

## **“Matching the Sentiments of My Heart”: The Cost of Women’s Leadership in Charlotte Rogan’s *The Lifeboat***

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### **Abstract**

Leadership is generally thought to be a positive attribute in many societies and yet frequently when women assume a leadership position they suffer undesirable and even harsh consequences. Charlotte Rogan’s debut novel *The Lifeboat* examines the leadership styles of three female castaways and the legal, moral and social consequences of their decision to oust a tyrannical male leader who threatens the safety and lives of his reluctant followers.

*The Lifeboat* argues that only armed resistance can overthrow dictatorships. It also advocates that effective leadership must be informed by compassion, practical concern and unwavering assertiveness. Rogan suggests that it is possible to survive natural catastrophes only if women are prepared to meet threats with violent resistance if necessary. *Lifeboat* argues that justice is unfairly influenced by class, sexuality and gender.

### **Introduction**

*The Art of War* reminds us that an artful leader “will manifest further gains through... sincerity, wisdom, benevolence, courage and exactitude...the army’s forces are intelligently divided among capable officers, their equipment well maintained, their resources artfully marshaled.”<sup>1</sup> Charlotte Rogan’s 2012 debut novel *The Lifeboat* examines the legal and social consequences meted out to three women who assume varying degrees of leadership after the sinking of their luxury liner the Empress Alexandra two years after the loss of the RMS Titanic on April 15, 1912. The narrator is twenty-two year old Grace Winters whose father committed suicide after being defrauded by his partners in a patent deal. Grace decides that she does not want to become a subservient governess like her sister so she devises a plan to convince Henry, a wealthy young banker to break his engagement with his childhood friend and social equal, Felicity Close. Quite predictably, he quickly falls in love with her and marries her in secret. Even though Grace was initially drawn to Henry because of his wealth and impressive social credentials, she quickly becomes enthralled with his *savoir faire* and good looks. She is relieved to learn that she has really fallen in love with him and absolves herself of any lingering guilt about her original motives.

Immediately after the elopement, they take a honeymoon cruise which embarks from London. Henry tries to work up the courage during the opulent voyage that he will need to disappoint his socialite mother and trusting fiancé who are waiting for him in New York. He is effortlessly able to mix business with pleasure. He chooses the Empress Alexandra because he is able to personally supervise the shipment of two large chests of gold to his American bank. The ocean liner sinks and there is some speculation that two rival sailors, Hardie and Blake, have somehow instigated the disaster so that they can steal

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<sup>1</sup> Sun Tzu, *The Art of War*, (New York: Simon and Brown, 1994),7.

the gold. Grace ends up in Lifeboat fourteen only because Henry has been able to bribe Hardie at the very last second to allow her into the crowded vessel which already holds thirty-one women, seven men and one boy. Since Hardie is the only able-bodied seaman and crewmember, the shocked survivors do not initially question his stern leadership. He offers them false hope that "ninety percent of women and children have been saved."<sup>2</sup> Mrs. Grant is the only woman to take a turn at the oars with the male survivors and is also the only one to object when Hardie refuses to rescue a drowning boy near the lifeboat. He also asks the men who are rowing to use their oars to beat away swimmers who are "livid with cold."<sup>3</sup> Hardie kicks a drowning man in the face with his heavy boot which elicits his "cry of anguished surprise."<sup>4</sup> The startled passengers are shocked into silence except for Mrs. Grant who calls him a brute and admonishes him to at least save the child. Grace notes this ruthlessness was "also what turned Mrs. Grant, who was the strongest and most vocal of the women against him...Mrs. Grant was branded a humanitarian and Hardie a fiend."<sup>5</sup> She is also the one who insists that Hardie throw a life ring to Rebecca and forces him to rescue her when she falls overboard in a gale.

A 2012 study at Stanford University concluded that "highly guilt prone individuals were rated as more capable leaders than less guilt-prone individuals...and they may emerge and succeed as leaders because they feel a keen sense of responsibility for their social group."<sup>6</sup> Although instantly acknowledged as a leader, Hardie did not manifest any guilt. Instead he brazenly challenged the indignant survivors to trade places with any of the doomed swimmers. Hardie relied on leadership model rooted in tyranny and threats. He forced the survivors to sit in fixed positions in the lifeboats and threatened to tie down a panicked woman. He was very reluctant to expend any energy rescuing the distraught Rebecca. He threw a bailer at Mr. Preston on the fifth day when he overheard him gossiping about Hardie lying about the Empress Alexandra having a new owner who skimped on repairs. Soon all of the castaways are speculating about Hardie's questionable character and nefarious past.

Although Hardie makes tremendous fuss about the two fish that he is able to catch, Mrs. Grant is a more quietly thoughtful and effective force. She devises sanitary protection for the female castaways, keeps a constant vigil for rescue ships, fashions a cloth dog for one passenger who is suffering from delusions of a lost childhood pet, improvises a sling for Mrs. Fleming's arm, constantly comforts the female passengers during their nightmares and reassures everyone with hope of rescue during the day. She also insists that Hardie leave the site of the shipwreck after she detects his nefarious motives. She recommends sailing rather than drifting, keeps rowing in squalls, looks for alternatives to sacrificing passengers and refuses to allow cannibalism.

She is the only one who figures out that Hardie is sailing in circles and gets him back on an easterly course. She is not passive or naïve. She inspects the water barrels and the food stores, devises the method of drying the captured birds and demands Hardie patch holes in the bottom of the lifeboat. She is altruistic and insists that he approach the other

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<sup>2</sup>Charlotte Rogan, *The Lifeboat*, (New York: Little and Brown, 2012), 10.

<sup>3</sup> *Ibid.*, 13.

<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*, 14.

<sup>6</sup> Schaumberg, Rebecca L., and Francis Flynn. "Uneasy Lies the Head that Wears the Crown: The Link between Guilt Proneness and Leadership." *Journal of Personality and Social Psychology* 103, no.2 (August 2012): 327. *PsychARTICLES*, EBSCO host (accessed December 26, 2012).

lifeboat and set up mandatory watches. Her unselfish charisma informs her leadership and Grace notes that she has the gift "of making people feel understood."<sup>7</sup> She inspires the passengers with an impassioned speech about the human will to survive when all Hardie can offer is angry fatalism. She is also able to gain the trust and unconditional support of Hannah who becomes a key asset who confronts Hardie about the loss of Turner, Dean and Sinclair in the straw lottery. Mrs. Grant and Hannah see through Hardie's ruse to see which men should voluntarily sacrifice themselves to save the others. He pretended that every man had an equal chance but secretly arranged to dispose of Turner and Deacon; the weakest of the men. Mrs. Grant exposes his scheme, berates him in front of all of the passengers for his misuse of power in rigging the lottery and reluctantly rescuing Rebecca who later died after exposure to the cold seawater. Mrs. Grant is the first to realize and declare that Hardie is a tyrant. She tries to minimize the threat by transferring to him to another lifeboat but this proves to be impossible in the choppy seas. After two weeks of tyranny and several deaths, Mrs. Grant assigns guards to Mr. Hardie and convenes an election to see if Hardie should be thrown overboard. She is very strategic and calm during the vote and cleverly preserves Hardie's duty roster and calls upon the passengers to vote in a clockwise fashion. Grace admires her diplomatic strategy, observing that she "would want to keep things as normal as possible in order to convince us that this was just another of many routine duties."<sup>8</sup>

Mrs. Grant collects enough of a majority from the women to have Hardie condemned. One of the Italian women stabs him in the eye with a gull bone, Hannah tries to grab him and Hardie slashes her face wide open with his bowie knife. After seeing the blood, Grace decides that even though she abstained during the vote she now believes he is a monster who has become so dangerous that "either he goes overboard or we all drown, it's as simple as that."<sup>9</sup> Mrs. Grant uses her calming maternal voice and encourages Grace to choke Hardie into submission. Mrs. Grant, Grace and Hannah throw him overboard. Mrs. Grant "emerged into business like rationality."<sup>10</sup> She discovers Hardie's secret stash of food which she immediately distributes to the passengers. She arranges to braid and brush the women's hair. She suspends all duties and does everything singlehandedly that is necessary to keep the lifeboat afloat.

Approximately seven days later an Icelandic fishing boat rescues them and most of the survivors sail to Boston. Mrs. Grant, Hannah and Grace are put on trial for first degree murder even though some jewels from the Empress Alexandra have surfaced in New York suggesting that Hardie might still be alive. The all-male jury rules that Mrs. Grant and Hannah decided to kill Hardie and that it was the result of deliberate design. Grace, who is the youngest and the prettiest, is acquitted. She is fully aware of the irony of the verdict. She also realizes that Mrs. Grant cannot depend on heterosexual privilege, she "presents a fearful sight...now really shorn...no talk of Mr. Grant or little Grants."<sup>11</sup> She stresses the fact that Hannah looks very angry with her scar, refuses to wear dresses and is intent on divorcing her husband. Hannah is proud that her scar makes her look like a pirate and insists that "the way I look on the outside matches the sentiments of my heart."<sup>12</sup> Even

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<sup>7</sup> Rogan, *The Lifeboat*, 12.

<sup>8</sup> Rogan, *The Lifeboat*, 186.

<sup>9</sup> *Ibid.*, 185.

<sup>10</sup> *Ibid.*, 195.

<sup>11</sup> Rogan, *The Lifeboat*, 250.

<sup>12</sup> *Ibid.*, 251.

though all twelve women survivors testified unanimously that they could not have survived without Mrs. Grant, the two conspirators are condemned. Col. Marsh and Mr. Preston made up for their silence after Hardie's sentence by falsely condemning Mrs. Grant and Hannah at the trial. Eventually Mrs. Grant's and Hannah's sentence is commuted to life in prison.

Grace agrees to marry her defense attorney Mr. Reichmann and makes plans to befriend Henry's mother who paid for her excellent defense team of attorneys and a psychiatrist. The twelve disciples who supported the defendants during the trial write to Grace after her acquittal asking her to use her influence to pay for Mrs. Grant's and Hannah's appeal. Grace declines because she does not want her newly minted happiness to be tainted. She is angry that "they not only implicated me in their crime and later turned against me."<sup>13</sup> Grace always pursues her own happiness and it is her calculating and cynical nature that saves her. She ends the novel as she began, secure and meticulously cared for by a rich and socially powerful white, heterosexual male.

In a 2012 interview Charlotte Rogan explained that she got the idea to write *The Lifeboat* when she was looking through her husband's old law school textbooks.<sup>14</sup> The Queen v Dudley and Stephens was tried in 1884 in Exeter.<sup>15</sup> Richard Parker was a seventeen year old cabin boy who was cast away with the able bodied seamen Dudley, Stephens and Brooks in a small boat sixteen hundred miles from the Cape of Good Hope. On the eighteenth day of their suffering and after a week without food or water, Stephens and Dudley proposed drawing lots to see who should be sacrificed to save the others. Brooks refused the plan and Parker was never consulted. Two days later Dudley and Stephens decided that Parker should die because he did not have any children and that his sacrifice would improve their odds of being saved and continuing to support their own families. Although Stephens agreed with the plan, Brooks refused to assist. Nevertheless, after a brief prayer, Dudley ambushed Parker who was in a severely weakened state after drinking sea water and slit his throat. The three men ate his flesh and drank his blood for four days.

Four days later they were rescued and Dudley and Stephens were put on trial for murder. The jury decided that "assuming any necessity to kill anybody, there was no greater necessity for killing the boy than any of the other three men."<sup>16</sup> However, they could not decide if Dudley and Stephens were guilty of murder. Ten days later five judges considered the extreme suffering of the men and unanimously decided in a special verdict that "the prisoners' act in this case was willful murder and that there was no legal justification of the homicide."<sup>17</sup> They sentenced the men to death but later commuted the sentence to a scant six months in prison.

The judges quoted from Book iv of John Milton's "Paradise Lost": "So spake the Fiend, and with necessity,/The tyrant's plea excused his devilish deeds."<sup>18</sup> They admitted that the men were in terrible need but they also insisted that they could not condone murder because "such a principle once admitted might be made the legal cloak for unbridled passion and atrocious crime."<sup>19</sup>

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<sup>13</sup> Ibid., 273.

<sup>14</sup> Charlotte Rogan, Amazon Video Interview, Windows Media Audio, April 12, 2012, [http://www.amazon.com/dp/0316185906/ref%3Dasc\\_df\\_0316185906210842.htm](http://www.amazon.com/dp/0316185906/ref%3Dasc_df_0316185906210842.htm).

<sup>15</sup> [1884] 14 QBD 273 DC.

<sup>16</sup> "Dudley and Stephens: The Lifeboat Case: Justice with Michael Sandel" Viewed 26 December, 2012. <<<http://justiceharvard.org/resources/the-queen-vs.dudley-and-stephens-1884-the-lifeboat-case/>>>>htm.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

Jeffrie Murphy notes in his chapter "Kant on the Right of Necessity" that Brooks emphatically stated that he "would rather die than murder or be murdered and lots were not drawn."<sup>20</sup> He dismisses the possibility that Brooks was grandstanding and just waiting to profit from the results without incurring the risk as "overly cynical."<sup>21</sup> He also makes the interesting point that if Dudley truly thought he was justified in taking Parker's life why did he pray for forgiveness first and ask that their souls be saved?<sup>22</sup> Murphy proposes that the need for prayer before the rash act involved "a recognition of human fallibility—a realization that even reasonable beliefs are not true beliefs."<sup>23</sup> Murphy also discusses the warm welcome that the sailors initially received at their home port: "Most of those in this community of mariners apparently believing that they had, of course, done the right thing in killing one so that they could survive—particularly since it was believed that Parker could not have survived no matter what."<sup>24</sup> Dudley and Stephens fully expected to be acquitted since they were relying on necessity or as Murphy clarifies what is "now sometimes called a choice of evils or a lesser evil defense."<sup>25</sup>

However, the Law Lords did not hold the same values as the mariners and reached the same conclusion that Kant would later claim when considering the supposed right or defense of necessity: there is no such legal right."<sup>26</sup> Coleridge, Grove, Denman, Pollock and Huddleston acknowledged that "the prisoners were subject to terrible temptation, to sufferings which might break down the bodily power of the strongest man and try the conscience of the best. Other details yet more harrowing, fact still more loathsome and appalling were presented to the jury...but nevertheless it is clear that the prisoners put to death a weak and unoffending boy upon the change of preserving their own lives by feeding upon his flesh and blood after he was killed and with the certainty of depriving him of any possible chance of survival"<sup>27</sup>

Neither the prosecution or the defense in Grace's, Hannah's or Mrs. Grant's trial were sympathetic to the deprivation and terror involved in surviving twenty-two days on the open sea. Both sides gleefully engaged in pompous perorations and callow debates about the rights of survivors clinging to planks. Grace's counsel tried to coax her into claiming that she was terrified of Mrs. Grant and Hannah and that she was coerced at the last minute to choke Hardie. Grace could "not testify to being compelled to join the women through explicit or implied threat of bodily harm."<sup>28</sup> However, out of the three women, she was the most emaciated and looked the most fragile: "in comparison to my co-defendants, I must seem miserable and weak."<sup>29</sup> She used this to her advantage and explained to the all-male jury that she "felt threatened every day...to induce the jury to wrongly infer from the juxtaposition of answers that I was afraid of Hannah and Mrs. Grant."<sup>30</sup> The prosecution also asks her if any of the women were directly threatened by Mr. Hardie and Grace is compelled

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<sup>20</sup> Jeffrie G. Murphy. *Punishment and the Moral Emotions: Essays in Law, Morality, and Religion*. (New York: Oxford University Press, 2012), 294.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid., 295.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> Ibid.

<sup>27</sup> "Dudley and Stephens: The Lifeboat Case: Justice with Michael

Sandel." <<<http://justiceharvard.org/resources/the-queen-vs-dudley-and-stephens-1884-the-lifeboat-case>>>.htm

<sup>28</sup> Rogan, *The Lifeboat*, 247.

<sup>29</sup> Ibid., 250.

<sup>30</sup> Ibid., 248.

to admit: "They were never directly threatened but that they all feared for their lives."<sup>31</sup> She doesn't mention Hardie's reluctance to rescue Rebecca or his constant threats of disaster and the need to constantly dragoon victims into "volunteering" to jump overboard. Hardie used his extensive experience at sea to bully the survivors and keep them in a constant state of anxiety and apprehension. This angst allowed him to rule by fear.

Conversely, Stephen Crane's 1897 autobiographical short story "The Open Boat" stresses the necessity of remaining hopeful and not succumbing to doom: "on the other hand, the ethics of their condition was decidedly against any open suggestion of helplessness."<sup>32</sup> Mrs. Grant's courage and compassionate resourcefulness offers the survivors viable possibilities. Her leadership emphasizes a practical concern for the physical and mental well-being of the survivors. They become empowered adults rather than restrained and terrified dependent children. Hardie demands fearful dependence and his despotic leadership becomes so oppressive that he is eventually overthrown. Hardie becomes murderously angry after Mrs. Grant has assumed leadership and one of the intriguing features of Rogan's dystopia is that only violence can overthrow violence.

This is also the message of Alfred Hitchcock's "Lifeboat" which Robert Mossberger notes in "Adrift in Steinbeck's Lifeboat " is "Steinbeck's first writing for commercial cinema...a 20<sup>th</sup> Century-Fox film that was one of the more interesting movies of 1944."<sup>33</sup> Connie Porter, Rittenhouse, Gus, Kovac, Stanley Garrett, Alice Mackenzie, Joe, Charcoal and an unnamed English woman and her dead child are stranded in a lifeboat after their freighter has been bombed by a German U Boat. The Commander of the U Boat is also a castaway and is in the perilous position of having to depend on the kindness of his enemies to survive. He is rescued quite cheerfully at the beginning of the film but since he is unable to conceal his German identity, he quickly loses his status as a human being in the eyes of many of the white male survivors who insist that he be killed and thrown overboard. It is finally decided by a majority that he is a prisoner of war and that no one in the lifeboat has the right to kill him. Everyone agrees to keep careful watch on him but eventually their vigilance is replaced by a wary confidence in his Herculean rowing abilities. Everyone marvels at his superhuman endurance because they don't know that he has a concealed stash of energy pills, a compass and a secret reserve of water that he keeps for his own personal sustenance. He tricks them into believing that he is rowing them to Bermuda when actually he has carefully contrived to deliver them all to a German supply ship which will then transport them to concentration camps.

Ironically it is the most injured survivor who discovers his subterfuge. Gus had to have his leg amputated from an injury after the torpedoing and it is the German U Boat captain who performs the lifesaving operation. He is grateful to the captain who was previously trained as a surgeon and is later shocked to see him covertly enjoying a bottle of satisfying fresh water. All of the other survivors are prostrate with dehydration, starvation and overexposure to the sun and don't have the energy to keep an eye on the restless Gus who is stumbling around the boat on his remaining leg. He is in a delirium and thinks he is about to be reunited with his stateside dancing partner and lover, Rosie. He confronts the Captain when he sees him drinking the water. The Captain tries to take advantage of Gus' disorientation and encourages him to throw himself overboard so that he can join Rosie.

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<sup>31</sup> Ibid., 247.

<sup>32</sup> Stephen Crane, *The Open Boat and Other Stories*. (New York: Forgotten Books, 2012), 10.

<sup>33</sup> Robert E, Mossberger, "Adrift in Steinbeck's *Lifeboat*." *Literature/Film Quarterly* 4 (1976):325.

Gus is so angry at the injustice of the Captain not sharing the water that he is not tricked. He approaches the Captain and rebukes him for his selfishness. Despite the fact that earlier the Captain was willing to save Gus by performing the operation, he now pushes him overboard without a second of hesitation. He also effortlessly lies to cover up his murderous actions. He has pacified the survivors into submission by singing lullabies. Although they note the irony of their enemy serenading them to sleep in German, they succumb to his charm and efficiency. Although he pretended to not speak any English after he is recused, once he gains their confidence by volunteering to operate on Gus, he starts fluently conversing with them in English. At the beginning of the film, the survivors had to rely on the worldly Connie Porter to translate for the enemy. Now the Captain is able to freely contribute to their conversations about favorite food and activities. He charms them with his humanity, skills and endurance. They unequivocally accept his account of Gus' death and never find out that he murdered the amputee.

However, Alice Mackenzie, the quick-witted Red Cross nurse, discovers that the Captain has been secretly consulting his private compass and has been deliberately steering them away from Bermuda. The Captain gloats about how easy it was to trick them and this is what incites the survivors to murder. Charcoal, the only black man on board, is the only one who does not participate. Robert Mossberger notes that the screenwriter Swerling is responsible for "the objectionable features in the portrait of Joe, the black steward...Swerling reduces Joe to a stereotype and give him the offensive nickname 'Charcoal.'"<sup>34</sup>

However, Joe is the only one who does not join the mob attack. It is difficult to know whether it is because he has a conscience or is just paralyzed by shock and fear when he witnesses the frenzied assault. Mosseberger sees him as a caricaturized hero: "In the scenario, Joe is a pickpocket and a minstrel-show type who plays 'Don't Sit Under the Apple Tree' on the flute. His one memorable moment comes when he refuses to join in the virtual lynching of the Nazi. Steinbeck's Joe not only refrains from the murder but leaps overboard and tries to rescue the drowning German."<sup>35</sup>The murder of Gus was quietly methodical. Even his cries from the cold waves are not loud enough to awaken the enervated survivors. Conversely, the murder of the Captain is full throttled horror worthy of the infamous shower scene in Hitchcock's 1960 "Psycho." What is unexpected is that the noble and even tempered Red Cross nurse is the first to attack. Tallulah Bankhead's character Connie Porter, quickly casts off her *nouveau riche* refinement and eagerly joins the fray. The survivors become a mob who merrily beat the German to death with planks and the steel heel of one of Gus's discarded work boots. The sound effects from this scene are exactly the same as when Norman Bates' alter ego slashes the detective's cheeks and pushes him to his death down a flight of stairs in the depraved mansion in "Psycho." The audience hears a mechanical, high pitched pulse which is a combination of the frozen scream of an infected bird and the distended death rattle of its human prey. Charcoal watches from a distance and looks too scared to protest or intervene.

Unlike Charlotte Rogan's *The Lifeboat*, there is no democratic vote before the murder. Mossberger explains that "The killing is more casual in the novel, whereas in the screenplay it is an episode of vigilante violence."<sup>36</sup>Mossberger reveals that the Jo Swerling's

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<sup>34</sup> Robert E. Mossberger, "Adrift in Steinbeck's *Lifeboat*." *Literature and Film Quarterly* 4 (1976): 325.

<sup>35</sup>Ibid., 337.

<sup>36</sup> Ibid., 332.

screenplay emphasizes that “Mrs. Porter’s brittle sophistication has cracked in her lust to kill...They fight with fist, tooth and nail, hitting, kicking, biting and clawing. They are lost in their orgasm of murder.”<sup>37</sup> Unlike Rogan, Hitchcock does sustain a moral arc for his survivors. Connie transforms from being a greedy writer and photographer to a concerned citizen who offers her coat to the young woman who is cradling her dead infant. By the end of the film, she has lost all of her cherished material possessions except for her lipstick which she uses to refresh her appearance before their rescue. She has willingly offered her cherished Cartier diamond bracelet so that it can be used as bait. It is her own idea to attach it to a hook and she is proud to be able to try and provide sustenance for the survivors who have become her friends. She gracefully accepts the loss of the bracelet during the attack on the German supply ship. She has also lost all of the tools of her trade including her typewriter, camera and her remarkable film which documented the bombing and its poignant aftermath. However, she has regained her humanity after falling into a sensuous love affair with Kovac, the oiler. He also admires her sacrifice of the bracelet and values the encouragement which she offers to the rest of the survivors that they all should band together and try to actively outwit death.

The millionaire Rittenhouse learns humility when the survivors refuse to accept his leadership at the beginning of the film. He overcomes his resentment of Kovac as they banter their way through a seemingly endless series of poker games. He even forgives Kovac for marking the cards of his handmade deck and insists on honoring his lost bets. Kovac, who was once the angry, disenfranchised worker allies with Rittenhouse and plans on using his winnings to buy one of Rittenhouse’s factories. Paradoxically, the socialist transforms into an eager capitalist and the formerly eager capitalist begins to see the pleasure of sharing his industrial success.<sup>38</sup> The once idealistic nurse who was helplessly in love with a married physician learns to accept the playful devotion of the radio operator. Charcoal, the reformed thief, learns to take pride in his pickpocketing skills as he is the one who is able to retrieve the hidden compass from the sleeping U Boat Captain and thus indirectly save the crew from their blind trust in his navigation. The only characters who do not follow this sentimental arc are the English mother and the U Boat Captain. It is not surprising that the U Boat Captain would be ultimately revealed as a murderous villain in a 1944 film produced in Hollywood.

It is odd that the English mother does not have a moral arc. Even though she is representing the iconic archetype of maternal loss, she is a very minimally developed character. We do not know her name or the name or sex of her dead infant. She cries out for her baby, falls asleep in shock and when she awakens the next morning she thanks Connie Porter for the loan of the fur coat. She later learns that the other survivors have buried her infant at sea without consulting her. The Red Cross nurse advised them all to allow her to fall asleep with the bundle and take it from her later. The burial at sea is never shown. Once the mother learns about the burial she lapses into a shocked silence. During the night, while everyone is asleep except for the U Boat Captain who is rowing and relying on energy pills to stay awake, she apparently commits suicide by attaching herself to one of the halcyons.

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<sup>37</sup>Ibid., 333.

<sup>38</sup> This is as incongruous as Sally Seton renouncing her Socialist ideals and marrying a Lord who owned a hat factory in Virginia Woolf’s *Mrs. Dalloway*.



In a very cold hearted scene, Connie Porter laments the loss of her fur coat and two of the men on board simply cut the rope and allow the grief stricken mother to sink into the dark water. They do not try to raise her up and check to see that she is really dead or even verify that her body is weighing down the line. They do not consider that the German might have killed her or that she might have just moments before thrown herself overboard and could still be rescued. She was an unmarried mother who has failed to keep her child alive. She has exhausted her functional worth and so she is heartlessly dispatched. No one ever mentions her or her infant again. This is oddly reminiscent of Kant's theory of justified homicide in bastard infanticide.<sup>39</sup>

Charlotte Rogan follows a similar impulse in *The Lifeboat*. Anya Robeson is the only mother who has a child on Lifeboat Fourteen. At the start of the novel, Robeson is a very silent and almost invisible figure who keeps her son Charles hidden under her skirts. Like the English woman in Hitchcock's "Lifeboat," she is initially only defined by her stereotypically maternal function. She seems willing to strike any bargain to ensure her child's survival. He does survive and even flourishes despite the harsh conditions. He is mischievous and his antics endear him to most of the survivors. Even the irascible Hardie tempers his obscenities and threats when Robeson reminds them that there is a child's welfare they should be considering. Robeson's character does not follow a moral arc or predictable progression from selfishness to virtue. She is the only woman to testify against Grace, Hannah and Ursula Grant and she is the final witness for the prosecution. Grace is very bitter about her testimony: "Who would have guessed that on the last day of the prosecution's rebuttal, Anya Robeson would appear and deliver the most damning testimony of all? She had taken part in nothing. She had not so much as lifted a finger to clear water out of the boat or care for the sick, but when she told this to the jury, it didn't sound reprehensible because she had the excuse of little Charles."<sup>40</sup>

Her role as protective mother adds to her credibility and the jury willingly accepts her lies as easily as they believe the false testimony of Colonel Marsh who appears resplendent and imposing in full military dress uniform. Mrs. Robeson tells the jury that Grace consented to the murder of Hardie: "'They thought I wasn't aware of anything that was going on because of my preoccupation with my son', she said, 'but I saw everything': and she went on to damn the three of us. She described how, on orders from Mrs. Grant, Hannah and I fought with Mr. Hardie, kicking him in the knees and legs until he collapsed in our arms...that the two of us were more than a match for Hardie, who had a badly injured arm."<sup>41</sup> Even though twelve other female survivors wholeheartedly endorsed Grace's, Hannah's and Mrs. Grant's actions as necessary to save the group, it is the testimony of the only mother with her child on board that resonates with the all-male jury at the end of the trial. Robeson had voted to spare Hardie and Grace abstained from the vote making the excuse that a majority had ruled to condemn him so her vote was unnecessary. It is puzzling that Robeson tries to condemn all three women. The press satirized the devotion of the twelve female witnesses and dismissively pigeonholed them as the Twelve Apostles. It

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<sup>39</sup> See Jeffrie G. Murphy. *Punishment and the Moral Emotions: Essays in Law, Morality, and Religion*. ( New York: Oxford University Press, 2012), 276-284.

<sup>40</sup> Rogan, *The Lifeboat*, 241-42.

<sup>41</sup> *Ibid.*, 243.

did not matter to the jury when they were considering their verdict that they testified that "If it weren't for Hannah and Mrs. Grant they would be dead."<sup>42</sup>

Robeson's false testimony stressed Hardie's physical vulnerabilities and suggested that Hardie was an innocent and broken man who was beaten to a pulp by an evil trinity of women and thrown overboard. She insisted that he collapsed defenseless in their arms and they threw him to a certain and painful death. She stressed that his broken arm would prevent him from even trying to swim his way to a non-existent safety. She reinforces her legitimacy by observing: "They thought I wasn't aware of anything that was going on because of my preoccupation with my son...."<sup>43</sup>

The majority of survivors in Rogan's *The Lifeboat* are women. On the tenth day in the section fittingly named "Night," Rogan opens scene with the terse and terrifying announcement that "Mrs. Forrester, who had been so silent and watchful, went mad overnight."<sup>44</sup> Mrs. Forrester is in a delirium and believes that Colonel Marsh is her alcoholic husband Collin: "She started raving about her husband, who had been drinking the day of the shipwreck and was probably lost."<sup>45</sup> Mrs. Forrester is tired of the abuse and threatens: "If you dare lay a hand on me this time...I will kill you with your own knife."<sup>46</sup> Her maid Joan has served her for the past twenty years and is also aware of the history of his violence. She tries to reassure Mrs. Forrester that her husband has vanished. However, Mrs. Forrester is not convinced and finally she falls into unconsciousness. Mrs. Grant, Joan and Mr. Preston drag her to the prow so that she can rest on the wet blankets. Grace, with her characteristic selfishness, observes that this had "the effect of preventing anyone else from going forward to rest or sleep."<sup>47</sup> Hoffman takes Grace's selfishness to the extreme and suggests that Mrs. Forrester be tossed over the side."<sup>48</sup>

In one of the most dramatic scenes of women's solidarity in the novel, Hannah and Mrs. Grant protect the abused and unconscious woman. Grace explains their protest: "...It was the men who had made her that way and they could damn well live with the results."<sup>49</sup> In spite of their protective leadership, Mrs. Forrester remains unconscious for two more days and then dies. Mrs. Forrester represents an abused woman who has reached the end of her tolerance for cruelty and she is now ready to defend herself. She threatens to use the master's own tools to destroy him. Unfortunately, her resolve cannot save her. She signifies the bodies in a long history of abuse against women. Her last words are a synecdoche of trauma and final and belated resistance. The men are also aware of this history because not one of them objects to Hannah's and Mrs. Grant's indictment. Her servant Joan has been a silent witness to twenty years of abuse.<sup>50</sup> She has not been able to save her employer from abuse and is deferential to male authority and beseeches her to "restrain herself."<sup>51</sup> Mrs. Forrester really believes that harm is imminent. Her mention of the knife is a dramatic foreshadowing of Hardie's slashing of Hannah's cheek during the final altercation in *Lifeboat Fourteen*.

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<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid., 149.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid., 150.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> She is as restrained and afraid as Charcoal in Hitchcock's "Lifeboat."

<sup>51</sup> Rogan, *The Lifeboat*, 150.

Fiona Leverick explains that "in the context of self-defence, imminence refers to the time period between the harm faced by the accused and the defensive action taken to prevent that harm from materializing, with some jurisdictions only permitting the defence if the harm was imminent. The term 'imminent' is sometimes used interchangeably with the term immediate."<sup>52</sup> Leverick notes that "the imminence requirement has been widely criticized, most commonly in the context of 'battered women' who have killed their abusive partners in non-confrontational situations, such as when the deceased is sleeping. These women would find it difficult to meet an imminence requirement, yet it has been suggested that they should still receive the benefit of the defence of self-defence."<sup>53</sup>

Hannah and Mrs. Grant did not receive any self-defence benefits. Leverick also explains that "the imminence requirement is not the only possible barrier to battered women's self-defence claims. Another potential difficulty...is the proportionality requirement."<sup>54</sup> Battered women face a very difficult battle to meet both requirements and in particular "the imminence requirement fails to deal with cases where harm was not imminent, but where it was likely to occur and where the accused did not have any reasonable alternative course of action."<sup>55</sup>

By the afternoon of the tenth day, Grace has decided that Hardie was a murderer: "For it seemed to me that the exact number of people in the boat mattered little if at all. We would all die in seconds anyway, and what I regretted most was that I was not to die with my views of human nature intact...I could not rid myself of the idea that there was evil in that little boat, and that it was the devil himself who was keeping me alive."<sup>56</sup> Unlike Grace, Mrs. Grant is unwilling to accept a despotic leader and from her first minutes in the lifeboat she positions herself to overthrow the tyrannical Hardie. She realizes that he is only staying near the shipwreck to try and steal more of its cargo. She is also strategic enough to know that she must win the loyalty of the other passengers which she does through a sustained demonstration of sincere empathy, advocacy and assertiveness. Hannah and Mrs. Grant plead self-defense but contend that they only killed because they saw Mr. Hardie as "a threat to their lives and the lives of others."<sup>57</sup> Mrs. Grant believes they did not exert unnecessary force. She does not see herself as an unjust threat.

Suzanne Uniacke emphasizes: "Our possession of the right to life is conditional, the condition relevant to the justification of self-defense being that we not be an unjust immediate threat to another person."<sup>58</sup> Before the vote, Grace believed that Hardie was an imminent threat and she told the hapless MaryAnn that "Either he goes overboard or we all drown, it's as simple as that."<sup>59</sup> However, when she was reconsidering the facts in her prison cell the night before the verdict she began to question her initial resolve: "We were in grave danger, but had Mr. Hardie's actions become a part of that danger?"<sup>60</sup>

Fiona Leverick reminds us of the useful concept of self-generated self-defense or the "situation where the accused contributes in some way to generating the need to use self-

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<sup>52</sup> Fiona Leverick. *Killing in Self-Defence* (New York: Oxford University Press, 2006), 87.

<sup>53</sup> *Ibid.*, 88.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*, 93.

<sup>56</sup> Rogan, *The Lifeboat*, 146.

<sup>57</sup> *Ibid.*, 227.

<sup>58</sup> Suzanne Uniacke. *Permissible Killing: The Self-Defence Justification of Homicide*. (New York: Cambridge University Press 1994), 197.

<sup>59</sup> Rogan, *The Lifeboat*, 185.

<sup>60</sup> *Ibid.*, 227.

defensive force."<sup>61</sup> Unlike Parker, Hardie was not severely debilitated or almost unconscious at the bottom of the lifeboat. He was awake and volatile. Grace said that he was snarling like a mad dog. Even after they managed to eject him from the lifeboat he was cursing them from the sea, threatening them that they would "die like dogs."<sup>62</sup> Leverick reveals that self-generated self-defence rarely receives extensive coverage and that "only two published papers written in English could be found that dealt extensively with the issue in relation to self-defence."<sup>63</sup>

Rogan situates her fictional account in the 1914 American legal system where Grace Winters is shrewd enough to tailor her own testimony for the all-male jury because she realizes women could not even vote, let alone condemn or exonerate their peers. The term battered woman would not be coined until the late 1970's by Lenore Walker.<sup>64</sup> Even if it had, it is very unlikely that the majority of the jury would have been sympathetic to the female survivors' claims of imminent harm or even likely future harm.<sup>65</sup> Nevertheless, Hannah and Mrs. Grant do not appear to regret the cost of their artful leadership, perhaps because they savor the satisfaction of having preserved so many lives including their own. Grace remarks that "she cannot help but think how people were meant to pair off, to face things together, to be married. The benefits can be seen in the example of Hannah and Mrs. Grant, in the strength they have found in each other, though of course they are not married and never could be. In any case they formed the strongest bond, and it they who were hurt least by the experience."<sup>66</sup> Hopefully their love will ameliorate the suffering of the severe punishment of life imprisonment when their appeals fail.

### **Punishment**

Everyone except for Charcoal participated in the murder of the unarmed German U Boat Captain in Hitchcock's "Lifeboat." No one suffers from guilt or remorse. They preferred to think of his death as an ethically justified execution in war time. A University of Kansas study in 2012 reveals that "scapegoating is better understood as a strategy that people use to minimize their feelings of guilt over their responsibility for a specific negative outcome by transferring blame for that outcome to another individual or group. Consistent with this revised view is research showing that people externalize blame for negative outcomes that would otherwise incriminate themselves or their group."<sup>67</sup>

Hitchcock's and his screenwriter Swerling's vision fits this justification and this is very evident in the final scene of the film when the survivors rescue a castaway from the bombing of the German supply ship which the U Boat captain had boasted would carry them to concentration camps. The soldier thanks them in German and this single word incites all of the white men to demand that he should be killed. Rittenhouse rebukes Connie Porter when she protests that the soldier is wounded and that he is just a baby. He asks her if she

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<sup>61</sup> Leverick, *Killing in Self-Defence*, 109.

<sup>62</sup>Rogan, *The Lifeboat*, 227.

<sup>63</sup>Leverick, *Killing in Self-Defence*, 109.

<sup>64</sup> "Book Summary: More than Victims: Battered Women." Last modified August 15. [https://litigation-essentials.lexis.nexis.com/web](https://litigation-essentials.lexis nexis.com/web).

<sup>65</sup> Even as late as 2003 Syndromes including Battered Woman, Rape Trauma, Premenstrual, Postpartum Depression were just beginning to be sometimes admissible. See J. Dixon, A. Dixon, "Gender-Specific Clinical Syndromes and Their Admissibility under the Federal Rules of Evidence," in *27 Am. J. of Trial Advoc.* 25, 2003.

<sup>66</sup> Rogan, *The Lifeboat*, 325.

<sup>67</sup> Zachary Rothschild. Mark Landau, Daniel Sullivan, Lucas Keefer, "A Dual Model of Scapegoating: Displacing Blame to Reduce Guilt or Increase Control," *Journal of Personality and Social Psychology* 102 no. 6 (2012):1149.

has completely forgotten about how the U Boat commander tricked them. She insists that the young soldier be saved. The Red Cross nurse tries to bandage his wounds and he suddenly threatens them with a revolver. Kovac smugly remarks that the "baby" has a toy. The white men manage to disarm him and they decide to wait for the military authorities to punish the soldier.

All of the survivors congratulate themselves on their ethical behavior with the second enemy soldier. Kovak ridicules the soldier for his amazement that they are not going to shoot him and Rittenhouse vengefully declares that the only thing that can be done with German soldiers is to exterminate them. This last scene is not played ironically. Retribution is highly prized even though rescue is guaranteed. Even the sentimental Connie Porter seems to be supporting vengeance when she archly states that Gus, the English woman and her baby should be the arbiters of justice for the enemy soldier.

Her anger is diffused only later when she fusses with her makeup while they are waiting for the rescue ship which the men have calculated is twenty minutes away. Porter has made questionable jokes through the film about her best friends which she says include independent women, prisoners in concentration camps and finally sailors in the navy. The film ends before the rescue but there is no doubt in the audience's mind that they will be saved. The lights of the Norwegian warship can be seen on the horizon. The survivors calmly wait to be rescued and no one devotes an ounce of energy to worrying about the legal or social consequences after their murder of the U Boat captain. It is likely that they reassure themselves that they have the young wounded soldier as moral collateral. This time they relish bringing their enemy to the authorities for judgment.

Just as Mrs. Forrester symbolically represented abused women and Collins and his avatar Colonel March embodied men who are abusive in Rogan's epic, the second soldier is a convenient and portable emblem of the virtue of his enemies. Just like the nameless German U Boat captain and the English woman and her baby, they are broad brushstrokes of failed functions and predictable outcomes. Before the final credits roll, an advertisement for war bonds is prominently displayed on the screen. The message warns the audience that this is not just a diverting film and that there are countless other U Boat captains in the real world who are armed with secret weapons, superhuman strength, cunning and dangerous charisma. The outcome of the Second World War does not seem assured and the audience is reminded that they must actively help by purchasing war bonds. The Allies were clearly faltering when the film was released.

Hitchcock's "Lifeboat" castigates naïve women who insist that mercy must be shown to the enemy. The nurse is almost shot by the soldier when she is trying to bandage his wounds and Colleen, who prides herself about her endless reserves of one liners and moxie, is embarrassed when Kovak ridicules her sentimentality about the "baby" soldier. This is the second time that she has served as a translator for the enemy and been duped by outward handsome appearances. However, like Grace Winters, there are no lasting consequences after her lapses in judgment. Kovak, who once belittled Connie's flashy materialism, now readily agrees to replace all of her lost possessions with some of the fifty thousand dollars that he won in his poker games with Rittinghouse. Kovak's and Colleen's salacious involvement on the lifeboat seems to be headed toward a more sustained and loving involvement.

Mosserberger suggests that Hitchcock's "Lifeboat" is "significant in its treatment of such recurring Steinbeck themes as group-man, the nature of leadership, the animality of

people hypnotized by mass action, and the stripping away of civilized surfaces to reveal the primitive human."<sup>68</sup> However, after this high praise he ultimately relegates the film to polished triviality: "But the finished film is more slick than substantial, more a nautical 'Stagecoach' than a serious study of survival, war and politics."<sup>69</sup> He also notes that many American film critics disavowed the film and even believed that it was a dangerous because it only needed a few edits to be turned into a Nazi propaganda film.

Jeffrey Feinberg argues that "Punishment is a conventional device for the expression of attitudes of resentment and indignation, and judgments of disapproval and reprobation, on the part either of the punishing authority himself or of those 'in whose name' the punishment is inflicted. Punishment in short, has a *symbolic significance* largely missing from other kinds of penalties."<sup>70</sup> Feinberg further proposes that we accept Gardner's thesis that "The essence of punishment for moral delinquency lies in the criminal conviction itself...It is the expression of the community's hatred, fear or contempt for the convict...".<sup>71</sup> Feinberg thinks of the punishment of criminals as "vindictive resentment."<sup>72</sup> He admits that "It is much easier to show that punishment has a symbolic significance than to exactly state what it is that punishment expresses."<sup>73</sup> It is very easy however, to see what the withholding of punishment expresses. In 1884, Dudley and Stephens were found guilty of murder, sentenced to death and then later their punishment was commuted to six months' imprisonment. In Hitchcock's 1944 "Lifeboat" five white male and female castaways kill the German captain. There is no hint that any punishment will ensue. In fact, there is a strong suggestion in the film that the murder is adequate retribution for the killing of the optimistic and innocent Gus who just wants to dance his way out of the war. There is an insouciance and jubilation surrounding the murder which invites the viewer to see it as fair.

The castaways discover that the captain has lied about not having a compass and purposefully navigated them away from safety toward prolonged violence and suffering once the Nazi supply ship delivers them to concentration camps. He has flourished on his secret stash of water, energy pellets and nutritional supplements while they suffered enervating starvation and dehydration. However, they remain unaware of his murder of Gus and likely involvement in the English mother's death. This seems to add to their innocence. They are incited to kill because the U Boat captain taunts them and in childish retribution they spontaneously cast him overboard and beat him to death with his first victim's boot.

They are angry because their replacement father figure has tricked them after delighting them with his worldly efficiency. After the amputation of Gus' leg, they all begin to marvel at his wide range of skills which seems to embrace everything from navigation to surgery to fine cuisine. He is a cultured polyglot, a tireless rower and a tender balladeer. Mossberger notes that in the novel *Alice*, the Red Cross nurse refuses to take part in the murder and whereas in the screenplay she is the first to attack him and that "Her face is so transfigured with hate that it is barely recognizable."<sup>74</sup> Although we witness every detail of Gus' murder, we only see the initial skirmish with the U Boat captain. Once he is ejected

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<sup>68</sup> Robert E. Mossberger, 333.

<sup>69</sup> Ibid.

<sup>70</sup> Jeffrey Feinberg, "The Expressive Function of Punishment," in A. Duff and D. Garland, *A Reader on Punishment*, (New York: Oxford University Press, 1994), 74.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid. 76.

<sup>73</sup> Ibid.

<sup>74</sup> Robert E. Mossberger, 333.

from the boat, the camera focuses only on the frenzy of the white survivors who are so efficient and united in their jubilation, they could be children racing makeshift sailboats.

Conversely, in Rogan's world, nothing happens outside of the narrative frame; every detail of the final melee is made painfully explicit. Grace even comments on the stench of Hardie's decaying teeth and his putrid breath on her face when she is trying to choke him after he slashed Hannah. Perhaps because the viewer has been spared a direct confrontation with the precise details of the German U Boat captain's murder, it is easier to not even consider the consequences the six survivors might face. Mossberger notes that Steinbeck's novel suggests that some of the assailants felt guilt after the murder and that the narrative as a whole did not cast them as noble victors who were just doing what had to be done.<sup>75</sup> Ultimately this is what earned Dudley and Stephens a reprieve. So much gory detail was provided that the case reads like a Greek tragedy where the audience is overwhelmingly grateful not to face such dire circumstances and pernicious choices themselves.

Jeffrie Murphy explains that "There was a behind-the-scenes deal struck between the Law Lords and the crown...Dudley and Stephens were to be convicted of murder and sentenced to death, and the crown was to pardon them—a way of being sympathetic to the great stress under which Dudley and Stephens operated that would not involve recognizing a new defense and thereby changing the definition of murder. Sovereign pardon does not recognize a new defense or change the definition of murder since it sets no precedent."<sup>76</sup> At the last minute, the pardon was not issued. Their conviction stood but they were only sentenced to six months. Grace is the one who tells the reader that Mrs. Grant's and Hannah's original sentence has been commuted to life in prison. Although their lives are spared, their punishment vilifies them. The communicative quality of the punishment is that the Crown appears to offer mercy and like Dudley and Stephens ultimately their lives are spared. However, it is a much more limited clemency since they are deprived of their liberty for the rest of their lives. The clear message is that Dudley and Stephens are able bodied seamen with wives and children to support. Their conviction stands but their punishment is light and communicates an understanding of their circumstances. They killed and feasted on a defenseless boy and were given six months to consider their conduct in prison.

In the jury's minds, Hannah and Mrs. Grant were rejects from the heterosexual economy. They were childless and had deserted their husbands. They appeared to have an intense affection for one another. Most damningly, they plotted to overthrow their male captain. They assumed dynamic leadership roles. They did not use his body to survive; they discarded him like dangerous garbage. However, Grace was still viable, young and pretty. She could easily become a mother. She was the widow of an important and wealthy banker who had been lost at sea on his honeymoon and it was more than likely that another important man would see her virtues. Ironically, perhaps if Hannah and Mrs. Grant had distributed portions of Hardie's body to the famished survivors their sentence might have been lighter. But chances are they would have then been condemned to death as lesbian cannibals after the jury heard the false testimonies of Colonel Marsh and Mrs. Robeson.

Foucault made it explicit in *Discipline and Punish: The Birth of the Prison* that punishment depends on hierarchical regimentation and control: "There is a strict economy that has the effect of rendering as discreet as possible the singular power to punish...By

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<sup>75</sup> Ibid.

<sup>76</sup> Jeffrie G. Murphy, *Punishment and the Moral Emotions*, 297.

means of the carceral continuum, the authority that sentences infiltrates all those other authorities that supervise, transform, correct, improve. It might even be said that nothing really distinguishes them any more except for the singularly 'dangerous' character of the delinquents, the gravity of their departures from normal behaviour and the necessity of the solemnity of the ritual. But in its function, the power to punish is not essentially different from that of curing or educating."<sup>77</sup>

### Conclusion

Hannah and Mrs. Grant are punished because they dared to assume leadership in a repressed era where women did not even have the right to vote. The communicative value of their punishment was that they were morally unfit for patriarchal society. The jury tried to turn their intimacy and tenderness for one another into a cruel joke. If they were so inextricably bound to one another then they could spend the rest of their days confined to each other's company.<sup>78</sup> Meanwhile the Crown, like the survivors of Hitchcock's "Lifeboat" could congratulate themselves on their leniency for not killing the second soldier. They had spared the villains their richly deserved death. They could easily appear to be following Kant's directives on mercy.<sup>79</sup> Mrs. Grant and Hannah were given a reduced sentence and Grace was acquitted. So the twin virtues of mercy and forgiveness permeated the imaginations of the public without upsetting the status quo. The lingering message about leadership for women even in the most threatening of crisis or deadly natural disaster was to rely on men irrespective of any of their tyrannical qualities.

W. B. Carnochan cautions us to remember "the larger, metaphorical pattern that includes all manner of restraint on human action. The overarching category is confinement; its subcategories are captivity of any sort and that particular experience of imprisonment. Confinement restricts the free movement of the body and the mind."<sup>80</sup> Hardie tried to symbolically and literally confine the survivors of lifeboat fourteen. He tied up women who disagreed with him; he threatened everyone with immediate extinction and attacked Hannah with a knife when she confronted him in the final altercation. Like Hitchcock's U Boat captain, he lied about secret stores of food and water, navigated their course for his own benefit, disposed of the weak and effectively murdered the frailest men through his bogus lottery. He probably could have killed all of the castaways and been exonerated. And given the precedent of *The Queen v. Dudley and Stephens*, he likely could have even killed Charles, the only child on board and as long as he offered to share his remains, would likely have only served six months' confinement.

Andrew Von Hirsch argues that ideally "The severity of a sanction expresses the stringency of the blame. Hence, punitive sanctions should be arrayed according to the

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<sup>77</sup>See Michel Foucault, "Discipline and Punish: The Birth of the Prison," in *Why Punish? How Much? A Reader on Punishment*, ed. Michael Tonry, (New York: Oxford University Press, 2011), 428.

<sup>78</sup> See Lucia Zedner's compelling discussion of friendship and love between female convicts "Wayward Sisters: The Prison for Women," in Norval Morris and David J. Rothman, eds. *The Oxford History of the Prison: The Practice of Punishment in Western Society* (New York: Oxford University Press, 1988), 293-324.

<sup>79</sup> See Jeffrie G. Murphy's discussion of the reduced sentences and mercy in "Kant on the Right of Necessity," in *Punishment and the Moral Emotions: Essays on Law, Morality, and Religion* (New York: Oxford University Press, 2012), 294-300.

<sup>80</sup> W. B. Carnochan, "The Literature of Confinement," in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, eds. Norval Morris and David J. Rothman (New York: Oxford University Press, 2012), 381.



degree of blameworthiness (i.e. seriousness) of the conduct.”<sup>81</sup> However, he then systematically outlines the impossibility of achieving fairness in sentencing since it is unmanageable to arrive at a universally accepted measurement of blameworthiness. Rogan, Hitchcock and Dudley V. Stephens demonstrate this wide and arbitrary range of penalties. It is clear that Mrs. Grant and Hannah received the strictest of sanctions. Their punishment was determined by their gender, sexuality and class. Grace was saved because of her youthful beauty and marketable heterosexuality. All women must carefully calculate in advance the cost of leadership, autonomy and revolt.

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<sup>81</sup>Andrew Von Hirsch "Censure and Proportionality," in *A Reader on Punishment*, ed. Anthony Duff and David Garland (New York: Oxford University Press, 1997), 125.

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