

**INTERNATIONAL JOURNAL OF LEGAL AFFAIRS AND  
EXPLORATION**

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**Volume 3 | Issue 6**

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**2025**

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## LEGAL ANALYSIS OF THE LITERARY PIECE: AND THEN THERE WERE NONE – AGATHA CHRISTIE

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### **ABSTRACT:**

For this analysis, we will be discussing Agatha Christie's '*And Then There Were None*'<sup>1</sup>, which, in 1939, takes place at a mansion on Soldier Island, an isolated rock off the Devon coast. It explores themes of justice, guilt, and the psychological complexities of crime, particularly through the character of Justice Wargrave, who takes on the roles of judge, jury, and executioner for the guests who have hidden trespasses in their past.

The play's mystery and thriller genre designation heightens its synaptic tension and the protagonist, Vera Claythorne, struggles with deeper moral questions about whether justice even counts as justice in a flawed system. The title in a way also describes how those who commit crimes and have them hidden, were welcome and punished for their crimes, and then there is nothing left. No crime, no criminal<sup>2</sup>.

### **INTRODUCTION:**

Agatha Christie's '*And Then There Were None*' is set on a secluded island off the Devon coast, where 10 strangers, invited for different reasons by an unexpected host, are confronted with a horrific accusation: Each has been complicit in a death that the law didn't punish. Their crimes revealed via a gramophone recording, paving the way for a relentless and methodical execution that follows the pattern of a sinister nursery rhyme: "**Ten little soldier boys went out to dine; One choked his little self and then there were Nine. Nine little soldier boys sat up very late; One overslept himself and then there were Eight. Eight little soldier boys travelling in Devon; One said he'd stay there then there were Seven. Seven little soldier boys chopping up sticks; One chopped himself in halves and then there were Six. Six little soldier boys playing with a hive; A bumble bee stung one and then there were Five. Five little soldier boys going in for law; One got in Chancery and then there were Four. Four little soldier boys going out to sea; A red herring swallowed one and then there were Three. Three little soldier boys walking in the Zoo; A big bear**

<sup>1</sup> Agatha Christie, *And Then There Were None* (2015th ed. 1939).

<sup>2</sup> Abeera Bukhari, *Analysis of the play "And Then There Were None"*, [Academia.edu](https://www.academia.edu/40582374/Analysis_of_the_play_And_Then_There_Were_None_.)  
[https://www.academia.edu/40582374/Analysis\\_of\\_the\\_play\\_And\\_Then\\_There\\_Were\\_None\\_](https://www.academia.edu/40582374/Analysis_of_the_play_And_Then_There_Were_None_).

**hugged one and then there were Two. Two little soldier boys sitting in the sun; One got frizzled up and then there was One. One little soldier boy left all alone; He went and hanged himself and then there were None.<sup>3</sup>"**

As the guests are knocked off one at a time, the novel moves away from the conventional whodunnit premise into an almost psychological tale about the deterioration of the minds of the people awaiting their demise.

Unlike conventional detective fiction, where justice is typically restored at the end of its narrative, 'And Then There Were None' dispenses with such consolation. Instead, the novel handles issues of moral ambiguity and revenge, with the unspecified villain, Justice Wargrave, as we discover, acting as judge and executioner. The victims, a surgeon found guilty of malpractice, a devout spinster whose strict morality contributed to her maid's suicide, cover a spectrum of moral shortcomings. Though never legally punishable, their deeds are deemed worthy of punishment in Wargrave's distorted moral world.

Christie's plot is more than a knotty puzzle; it's a psychological thriller examining the weight of guilt and rationalization. Christie's brilliant thriller unfolds in a close narrative manner that engages the reader in the characters' escalating fear and self-examination.

What makes this mystery so compelling is its brazen exploration of authority figures. The victims - from judges to physicians, are society's most respected professions. But beneath their respectable veneers are sinister secrets, forcing us to question our notions of justice and morality. The novel proposes that those who judge others usually have their own secret guilt, turning what could be a straightforward whodunit into a richer exploration of human conscience and accountability.

'And Then There Were None' is different among Christie's works for its highly dark conclusion. Unlike her signature whodunnits, with justice meted out and balance restored, there is no such resolution in this novel. The killings are unraveled but not avenged, the perpetrator is never revealed to the external world, and all characters find a ghastly end. The epilogue gives the last kick: an eerie confession of Justice Wargrave, the brains of the operation.

In the course of the novel, Christie compels the reader to question what justice actually is. Each of the dinner guests rationalizes past behaviour, unwilling to perceive themselves as anything other than guiltless, although their actions have resulted in one person's demise. But Wargrave is not blinded by self-deception. Unlike them, he does not attempt to negate his own character. He utterly accepts his persona as judge, jury, and executioner and derives satisfaction, as well as pride, in his meticulously conceived plan. His self-knowledge makes him all the more chilling; he recognizes his own cruelty and justifies it as justice.

By the time it is done, 'And Then There Were None' shatters the classic murder mystery mold. There is no mastermind detective to right the wrongs, no solid distinction between good and

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<sup>3</sup> Frank Green, *Ten Little Soldier Boys - And Then There Were None*, 1869, Weebly  
<https://attwnmgp.weebly.com/ten-little-soldier-boys.html>

evil, and no reassuring denouement. Rather, the novel concludes on a haunting note. Ten dead bodies and an unsettling question of what constitutes justice.<sup>4</sup>

## **RESEARCH METHODOLOGY:**

### **1. Methods Used in the Study**

This research adopts a qualitative legal methodology to examine Agatha Christie's 'And Then There Were None' based on its themes of justice, moral responsibility, and punishment. The main methodology is doctrinal research, which entails close reading of the play to scrutinize legal principles and ethical issues. A comparative analysis is also done to compare the justice system depicted in the play with actual legal systems. The research also uses socio-legal analysis, discussing how the novel illustrates wider societal perceptions of crime and justice in its era.

### **2. Limitations of the Methods**

A central limitation of the research is its heavy dependence on textual interpretation, which is always subjective. Given that the study does not utilize empirical data or case studies, its conclusions are theoretical and not based on actual legal proceedings. Furthermore, even though the socio-legal factor takes into consideration historical context, the fictional backdrop of the novel and Christie's own views may not be congruent with today's legal discussions. This implies that certain legal inferences made from the text are speculative and not conclusive.

### **3. Data Collection and Analysis**

The research chiefly obtains information from two sources: the novel and secondary literature interpreting its legal and ethical issues. The thematic analysis identifies recurring legal problems, for instance, justice, retribution, and moral responsibility. The study also draws on legal theory and criminal law concepts, such as Mens rea (criminal intent) and Actus reus (criminal act), to determine how the actions of the characters would be viewed in a legal context. Secondary sources like legal commentaries, academic criticisms, and historical views of crime and punishment also assist in placing the novel's legal themes within context.

### **4. Key Variables Measured**

- **Justice and Vigilantism** – How the novel depicts justice outside of the established legal system, specifically through the figure of Justice Wargrave.
- **Moral and Legal Guilt** – Whether the past deeds of the characters are legal crimes or simply ethical violations.

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<sup>4</sup> Sanat Pai Raikar & August Samie, *And Then There Were None*, 1939 novel by Agatha Christie, Britannica (Dec. 5, 2024), <https://www.britannica.com/topic/And-Then-There-Were-None-novel>

- **Punishment and Proportionality** – How the novel subverts traditional notions of punishment, fairness, and due process.
- **Ethical Dilemmas in Law** – The conflict between law and morality, and whether or not legal authority always equates with ethical responsibility.

## **DISCOURSE ANALYSIS:**

Discourse analysis investigates how language constructs meaning, power relations, and character psychology. In this book, speech, silence, and narrative structure are all important in constructing suspense, exposing guilt, and challenging the moral rightness of justice. This research explores how Christie's employment of discourse, through changed points of view, formal denunciations, and evasive conversation, accentuates the subtleties of guilt, fear, and retribution.

- **Language and Narrative Style**

The novel opens by jumping from one character to another's point of view, presenting us with an unmediated view into their heads. Rather than having an omniscient narrator tell us things, Christie allows us to enter each character's mind, and thus their secrets and worries are made more intimate. This makes for greater tension because it's made obvious that all the characters have something they're hiding.

When the characters reminisce about their past, they talk in abstract, disconnected terms, hardly ever owning up to any actual guilt for what they have done.

The gramophone record is a central point where power and control are asserted through discourse. The voice on the recording, detached and unemotional, is an impersonal judge, issuing dry factual statements of each character's offense. There is no possibility of argument when the accusations thus acquire a ghastly certainty, there can be no defence, only pronouncement. The mechanical quality of the voice dispenses with any hope of bargaining, affirming that their culpability has been predetermined.

Silence is also an important aspect of the novel's discourse. Post-accusation, characters find it difficult to react, usually hesitating before defending themselves. Such hesitations betray guilt, denial, or fear. Silence is also used as a weapon; characters who do not explain themselves, such as Vera Claythorne and Justice Wargrave, retain control by choosing their words carefully and deciding when to speak and when to remain silent.

- **Themes and Power in Discourse**

## **Justice and Authority**

Justice Wargrave's words are especially telling. A retired judge, his speech is formal, exact, and authoritative. He describes his murders as a matter of moral justice, using legal language even when he is operating outside the law. His confession at the end of the novel is not one of remorse. He systematically sets out his reasoning, playing the role of the ultimate dispenser

of justice. His voice, both in his words spoken and written admission, supports the notion that power can be self-granted and morally complex.

Other characters also try to rationalize their actions in the past, illustrating how language is employed to deny guilt. For instance, Emily Brent talks about her maid's suicide in religious detachment, denying the part she played in making the girl desperate. Philip Lombard speaks lightly of the killing of African tribesmen as survival, downgrading human life to a wartime necessity. These instances reveal how language is employed to conceal guilt and redefine atrocities as justifiable activities.

### **Guilt and Denial**

Throughout the novel, characters struggle with their own perceptions of guilt. The way they talk about their past crimes, using vague language, euphemisms, or outright denial, reflects their unwillingness to accept responsibility. For instance, Vera Claythorne repeatedly refers to Cyril's death as an "accident," though her subconscious guilt manifests in hallucinations and moments of psychological distress. The way each character speaks about their crime shapes the reader's understanding of their moral standing.

### **Fear and Suspicion**

As the killings unfold, dialogue veers away from justification to paranoia. The dialogues between characters become terser, more panicked, and accusatory. The change in their speech habits indicates their rising terror. Charges are hurled back and forth, allegiances form and crumble, and confidence is eroded. The novel's vocabulary swings from monitored discourse to staccato, urgent exchanges, in tandem with their psychological disintegration.

### **CONCEPT & KEY ASPECTS:**

Agatha Christie's 'And Then There Were None' poses deeply legal and moral questions, providing a richly rewarding text on which to practise legal analysis. The novel asks questions about justice, due process, criminal culpability, punishment, and rule of law set against the chilling background of a psychological thriller. The following are the major legal concepts woven through the narrative:

#### **1. Justice and Extra-Judicial Punishment**

The novel's central theme concerns justice beyond the law. Justice Wargrave, an old judge, is the self-appointed hangman, punishing individuals who, according to his standards, have gotten away with crimes within the legal system. It poses important questions of law and morals:

- Who has the authority to administer justice?
- Is justice still valid if carried out outside the court system?
- Can murder ever be justified if the victims are guilty of past crimes?

Wargrave believes that because these individuals were never legally punished, he is justified in orchestrating their deaths. However, from a legal standpoint, this is vigilantism, a direct violation of the legal principle that only the state has the authority to impose punishment.

#### **Legal Perspective:**

- The novel challenges the concept of *due process*, which guarantees that individuals are given a fair trial before being punished. Wargrave bypasses legal procedures entirely, assuming the role of judge, jury, and executioner.
- His actions resemble capital punishment without trial, questioning whether justice can exist outside established legal institutions.

### **2. Criminal Responsibility and Mens Rea (Guilty Mind)**

Each guest on Soldier Island has committed or contributed to someone's death, but their legal responsibility varies. The novel indirectly examines the **principles of criminal liability**, particularly *mens rea* (the guilty mind) and *actus reus* (the guilty act).

- **Direct criminal liability:** Some characters, such as Philip Lombard (who abandoned a group of men to die) or Anthony Marston (who ran over two children due to reckless driving), could be held criminally responsible under **manslaughter or murder laws**.
- **Negligence and moral culpability:** Others, such as Dr. Armstrong (whose incompetence led to a patient's death) or Emily Brent (who drove a young girl to suicide), may not be legally guilty of murder but are morally responsible.

#### **Legal Perspective:**

- The novel raises questions about **intent**: Should someone be punished for a death they indirectly caused?
- It also explores the **statute of limitations**, many of these crimes occurred years ago, yet Wargrave sees them as still deserving punishment.

### **3. The Absence of Due Process and Fair Trial**

A fundamental principle of criminal law is **the right to a fair trial**. In 'And Then There Were None', no character is given a chance to defend themselves. The accusations come in the form of a **gramophone recording**, without evidence, cross-examination, or legal representation.

- The accused are not given a **presumption of innocence**. Instead, they are sentenced and executed without any legal proceedings.
- The novel mirrors **mob justice**, although orchestrated by a single person, it follows the same pattern where accusations lead to immediate punishment.

#### **Legal Perspective:**

- This situation violates the **right to legal defence**, a key feature of both common law and international human rights law.
- Wargrave's method of punishment disregards the principle of **rehabilitation**, the idea that legal punishment should offer a chance for redemption, not just retribution.

#### **4. Moral vs. Legal Guilt**

Christie's novel presents a striking **contrast between legal innocence and moral guilt**. Most of the characters have escaped legal consequences for their actions, but Wargrave believes they are still morally guilty.

- **Vera Claythorne** is legally innocent of murder, but her calculated decision to let a child drown for personal gain makes her morally responsible.
- **Justice Wargrave himself** manipulates the law, he was known for passing severe sentences as a judge, but in the novel, he abandons the legal system altogether to impose his own form of justice.

#### **Legal Perspective:**

- The novel raises the question: **Should moral guilt be legally punishable?**
- It also explores the **limits of legal justice**; is the law always capable of delivering justice, or does it sometimes fail?

#### **5. The Principle of Proportionality in Punishment**

One of the novel's legal dilemmas is whether the **punishment fits the crime**. While some characters are responsible for multiple deaths (such as Lombard), others (like Marston) acted recklessly rather than maliciously. Wargrave, however, treats all crimes as equally deserving of death.

#### **Legal Perspective:**

- In most justice systems, punishment is based on **degree of guilt**. Wargrave's equal treatment of all characters ignores this principle, raising concerns about the **fairness of his retributive justice**.
- His approach resembles **the death penalty**, but without any legal framework to determine proportionality.

#### **6. Legal Loopholes and Unpunished Crimes**

Christie highlights a flaw in the legal system: some crimes go unpunished because they do not meet the strict legal definitions of murder or manslaughter.

- Emily Brent's treatment of her maid, for example, is **not legally murder**, but it still led to a death.
- General Macarthur's decision to send a man to certain death was a **wartime decision**, making it difficult to prosecute legally.

#### **Legal Perspective:**

- This reflects **real-world legal loopholes**, many acts of negligence, discrimination, and abuse may not technically be illegal but can still result in harm.
- It also critiques **privilege in the legal system**, many of the characters, due to their wealth or social status, were able to evade justice.

#### **7. The Murderer's Own Legal Paradox**

Justice Wargrave's actions introduce a final legal contradiction: **he sees himself as an enforcer of justice, yet he is a serial killer.**

- **He operates outside the legal system**, making him no different from the criminals he condemns.
- He justifies his actions by claiming he only kills the guilty, yet he enjoys the act of murder itself, contradicting his supposed moral high ground.

### **Legal Perspective:**

- Wargrave's philosophy mirrors **arguments for and against the death penalty**, does the state have the moral right to take a life, and if so, what stops individuals from taking justice into their own hands?
- His confession raises an important legal contradiction: **if he were alive, should he be tried as a criminal or as someone carrying out a form of justice?**<sup>5</sup>

## **CONCLUSION:**

From a legal perspective, '*And Then There Were None*' is a powerful critique of vigilante justice, the flaws in legal systems, and the morality of punishment. It challenges the reader to consider:

- **Is justice still valid if delivered outside the law?**
- **Should the severity of punishment match the level of guilt?**
- **Can a murderer ever be justified if their victims were also killers?**

By blurring the lines between law and morality, Christie's novel forces us to confront the imperfections of justice. Both in fiction and in the real world.

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<sup>5</sup> SparkNotes Editors, *And Then There Were None*, <https://www.sparknotes.com/lit/andthenthere/plot-analysis/>