one of the smallest men who ever lived...a man of the meanest and feeblest intellect...servile and impertinent, shallow and pedantic, a bigot and a sot, bloated with family pride, and eternally blustering about the dignity of a born gentleman, yet stooping to be a talebearer, an eavesdropper, a common butt in the taverns of London”.

Maculey was not alone. Despised by Scots for allegedly debasing himself before an Englishman, laughed at by London society, lampooned time and again in print, Boswell's memory became an embarrassment to his family.¹³² By the mid-nineteenth century the book was part of every educated person's reading, hailed as one of the greatest works in English, yet the perverse reputation of its author persisted.¹³³ Boswell was Johnson's friend, not his biographer. One modern author has remarked it was as if “Shakespeare were judged an actor in one of his plays, rather than as playwright”.¹³⁴

Even those who were less judgmental than Macaulay, such a critic Thomas Carlyle, who credited Boswell with showing reverence for his subject rather than sycophantic toadyism, considered any talent or literary skill he possessed was “unconscious”.¹³⁵

¹³⁰ Sisman above n 12, 291.

¹³¹ Ibid, 293.

¹³² Ibid, 289.

¹³³ Martin, above n 1, 1.

¹³⁴ Seisman above n 12, 297.

¹³⁵ Ibid, 297.

In the last hundred years that opinion has withered away, to the point where no respectable scholar continues to advance it.¹³⁶ A key event was the discovery of Boswell's working papers in the first part of last century, one of the twentieth century's most astonishing literary finds. For the last eighty years, scholars have been able to use Boswell's original manuscript and associated documents to recreate his methods, and have conclusively demonstrated the literary skill that he brought to bear. The *Life of Johnson* is the now most fully documented large work in world literature,¹³⁷ and a number of key insights from this scholarship are discussed in section VI.

Boswell's archives are one of the largest and most fascinating collections of eighteenth-century documents ever created.¹³⁸ They include eight thousand pages of private journals, which were the source materials for his most famous books, as well as a major record of his life and times.¹³⁹ They include his letters, the result of his correspondence with many of the prominent people of his era.¹⁴⁰ Most importantly, they include his manuscripts, chief of which was *The Life*, and its supporting letters, notes and memoranda.¹⁴¹ The public were well aware of his collection, as it was a selling point in advertisements for *The Life*, (he was once depicted in a cartoon carrying a large bundle of papers marked "Materials for the Life of Saml Johnson LLD"), but little interest was shown in it once he died.¹⁴² It was popularly believed the papers had been destroyed, and records show only one person approached his heirs in search of them in the hundred years that followed his death.¹⁴³

In fact Boswell's archives were progressively dissipated among family members and second-hand dealers, and disappeared from view. A few came to light from time to time, the most colourful example of which occurred in 1840 when a British Army Officer, Major Stone of the Honourable East India Company, made a purchase in a shop in

¹³⁶ Frederick A Pottle "The *Life of Johnson*: Art and Authenticity" in Clifford above n 71, 66.

¹³⁷ Frederick A Pottle "The Adequacy as Biography of Boswell's *Life*" in Vance above n 28, 148.

¹³⁸ Buchanan above n 89, 4.

¹³⁹ Ibid, 1.

¹⁴⁰ Ibid, 2.

¹⁴¹ Ibid, 4.

¹⁴² Ibid, 5.

¹⁴³ Ibid.

Boulogne, France, which was wrapped in a letter Boswell wrote to his friend Rev Temple.¹⁴⁴ The shopkeeper produced a further ninety-seven Boswell letters, which had been obtained from an itinerant paper trader, and now reside in the Pierpont Morgan Library in New York.¹⁴⁵ It was not until well into the twentieth century, around 1925, that it became widely known that most of Boswell's documents were still in existence, in Maldahide Castle in Ireland.¹⁴⁶ In the late 1940s they were bought by Yale University in the United States, which has progressively made them available to scholars in published volumes.¹⁴⁷ The original handwritten manuscript of *The Life* is among them, assembled from a variety of private collections, along with supporting documents, such as the letters included in the text, as they would have been presented to the type-setter.¹⁴⁸

Since the manuscript came to light, it has become apparent that Boswell exercised considerable influence and interpretation over his material. In fact, to some extent the tide was turning before the full impact of Boswell's archives was felt. The letters discovered by Major Stone were published, and references contained in them to the design of *The Life* planted the seed in popular consciousness that there was something more to the book than a literal transcription of Johnson's conversation and letters.¹⁴⁹ The first scholar to devote extensive study to Boswell rather than *The Life*, Professor Tinker of Yale, did much to reinstate Boswell's reputation in the 1920s.¹⁵⁰ However, it is in comparison with his working papers that Boswell's compositional skill can finally be put beyond any doubt.

This aspect of the Boswell story is of particular interest to assessment of the effect of legal training on his writing. Even without his papers to unlock the secret, it is strange, from this distance, to think generations of readers once believed that one of the English language's greatest works could have been written by a man with no talent. Yet it is well

¹⁴⁴ Ibid, 26.

¹⁴⁵ Ibid, 27.

¹⁴⁶ Ibid, 38.

¹⁴⁷ Frederick A Pottle *Pride and Negligence: The history of the Boswell Papers* (1982, McGraw-Hill, New York), 185.

¹⁴⁸ Buchanan above n 89, 330.

¹⁴⁹ Seisman above n 12, 297.

¹⁵⁰ Buchanan above n 89, 35.

documented that they did, and any explanation using the yardsticks normally applied to great writers implies the misunderstanding is both inexplicable and regrettable. Boswell appears to be the only writer in history who was denied proper recognition before his manuscripts became available.¹⁵¹ The phenomenon is arguably much more understandable when one starts with the premise that Boswell was at heart an advocate, presenting his client to the world. Throughout the book Boswell repeatedly advocates for his life-long friend, to ensure that history would view him with “admiration and reverence”: the sentiment of the last sentence in the book. This advocacy is not just an organising principle by which the book’s details and construction can be understood; it is also the basis for understanding why Boswell’s ability took so long to be recognised, and why that lack of recognition is best understood as a strength, and a testament to Boswell’s true achievement.

A writer has no reason to deny his or her creative ability, or to suppress it beneath the surface of his or her work. An advocate’s perspective is different, for an advocate’s task above all else is to convince the audience of the truth of what is being presented. If an advocate’s gift for manipulating his material is on open display, the audience might admire it, and might be entertained by the resultant story, but they will also discount the truth of what they are hearing. An advocate must therefore create an illusion where the skill that went into the work is suppressed. The facts must appear unvarnished; the narrative must appear unforced; the events must appear free of manipulation. The zenith of an advocate’s work is to disappear into the background, so the client’s story – the one that suits his purpose - is centre stage. This is Boswell’s supreme achievement. His physical presence in the story is indisputable; his guiding hand in the narrative, pulling the strings of the reader’s perceptions, is so expertly hidden, that before his manuscript and personal papers came to light, many believed it was not there. Two hundred years of misunderstanding is a bizarre fate for a writer to suffer; for an advocate, it is the ultimate evidence of a job well done.

¹⁵¹ Martin above n 1, 2.

VI THE 'PERILOUS BALANCE'¹⁵²

Boswell made a substantial break with the tradition that preceded him by consciously avoiding what one commentator has described as an “uncritically eulogistic mood” in reference to the life of his subject.¹⁵³ Much like Mark Anthony - “I come not to praise Caesar but to bury him” -¹⁵⁴ Boswell recognised from the outset that credibility demanded Johnson’s faults be on display as well as his achievements. He admitted as much to his audience, when setting his scene in the first chapter, that:¹⁵⁵

I profess to write, not his panegyrick (sic), which must be all praise, but his Life; which, great and good as he was, must not be supposed to be entirely perfect. To be as he was, is indeed subject of panegyrick enough to any man in his state of being; but in every picture there should be shade as well as light, and when I delineate him without reserve, I do what he himself recommended, both by his precept and his example.

This remarkable passage compresses with an economy of language several messages into just two sentences. Dr Johnson is “great and good”; his faults are not fatal flaws, just aspects of his character that prevent him being “entirely perfect”; merely the shade that offsets the light of his portrait; and he himself would not have wanted to be portrayed any other way. Many criticised Boswell when the book appeared, for breaching what at the time were the accepted standards for what was proper to report about a person’s personal failings.¹⁵⁶ Boswell calculated his purpose was better served by appealing to “the respect to be paid to knowledge, to virtue and to truth”.¹⁵⁷ His challenge was striking the right trade-off between Johnson’s virtues and vices.¹⁵⁸ It is the classic dilemma of the trial lawyer: how to convince his audience of his subject’s inherent positive qualities, without losing credibility over the less flattering ones. If the negative aspects are downplayed or overlooked to an excessive degree, the result may be

¹⁵² Redford above n 62, 143.

¹⁵³ Altick above n 71, 105.

¹⁵⁴ William Shakespeare *Julius Caesar* III, ii, 75.

¹⁵⁵ Chapman above n 43, 22.

¹⁵⁶ Martin above n 1, 526.

¹⁵⁷ Chapman above n 43, 23.

¹⁵⁸ Passler above n 63, 38.

unconvincing. Few people's lives can be characterised as unqualified goodness, and some of the rougher aspects of Johnson's personality were already well known to the public. Boswell's credibility in this respect is emphasised by modern scholarship, which has extensively analysed the evidence for Johnson's life from multiple sources, and found, in comparison with Boswell's biography, "no significant respect in which Boswell suppressed or modified the truth".¹⁵⁹

Boswell was forced to focus on the issue after publication of his earlier presentation of Johnson to the reading public, the *Journal of a Tour to the Hebrides*, an account of a walking tour he took with Johnson through the highlands of Scotland.¹⁶⁰ The journal engendered a mixture of relish and outrage when it was published, and forced Boswell to recognise the consequences of putting a highly personal portrait in the public arena.

Since Boswell's source materials have come to light, in particular his original and extensively revised handwritten manuscript, it has become possible to reconstruct, literally line by line, how Boswell assembled his vignettes. It is now apparent that time and again Boswell was able to massage his material so that the best possible aspect of Johnson was on view, without sacrificing credibility. It has been said that Boswell's editing sometimes "made Johnson talk better than Johnson did".¹⁶¹ He did not shrink from Johnson's less agreeable traits, but the strength of his achievement, from an advocate's perspective, is that he made Johnson's weaknesses his strengths. Johnson was "not a walking set of principles but a human being"; not a¹⁶²

posed figure who could be admired from a reverential distance, but a "puffing, muttering, grimacing, shambling, pocked, untidy, half-blind, rude, contentious, dogmatic, superstitious, intolerant man whom any number of people not only admired but unaffectedly loved".

¹⁵⁹ Altick above n 71, 106.

¹⁶⁰ Allan Ingram *Boswell's Creative Gloom* (MacMillan Press, London, 1982), 153.

¹⁶¹ Ralph H Isham, Joseph Wood Krutch, Mark Van Doren "Boswell: The Life of Johnson" in Clifford above n 71, 94.

¹⁶² Altick above n 71, 106.

A *Appearance*

Boswell does not just balance Johnson's shortcomings with his abilities, he even elevates them into evidence of strengths in their own right.¹⁶³ Johnson's lumbering way walking could easily be made to make him look ridiculous. Boswell acknowledged as much, when he gave a description of it:¹⁶⁴

On Monday, March 19, I arrived in London, and on Tuesday, the 20th, met him in Fleet street, walking, or rather indeed moving along; for his peculiar march is thus described in a very just and picturesque manner, in a short Life of him published very soon after his death: "When he walked the streets, what with the constant roll of his head, and the concomitant motion of his body, he appeared to make his way by that motion, independent of his feet". That he was much stared at while he advanced in this manner, may be easily believed; but it was not safe to make sport of one so robust as he.

Boswell declines to take the simple course of denying that Johnson's walk made him look ridiculous. He acknowledges the account of his rival biographer is "just"; he admits it "may easily be believed" that people would stare at the spectacle. But he continues:¹⁶⁵

Mr Langton saw him one day, in a fit of absence, by a sudden start, drive the load off a porter's back, and walk forward briskly, without being conscious of what he had done. The porter was very angry, but stood still, and eyed the huge figure with much earnestness, till he was satisfied that his wisest course was to be quiet, and take up his burden again.

This incident, from a different occasion, is slipped seamlessly into the narrative, and puts a completely different complexion onto the issue. Johnson ceases to be ridiculous, and becomes formidable, one whom it was unwise to argue with, even when one has been knocked over by him.

¹⁶³ William R Siebenschuh *Form and Purpose in Boswell's Biographical Work* (University of California Press, Berkeley, 1972) 56.

¹⁶⁴ Chapman above n 43, 1120-1121.

¹⁶⁵ *Ibid.*

A similar sleight of hand is used when describing the impression of the same mutual acquaintance, Mr Langton, on meeting Johnson for the first time. It is told from Langton's perspective, and the initial impression of eccentricity moves smoothly into an invitation to the reader to admire the greatness of Johnson's mind, and, by implication, overlook his unfavourable appearance.

Boswell begins by setting up Langton's expectations: "From perusing his writings, he fancied he should see a decent, well dressed, in short a remarkably decorous philosopher."¹⁶⁶ He then sets out with full frankness the reality of Johnson's appearance: "Instead of which, down from his bed-chamber, about noon, came, as newly risen, a huge uncouth figure, with a little dark wig which scarcely covered his head, and his clothes hanging loose about him".¹⁶⁷ One sees a buffoon, or a scarecrow. The third sentence rescues the situation:¹⁶⁸

But his conversation was so rich, so animated, and so forcible, and his religious and political notions so congenial with those in which Mr Langton had been educated, that he conceived for him that veneration and attachment which he ever preserved.

The reader is therefore left with the same impression as Mr Langton, of an intellect that overwhelms any unfavourable physical impression. Boswell does this dozens of times, to the point where the uncouthness of Johnson's appearance is linked in the reader's mind to his incomparable intellectual gifts.¹⁶⁹ Both are part of Johnson's image, and the rough side is consistently linked with, and outweighed by, the talented side. The reader is not denied a description of Johnson's peculiarities and foibles, even a vivid and insightful one, but he or she is not able to let it colour their impression of Johnson the man, when presented with all the evidence.

¹⁶⁶ Chapman above n 43, 174.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Siebenschuh above n 163, 62.

B *Manners and personality*

Johnson was already well known for his combative personality, and had been attacked by various prominent people for his lack of decorum. Charles Churchill wrote a doggerel poem that described Johnson holding decency as “only for bunglers”, and, like cobwebs, something that “great ones” can break through when they want to.¹⁷⁰ Lord Chesterfield, after being rebuffed over patronage of the dictionary, is believed to have been referring to Johnson when he made oblique reference to the manners of a “respectable Hottentot” who:¹⁷¹

disputes with heat, and indiscriminately, mindless of the rank, character, and situation of them with whom he disputes: absolutely ignorant of the several graduations of familiarity and respect, he is exactly the same to his superiors, his equals, and his inferiors; and therefore, by a necessary consequence, absurd to two of the three.

To Boswell, who chaffed against the expectations of his father, and the restraints of propriety, Johnson’s disdain for convention was an inspiration; it showed one could achieve success without it.¹⁷² He painted Johnson’s justification for abrasiveness as his underlying concern for the public good, and his genius.¹⁷³ His instincts in this regard were remarkably progressive. Even Boswell’s wife felt manners counted for more than literary ability,¹⁷⁴ yet the fact that Boswell chose to pitch his whole book on Johnson’s substance over his appearance shows that even at that time there was widespread recognition that behaviour in polite society was not the beginning and end of a person’s true worth. For instance, at one point Boswell acknowledges that his focus on a minor quarrel might seem unjustified, but explains to the reader that it is important for what it demonstrates about the fair play that lurked beneath the abrasive exterior:¹⁷⁵

¹⁷⁰ Ingram above n 153, 155.

¹⁷¹ Ibid.

¹⁷² Ibid, 156.

¹⁷³ Ibid.

¹⁷⁴ Irma S Lustig “ ‘ My dear Enemy’: Margaret Montgomerie Boswell in the *Life of Johnson*” in Irma S Lustig *Boswell: Citizen of the World, man of Letters* (1995, University Press of Kentucky, USA) 229.

¹⁷⁵ Chapman above n 43, 429.

This little incidental quarrel and reconciliation, which, perhaps, I may be thought to have detailed too minutely, must be esteemed as one of many proofs which his friends had, that though he might be charged with bad humour at times, he was always a good-natured man.

This technique informs the whole book. Boswell repeatedly resists the temptation to pass over an aspect of Johnson's life or personality that fails to show him in the best possible light, but gives his weaknesses a context which re-orientates them in the perception of the reader. Modern scholars consider that "no discreditable episode in Johnson's life, no disagreeable trait, went unmentioned in his pages".¹⁷⁶ He demonstrates his policy in this regard from the moment of his first meeting with Johnson, where he openly acknowledges his rough and ready treatment at Johnson's hands, but puts it in the context of Johnson's genius, which he, and by invitation the reader, accepts as a counter to abrasive manners. That first meeting, in a London bookshop, was an awe-inspiring moment for Boswell, who was well acquainted with Johnson's reputation, and anxious to make his acquaintance, as an "extraordinary man whose works I highly valued, and whose conversation was reported to be so peculiarly excellent".¹⁷⁷ In this way Boswell sets the scene up, to neutralise, even before he has recounted it, the portrayal that follows. After a brief but vivid account of Johnson arriving in the back room of the book shop, where Boswell and the proprietor were having tea, Boswell recounts being on the receiving end of Johnson's contempt. It was well known that Johnson was disdainful of all things Scottish, and Boswell was keen to conceal his place of origin. Their host blurted it out, and a famous exchange occurred, in which Boswell explained that "I do indeed come from Scotland, but I can't help it", and Johnson retorted "That, Sir, I find, is what a great many of your countrymen cannot help".¹⁷⁸ Boswell admits that "this stroke stunned me a good deal", and that "when we had sat down, I felt myself not a little embarrassed, and apprehensive of what might come next".¹⁷⁹ He then recounts a further attempt to parlay with the great man, and another rebuff, which left him feeling "much mortified", and worrying that "the hope I had long indulged of obtaining his acquaintance

¹⁷⁶ Altick above n 71, 106.

¹⁷⁷ Chapman above 43, 276.

¹⁷⁸ Ibid, 277.

¹⁷⁹ Ibid, 278.

was blasted”.¹⁸⁰ The impression is reinforced by his opinion that “so rough a reception might have deterred me for ever from making any further attempts”, has not “my ardour been uncommonly strong, and my resolution not been uncommonly persevering”.¹⁸¹ The account to this point reads more like a submission by the prosecution. Most readers would be unlikely to sympathise with a man who was rude without provocation, and who exercised his wit at the expense of a fellow guest, who wanted nothing more than to pay his respects, while both of them were guests in some one else’s home. Yet having set the scene up, Boswell smoothly passes on to why he considers that Johnson’s genius entitles him to a favourable assessment which, by implication, the reader should share in. He acknowledges he had contributed to his own treatment, by admitting what he said “was rather presumptuous in me, an entire stranger”, and that “perhaps I deserved this check”.¹⁸² He recounts some examples of Johnson’s famous conversational skills, which he felt “rewarded” his persistence,¹⁸³ and which left him “highly pleased with the extraordinary vigour of his conversation”.¹⁸⁴ He records that other contributions he made throughout the evening were “received very civilly”, and that when he complained to his host about his reception, out of Johnson’s hearing, the host replied “Don’t be uneasy. I can see he likes you very well”.¹⁸⁵ Boswell’s final assessment of the encounter was that “I was highly pleased with the extraordinary vigour of his conversation” and that “I regretted that I was drawn away from it by an engagement at another place”.¹⁸⁶ This brief but vivid account, encompassing three or so pages, is a microcosm of Boswell’s whole legalistic technique, which is repeated many times throughout the rest of the book. Johnson’s faults are displayed in all their colourful glory, but interposed with them, and giving way to them as the account progresses, are the leavening factors: Boswell’s admitted impertinence, the landlord’s assessment, Johnson’s capacity for civility, and the crowning glory, Johnson’s magnificent conversation.

¹⁸⁰ Ibid.

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Ibid 279.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

Good nature could also be conjured up by eliminating the worst aspects of a quarrel, and emphasising the rapid cessation of hostilities afterwards. Boswell acknowledges that an argument between Johnson and a long-standing acquaintance called Beauclerk had become public knowledge, and that he would like to present a “minute account” of it, in order “to prevent any further misrepresentation”.¹⁸⁷ The assertion conveys to the reader the message that Boswell’s account will be the most reliable one. A page is then taken up with the details of the argument, in which Johnson and Beauclerk disputed the finding of a judge in a recent trial, that a man who furnished himself with two pistols to commit a murder had intended to shoot two people. Johnson does not allow the dispute to die after an initial exchange of views, even though Boswell claims he had already won his point, and he “suddenly and abruptly” disrupts the peace, in which the “dinner and the glass went on cheerfully”, to attack Beauclerk on a personal level for being “uncivil”.¹⁸⁸ The incivility is not obvious in the preceding exchange, and Johnson is in danger of appearing unjustifiably aggressive. Boswell offers Johnson’s reasoning, told to him subsequently, that in the presence of highly regarded company, which included a Lord, he did not want to appear a coward by ignoring a dig from his adversary that he did not know what he was talking about. The argument ends with Beauclerk acknowledging that he could never treat Johnson with contempt, and Johnson appearing to be gracious in accepting his assurance. Boswell then rounds off the episode by emphasising that Johnson and Beauclerk sat up late together after the others had departed, and that he and Johnson dined at Beauclerk’s the following Saturday,¹⁸⁹ with all that implies about friendship mended. In fact, a note made by Boswell just a day or two before the dinner¹⁹⁰ describes a conversation with Beauclerk in which he frankly records they discussed “Johnson’s way of saying rough and severe things to people in company”.¹⁹¹ Beauclerk said it was surprising nobody had struck Johnson, and that he would be pleased to see someone do it, to teach him to behave. Boswell responded that Johnson’s age counted against such a course, and Beauclerk replied that “At his age he

¹⁸⁷ Ibid 894.

¹⁸⁸ Ibid 895.

¹⁸⁹ Ibid 896.

¹⁹⁰ The note was made on the 15th of April 1779: Redford above n 62, 155. The dinner was on or shortly after the 16th of April the same year: Chapman above n 43, 894.

¹⁹¹ Redford above n 62, 155.

should be thinking of better things than to abuse people”.¹⁹² Boswell notes to himself that “This was the most agreeable conversation I ever had with Beauclerk”! A few days after the dinner ¹⁹³ Boswell recorded recounting the argument to Edmund Burke, in which he told the latter it resembled a fight between a bear and a polecat. ¹⁹⁴ These contextual notes strongly suggest the manipulated account Boswell published does not do justice to the offence that Beauclerk harboured, or the unpleasant depths the argument actually descended to.

Another example occurred when Boswell met head on another biographer’s less sympathetic portrayal of Johnson’s manners in company. Mrs Piozzi was one of Johnson’s life long friends, in whose home he often stayed. She wrote an *Anecdotes* ¹⁹⁵ of Johnson’s life shortly after he died, and Boswell took exception to some of its content. He was in a dilemma, for he did not want to offend her, or deny the role she had played in Johnson’s life and affections. He began by outlining his dilemma: ¹⁹⁶

As a sincere friend of the great man whose *Life* I am writing, I think it necessary to guard my readers against the mistaken notion of Dr Johnson’s character, which this lady’s *Anecdotes* of him suggest; for from the very nature and form of her book, ‘it lends deception lighter wings to fly’.

He goes on to take an anecdote from Mrs Piozzi’s text and compare it with his own account, in order to show “how different does this story appear, when accompanied with all those circumstances which really belong to it”.¹⁹⁷

Mrs Piozzi wrote: ¹⁹⁸

That the natural roughness of his manner so often mentioned would, notwithstanding the regularity of his notions, burst through them all from time to time; and he once bade a very

¹⁹² Ibid.

¹⁹³ 18th of April: Reynolds above n 62, 156.

¹⁹⁴ Ibid.

¹⁹⁵ Hesther Lynch Piozzi *Anecdotes of the Late Samuel Johnson LLD* (Cambridge University Press, England, 1925).

¹⁹⁶ Chapman above n 43, 1327.

¹⁹⁷ Ibid, 1328.

¹⁹⁸ Ibid 1327-1328.

celebrated lady, who praised him with too much zeal perhaps, or perhaps too strong an emphasis (which always offended him), consider what her flattery was worth, before she choked him with it.

Boswell provided his readers with a more detailed account of the exchange, in which Johnson's apparent rudeness is put in a much more sympathetic light:¹⁹⁹

At Sir Joshua Reynold's one evening, [a celebrated lady] met Dr Johnson. She very soon began to pay her court to him in a most fulsome strain. "Spare me, I beseech you, dear Madam", was his reply. She still laid it on. "Pray, Madam, let us have no more of this;" he rejoined. Not paying any attention to these warnings, she still continued her eulogy. At length, provoked by this indelicate and vain obtrusion of compliment, he exclaimed, "Dearest lady, consider with yourself what your flattery is worth, before you bestow it so freely".

In Boswell's account, Johnson's outburst is put in context. He is portrayed as a patient man who was provoked by tactlessness, not as, in the first account, someone who offered a gratuitous insult to a sincere admirer.

Yet the force of the comparison goes beyond simply providing explanatory detail. Each account creates an impression by the assumptions it makes about the facts given, as much as by what is included or omitted. Mrs Piozzi presents Johnson's "natural roughness" as a given, and builds her story on the reader accepting that characteristic as a fact. She downplays the lady's contribution to the incident: the emphasis or the zeal were "perhaps" out of place, not clearly so. The buildup to the outburst occupies a couple of phrases. The impact on the account is entirely on Johnson.

Boswell effectively reverses the emphasis. He develops the exchange leading up to the punch line in a series of steps. The emphasis in the whole anecdote is not on the insult, but on what led to it. He introduces opinion, without announcing it as such: she "laid it on"; her compliments were "indelicate and vain".

¹⁹⁹ Ibid 1328.

None of these examples deny Johnson's aggressive behaviour, but all give it a deliberately crafted context than minimises its impact, and leaves the reader with the most favourable impression that truth will bear.

C *Sexuality*

Boswell had considerable material on Johnson's sexual inclinations, but he faced acute difficulty with presenting it, as Johnson was known for expounding a stern traditional view of morality. A record still exists of Boswell's interview with Elizabeth Desmoulins, a woman to whom Johnson was attracted,²⁰⁰ who resided in his home for some years.²⁰¹ It includes the astonishing claim "There never was a man who had stronger amorous inclinations than Dr Johnson". Ms Desmoulins claimed that Johnson used to lie with her on a bed and fondle her while his wife lay ill in another room.²⁰² No hint of these claims appears in print. Johnson's reputation in posterity would be sufficient reason to suppress such information, although there are grounds to believe Boswell did not regard Mrs Desmoulins as entirely reliable.²⁰³

Another suppressed claim, that actually made it as far as the manuscript before being struck out, is a direct quote from Johnson that "Wise married woman ...detest a mistress but don't mind a whore. My Wife told me I might lye with as many women as I pleased provided I *loved* her alone".²⁰⁴ Johnson also demonstrated his acute awareness of the power of sexual attraction in a letter, not part of *The Life*, where he told a friend that "nature has given women so much power that the law has very wisely given them little".²⁰⁵

Those remarks that did get published required careful editorial interpolation to dilute their earthiness. When his play *Irene* was being performed Johnson told the theatre manager that he had to give up the pleasure of socialising back stage because "the silk

²⁰⁰ Redford above n 62, 161.

²⁰¹ Chapman above n 43, 60.

²⁰² Donald Greene "Tis a pretty Book, Mr Boswell, But – " in Vance above n 28, 190.

²⁰³ Redford above n 62, 163.

²⁰⁴ John J Burke Jr "But Boswell's Johnson is Not Boswell's Johnson" in Vance above n 28, 190.

²⁰⁵ Redford above n 62, 162.

stockings and white bosoms of your actresses excite my amorous propensities”.²⁰⁶ In the manuscript, he actually said “the silk stockings and white bobbies of your actresses excite my genitals”.²⁰⁷ On another occasion Boswell asked whether it was just that a woman’s reputation should be ruined for a single lapse.²⁰⁸ Johnson replied “Why no, Sir; it is the great principle which she is taught. When she has given up that principle, she has given up every notion of female honour and virtue, which are all included in chastity”. In the manuscript, he said: “Why no Sir; the great principle which every woman is taught is to keep her legs together”.²⁰⁹

Furthermore, the remark about foregoing the company of actresses is offered as evidence of Johnson’s adherence to “considerations of rigid virtue”!²¹⁰

Boswell’s instinct as always was not to deny Johnson’s capacity for crudity, but to ameliorate it, with excision of his worst excesses, and editorial manipulation to sanitise what was left, so readers would experience a realistic account of Johnson as he was known to be, without being given any real grounds to lower their opinion of him.

D Relationship with Mrs Boswell.

Boswell’s opinion of Samuel Johnson was not shared by his wife, something Johnson made reference to in a number of letters. The issue is an example of how Boswell reduced a difficult problem to manageable proportions by omitting significant parts of it, and putting a gloss on what remained to ensure that the reader’s response is carefully but discreetly controlled. The legalistic nature of this device is so overt that one major modern analysis of Boswell’s methods describes it as ‘if a barrister were to attempt, in the act of summing up, to deny the import of testimony he himself has entered in the record’.²¹¹

²⁰⁶ Chapman above n 43, 143.

²⁰⁷ Redford above n 62, 161.

²⁰⁸ Chapman above n 43, 394.

²⁰⁹ Redford above n 62, 163.

²¹⁰ Chapman above n 43, 143.

²¹¹ Redford above n 62, 151.

The evidence of Mrs Boswell's attitude is mainly in the letters that Johnson wrote which referred to it. Boswell edited most of them, but not all of them, as his task was to massage the truth, not to deny it.²¹² He recorded only relatively mild instances of what Johnson said. He repeated the sentiment from Johnson's letter of the 27th of November 1773, sent from London to report his safe return after a visit, that "I know Mrs Boswell wished me well to go; her wishes have not been disappointed".²¹³ The reader is immediately directed to a footnote, to be reassured that Johnson had received Mrs Boswell's "most assiduous and respectful attention", followed by possible explanations for Mrs Boswell's attitude: Johnson's irregular hours and uncouth habits (he spilt candle wax on the carpet); her lack of admiration for Johnson's achievements; and her dislike of Johnson's influence over her husband.

It has been suggested this footnote is "either obtuse or disingenuous".²¹⁴ Certainly the details provided might seem to be more than were needed, and inconsistent with the book's great unifying theme, putting the best face on everything about Samuel Johnson. The details might better be seen as a controlled use of the advocate's craft, admitting enough to ensure credibility. Blandishments are unreal, and none of the concessions made (for taking the advocate's perspective, concessions is what they are) are fatal to the parts of Johnson – his intellect, and his depth of character – that Boswell principally wishes to assert. Irregular hours are entirely consistent with the lifestyle of a man of learning, particularly in that era, where conversation into the small hours was an intellectual pursuit. Uncouth habits are dealt with in a number of places in the book, and any reader playing the game as Boswell has set it up is well aware that in Johnson they are a mark of towering intellect. In noting Mrs Boswell's failure to appreciate Johnson's gifts the point is not spelt out, but it is entirely possible that the reader is being reminded that Mrs Boswell is just a woman, in an era where a woman's failure to appreciate a man's high achievements could be ascribed to her gender. This neatly follows from the first and most important detail being Mrs Boswell's concern for her household, a

²¹² Lustig above n 174, 229.

²¹³ Chapman above n 43, 553-554.

²¹⁴ Lustig above n 174, 229.

woman's natural preserve. Her view of Johnson's influence on her husband is likewise contaminated, but there is an extra aspect to this point, the way in which Boswell was prepared to show Johnson's charisma, even at the expense of his own reputation. In sum, the dislike of Mrs Boswell, and Johnson's rueful reference to it, is completely neutralised. The reader knows of it, so is not forming a view in ignorance, but the reader knows just enough to let the point in; then a number of qualifying features of Mrs Boswell's attitude are introduced, so the reader, having absorbed them, is left with the impression that all that has occurred is that a great and eccentric man has failed to impress the woman who has had her domestic routine disrupted by late hours and candle wax on the carpet.

Further references occur throughout the book, in which Johnson expresses his regret at any vexation he has caused Mrs Boswell, making him the bigger person. He describes her as a "sweet lady", and engages in wit at his own expense, by saying that, after a visit, "she was so glad to see me go, I have almost a mind to come again, that she may again have the same pleasure".²¹⁵

In fact, Boswell's manipulations amount to more than an ordering of particulars. There is evidence that Mrs Boswell admired Johnson as an author long before she met him, and could not easily be accused of failing to appreciate his talent.²¹⁶ It seems likely she was principally influenced by her views on class, typical of landed gentry, which were disdainful towards a book seller's son, particularly one who lacked refined manners.²¹⁷ Johnson is consistently portrayed as refusing to take offence at her attitude, and for years continued to take the view that "I intend to persist in wishing her well till I get the better of her".²¹⁸ Mrs Boswell actually wrote to Johnson for assistance when Boswell resisted his father's attempts to reform the male entail over the family estate at Auchinleck, a course which ran a serious risk of disinheriting the Boswell daughters.²¹⁹ She burst into tears when Johnson sent Boswell a long letter supporting heirs of either gender (3 February 1776), but never relinquished her ingrained disdain for his manners

²¹⁵ Chapman above n 43, 559.

²¹⁶ Lustig above n 174, 235.

²¹⁷ Ibid.

²¹⁸ Chapman above n 43, 643.

²¹⁹ Lustig above n 174, 235.

and social station.²²⁰ By contrast, she held great esteem for General Paoli, a well known officer and statesman, who was also an intimate friend of Boswell.²²¹ It would not have helped that Johnson was the ostensible reason for Boswell's many excursions from the family home, and it was easier to blame him than her husband for the latter's drinking and sexual adventures, although in fact Johnson did what he could to exert a moderating influence.²²²

Boswell had no wish to impress Johnson's low birth upon his readers, particularly in an era where Mrs Boswell's attitude would not have been remarkable. He repeatedly reminds the reader that Johnson considered himself a gentleman.²²³ It puts Johnson in a much better light to ascribe to Mrs Boswell the motives of an unsophisticated housewife.

E Self-control

Johnson's capacity for confrontational argumentation was capable of spilling over into physical violence, or at least the threat of it. A capacity for pugilism sat no less well with the reputation of a man of letters then as it would do now, but it had potential to be moulded into strength of character, if depicted as evidence of personal courage, not aggressiveness. Boswell developed the theme by introducing a well known letter Johnson had published in newspapers, responding to a man who had threatened violence to his person over a literary dispute. Johnson replied in kind that he would do his "best to repel" the "menaces of a ruffian".²²⁴ Boswell advised his readers that anyone who could make threats to Dr Johnson didn't know him, for "no man was more remarkable for personal courage".²²⁵ The reciprocal threats of violence are elevated, in one sentence, into an ill-judged step on the adversary's part, and a display of courage by Dr Johnson. The observation is a spring board for recounting six episodes (out of "many instances" of his "resolution") in which Johnson was fearless in the face of danger: sending off large

²²⁰ Ibid.

²²¹ Ibid, 236.

²²² Ibid, 235.

²²³ Chapman above n 43, 754.

²²⁴ Ibid, 579.

²²⁵ Ibid.

dogs; firing a deliberately overloaded gun; swimming in a dangerous pool; fighting off four assailants on a London street; throwing a man who had taken his seat into a theatre pit; letting it be known he was acquiring an oak stick to deal with a satirist who was proposing to ridicule him on stage.²²⁶ As bare anecdotes these serve Boswell's purpose, but in a rough and ready way. They are at risk of conveying to the reader an impression of coarseness in Johnson's character. The manuscript of this section is so thoroughly revised even Boswell needed assistance to read it,²²⁷ and it identifies his preoccupation with finding exactly the right words to capture Johnson's fearless actions without compromising his social standing. He principally does this by excising the more colourful verbs, and introducing additional details. The muggers in the manuscript were originally "fought",²²⁸ but in print were merely "kept at bay", until the police arrived. He declared "his resolution to beat" the errant thespian, but wound up stating nothing more than "I am determined that the fellow shall not [proceed] with impunity", with the threat of violence merely implied. These more sanitised accounts are filled out with the information that the incident in the theatre occurred despite Johnson's conduct being "civil", and the other party acting "rudely", and that the satirical performance was toned down after Johnson's remark was conveyed to the right ears, an implied invitation to admire the respect accorded to his displeasure. The section comes full circle by returning to the threats made by the aggrieved acquaintance, and an assertion from Boswell that if they had materialised "I have no doubt that, old as he was, he would have made his corporeal prowess be felt as much as his intellectual".²²⁹ This final line is a perfect summation of the whole point of providing these stories: that the reader should link the vivid instances of physical prowess with an equal power of mind. As a post script (for the comparison of the physical with the intellectual is the climax), Boswell tidies up any lingering distrust of his client by traversing the substance of the literary dispute, in order to make out Johnson's view to be the more reasonable one. At issue was the authorship of some ancient poetry, which national pride in Scotland insisted should be attributed to a Highland bard called Ossian, and which Johnson considered was much more modern.

²²⁶ Ibid 579-580.

²²⁷ Redford above n 62, 150.

²²⁸ Ibid.

²²⁹ Chapman above n 43, 580.

Boswell minimised the dispute by calling it “uninteresting”, and after traversing the evidence for Johnson’s opinion, pronounced it conclusive by declaring “who could forebear to doubt?”.²³⁰

F Discussion of Death

The passage where Boswell and Johnson discuss the proper attitude to death is one of the most revised in the whole manuscript.²³¹ Boswell introduced the subject, and drew Johnson out with the opinion of philosopher David Hume. “I told him that David Hume said to me, he was not more uneasy to think he should not be after this life, than that he had not been before he began to exist”.²³²

Johnson’s response in the manuscript was “Sir, if he really thinks so his perceptions are disturbed; he is mad. If he does not think so he lies. *Hume knows he lies*” (emphasis added).²³³ The final phrase emphasises Johnson’s hostility; it eliminates the possibility that Hume’s perceptions are merely disturbed. Hume is a liar. It would disturb any lawyer. The entire phrase was removed in the published version.

The scene ended with an extended simile which described Johnson’s struggle with the hereafter: “His mind resembled the vast amphitheatre the Collosseum at Rome. In the centre stands his Judgment like a mighty gladiator which combats doubts which like the wild beasts are all around in cells/cages.”²³⁴

The published version changed “doubts” into “apprehensions”.²³⁵ The difference is significant. “Doubts” relates to faith. It means that Johnson is uncertain of his Christian beliefs. “Apprehensions”, however, refers to Johnson’s fear of judgment day. He is

²³⁰ Ibid, 581-582.

²³¹ Redford above n 62, 144.

²³² Chapman above n 43, 426.

²³³ Redford above n 62, 144.

²³⁴ Ibid.

²³⁵ Chapman above n 43, 427.

uncertain of his own worthiness, not his religious principles. If anything, he is more certain of his religious principles in the published version.

The passage in the manuscript continued: “He grumbled and growls while they foam and roar. They fight and he drives them into their dens, but never kills them, so that they are always coming out again upon him”.²³⁶

When published, this read: “After a conflict, he drove them back into their dens; but not killing them, they were still assailing him”.²³⁷

The comparison of Johnson with the animals he is fighting (he “grumbles and growls” while they “foam and roar”) has been removed. It was well known that his appearance and manner were fearsome, but Boswell clearly thought better of emphasising the point. Johnson could combat wild animals without being compared to them.

G *Relations with the King*

Lord Thurlow had asked the King on Johnson’s behalf for funds for a trip to Italy, and had been refused. The episode presented a problem for Boswell.²³⁸ He could not publish anything critical of the monarch, as public opinion in the eighteenth century would have been outraged, yet he was reluctant to omit the issue altogether. He sought help from Sir William Scott. It was decided he would publish Johnson’s reply to the Lord Chancellor with a disclaimer: “Upon this unexpected failure I abstain from presuming to make any remarks, or to offer any conjectures”.²³⁹ It is reminiscent of the well known device in judgments “I offer no opinion”. The meaning is clear, although it is entirely straightforward for the author to deny expressing anything more than a neutral statement.

²³⁶ Redford above n 62, 144.

²³⁷ Chapman above n 43, 427.

²³⁸ Sisman above n 12, 247.

²³⁹ Chapman above n 43, 1335.

H Relations with Friends

Johnson's capacity for unthinking rudeness was well known in his lifetime; even Boswell was not immune from it. Boswell, as usual, was keen to give the issue a favourable context. He did so by illustrating Johnson's compensating traits of kindness and remorse towards people he had offended, even when the people concerned were unlikely to be happy about the portrayal.

Thomas Percy, Bishop of Dromore, was a friend of Johnson's, and his equal in irascible temperament. On one occasion in 1778, Boswell and Johnson were guests in Percy's home when an argument blew up about a description of the park belonging to the Duke of Northumberland at Alnwick Castle.²⁴⁰ Both Johnson and Percy descended to accusing each other of rudeness, and although they relented and shook hands before parting, Percy remained aggrieved, particularly as the Duke was his patron. When this was communicated to Johnson via Boswell, Johnson provided a letter praising Percy, which was read to the Duke's heir. Percy was delighted. He claimed the letter mattered more to him "than degrees from all the universities in Europe".²⁴¹

The anecdote enhanced Johnson's reputation, while acknowledging his failings, yet it was not the whole story. Boswell did not mention that Johnson was displeased that Percy had been given the letter, and sent Boswell on the embarrassing errand of retrieving it. The implication was obvious that the sentiments were not completely sincere. The conciliatory gesture was spoiled, and relations between the two remained strained.²⁴²

Once again, Boswell upheld his client at the expense of others. Percy was deeply embarrassed at the world knowing both that he was fearful of what his patron might hear about him, and pathetically grateful for Johnson's effusive endorsement. For this and

²⁴⁰ Sisman above n 12, 263.

²⁴¹ Chapman above n 43, 935.

²⁴² Sisman above n 12, 264.

other accounts of himself in Johnson's biography he had trouble speaking to Boswell afterwards. Years afterwards he asserted – wrongly – that Boswell had been “studiously excluded from all decent and good company” because of “his violating the primary law of civil society in publishing in that work men's unreserved correspondence and unguarded conversations”.²⁴³ In fact Boswell continued to be accepted by high society, although not necessarily to the same extent as he might have been. Sir Walter Scott told him by letter that there were those “who have often expressed a proper respect for your talents but mixed with a good deal of censure upon the practice of publishing without consent what has been thrown out in the freedom of private conversation”.²⁴⁴ His restraint was admirable, given that he himself had been recorded in the *Life* as commenting that Sir William Blackstone had written his famous Commentaries on the Laws of England “with a bottle of port before him”.²⁴⁵

I Frontispiece

Boswell even stage managed the manner in which Johnson would be depicted in the frontispiece of the book. The chosen portrait was one that Sir Joshua Reynolds, a fellow writer and founding member of the Literary Club, had started to paint three decades previously following the publication of Johnson's dictionary. It depicts Johnson in a state of thoughtful repose, with his pen in hand and his writing desk in front of him. Boswell was familiar with it, and invoked it in the passage that depicted the historic moment he first met Johnson, in a London book shop.²⁴⁶ An engraver was commissioned to reproduce the portrait for printing, and Boswell asked Sir Joshua to comment. He suggested the “countenance was too young and not thoughtful enough”.²⁴⁷ The engraving was altered in line with this advice, and Sir Joshua finished the portrait to conform to the engraving.²⁴⁸ The circle of managed evidence was complete.

²⁴³ Ibid, 265.

²⁴⁴ Ibid, 266.

²⁴⁵ Chapman above n 43, 1135.

²⁴⁶ Ibid, 277.

²⁴⁷ Redford above n 62, 139.

²⁴⁸ Ibid, 139.

VII CONCLUSION

The Life of Samuel Johnson brought Boswell the recognition that had always eluded him in his legal career. It sold briskly, the newspapers debated it, royalty and politicians praised it, letters and dinner invitations flowed in.²⁴⁹ Over two hundred years later, it is still described as “monumental and astonishing”, and quite possibly the greatest biography ever written.²⁵⁰ While the practice of law was a disappointment for Boswell, the contribution of legal method to his literary achievement is overwhelming. Boswell’s methods were well established in the field of advocacy, and his innovation was to apply them to the field of life-writing, the first person to do so, and the pioneer of biographical form and technique that has informed the genre ever since.

Boswell’s starting point was his immense respect for Johnson, and his corresponding desire to present him as he would like to be remembered. If Boswell had not wanted to cultivate public appreciation for his subject, it is likely the application of legal method would have lain dormant. He recognised that Johnson’s reputation was well established in respect of coarse manners and abrasive behaviour, as well as wit and conversational skills. Ignoring Johnson’s less admirable aspects would have rendered the story insipid, and denying them would have deprived it of credibility. Trial lawyers deal with this problem daily, and Boswell instinctively edited his material, right down to the choice of particular words, to manipulate the reader’s response to unpalatable truths. Johnson could be cruel, but he was frequently kind; he could be fearsome, but appearance mirrors intellect; he was prone to aggression, but courageous with it, and only in a good cause. Well known arguments, with Lord Chesterfield, Beauclerk, and Thomas Percy, were less forceful than commonly believed, justified from Johnson’s point of view, and mended by Johnson’s generosity. People who did not appreciate him, like Mrs. Boswell, had their motives explained, and Johnson’s magnanimous response recorded. Only where information was not in the public arena, as with the possibility of Johnson’s sexual

²⁴⁹ Martin above n 1, 526-7.

²⁵⁰ Martin above n 1, 1.

impropriety, or where primary evidence could not be produced, as with Johnson's alleged intention to seek a second wife, does Boswell feel justified indulging in outright suppression.

In support of his account, Boswell not only assiduously collected supporting evidence, but repeatedly intruded it into the narrative, so the provenance of his information is available to be weighed up. Most writers would not risk breaking the rhythm of their story by copious references to their sources, but Boswell provides pages of them. Even where the presence of verbatim documents is clearly intrusive, as in the section leading up to Johnson's death, Boswell declines to depart from his policy of transparent reference to his sources, and one of the book's most important scenes, Johnson's death itself, is turned over to second-hand accounts when a first-hand one is not available.

Much of the evidence was Boswell's personal journal records of his many encounters with Johnson, which gave him the material to paint his subject in the minute particulars that was such a novelty in its time. It greatly enhances the authenticity of the account, unlike the typical biography of that age, which summed its subject up in generalisations, that readers gets all the details necessary to draw conclusions for themselves. The details were genuine, but nevertheless highly selected, as revealed by Boswell's manuscript, to ensure the reader's conclusion was drawn in the direction that suited Boswell's purpose.

The crowning aspect of Boswell's application of legal technique to his writing is the very aspect that appears to do him least credit. For over a century, a combination of circumstances, particularly Macaulay's review, and popular perceptions of his book and his personality, conspired to deny him credit for his literary talent. Since his original manuscript and working documents came into the public arena, this perception has become insupportable. As a writer, it is apparent that posterity did him a disservice. As an advocate, it can be said that posterity took him at his word. He presented his client so convincingly that the literal truth of his account was not doubted, and no room was left to

recognise the creative talent behind it. Modern scholars describe the unique and unfortunate history of Boswell's reputation as an enigma.²⁵¹ This paper submits that the public perception of Boswell is understandable as the expected response to an advocate who does his job supremely well. The brief is to present the client, and all the artifice required will only have the desired effect if it is invisible. James Boswell was denied recognition by the very success of the legal skills he wielded. He brought to the task of life-writing the tools that advocates have long employed to create the most authentically favourable impression of a client, and succeeded beyond any realistic expectation. Two hundred years later the world still knows Johnson as Boswell presented him, and ability of repeated generations to deny Boswell's contribution to this result is part and parcel of his unique success.

²⁵¹ Martin above n 1, 2.

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