

## The Crime of Edith Cavell

*Originally published in the January 1916  
edition of The International.*

**"And Judas said: Hail Master! and kissed him."**

In the outburst of collective hysteria, which is called by the patients, sympathy for Miss Cavell and indignation at her fate, it had not occurred to anyone to analyze the nature of her offence.

That offence is what the law of England calls "constructive murder."

It is an innocent and even a politic action to open a door for a lady, but if one did so in order to enable that lady to murder her husband, one would be equally guilty. The responsibility for crime does not diminish by dilution. Every man who makes a shell in Bethlehem is just as much at war as the soldier who fires that shell, provided that he is aware of the purpose to which the shell will be put. One might even say that the man who sows the seed to grow corn to make the bread to feed the man who makes the shell would be equally participant in the final action, but that here there is no intention to feed that particular man. However, since it may be so, one can understand the position of these international lawyers who declare every necessity of life to be contraband of war.

In the case of Edith Cavell, however, we need not go so far. She was confessedly aiding belligerents, actual combatants, to escape. She was sending them from a place where they could not kill Germans to a place where they might be able to do so. She did this with the intention that they should kill Germans, and it is to be presumed that some of them actually did so. She might just as well have stood by the men in the trenches and loaded their rifles for them; morally, it is the same

position. Her intention was that Germans should be killed; and "Qui facit per alium facit per se" is a sound legal maxim.

Miss Cavell was therefore a belligerent. "Certainly," some one will reply, "and so is Sister Susie in sewing shirts for soldiers; that is no reason why Sister Susie should be shot. It is an understood thing that women should help in every way to fit their men for fighting. They do not thereby render themselves liable even to imprisonment. These are legitimate civilian activities."

All this is perfectly true. But Miss Cavell was living in a conquered country under martial law; this law specifically denounced the very actions which she committed, and she knew perfectly well that she was rendering herself liable to prosecution. Very true, you will say, all the braver of her to do it.

So far one must agree, in any ordinary case. I am one of those who think the spy potentially far nobler than the soldier. For his country's sake he leaves the open life of the world, courts ignominy, risks the most shameful of all deaths, and he does it for little pay and less glory. The Secret Service is the nursery and the tomb of many a nameless hero.

The real objection to that service is that in some of its branches men are occasionally called upon to do actions which in the ordinary way of life would be dishonorable. Subterfuge of any kind is repugnant to the average man of frank and hearty nature. It can only be his country's bitter need which would induce any man of honor to undertake such a task. In fact, even so, few such men will do it, and the service, like the police, has therefore been obliged to throw open its ranks to unscrupulous and needy adventurers. Such usually become double traitors, like Azoff. The general objection to all secret and underhand work is apparent; it leads to blackmail and bribery and the double-cross.

If, however, the spy is actuated by true patriotism, one can only admire his abnegation of self. Even so,

there are just one or two things that he cannot do without exciting our utmost loathing and contempt and horror.

You remember Mordaunt, the son of Milady, in *Twenty Years After*? His father plunges in the sea to rescue him from a death that he had merited ten thousand times, and the viperine creature merely stabs him. But even this does not so radically stir us as that other earlier incident of the wounded man who calls a monk to confess him. The monk is Mordaunt, and murders the wretch in cold blood. It is because he is pretending to be a priest that horror shakes us. The priest, the doctor, and the nurse are sacred. To them, when we are helpless, we confide our fate, and we do it without reservation. Therefore they on their side are equally pledged to fidelity toward us. It was not the revolt of modern thought against the ancient dogmas of the Church that brought about the Reformation; it was the tale of indulgences and Luther's cunning hint that the priest was not to be trusted. Similarly today the idea is gaining ground that doctors are ignorant and venal, that they care only for fees and fame, and that they like to make experiments. Their prestige is accordingly on the wane; many people prefer a quack whom they suppose too ignorant to be anything but honest!

To resume the argument, then, had Miss Cavell disguised herself as Field Marshal von Hindenburg, obtained an interview with the Kaiser, and spirited him away in an airship, or worse, one could hardly have refrained from admiration of the daring of the act, even if we could never come to excuse assassination. Edith Cavell would not have gone down to history with Joan of Arc, but she might have ruffled it with Charlotte Corday.

But this was not the case. The disguise which she assumed was one which it was blasphemy to scrutinize.

She went to General von Bissing, in effect, and said: "Behold me, an enemy of your country, I admit, but with no hostile intention.

"On the contrary, I am come to nurse the wounded, yours as well as ours. You can keep me out of the country if you wish, but — won't you trust me?" And that great-hearted, simple-minded German replied: "Miss Cavell, I will trust you."

And then what did she do? She used every resource in her power — left in her power by her unsuspecting hosts — to turn loose tigers on them!

However, she miscalculated. Von Bissing himself, as honest and open as the day, had yet heard of English treachery. Probably he had never imagined it could go so far as this, so that for some time she went unwatched and unsuspected. What leprous distilment of perverted imagination could figure such a crime? Probably at first its strange and hideous nature left credulity sick.

Punishment followed discovery; she was shot; the shades of Locusta, Canidia, Catherine de Medici, and Brinvilliers bowed them low and joyously welcomed her to hell.

No; I do not think she was morally responsible. Women, with rare exceptions, are not. They are not soul, but only sex; they have no morals, only moods. It is useless to punish them, and very difficult to guard against them. You can prevent a man from harming you, as a rule, because you know what he is going to do; you cannot so prevent a woman, because she does not know what she is going to do herself!

It is this consideration, and only this, which prevents our ranking the actions of Edith Cavell as constitutionally one of the most loathsome and abominable crimes in the history of the planet.

"Murder most foul, as in the best it is; but this most foul, strange and unnatural."

The only parallels that occur to the mind are the crimes of Alexander VI (Italian), the Massacre of St. Bartholomew (French-Italian), and the Massacre of Glencoe (English).

I have no doubt that the shocking and unexpected nature of the atrocity threw moral Germany for the moment off its basis.

With all due deference, be it said, the Kaiser missed a coup which would have thrown America into his arms; and it would have cost him nothing. After all, there is but poor sport in shooting vermin!

He might have written:

"Madam — You came to my country as a guest of honor; you used your position to assassinate your hosts.

"You disguised yourself as an Angel of Mercy to perform the work of a fiend. Worthy daughter of England, to England you shall go."