

Tempted by the well-made tale: fictionalized crime cases and their effects on readers in early nineteenth-century England

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1. Introduction

In his essay *The decay of lying* from 1891, Oscar Wilde wrote that

the most obvious and the vulgarest form [of life imitating art] is shown [...] in the case of the silly boys who, after reading the adventures of Jack Sheppard or Dick Turpin, pillage the stalls of unfortunate applewomen, break into sweet shops at night, and alarm old gentlemen [...] by leaping out on them in suburban lanes, with black masks and unloaded revolvers.

This “interesting phenomenon,” Wilde adds, always occurs after a new edition of these books appears on the market and therefore it “is usually attributed to the influence of literature on the imagination” (Wilde 1969 (1891), 32).¹

This quotation is interesting for two reasons. Firstly, it shows that the fear that literature or other cultural products have a negative influence on human beings is not only a contemporary issue. In the nineteenth century, however, systematic research into the effects of these products was still in an embryonic state. Secondly, Wilde here refers to two eighteenth-century criminals who figured prominently in the highly controversial Newgate novel, which first emerged in the 1830s. This genre had a great influence on the public’s perception of these criminals and, as Wilde’s remarks suggest, was still popular in the late nineteenth century.

Newgate novels derived their name from the *Newgate Calendar*, which was a popular collection of historical trial reports, and the notorious Newgate prison in London.² Newgate novels were not only highly entertaining, but they were also conceived as reflections on changes in the English penal system in the early nineteenth century, which led to the gradual replacement of capital punishment by disciplinary measures (cf. Foucault 1975).

Contemporary literary critics considered the Newgate genre an affront to both literary standards and public safety. They argued that the combination of historical subject matter and fictional form misled readers to believe that they were dealing with truthful depictions of

¹ In his characteristic paradoxical manner, Wilde adds to this: “But this is a mistake. The imagination is essentially creative and always seeks for new form. The boy burglar is simply the inevitable result of life’s imitative instinct” (Wilde 1969 (1891), 32). This ‘twist’ in his argumentation should be mentioned here to do Wilde justice. As it is not relevant to my opening argumentation, I excluded it from the above quotation, but will come back to it in my conclusion, p.13.

² In 1773 there appeared a five-volume edition under the title *The Newgate Calendar, or, Malefactors’ Bloody Register*, which dominated the market for many years far into the nineteenth century and made the word ‘Newgate’ a common reference to everything that was in some way or other related to crime (Birkett 1951, 6).

criminal life, and they feared that readers would sympathize with the criminal hero and follow his example. Regarding the fact that crime cases published in the *Newgate Calendar* were not met with similar allegations, the question that arises here is which exactly were the factors that made fictionalized crime cases appear more dangerous than historical accounts of crime?

In what follows I want to present a reception analysis of the Newgate novel *Jack Sheppard* and pinpoint those factors that were responsible for the supposedly dangerous effects of this work on contemporary readers. Sheppard was a thief who had become legendary in his own time for spectacular escapes from prison, and who was hanged in 1724 for stealing two silver spoons and some cloth. His adventurous life, an account of which had appeared in the *Newgate Calendar*, was fictionalized by William Harrison Ainsworth and published as ‘romance’ in 1839. *Jack Sheppard* immediately turned into a great hype. Engravings that had been published with the text served as posters in the streets to advertise *Jack Sheppard* performances at London theatres; merchandize in the form of burglar tools was sold in so-called “Sheppard-bags” in theatre lobbies (Thackeray December 1-2, 1839, 395), and Sheppard songs were sung on the stages and in the streets (Martin and Aytoun 1909 (1845), viii-ix). Literary critics watched these developments with great concern, particularly because they realized that cheaper editions and imitations of the novel as well as performances at minor theatres were available also to the lower classes. In the early nineteenth century, when cities grew with vast speed and poverty and crime became serious issues, the *Jack Sheppard* phenomenon certainly rang a couple of alarm bells.

2. Theoretical framework and method of research

2.1. Theoretical framework/ Three-Perspectives-Model

In order to analyze the factors that determined the supposed effects of the crime novel *Jack Sheppard* on readers, I carried out a reception analysis using the Three-Perspectives-Model developed by Nickel-Bacon, Groeben and Schreier (Nickel-Bacon, Groeben et al. 2000). The model represents a more differentiated approach to fictionality that transcends the traditional dichotomy of ‘fact’ and ‘fiction.’ I have changed some of the terminology used by Nickel-Bacon et al. to have the model meet the purpose of my research:

Table 1

| PRODUCTION | | RECEPTION | |
|--|---|--|---|
| PRAGMATIC PERSPECTIVE | | | |
| (para)textual signals | → | text category fiction/non-fiction | ← readers' expectations |
| paratextual: -- title -- genre indication -- information about author's oeuvre -- name of author -- author's intention textual: -- information in frame narrative -- footnotes | | | competence: -- knowledge of fictional and non-fictional genres -- knowledge about the author (reputation/oeuvre) |
| SEMANTIC PERSPECTIVE | | | |
| content of textual world | → | degree of correspondence | ← tested against reader's world of experience |
| non-fictional...imagined | | <ul style="list-style-type: none"> • material world: personages, objects etc. • cultural concepts: social system, moral norms, legal justice | possible...impossible probable...improbable |
| FORMAL PERSPECTIVE | | | |
| mode of representation | → | realistic...non-realistic | ← decoding of mode of representation |
| narrative strategies | → | -- genre features (e.g. plot) -- narrator, focalization, tense -- language use (e.g. poetic vs. everyday language) | ← competence (recognize narrative strategies, identify text category) |

(Based on the *Drei-Perspektiven-Model*, Nickel-Bacon 2000, 291)

The model represents three perspectives (pragmatic, semantic and formal) from which one can approach a text to categorize those signals of a text that lead readers to perceive it as either fictional or non-fictional or something in between these two poles. Furthermore, a distinction is made between the side of the production and the side of the reception of a text, indicating the communicative process between the sender, who imparts the signals, and the receiver/reader, who interprets these signals in a co-intentional act.

On the pragmatic level, textual and paratextual information such as the genre and the name of the author help readers to categorize a text. If readers are familiar with the author's oeuvre, for example, they will expect a new publication to show similar generic characteristics.

On the semantic level, readers test the information about the world projected by the text against their own world knowledge. They might find it difficult to identify a representation as fictional, because fiction necessarily borrows from the actual world. In cases of uncertainty, they would need additional pragmatic and formal information to decide whether to take a text at face value or to join the game of make-believe.

The formal level is concerned with the way the textual world is represented. This includes narrative and stylistic features that are characteristic of a particular genre.

With regard to all three perspectives, however, it is vital that the reader possesses a certain competence (acquired through education and reading experiences) to make sense of the textual and paratextual signals. Competence also shows in the readers' combination of the three perspectives, as the approach to a text from only one perspective might provide readers with insufficient information about the type of text they are dealing with.

2.2. Method

The historical nature of my research object entails a number of methodological limitations. Firstly, I had to depend almost exclusively on reviews and articles in contemporary newspapers and magazines and the occasional letter and diary entry. This means that secondly, I was primarily dealing with the opinion of professional readers, and the results of my reception analysis are representative only for a selected circle of readers and not a large readership. It is also important to keep in mind that reviewers (can) pursue ideological aims. As Habermas pointed out in his exposition of the term 'public sphere,' from the eighteenth century on art criticism served as a medium through which the upcoming bourgeoisie negotiated their identity and moral values. The art critic here performed an educating task (Habermas 1976, 57), which shows in my results.

Fortunately, it is also part of historical research to accidentally stumble upon material one did not expect to find, and in my case this was a governmental report on juvenile crime, which represents one of the earliest attempts to systematically collect empirical evidence of the relationship between popular entertainment and criminal behaviour (Report 1852). It contains interrogations of boys in prison with regard to their opinion of Jack Sheppard and the influence that this criminal and Sheppard-related products had on their lives and criminal careers. Although these interrogations were conducted by a legal authority and are far from objective, they at least provide us with a glimpse of those sections of the public whose voice was not represented in the critical reviews and articles of the day. It is my intention here to show how the information given in the Report adds to the results of my reception analysis.

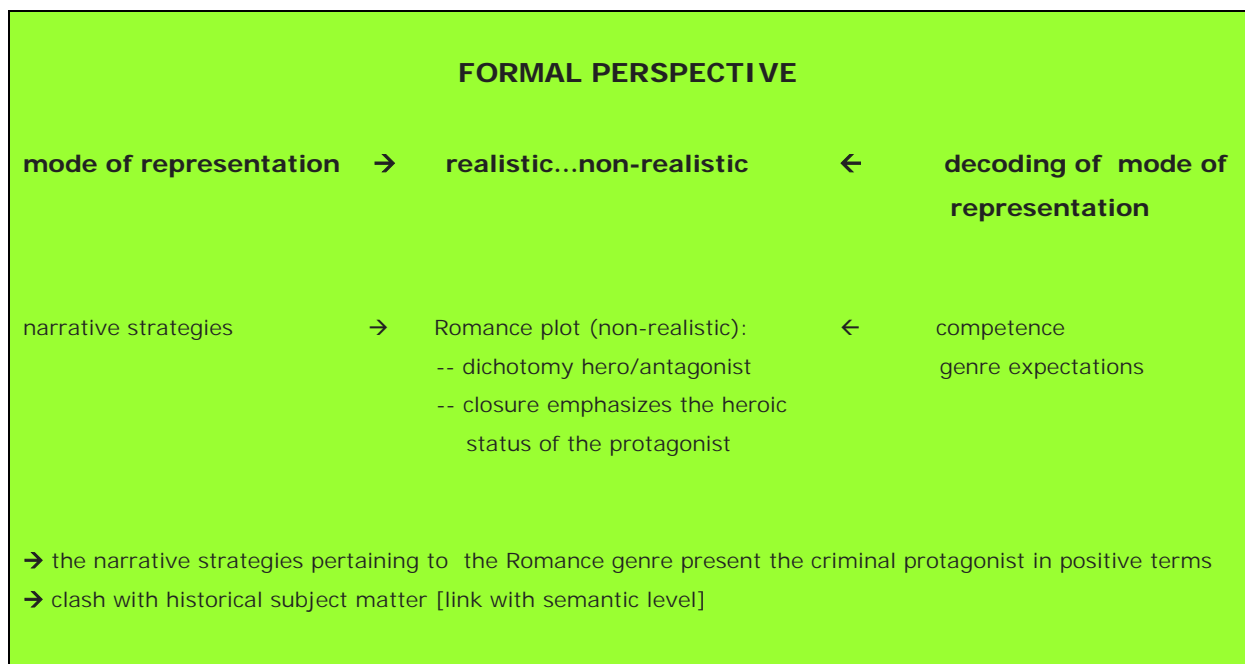
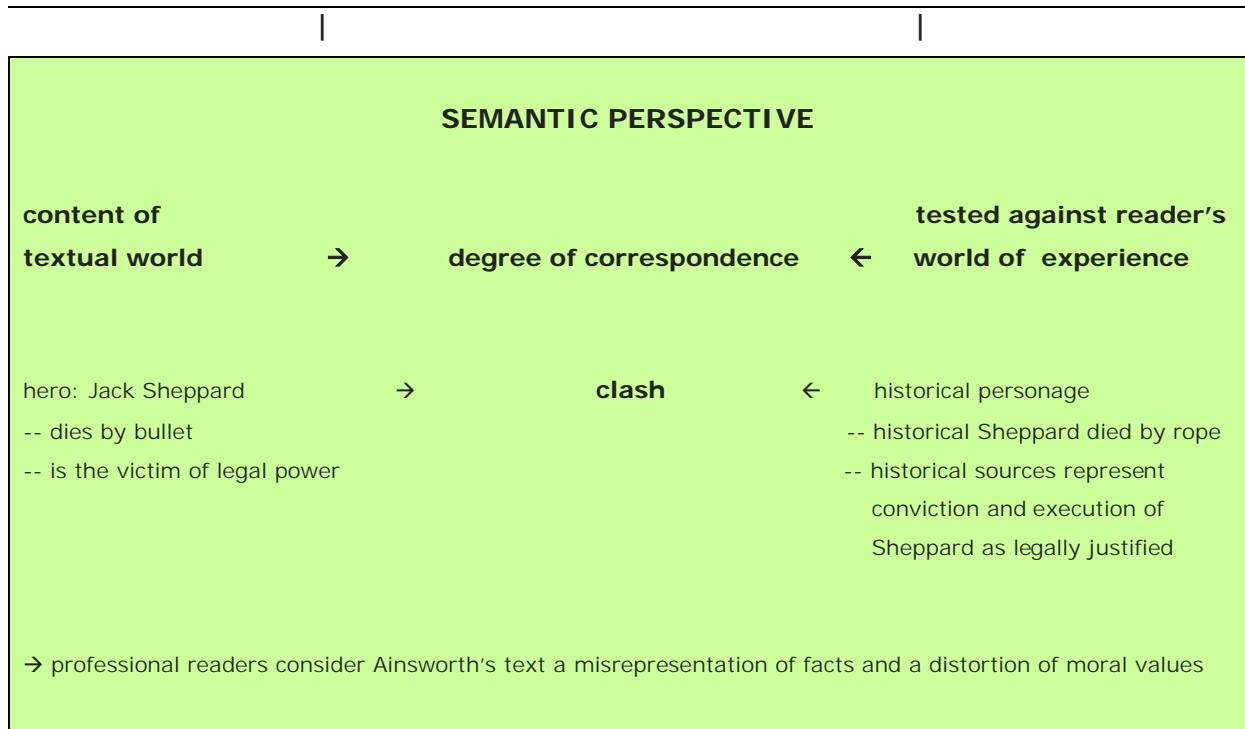
3. Reception analysis

Let me start with the analysis of the reception material, which I examined with regard to the pragmatic, semantic and formal approaches to the representation of crime in *Jack Sheppard*. Although not each of the reviews of *Jack Sheppard*³ contained information on all three points, the results of the analysis provide us with the following picture:

Table 2

| PRODUCTION | | RECEPTION | |
|---|---|--------------------------------------|---|
| PRAGMATIC PERSPECTIVE | | | |
| (para)textual signals | → | text category fiction/non-fiction | ← readers' expectations |
| paratextual: -- genre indication: Romance -- Ainsworth: writer of fiction (in the tradition of Scott) -- title: <i>Jack Sheppard</i> | → | | competent professional readers: fictional form [link with formal perspective] historical subject matter [link with semantic perspective] |
| → professional readers distinguish between fictional form / historical subject matter (paratextual information) | | | |
| → they fear that incompetent readers do not make this distinction [→ hypothesized effects] | | | |

³ For a list of all the reviews that I have found and used, see the Bibliography.



From a pragmatic point of view, critics had no difficulty identifying the author and the genre, because this information was given on the title page and in the advertisements that preceded the publication. They referred to the romance genre as a fictional genre and to Ainsworth as a writer of fiction who, like Sir Walter Scott, employed the fictional form to present historical material. Moreover, because Newgate crime cases were widely known, they easily recognized Jack Sheppard as a historical person. Ainsworth is praised by one of his critics for his careful research to present Sheppard's story as close to the facts as possible

(*Spectator*, October 26, 1839). Another critic claims, however, that the basis of the story is “essentially and circumstantially true to the letter,” except for the “high life,” which “is the author’s invention” (*Literary World*, November 2, 1839). Nevertheless, critics were concerned that incompetent readers, and by this they meant readers of the lower and less educated classes, were not able to make the distinction between historical groundwork and fictional embellishment. Why they thought that this incompetence had a harmful effect on readers becomes clearer when we look at the results of the formal and semantic perspectives on the work.

Critics were particularly anxious about the positive representation of Jack Sheppard, which they ascribed to the romance genre and the “gilding over” of ordinary thieves with “the graces and glory of chivalry” (*Fraser’s Magazine*, February 1840). According to formal romance conventions, the simplified dichotomy of virtuous hero and wicked adversary as well as the typical romance closure, which emphasises the heroic status of the protagonist, represent moral values prevalent in the readers’ actual world (cf. Beer 1970). In Ainsworth’s novel, it is Sheppard who is presented as romance hero while his antagonist personifies legal power and is responsible for Sheppard’s conviction and death. The characteristic romance closure is given shape in the novel in the form of Sheppard’s death by a bullet instead of his (actual) disgraceful end by the rope. *The Examiner* (November 3, 1839) finds this rather inappropriate, because death by a bullet is meant for noblemen and not for common criminals as Jack Sheppard, which clearly shows that the critic argues from a semantic perspective, testing the information given by the text against his knowledge of the historical facts.

According to the majority of critics, the dominant plot conventions of the romance genre led to the presentation of this criminal as both a hero and a victim of legal power. They attacked Ainsworth for distorting facts and inverting social and moral values, which they thought led ignorant and incompetent readers to believe that a criminal could be a good-hearted fellow who deserved their sympathies, that his deeds were morally justified, and that criminal life was rewarding because it led to public acclaim. Critics feared that these three factors, empathy, moral justification and the notion that crime was rewarding turned Sheppard into a role model for innocent and uneducated boys and tempted them to follow his example.

As this short analysis shows, the Three-Perspectives-Model is a useful tool to pinpoint those factors that influence the readers’ perception of a text and its categorization as either factual or fictional or something in between these two poles. In the particular case of the reception analysis of *Jack Sheppard*, the model helps to identify clashes between the various perspectives from which this text can be approached and provides a better insight not only

into contemporary literary conventions, but also into the moral value system of a particular readership.

4. Empirical evidence: Report to the House of Commons

4.1. Introduction to the material

The claims that *Jack Sheppard* had a dangerous effect on readers were hypothetical, after all, because critics did not provide any proof to support their assumptions.⁴ Put side by side with the empirical evidence collected in the governmental report that I mentioned earlier, these claims can be put in a broader perspective, however, and their appropriateness can be tested.

In the *Report on Criminal and Destitute Juveniles* ordered by the House of Commons and published in 1852, a ‘select committee’ comprising inspectors of prisons, chaplains, police magistrates, philanthropists, workhouse inspectors and a shoemaker described their experiences with juvenile crime and proposed counter measures (Report 1852). Theatrical performances and other forms of popular entertainment were particularly focused on as potential sources of crime.

Among the documents that were handed in with the report was a long list of statements made by ninety-one boys from a Liverpool prison (Report 1852, 406-420). It contains peculiar phrasings such as “I have been several times in prison and hundreds of times at the Sanspareil and Amphitheatre” (Report 1852, 410). Luckily some of the statements include more details than that. From the structure of these statements I concluded that the convicted boys were interrogated according to a more or less systematic set of questions, which, unfortunately, is not included along with the statements. A content analysis of the ninety-one responses to the inquiry suggests that questions were asked about

- the boys’ age,
- the number of times they had been to prison,
- the number of times they had been to theatres or shows,
- how they got money to go to the theatres,
- their family background, and finally
- what they considered the reason for turning criminal.

⁴ Critics often referred to the case of Courvoisier, a footman who had robbed and killed his master shortly after the publication of the first edition of *Jack Sheppard*. When Courvoisier was caught he reported that he had been influenced in his deed by both the book and the performance of *Jack Sheppard* (cf. *The Examiner* June 28, 1840). Later he retracted his statement. The Courvoisier incident led to the prohibition of the performances of *Jack Sheppard* at the minor theatres, but some places could avoid the ban by playing the performance under another title (Stephens 1973, 4).

In some of the cases it seems as if specific questions were asked about Jack Sheppard, although it is not clear whether the boys were asked about Jack Sheppard the person or Sheppard-related products, as in the boys' statements the border between fictional representations of Sheppard and the historical person is often blurred. Apart from that, there is no explanation of the fact that the boys talk only of Jack Sheppard and no other criminal. This indicates that the boys were not given the opportunity to comment on other criminals. But even if that had been the case, it is proof enough of the significance that legal authorities ascribed to the Jack Sheppard phenomenon.

4.2. Overview of the boys

Before I present the results of this interrogation in more detail, I want to give you a short overview of the boys who took part in it (Table 3). Their age ranges from nine to twenty-three years, with an average of sixteen years. The average of times they had been to prison amounts to four. When asked how many times they had been to theatres or shows, eight boys replied that they had never been to any, sixty said that they had been there between ten and fifty or more times, and twenty-three boys stated that they had been there 'innumerable times.' Of all the boys, thirty-six refer in one way or another to Sheppard.

Table 3

Overview of boys in the Liverpool prison (total: 91)

| | |
|------------------|------------------------|
| Age: | 9-23 / Ø 16 years |
| Times in prison: | Ø 4 |
| Theatre visits: | 8 = never |
| | 60 = 10- <50 |
| | 23 = innumerable times |

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4.2.1 Social background and related factors (of all ninety-one boys)

Although it is obvious that the boys had been influenced in their responses, mainly because their answers show this peculiar link between prison stays and theatre visits, the information they provide is nevertheless very enlightening. When they were asked where they got the money from to go to the theatre with (Table 4), only three of them replied that they had got it

from someone else, six said that they had had money of their own, but forty-four, which is almost half the number of the boys, stated that they had stolen the money, or pawned or sold (stolen) articles in order to go. This indicates that in the majority of cases crime preceded theatre visits. Here one could argue that it was not so much the performance itself that inspired boys to commit crime, but that the effort of getting to see the performance in the first place, which often went hand in hand with peer pressure and the sense that they had the same right to enjoyment as other boys, often led to criminal actions.

Table 4

Financing of theatre visits (total: 91)

Got money from someone else (3)

Had money of their own (6)

Stole the money (44)

No information (38)

Asked about the causes of their criminal career (Table 5), the boys blamed love for drink (two), their family background (five), and meeting bad company at playing games (four), markets (seven) and other public places (nine). More than half of the boys (fifty-one), however, blamed the theatre, where they had come in contact with bad company, picked pockets, had been tempted to sleep in the streets after the performance had finished late and they did not dare to go home anymore, or where they had planned their next theft.

Table 5

Causes of criminal career (total: 91)

Love for drink (2)

Family background (5)

Meeting bad company at ... games (4)
 ... markets (7)
 ... other public places (9)
 ... **theatres (51)**

No information (13)

4.2.2. Boys on Sheppard

In what follows I want to investigate more closely the answers that boys gave regarding Jack Sheppard. As I just said, of all the boys that were interrogated, thirty-six referred in one way or another to Sheppard. Almost one half of the boys had seen the performance, whereas one third had read the book or had heard someone else read it to them, and another third of the boys had neither seen the performance nor read the book but had heard about Sheppard the person. It must be assumed, however, that probably it was not in all cases Ainsworth's work that the boys had read as some boys refer to it as the *Life of Jack Sheppard*, which could as well have been a reprint of an early historical tract on Sheppard or one of the cheap imitations of Ainsworth's text. This, of course, makes it necessary to treat the results of the interrogation with caution.

4.2.2.1. Distinction between 'book' and 'performance'

Those boys who knew Sheppard only from the books or from stories of others speak of him as "a wonderful chap," "a wonderful man," "a great man and a great prison breaker; and [...] like a gentleman," and more of this sort (Report 1852, 414-420). Such examples do not offer very much information on the actual effect of (the historical or fictionalized) Sheppard except for an idea of the picture that these boys had of him, which is generally very positive and uncritical and a good proof of the ideal he represented.

With regard to the boys who saw the play, however, they provide some more insights. While they, too, mostly describe Sheppard in idealizing terms, there also appears to be a greater awareness of the play as 'performance' in a rather technical sense of the term. One boy, who does not say anything about the effect of the play on himself, nevertheless thinks that "it will be the means of inducing boys to copy [Sheppard's] tricks" (Report 1852, 414). Similar thoughts must have been on another boy's mind, who more than anything else remembered the tools and the gains of Sheppard in the performance: "I thought that part the best where he robbed his master and mistress [...]; he broke through the window *with a bar of iron*, and went to [their] bedroom, and got a *large purse of money*" (Report 1852, 416, my Italics). And he concludes: "I am sure, if anything, it encouraged me to commit greater crimes." This example is topped by another one in which the focus is most obviously on the technical side of it all, too: "I thought that part the cleverest, where he takes the purse from the lady, also the taking the snuff-box [...] was very good; his method of picking locks and getting out of gaol was very good." And he wishes for himself: "[...] if I was only as clever I should be thought one of the best of thieves" (Report 1852, 418). The notion that theatre

performances where quite instructive to young thieves is also expressed in the statement, “I thought it was a fine thing for young lads like me, to show us how to manage” (Report 1852, 420). And another boy adds, with a more critical view on the matter:

I do not think anything good of [the play]; I noticed them picking one another’s pockets upon the stage; it gave everyone a great insight how to do it. [...] If I did not know how to do such tricks, when I went into the theatres, I am sure I should when I come out. I am sure it would be a very great inducement for boys to imitate the example shown” (Report 1852, 419).

What these examples indicate is that theatre performances were a complex social event. Boys went to theatres to meet other boys, steal, form gangs and plan the next theft. They described the representations of crime on stage as a sort of ‘how-to’ instruction, and I mean here, for example, ‘how to steal successfully from someone’s waistcoat pocket.’ Performances therefore were highly instructive and were consciously attended by boys for that purpose. Furthermore, the majority of examples from the report suggest (but as I said, they provide a very restricted view) that boys who already had a criminal background or would have got involved in crime anyway were susceptible to the temptations that performances provided. These findings link in with present-day theories of media effects and theories of “modelling” in particular (cf. Bandura 1994; Scheele 2001). According to Scheele, modelling is a cognitive process that is facilitated when an action is perceived as a means to an end (i.e., rewarding), when it appears to be morally justified, and when there are similarities between the observed setting and the actual setting of the observer, which leads to identification and imitation (Scheele 2001, 211). This cognitive process is certainly reflected in the statements of the Liverpool boys, as they described crime and the criminal Sheppard in idealizing and heroic terms, compare themselves to him and associated their criminal tendencies with their family situation, criminal company and other contextual factors.

5. Conclusion

The question that arises here is, how do the results from the *Report* add to the results of the reception analysis?

As the reception analysis of Ainsworth’s *Jack Sheppard* has shown, according to critics the incompatibility of formal with semantic factors in the text led to misrepresentations of criminal life and the inversion of prevalent moral norms. The statements in the *Report* clearly indicate that the interrogated boys did not think in terms of formal and semantic

factors, which might explain, for example, why they did not distinguish between the historical Sheppard and representations of Sheppard on stage or in written works. What these boys were interested in were not aesthetic questions, but Sheppard's heroic adventures, which they used as a source of inspiration and identification. In terms of the Three-Perspectives-Model, they perceived *Jack Sheppard* from a pragmatic point of view as an instruction manual and felt stimulated by the formal characteristics of the heroic protagonist and his quest.

This brings me to the conclusion that critics were right to assume that a positive representation of Sheppard's character and deeds could function as a stimulus to those who did not develop a critical, i.e. competent, attitude towards it. Although the *Report* confirms the critics' assumptions, it nevertheless shows that not only the fictionalized crime case had the potential to stimulate criminal action, but that contextual factors, which often preceded or accompanied the contact of boys with representations of crime, were equally important. Moreover, if 'positive representation' is the factor responsible for imitation and identification, one can conclude that non-fictional texts could stimulate criminal action as well.

In my conclusion I want to return to Oscar Wilde, who did not share the opinion of his contemporaries that adventurous literature had a negative influence on the boys' imagination. According to Wilde, it is human nature itself that is to blame: "The imagination is essentially creative and always seeks for new form. The boy burglar is simply the inevitable result of life's imitative instinct" (Wilde 1969 (1891), 32). Despite Wilde's love for paradox, his suggestion that the human imagination needs to find ways to express itself and therefore responds to any stimulus that comes its way, as it were, does not sound too far fetched in the case of the Liverpool boys. Particularly the absence of any regard in the boys' statements for the factual or fictional nature of the *Jack Sheppard* representations indicates that it is not semantic factors that matter here, but formal factors (which facilitate the positive representation of crime) as well as social and pragmatic factors, such as the boys' individual backgrounds and their search for a role model whose deeds they admire and imitate.

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