



CLIO

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SACRAMENTO

# CLIO

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*The Annual Publication of Phi Alpha Theta, Rho Xi Chapter  
Department of History, College of Arts & Letters  
California State University, Sacramento*

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## IN MEMORIAM

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GREGG M. CAMPBELL

Dr. Gregg M. Campbell passed on November 28, 2015. He was 80 years old. He was an important member of the Sacramento State community, teaching from 1966 to 2002. As a professor, he taught classes on cultural history, including developing a Popular Culture course covering figures like Bob Dylan and The Beatles. Dr. Campbell was known for being a passionate teacher, active in the campus community. He helped found a monthly meeting of retired professors, which still continues to this day. He also worked to build bridges between the campus and the local Sacramento art community. Dr. Campbell is survived by his wife, Mary Bellefleur, and his children, stepchildren, grandchildren, great-grandchild, nephews, niece, colleague, former students, and friends. Dr. Campbell touched many lives, and he will be missed.



PETER H. SHATTUCK

When I read about a place, I want to know what it looks like; I want to know what goes on there.

Dr. Peter Shattuck was an instructor who encouraged his students to look at history from different perspectives, to be curious about the world, and to work to make it a better place. He served on the Academic Senate, the CSUS Faculty Senate, as Campus Ombudsman, in the Academic Advising Center, and on the board of the Sacramento History Museum. His friends knew him as someone who “convinced his students that history mattered, and that it mattered a great deal”; his co-workers recognized him as someone so invested in teaching that he won an Outstanding Teaching Award in 1994. Well-traveled, Dr. Shattuck no doubt drew inspiration from his adventures across the world; he saw many things in his time, from the receding glaciers in Greenland to the Magadan gulag in Siberia. His life of adventuring and inspiration ended on September 27, 2015. He left behind a loving family, steadfast friends, and a better world for having known his presence.

# APPRECIATION

DR. AARON J COHEN

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When our class gathered for the first time on a chilly, winter Wednesday evening in the lowest level of our university's athenaeum, Dr. Cohen diligently walked our class through the syllabi outline and explained the work load to be expected in this experimental publishing class, the first of its kind for our department. As we neared the conclusion of what appeared to be a standard first-day lecture, Dr. Cohen smiled, scanned our faces, and dryly added, "I know you don't know what we'll be doing in this class. And I don't know either—yet! But we're going to figure it out together."

By the time of this publication, Dr. Aaron J. Cohen will have completed two terms as the Department Chair for the History Department at Sacramento State University. While serving as Chair, Dr. Cohen distinguished himself as a strong leader, adeptly leading the department through periods of conflict and controversy. Throughout his leadership, he remained warm and approachable, making use of his wit and sarcasm whenever opportunity allowed.

Dr. Cohen graduated *cum laude* from Pomona College with a BA in History in 1985, obtained his MA in 1992 from the University of Oregon, and his PhD from Johns Hopkins University in 1998. His interests in history include late imperial and revolutionary Russian history, war and public culture, and the Great War.

As an established figure in his field, Dr. Cohen has published numerous articles and scholarly reviews in esteemed journals such as: *The Journal of Contemporary History* and *The Russian Review*. Published in 2008, Dr. Cohen's book *Imagining the Unimaginable: World War, Modern Art, and the Politics of Public Culture in Russia, 1914-1917* examined the First World War's effects on "the politics and aesthetics of early-twentieth-century Russian culture." In the *American Historical Review*, Stephen M. Norris stated, "Cohen's new book adds an important dimension to this historiography, demonstrating that wartime cultural mobilization was more pervasive and more complex than previously understood."

As Department Chair, Dr. Cohen worked to defend the department role in the American Institutions GE requirement, believing that a change would not only drastically affect the department, but also undermine the qualitative educational experience of the student body as a whole. Dr. Cohen also oversaw the hiring of several new faculty members, including tenured positions, expanding upon the department's diverse historical specializations.

Perhaps more important than his numerous professional and academic accolades, Dr. Cohen has earned the respect of his colleagues and students. Several of the esteemed faculty in the history department provided many wonderful anecdotes, each conveying Dr. Cohen's commitment to serving

the department and its students, as well as his sense of humor and overall good nature. Dr. Cohen was even the drummer for an inter-department rock band!

Dr. Cohen was most certainly right when he said we had no idea what we would be doing that first day of class; he was also right in that we figured it out together. With his guidance, we have worked diligently to create a journal that showcases the creative abilities of this year's *Clio* staff, reflects the collegial environment and academic inquiry being encouraged by our professors, and most importantly showcases the incredible talent and capabilities of our students. Dr. Cohen has been instrumental in guiding us through this process, and for that, we wish to convey our appreciation.

From the *Clio*'s student staff, thank you, Dr. Cohen!



## CLIO STAFF

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### SHERRI CARSON

Sherri graduated from California State University, Sacramento with an MA in History in the Spring of 2016 with concentrations in twentieth-century US presidential and political history and a minor concentration in women's history. She graduated *cum laude* from Sacramento State with BAs in Social Science and History while minoring in Government. A proud mother of three fabulous children who play year-round competitive sports, Sherri is also a credentialed social science teacher and current substitute teacher. She presented her research at the *Western Association of Women Historians* in 2015 and plans on pursuing her interests in Microhistory and Gender Studies while teaching at the high school and community college levels.

### MICHELLE CONTE

Michelle graduated from Sacramento State in the Spring of 2016 with a BA in History and an accidental minor in English. Her father, also a history major, instilled in her a love of the past, film, and Coca-Cola. Michelle's historical interests lie in Military History, because "they make the best stories." Her future plans include teaching English in Japan.

### OMAR GONZALEZ

Omar is a Mexican-American history student who graduated from Sacramento State with his BA in the Spring of 2016, focusing on Latin American History. He attended Sacramento City College, where he found his true passion for History. Omar graduated from SCC in 2014 with AAs in History and Social Science. Omar's future plans include pursuing a graduate degree and teaching at the community college level, where he can share his love for the sport of boxing, and he hopes to one day become a member of the Boxing Writer's Association.

### LUKE HUBENET

Luke Hubenet graduated from Sacramento State in the Spring of 2016 with a BA in History. His research interests center on twentieth-century US History with a focus on Music and Foreign Policy. Luke is working on attaining his teaching credentials in Los Angeles in both Music and Social Science with the goal of teaching at the high school level.

## AARON J. JACKSON

Aaron is a graduate student and teaching assistant at Sacramento State, whose experiences as a veteran, husband, and father have helped guide him to follow his passions for studying the past, critical thinking, and teaching. In 2012, Aaron graduated *summa cum laude* from Metropolitan State University of Denver with a BA in History and a minor in Computer Science. He is a recipient of the Faculty Graduate Writing Prize in History, the George and Eleanor Craft Scholarship in History, and the Betty Nesvold Award for Best Graduate Paper at the CSU system-wide Social Science Student Symposium. After completing his MA, Aaron plans to continue his education in pursuit of a PhD and ultimately to teach History at the college level, where he hopes to put his rich life experiences to use by inspiring others to understand perspectives, to ask questions, and to think critically.

## KELSEY ALEXANDRIA KNOX

Alex graduated from Sacramento State in the Spring of 2016 with a BA in History and a minor in German. She has been accepted to the graduate program at Sacramento State beginning in the Fall of 2016, where she will continue to pursue her interests in Medieval and German history. Alex hopes to one day teach at the college level.

## MATTHEW LANDAVAZO

Matt is an undergraduate student pursuing his BA in History with a focus on Asian Studies. His interest in History stems from his personal belief that the truth is often more interesting than any work of fiction. He transferred to Sacramento State from American River College in the Fall of 2015 and plans to graduate with his BA by the end of 2017. At American River College, Matt was the publisher for the 2015 edition of the *American River Review* and served as a creative nonfiction editor for four semesters. He hopes to study abroad in South Korea and find a career where he can read quietly on the weekends.

## MICHAEL MCKENNEY

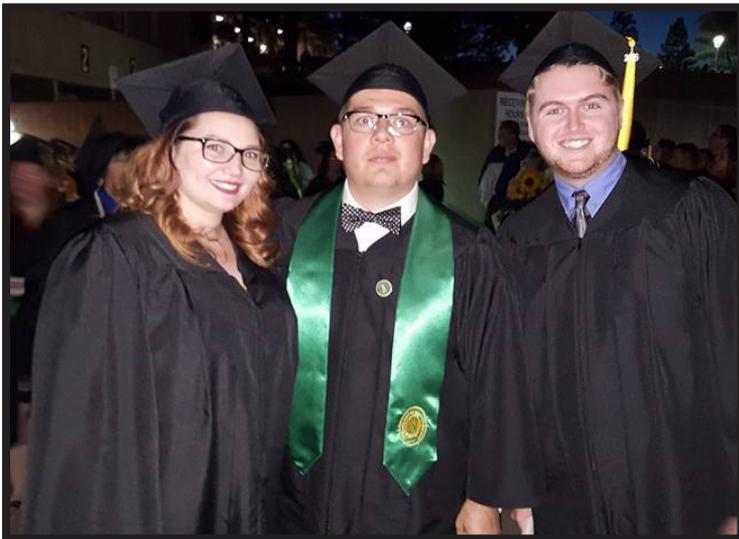
Michael McKenney, Jr. was born in San Mateo, California. His historical interests are Military and Political History, which he studies while attending Sacramento State. Michael hopes to use his education to teach history at the college level in the future. In his free time, he enjoys hiking in the Sierra Nevada, keeping up with the field of Aviation, and reading.

## BRITTANY PARRISH

Brittany graduated from Sacramento State with a BA in History in the Spring of 2016, where she took special interests in Classical and Social History. In 2014, Brittany graduated from San Joaquin Delta College with AAs in History, Social and Behavioral Sciences, and Interdisciplinary Teaching Preparation. She has been accepted into the cooperative Masters of Education and Teaching Credential program at the University of California, San Diego, beginning in the Fall of 2016. She intends to become a social science teacher and student equity advocate while pursuing her PhD. When not in school, Brittany spends most of her time working with students learning English as a second language, and in her spare time, she enjoys copious amounts of wine, beer, movies, and comics.

## RICHARD WESTBERRY

Rick is a history student at Sacramento State with a focus on twentieth-century European and US History. In 2013, he presented original research at the *Western States Communications Conference* in Reno. He graduated in the Spring of 2016 with his BA and will continue his education at Sacramento State in pursuit of an MA in History and eventually a PhD. His goal is to develop his research on trans-Atlantic intellectual and cultural exchanges, to teach at the university level, and to work in academic publishing. He lives in the Sacramento area with his wife and two sons.



Several of our editors graduated this semester! Pictured here (left to right): Brittany Parrish, Omar Gonzalez, and Luke Hubenet. Not pictured, but still worthy of recognition are Sherri Carson, Michelle Conte, Alex Knox, and Rick Westberry. Congratulations!

# EDITORIAL

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The 2016 *Clio* Journal marks both continuities and breaks with the past. This journal is still produced entirely by students, but for the first time its production is attached to a credit-offering course at Sacramento State in the department's continuing efforts to expand upon faculty-guided professionalization opportunities. While still an experimental course, our experiences in producing this journal demonstrate the successful implementation of this goal. Working as a team under the guidance of one of Sacramento State's most distinguished historians, our small group of undergraduate and graduate students learned the intricacies of putting out a call for papers, organizing and running a student organization, evaluating and selecting submissions, working with other members of the campus community for technical and financial support, and of course, editing and publishing the journal itself. In short, it has been an exercise in collegiality. The process has not been easy by any means, but as with most difficult things, the end results have been well worth the effort.

*Clio's* editorial staff wishes to convey our appreciation to everyone involved in the process. From our worthy authors—who worked so hard with their editors to meet deadlines in addition to their other academic and professional responsibilities—to the various faculty, staff, and alumni at Sacramento State who made this effort possible. I must add a personal note of gratitude to the rest of the editorial staff, who have gone out of their way on so many occasions to put in the hard work necessary to publish a journal such as this one. This was a truly enjoyable experience, and I sincerely hope that the journal reflects the fun we had in this process.

Our vision for this edition of *Clio*, the twenty-seventh such volume, in many ways continues the rich traditions of our predecessors. We celebrate our students and their success, we acknowledge the faculty who have been so instrumental in that success, and we do what most historians do: we explore very interesting and important subjects in the human condition. In this issue, we have selected eleven excellent student papers for publication. Written by undergraduates, graduates, and alumni, these papers represent the full spectrum of Sacramento State students. These papers cover geographic scales ranging from a small California town to truly global events, time scales dating from antiquity to nearly contemporary, and topics as diverse as land ownership to the construction of memory and discourse.

This journal reflects well upon the diversity and capability of our program at California State University, Sacramento. Enjoy.



Aaron J. Jackson  
Editor-in-Chief

# 1956 JACKSON VICE

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## A GENDERED CONFLICT

By Sherri Carson

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**ABSTRACT:** Events in small towns may seem as isolated and insignificant as the towns themselves. However, for the historian tuned in to the wider social contexts, these events can reveal the underlying biases that shape human motives and experiences in a way that is more difficult in the broader context. In this paper, Sherri Carson examines a prostitution and public corruption trial in the small town of Jackson, California in 1956. The United States in the 1950s was a place of strictly-defined gender ideals and hanging under the shadow of the Cold War. Sherri examines how the broader contexts of the Cold War and gender concerns influenced the people of Jackson, and how their story illuminates the wider context.

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On March 24, 1956, California Department of Justice agents, led by Special Agent Harold G. Robinson and working under the direction of Attorney General Edmund Brown Sr., raided three houses of prostitution in the city of Jackson, California. The raid netted three madams, eleven prostitutes, and thirty-eight male patrons. The prostitutes, all women, were incarcerated, subjected to medical examination, tried, convicted, fined, and required to leave the county. The male patrons, however, were only fingerprinted, photographed, and sent home. As a result of substantial evidence, Attorney General Pat Brown demanded a grand jury trial to investigate local government corruption in Jackson. Brown's office presented evidence from many witnesses indicating that members of the Jackson police force and other important local figures were involved in extorting the prostitutes in exchange for allowing brothels to exist. After the jury completed its investigation, indictments were levied against two police officers and the Chief of Police for a variety of illegal activities. The City Council was accused of conspiring to keep Jackson an open vice district in contradiction to California law and their civic responsibility. The 1956 Jackson prostitution raid and subsequent corruption trial demonstrated the influence of gender norms in the 1950s. An unequal double-standard existed. Men and women experienced different treatment within the media and legal system. Prostitution existed to serve men with secretive, recreational sexual activities, and it functioned as an escape from the pressures of Cold War domestic conditions by reinforcing masculine sexuality. As long as prostitution remained socially unobtrusive, men were generally not condemned for visiting prostitutes. Oppositely, prostitutes were publically shamed because they did not abstain from sex until marriage nor contain it to their marriage.<sup>1</sup> They did not have the cover of

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<sup>1</sup> Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era* (New York: Basic Books, 2008), 116.

male privilege to protect their interests. Once arrested, women who worked as prostitutes were persecuted for not conforming to gendered norms. Evidence indicates that many Jackson citizens were aware of the existence of prostitution, implying that locals considered prostitution to be an acceptable part of Jackson's service industry despite its illegality and the fact that it directly conflicted with Cold War-era values, the popular conception of the American family, and gender relations. As a result, prostitutes were publically humiliated, assaulted, and fined while male officials and clients largely escaped judgement. These women are important because they represent a group with limited voice and in this instance they were repeatedly victimized by the media, male situational power, and both local and state legal systems.

At the end of World War II, the United States experienced an unprecedented era of economic prosperity. Cold War politics and concerns came to dominate this period, including the Korean War, an intensified nuclear arms race, McCarthyism, and the quest for men and women to find personal security within the family.<sup>2</sup> This pro-family era was marked by an increase in household spending on consumer goods and increased importance on relationships within the home.<sup>3</sup> Men and women married younger than at any time within the last century. The birth rate rose and society revolved around the rising idea of the nuclear American family.<sup>4</sup> Gendered norms defined the ideal family: men were the breadwinners and women's energies were contained within the domestic sphere. Americans relied on experts and Hollywood for information and idealized representations of the nuclear family, respectively.<sup>5</sup> "Normal" gender roles were firmly entrenched by Cold War social values and popular culture ideals. These social concepts shaped the actions of all Americans, sometimes unconsciously, defining what was acceptable behavior and the consequences for deviation from the norm.

Male gender roles were redefined in the 1950s. Men experienced new workplace pressures in the breadwinner ideal as result of the structural changes in the post-war American economy.<sup>6</sup> Work stress—meaning the pressure to earn enough money to support a consumer family while conforming to a hierarchical workplace—combined with fear of nuclear weapons, communists, and the pressure to live up to Hollywood imagery all contributed to a complex redefinition of manliness in which men constantly had to confirm the security of their masculinity.<sup>7</sup> The media featured powerful politicians as tough on organized crime, juvenile delinquency, and communism. Even the counter-cultural image of the 1950s, best portrayed by *Playboy* magazine, presented men with an opportunity to reject the breadwinner ideal and make use

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<sup>2</sup> May, *Homeward Bound*, 91.

<sup>3</sup> Stephanie Coontz, *The Way We Never Were: American Families and the Nostalgia Trap* (New York: Basic Books, 1992), 24-25.

<sup>4</sup> Coontz, *The Way We Never Were*, 25.

<sup>5</sup> May, *Homeward Bound*, 20-61.

<sup>6</sup> Stephanie Coontz, *Marriage A History: How Love Conquered Marriage* (New York: Penguin Group, 2005), 251.

<sup>7</sup> May, *Homeward Bound*, 93.

of female sexuality without commitment or responsibility.<sup>8</sup> In all of these depictions, men held the power and it fell to women to cater to the needs of men in an unapologetically unequal relationship.

The nostalgic view of the 1950s family headed by a breadwinning father and a stay-at-home mother conveniently ignored women's realities. After the disruptions and traumas of the Great Depression and World War II, many women sought to achieve stability and security within marriage. This quest for security and stability with a male head of house led experts to label women passive and preoccupied with their homes.<sup>9</sup> Women not only had to get married for economic security, they depended on staying married to maintain such security.<sup>10</sup> Even in the economic boom of the 1950s, twenty-five percent of Americans—some forty- to fifty-million people—remained below the poverty line, meaning many women could not rely on a husband for support. Many low-income women had to work outside the home just to make ends meet, and even in the burgeoning middle class, many women worked in order to supplement the household income. In 1952, there were two-million more wives in the workplace than at the height of World War II production.<sup>11</sup> Women who had to work were not treated fairly in the workplace and powerful men critiqued women who worked outside the home for undermining the nuclear family ideal. Many forces came together to reinforce the June Cleaver image Hollywood sold to Americans as the idealized domestic reality. In a 1962 Gallup poll, the majority of women said their purpose in life was to be either a good wife or a good mother. The media reinforced the message of male privilege while women married and became economically dependent at ever younger ages.<sup>12</sup> Women were told to save their sexual energies for marriage, then to create an exciting sexual environment for their spouse; any remaining energy was to be contained within the home.<sup>13</sup> Experts told women who found themselves dissatisfied with the socially-imposed role of homemaker that they were mentally disordered, and doctors often prescribed tranquilizers to such women.<sup>14</sup> Under the pressure to conform to the ideal of placing everyone's needs above their own, many women turned to self-medication and became alcoholics rather than face the social backlash associated with having a persona outside the home.<sup>15</sup> However, some women in California found ways to exercise their own agency and to work against the grain of 1950s gender conformity. They took risks, defying the social norms to earn significant amounts of money, express independence and live an alternative

<sup>8</sup> Coontz, *Marriage A History*, 251.

<sup>9</sup> Stephanie Coontz, *A Strange Stirring: The Feminine Mystique and American Women at the Dawn of the 1960s* (New York: Basic Books, 2011), xix.

<sup>10</sup> Stephanie Coontz, *The Way We Really Are: Coming to Terms with America's Changing Families* (New York: Basic Books, 1997), 37-39.

<sup>11</sup> Coontz, *The Way We Never Were*, 29-31.

<sup>12</sup> Coontz, *The Feminine Mystique*, 2, 32-39, 59.

<sup>13</sup> May, *Homeward Bound*, 102-103.

<sup>14</sup> Coontz, *The Way We Never Were*, 36.

<sup>15</sup> Coontz, *The Way We Never Were*, 36.

lifestyle outside of childrearing and marriage. In return, these women had their names and hometowns printed in major newspapers all over California as convicted prostitutes in an attempt to publically humiliate them and serve as a warning to others for nonconformity. There was a heavy price to pay in the 1950s for being a socially unconventional woman, perhaps even more so in a small town.

Jackson is a small town, located about an hour from both Stockton and Sacramento in the Sierra Nevada Gold Country. The Jackson City Council—consisting of five members—handled all city business including hiring, promoting, and firing city employees. In the 1950s, Jackson had three Chiefs of Police: Richard “Dick” Maggi, World War II veteran and Marine Reservist George Milardovich, and Guy Tofanelli, who headed the police department during the prostitution raid and thereafter. The Council and their employees in the police department first began attracting notoriety when an aide of State Senator Hugh Burns complained about his treatment in Jackson to the Department of Justice in Sacramento. Burns had gotten drunk and raised trouble in one of the clubs. He was angry that two big Italian night police officers “roughed him up” and threw him into the drunk tank.<sup>16</sup> Former Chief Milardovich said that his friend, former Chief Maggi, was part of the “system” of corruption in Jackson. He stated, “Dick would give them (the council) anything that they wanted.”<sup>17</sup> Jackson was the place to go for men to have a good time. Maggi was fired when the *Sacramento Bee* published an anonymous letter in 1951 accusing an unnamed member of the city council of controlling prostitution in Jackson. Subsequently, Jackson went through two raids under Maggi’s police leadership resulting in Maggi’s subsequent termination, likely as a scapegoat. Jackson’s reputation as a town where a man could enjoy an evening of prostitution and gambling continued. Replacing Maggi as Chief of Police, Milardovich sought to challenge the acceptance of prostitution in Jackson despite local resistance.<sup>18</sup> When hired in 1951, Milardovich informed the Council of his intention to keep the town closed to vice, but when he raided a brothel, the Council tried to get Chief Milardovich to reduce the charges to vagrancy or something less significant than prostitution to avoid another scandal. Milardovich quickly became a thorn for the Jackson City Council, who fired him in 1953 for being unable to follow orders. Milardovich believed that his unwillingness to allow open prostitution led to his discharge, citing an incident where a Superior Court Judge (whom he would not name) offered him a job in the Probation Department in an effort to prevent him from changing the way things were done in Jackson.<sup>19</sup> Milardovich represented a threat to vice in Jackson, and the City Council replaced him with someone more amenable.

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<sup>16</sup> George Milardovich, March 10, 1989, Interview 3113.2 (cassette tape), Amador County Oral History Collection, Amador County Archives, Sutter Creek, Ca.

<sup>17</sup> Milardovich, March 10, 1989, Interview.

<sup>18</sup> Milardovich, March 10, 1989, Interview.

<sup>19</sup> Milardovich, March 10, 1989, Interview.

At 9:50 pm on March 23, 1956, two teams of agents simultaneously raided three suspected houses of prostitution: the Brookside Rooms, Jeannette's Place, and the Palace Rooms. Two of these houses were located a short block from the county courthouse and Main St. on the intersection of State Highways 49 and 88. California Department of Justice agents raided the houses and immediately began taking pictures of people and activities that they discovered for evidence. Amador County Sheriff Karl Joses and Amador County District Attorney Anthony Caminetti Jr. were the only two locals who took an active part in the raid. Law enforcement found fourteen women and thirty-eight men inside the three houses that night.<sup>20</sup> Female suspects were interviewed until three o'clock in the morning while male suspects—including juveniles—were quickly fingerprinted, photographed, and released.<sup>21</sup> After their grueling interviews, law enforcement brought the women to the jailhouse, where they were booked and quarantined for seventy-two hours. Three women were booked as madams: Jean Brown of the Brookside, Ethel Patricia Martin of the Palace Rooms, and Alma Nelson Smith of Jeanette's. Eleven women were booked as prostitutes with their names and residences officially recorded. No known record exists concerning their individual reactions to their arrest. They were, and remain to this day, completely Othered in the public discourse.

During their time in quarantine, the women were subjected to medical exams by a county health officer, Dr. Hobson. Glenna Carson stated that Dr. Hobson was the usual healthcare provider that the women in the brothels used.<sup>22</sup> Despite the fact that many of the women were familiar with Dr. Hobson, this particular exam represented a physical violation of the women individually, even if it was done in the interests of public health.<sup>23</sup> Contrarily, male patrons were photographed and sent home with no concern for the potential public health risks they represented. On the evening of March 27, 1956—four days after the raid--the women were taken before second-year District Judge John Begovich. Twelve of the women entered guilty pleas for either operating a house of prostitution, acts of prostitution, or frequenting a house of prostitution. Ethel Patricia Martin and Alma Nelson Smith were fined \$150 as madams and were later subpoenaed to testify at a grand jury trial regarding public corruption. Lillian Gibbs, who identified herself as a maid at one of the houses, was fined \$25, and those women who admitted to prostitution were fined \$50 each. Jean Brown, an accused madam, and Jereline Grant did not enter pleas; they were released on \$300 and \$200 dollars bail, respectively, and given until April 5, 1965 to enter a plea. Later, they

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<sup>20</sup> "Brown Order Jury to Probe Vice Conditions in Jackson," *Sacramento Bee*, March 27, 1956, 1.

<sup>21</sup> "State Raids in Jackson Net 15 Vice Suspects Three Houses Are Targets For Officers," *Sacramento Bee*, March 24, 1956, 1.

<sup>22</sup> Glenna Carson, interview with author, October 29, 2014.

<sup>23</sup> Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010), 28.

were declared not guilty of any crime. Three of the women arrested were not convicted of prostitution, but all three were subjected to the forced gynecological examination mandated by law enforcement. Publically humiliated through the media and legally convicted of crimes, the women also lost any credibility to testify in court when their names were published in the paper. In effect, then, they were silenced by local county officials who feared the women would testify against corrupt officials.

All the men in the police department and on the City Council bore the responsibility for enforcing the law in Jackson. However, only Chief of Police George Milardovich, expressed his position against prostitution and vice. Due to this stance, Special Agent Harold G. Robinson from the California Department of Justice trusted Milardovich to help clean up Jackson. With the backing of Attorney General Edmund G. Brown, Robinson supported the Chief of Police and reminded local officials of their duty to comply with the law. After the Jackson City Council fired Milardovich in 1953, however, it became clear that the local officials had something else in mind. Milardovich's replacement was bartender and part-time police officer Guy Tofanelli, a co-owner of a Jackson bar. Convinced that the brothels would reopen under Tofanelli's tenure, Milardovich kept in close contact with Agent Robinson regarding the goings-on in Jackson.<sup>24</sup> Milardovich was correct; under Chief Tofanelli, prostitution once again became a booming business.

District Attorney Anthony Caminetti blamed the raid on juvenile delinquency and the failure of Jackson's women to keep their town in order, both gender-loaded propositions. This two-fold argument protected his masculine image while shifting the blame for Jackson's vice almost entirely onto the shoulders of women. Women were the moral safeguard of the home in the 1950s. If young boys were being led astray by loose women, the initial blame for such immorality lay in the home. Mothers must not have been raising their boys appropriately. Secondly Caminetti wondered why local women had not complained about brothels operating in Jackson. Failure to report criminal activity was akin to supporting criminal activity, after all. Obviously, according to Caminetti, Jackson lacked a sense of proper morality due to a weak female population; it was therefore up to the men to step in and protect the youth from the clutches of immoral, sexual temptresses.

Where men like Caminetti assumed that women's failures to maintain their gender roles in the nuclear family led to the corruption of Jackson, they simultaneously proposed that upstanding examples of masculine gender roles could clean up the small town. Attorney General Pat Brown tasked District Attorney Caminetti to convene a public grand jury trial to investigate the open existence of prostitution in Jackson and any involvement on the part of local law enforcement. Locals, desiring to avoid further headlines, wanted the trial closed. Part of the American masculine ideal at the time was to appear tough on crime, and with the elections of 1956 approaching,

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<sup>24</sup> Milardovich, March 10, 1989, Interview.

neither Caminetti nor Brown intended to waste the opportunity to present themselves as strong, authoritative figures to the voting public and they moved forward with the public trial. Brown was clear that the grand jury was to put an end not only to prostitution but also to anyone associated with city government who willfully did not follow the order of law. Brown made the issue of prostitution and potential city official corruption a state legal issue and made sure that everyone knew that “he was running the show.”<sup>25</sup>

The Jackson prostitution raid now became a public battle between state and local authorities, with the whole affair playing out in the papers. In the *Sacramento Bee*, Agent Robinson stated that he received several ongoing complaints about the brothels, putting to question the masculinity of Chief Tofanelli: “Certainly an operation of this size in a town the size of Jackson must have caused a certain amount of cognizance on the part of the Chief of Police. How could he fail to notice?”<sup>26</sup> This immediately cast suspicion upon local law enforcement officials. For their part, local officials feigned ignorance of prostitution and cast the whole affair as state intrusion in local affairs. Chief of Police Tofanelli stated that he would, “swear on a stack of bibles three feet high,” that he had no idea that there were prostitutes working in Jackson, but he also speculated that if it came to a vote, seventy-five percent of the town would likely approve of prostitution. Tofanelli’s statement suggested that law enforcement in Jackson chose which laws to enforce based on popular public opinion. Mayor Robert Smallfield expressed similar surprise over the presence of prostitution in Jackson and expressed the entire town’s support for Chief Tofanelli. Locals resented the intrusion of Sacramento into affairs that they felt should have remained local and private. Many claimed that state officials in Sacramento had enough problems of their own to take care of before becoming involved in the affairs of towns like Jackson. Locals defended prostitution in interviews with the *Sacramento Bee*, with the general consensus among men that it did no harm and was even a public good that protected young girls from sex crimes. Tofanelli defended Jackson as town with no rapes, no gambling and no delinquency. The scandal generated several stories in local newspapers and on television, but the voices in those stories were always male. Women had no voice until the grand jury trial and even then only three women spoke out.

Men gave the initial testimony at the grand jury. The state’s first witnesses were the secret agent that had been placed in Jackson, Agent Robinson, madam Ethel Patricia Martin, prostitutes Gene Ryan and Sandy Lake, and Special Agent Sid Jones. The male secret agent described Jeannette’s Place opening the previous December with tin barriers to obstruct viewing the house entrance from the window of District Attorney Caminetti’s office window in the courthouse across the way on Poverty Hill (referring to poverty

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<sup>25</sup> “Grand Jury to Investigate Local Vice on April 23,” *Amador Ledger*, April 5, 1956, 1.

<sup>26</sup> “State Raids in Jackson Net 15 Vice Suspects Three Houses Are Targets For Officers,” *Sacramento Bee*, March 24, 1956, 1.

of morals, not income). Robinson testified that since 1951 he was directly involved in the investigation that led to the raid. The court called recently convicted madam Ethel Patricia Martin, along with convicted prostitutes Gene Ryan and Sandy Lake, to testify, but they refused to make a statement or answer any questions. Martin then called Special Agent Sid Jones to the witness stand. He testified about interviews he conducted with several of the women immediately after the raid. According to the *Ledger Dispatch*, "At this point, the Grand Jury through its foreman concluded that prostitution did exist."<sup>27</sup> The trial could proceed.

In a town the size of Jackson, not much activity on Main Street goes unnoticed by locals, and in the grand jury testimony several local men testified about their knowledge of prostitution and how it impacted them. First, Mr. Spinetti, who owned Spinetti Brothers on Main Street, was asked by Jury Foreman Pinotti if he was aware that houses of prostitution were operating in Jackson. His reply: "Who wasn't?"<sup>28</sup> Milardovich discussed the local acceptance of prostitution in Jackson in the 1940s and 1950s, recounting how, as a teenager, he went to houses of prostitution just like many of the community's high school kids. Mayor Robert Smallfield, who also was a Spinetti Brothers plumber, claimed he had no knowledge of prostitution. He admitted to going into one of the houses to do some plumbing work but did not know it was brothel. Smallfield defended Tofanelli in the press, but when he testified that he instructed Chief of Police that prostitution was against the law and should be prosecuted, he called into doubt his "lack of knowledge."

Once the investigation uncovered proof of prostitution, Chief Tofanelli found himself in a defensive legal position. He testified that he had been a bartender at the Klondike prior to accepting his job as Chief of Police. Tofanelli denied knowledge of prostitution by claiming a complete lapse of memory.<sup>29</sup> He found no evidence of prostitution when he conducted raids at the request of the Attorney General's office, and he said he never took any money from anyone in his role as Chief of Police.<sup>30</sup> Locals contradicted his statements. They were well aware of the existence of prostitution in Jackson. By the second day of testimony, Tofanelli had secured the services of a lawyer. Tofanelli appeared at best uninformed about his town and incompetent; at worst, he came across as a corrupt liar. Assistant Attorney General Thomas Martin questioned Tofanelli about his unsuccessful prostitution raids to which the Chief had no answer. The grand jury asked Tofanelli if he believed that he had been set up by the state with girls imported for this raid, to which he replied, "I do not know. I would not make that statement but there were quite a few girls."<sup>31</sup> Martin responded, "there were quite a few

<sup>27</sup> "Open Meeting Held in Jackson Vice Probe Week Long Meetings Attract Many," 1.

<sup>28</sup> "Open Jackson Vice Probe Goes into Fourth Day," *Amador Ledger*, May 17, 1956, 1.

<sup>29</sup> "Open Meeting Held in Jackson Vice Probe Week Long Meetings Attract Many," 1.

<sup>30</sup> "Open Meeting Held in Jackson Vice Probe Week Long Meetings Attract Many," 1.

<sup>31</sup> "Open Jackson Vice Probe Goes into Fourth Day," 1.

men, too.”<sup>32</sup> As evidence mounted, the theory about imported girls and a show trial appeared to be the locals’ last best effort to portray the whole thing as some sort of government conspiracy with the whole town of Jackson as the victims for Sacramento’s political gains. Individuals took different routes to defend themselves.

Night officers James Fregulia and Gildo Dondero preferred to portray themselves as incompetent in their law enforcement duties rather than as part of the system of corruption in Jackson. Fregulia bemoaned that in the prior year he had been robbed, shot at, and kidnapped. He told the jury that he would not walk down the dark alleys in Jackson for anyone, including the alley that led to two of the brothels.<sup>33</sup> Fregulia’s testimony directly contradicted statements made to the media earlier by Chief Tofanelli, who declared that Jackson was a “nice town.” Fregulia testified to frequently checking on the Arditto place but he refused to say why. Officer Dondero testified that he had never been told to investigate the houses and did not know about prostitution in Jackson, but he claimed acquaintance with some of the individuals involved in the investigation, such as the property owners and one of the accused madams, making it highly unlikely that he was completely ignorant of prostitution in Jackson. The officers’ combined testimony raised more questions than answers. With a police department full of seemingly incompetent and ignorant police officers, the grand jury inquest moved on to other officials in Jackson.

Former Chief of Police Dick Maggi testified that the City Council instructed him to ignore prostitution and gambling even after the Attorney General’s office ordered such institutions to be closed down.<sup>34</sup> Maggi served as the first city official to testify to the corruption of the Council. He stated that he made no money in Jackson’s vice despite rumors implicating him in various thefts or bribery. Maggi claimed no role in any deals between Fregulia, Dondero, or the madams.<sup>35</sup> Maggi’s testimony about the Council was corroborated by former Chief Milardovich, who testified to the conduct of the Council and the other officers while he was in office. Milardovich had closed the brothels and went to Camp Pendleton as part of his service with the Marines Reserves. When he returned, however, he found that the houses were operating again. When Milardovich arrested the girls, the judge intervened at the Mayor’s request and asked that the charges be dropped to the lesser crime of vagrancy, which Milardovich refused to do.<sup>36</sup> Chief Milardovich believed that influential men in Jackson ran a hierarchical system of criminality through the City Council and that law enforcement were part of the system.<sup>37</sup> In other words, Milardovich described a system where powerful

<sup>32</sup> “Open Jackson Vice Probe Goes into Fourth Day,” 1.

<sup>33</sup> “Open Meeting Held in Jackson Vice Probe Week Long Meetings Attract Many,” 1.

<sup>34</sup> “Grand Jury Hearing,” *Amador Ledger*, May 18, 1956, 4.

<sup>35</sup> “Open Meeting Held in Jackson Vice Probe Week Long Meetings Attract Many,” 1.

<sup>36</sup> Milardovich, March 10, 1989, Interview.

<sup>37</sup> Milardovich, March 10, 1989, Interview.

men profited off of the exploitation of women.

Many people testified that they were victimized by a culture of silence and fear in Jackson. Several important men knew about the brothels and capitalized on that knowledge. Social norms and propriety kept prostitution almost invisible. People who spoke out were either threatened or bribed into compliance. In 1953, the City Council threatened Milardovich that they would run him out of town for trying to end prostitution. Jean Brown, a madam at one of the houses, claimed she was physically threatened if she testified in the grand jury inquest. She also testified that she was routinely threatened by Officers Dondero and Fregulia. In a somewhat milder case of extortion, one of the prostitutes claimed that a grocer threatened to expose her unless she agreed to purchase her groceries from him. One of the owners of Spinetti Brothers Plumbing threatened to expose one of the madams if she did not pay a debt. Former City Councilman and Mayor Tom Jones testified that he complained to Mayor Wise about the Arditto brothel but it continued to operate. He went to the City Attorney, Gard Chisholm, to complain, and Chisholm offered him \$150 a month in his mailbox if he stopped complaining. Jones then took out an advertisement in the newspaper to sell his house and mentioned the nuisance of the Arditto house that was disrupting his home life. Jones did not have a problem with the existence of prostitution; he just thought the business was getting “too big.”<sup>38</sup> Jones wanted prostitution contained but even the former mayor accepted that it was a way of life in Jackson.

Women were prostitutes in Jackson to earn money. Many unknowns exist about these women. Did they have children? Were they paying their way through college? Was this the only job that they could get to take care of their families? Statistics show that women earned sixty percent less income than a man for the same job in 1950. In this employment environment, women felt pressure to look a certain way and behave with deference to men. Employers were legally allowed to stipulate that a woman had to be attractive in order to apply for a job, even one as a low-wage secretary.<sup>39</sup> Educated women felt this workplace pressure and had to endure sexual harassment without complaint. Marriage was an escape from employment that was not challenging or satisfying. It also encouraged women to consider their domestic role primary, regardless of educational background.<sup>40</sup> However, what if a woman divorced? What if she could not find a job? Women still had to earn a living. Popular American social values portrayed single working women as unnatural. A 1957 survey reported that people believed that anyone who chose to remain single was immoral, sick, or neurotic.<sup>41</sup> In other words, social opinion already worked against these women before they were ever convicted of prostitution.

<sup>38</sup> “Jackson Vice Probe Goes into Forth Day,” *Amador Ledger*, May 17, 1956, 1.

<sup>39</sup> Coontz, *The Feminine Mystique*, 39.

<sup>40</sup> Coontz, *The Way We Never Were*, 31.

<sup>41</sup> Coontz, *Marriage A History*, 258.

These women had limited economic choices, but by choosing to be prostitutes in an organized brothel, these women showed economic agency. On the night of the raid, the agents discovered a highly-developed financial and client-tracking system operating in these houses that was simple enough to quickly destroy if necessary. In one part of the system, a card was used to track the earnings of individual women. In another part, the system tracked the identity of the establishment's patrons. When the houses were raided, relatively early in the evening, agents seized \$500 from the house safes along with evidence to substantiate that some of the women were earning up to \$100 per day, the equivalent of roughly \$900 in 2014 terms, and it was tax free.<sup>42</sup> Law enforcement found closets of expensive designer negligees made in San Francisco that the women wore in order to increase their earnings. The investigation never disclosed patron's names, and men publically hid behind the anonymity of who was patronizing these establishments. The cards also provided agents with an estimate for the earnings of the three houses of up to \$1,400 per day. Evidence supports the conclusion that women chose to enter a fast money-making business that used male desires for the women's personal financial gain. Each woman's experience was unique, but they all had a commonality: they were exploited and extorted by law enforcement officers who were anything but ignorant of prostitution in Jackson.

Annie Beatrice Capiette, also known as Dixie Dixon, was a former madam who testified about her experiences in Jackson. She invested in upgrading a house with extensive, expensive repair work, but lost all of her investment as well as her personal belongings as a result of the corrupt system in Jackson. While operating, she was forced to donate money to charitable organizations on demand, and the police department established a bribery payment schedule with Maggi, Dondero, and Fregulia up to the year 1951. Locals even controlled her supply purchases and she was only allowed to buy from Spinetti's store. When Milardovich shut her business down, Fregulia and Dondero informed her that he would not last long as Chief and to keep operating. The officers demanded more frequent and larger sums of money from Dixie up to and including the day of the state raid. She kept detailed account books through a certified public accountant and had statements including checks to support up her testimony. She testified because she was so angry at having been taken advantage of financially only to be left holding the bill at the end of the day. Dixie told the jury, "I want to tell the truth because I'm mad!" She was not arrested a single time when she operated a house, but was arrested twelve times after closing shop. Juror Dorothy Stewart stood up and shook her hand at the end of her testimony, and the courtroom filled with applause from the onlookers. The *Ledger Dispatch* reported that Lena Patrero (Marie Reynod) corroborated Dixie's account, with the only difference being the amount of money charged by the officers.

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<sup>42</sup> Bureau of Labor Statistics, CPI Calculator <http://data.bls.gov/cgi-bin/cpicalc.pl?cost1=100&year1=1956&year2=2014>, accessed October 30, 2014.

On Wednesday, the divorced Pat Arditto (Jean Brown) testified. She operated a brothel prior to marriage but shut down and tried to open a legal business upcountry on State Highway 88. She could not get a liquor license and her business failed. After her divorce, she reopened her house of prostitution and had numerous encounters with both Officer Dondero and Chief Tofanelli. She claimed that Dondero would stop patrons from entering her establishment and direct them to other establishments. Tofanelli and Dondero raided her house when no other houses were raided. She was not asked for any payoffs in order to run her house. Her ex-husband testified that he operated the Brookside Rooms for thirty-six years. He received rent whether the house was open and operating or not because other madams in the area would pay him \$75 to stay closed. He said that the houses were tipped off about upcoming raids, but he refused to say who tipped him off. Regarding the March raid, he stated that they were not “lucky enough” to be tipped off, further implicating local law enforcement.<sup>43</sup> He testified that everyone operating knew how the business worked and that they had to pay someone to stay open.

Previous raids led the madams to develop and utilize a complex system of law enforcement evasion. They had a method to communicate if the houses were open or closed. The Palace Rooms owner even prepared for raids by installing a trap door in a clothes closet. A person could push a button and end up right on the street. As business owners, the madams displayed intelligence in communicating their business hours to their clientele, preparing for law enforcement raids, and calculating the risks of operating. Both the madams and the prostitutes displayed economic agency in the face of limited economic power. Their chosen profession put them at risk legally, socially, and physically, but it was a choice they were willing to make, provided they could navigate Jackson’s vice systems.

Only three madams testified but their experiences corroborated so well with the testimony of others that on May 24<sup>th</sup> the mixed gender grand jury returned its verdict to the people of Amador County. They accused Chief of Police Tofanelli of two counts of malfeasance in office, knowing that there were houses of prostitution in Jackson and then doing nothing to close them down.<sup>44</sup> Two identical accusations were made against Officers Dondero and Fregulia for seven counts of bribery, two counts of perjury, and accusations that they should be charged with willful and corrupt misconduct in discharge of their duties. Dondero immediately posted five-hundred dollars bail and was relieved of his post as jailer immediately.<sup>45</sup> Despite the seriousness of these indictments, however, the grand jury failed to result in any convictions.

The Jackson City Council held an emergency meeting to address the implications of the charges. Officers Dondero and Fregulia were suspended

<sup>43</sup> “Jackson Vice Probe Goes into Fourth Day,” 1.

<sup>44</sup> “Chief of Police Enters ‘Not Guilty’ Plea,” *Amador Dispatch*, August 24, 1956, 1.

<sup>45</sup> “Grand Jury Issues Indictments and Accusations,” *Amador Dispatch*, May 25, 1956, 1.

without pay. No action was taken against Guy Tofanelli, who went on a leave of absence. City Attorney Angelo DePaoli spoke to the Council and issued a recommendation that all three officers be immediately fired or the Council could face legal charges if prostitution became active again in the community. Mayor Smallfield immediately and forcefully spoke out against this course of action, and the Council chose to dismiss the advice of the city attorney and await the results of the charges before taking further action.<sup>46</sup> On June 13, City Attorney Angelo DePaoli handed in his letter of resignation due to his disagreement with the Council's decision.<sup>47</sup>

Clearly, he was unwilling to jeopardize his license to practice law to support an indicted police chief and a City Council unwilling to enforce state law. This was the second legal professional who sacrificed a career due to inappropriate actions by the Jackson City Council.

Eventually, the Department of Justice concluded that an impartial jury could not be found to complete the legal process against the officers and there was concern that witnesses would not show up to a trial to testify for the state.<sup>48</sup> At this point, the case had dragged on for five months, long enough for public interest to wane. On October 2, 1956 the perjury and bribery trial of Fregulia and Dondero began with a motion to dissolve the jury and allow Superior Court Judge Ralph McGee to decide the case. The motion was accepted, allowing Judge McGee to review the grand jury transcripts and to pass judgement based on the evidence therein.<sup>49</sup> Ten days later the *Ledger Dispatch* received a copy of the filed declaration in the action of the state of California against Fregulia and Dondero dated October 10, 1956. The decision was printed in its entirety in the paper. Judge McGee found the defendants not guilty of bribery because they had no direct control over whether prostitution was open or closed in Jackson since it appeared that there was a person higher in the chain of command making decisions. McGee wrote, "Fregulia and Dondero were, in effect, simply puppets, who danced when others pulled the strings."<sup>50</sup> McGee wrote that a vital element of the crime of bribery is money paid for influence over official action, but he believed that these two police officers had no influence to sell. Dondero and Fregulia were simply carrying out orders. Thus, McGee wrote:

Caplette and Reynoud knew this clearly. While they may be ladies of considerable charm, it seems obvious they also have some knowledge of worldly affairs. It is improbable they could have been sufficiently naïve to believe in the effectiveness of a pay-off to the defendants as a guarantee they could

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<sup>46</sup> "Officers Fregulia and Dondero Suspended by City Council No Action Taken Against Tofanelli," *Amador Dispatch*, June 1, 1956, 1.

<sup>47</sup> "City Attorney Resigns; Extra Officer Hired," *Amador Ledger*, June 14, 1956, 1.

<sup>48</sup> "Judge McGee Will Decide Vice Case as Lawyers Agree Can't Fill Jury," *Amador Ledger*, October 10, 1956, 1.

<sup>49</sup> "Lawyers Agree That Judge McGee will Decide Vice Case," *Ledger Dispatch*, October 5, 1956, 1.

<sup>50</sup> "Judge Ralph McGee Finds Fregulia and Dondero Not Guilty of Bribery and Perjury Charge," *Amador Dispatch*, October 12, 1956, 1.

pursue their profession without interruption.<sup>51</sup>

In the case of the perjury charges, no consensus could be found either between the two officers nor the two madams. McGee wrote that perjury can only be proven by the testimony of two witnesses or one witness with corroborating circumstances. Since neither witness could say that the other paid money to the officers they had to meet the second condition of the law. Therefore, in McGee's judgment insufficient evidence was provided to determine beyond a doubt that perjury was committed by the officers on the witness stand. Tofaneli's separate charges were later dismissed by Judge McGee. When Attorney General Brown pursued the case at the Appellate Court, McGee's decision was sustained.<sup>52</sup> The only men accused of criminal corruption were free to continue their police careers in the city of Jackson. No charges were ever filed against the City Council or any other male associated with Jackson prostitution; only women were convicted of any crimes. By allowing a local judge to determine the outcome of the case, the state had essentially conceded authority. If prostitution ever existed again in Jackson it was never again made an issue of public record.

The popularity of these houses and the women working in them directly coincides with gender issues facing men and women in the 1950s. Men were stuck in a crisis of the constructed image of masculinity.<sup>53</sup> The brothels provided their clients with the means to prove their masculinity and satisfy their sexual urges in an environment with no external pressures.<sup>54</sup> In the houses of ill-repute, they were able to let go of the pressures of jobs, family, and the Cold War to satisfy their sexual desires while maintaining the appearance of normalcy. Men defined what was "acceptable" for women while the country experienced shifting values and threats from abroad.<sup>55</sup> At the same time that men condemned women for acting in opposition to gender norms, they took full advantage of the hypocrisy of a booming prostitution business in Jackson.

Clearly, women were not the only individuals in Jackson engaged in illegal activities, but they were the only individuals who paid any price in the brothel raid. They were fined, forcibly examined, had their names, pictures, and hometowns printed in several major newspapers, and they were ordered to leave town despite clear evidence and explicit testimony that implicated police officers in criminal corruption and extortion. These women were punished for a greater crime than simply prostitution. Their voices were not heard in court because they did not behave in accordance to female gender

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<sup>51</sup> "Judge Ralph McGee Finds Fregulia and Dondero Not Guilty of Bribery and Perjury Charge," 1.

<sup>52</sup> Allen DeGrange, *Jackson Transgressions of a Place* (Jackson, CA: De Grange Publications, 1997), 183.

<sup>53</sup> Coontz, *The Feminine Mystique*, 78.

<sup>54</sup> Carolyn Herbst Lewis, *Prescription for Heterosexuality: Sexual Citizenship in the Cold War Era* (Chapel Hill: University of North Carolina Press, 2010), 72-73.

<sup>55</sup> Coontz, *The Feminine Mystique*, 61-79.

norms. They boldly left the domestic sphere for reasons of their own. Judge Ralph McGee clearly stated during his acquittal of officers Dondero and Fregulia that the ladies involved in prostitution in Jackson were worldly; this was not a compliment to their life experience especially as it was followed by the accusation of naïveté in trusting the authority of law enforcement officers. This legal judgment was a personal attack. Judge McGee, a symbol of masculine authority, attacked these women's personal judgment and vulnerable position in the world as women who chose a countercultural life of professional prostitution, rather than the acceptable role of a wife and mother. Society in the 1950s labelled women neurotic, perverted, and immoral for not following gendered stereotypes. By not containing their sexuality within the morality of marriage, men could not dominate these women in their domestic environment.<sup>56</sup> By stepping outside of the social construction of female sexuality, these women became outcasts, entirely lacking power or voice, and they were left at the will of Judge McGee, who reasserted masculine authority over these women while simultaneously excusing the men involved on loose technicalities.

When Judge McGee subverted justice and ignored these women's voices he did so under the influence of popularized male gendered norms. Men dominated American culture and women had to marry in order to be considered normal, have economic security and establish a family. Some women were deeply unhappy in this dynamic especially combined with the message that their home was the building block of American stability in the Cold War.<sup>57</sup> In these norms, women were blamed for men's sexual transgressions and given labels with powerful connotations: temptresses, bombshells, or knockouts. By labelling women this way, men who transgressed lost no positional power. Bombshells and knockouts produced visions of dangerous, seductive power. However, if a man lost control over an "average" woman, his sexual prowess and masculinity were threatened. Women had to contain their sexuality within marriage for only their husband. Any extramarital sexual behavior could tempt men into communism by their lack of self-control and fear that they could be blackmailed into misconduct. The family was the safeguard against communism and irresponsible promiscuity threatened the family and thus the entire nation.<sup>58</sup> These women were not just criminals in American culture, they were also potentially anti-patriotic, subversive communists capturing male attention and leading them down an immoral path that would harm the United States. Jackson prostitutes as a group had no friends and no defenders. No one wanted to be publically associated with local prostitutes for fear that it would damage their own reputations. They had no allies and were easy to victimize in order to gain public favor.

American women in the 1950s faced gender discrimination leading to

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<sup>56</sup> May, *Homeward Bound*, 105.

<sup>57</sup> Lewis, *Prescription for Heterosexuality*, 39.

<sup>58</sup> May, *Homeward Bound*, 90-110.

unequal treatment in employment, domestic life, and general legal affairs. Jackson's prostitutes found a way to exercise their own agency, break with gender norms, and make an incredible amount of money, but they were still confined by masculine power structures. They had to navigate corrupt officials, and when the night life in Jackson came to light, men on both sides of the issue utilized the situation for their own gain at the expense of the women. They still faced a completely separate set of gendered experiences and expectations, with male voices dominating the narrative while the women at the center of the case rarely received a voice and were dismissed as naïve as soon as they were heard. The illegality of prostitution does not eliminate the rights of these women to have their voices heard, nor does an alleged crime justify the violation of their bodies or confiscation of their property, all done in the public interest while the men who exploited them received no such treatment. Men dominated the system and subverted justice. Some men used these women for sexual gratification, police officers extorted money from them, and officials silenced them. Even the judge who allowed officers to go free insulted them in his verdict. The injustice that these women experienced is egregious. How is prostitution a more serious crime than perjury, extortion, and willful and corrupt misconduct in discharge of public duties and accepting bribes for at least a decade? Clearly, the story of Jackson vice in the 1950s is not one of justice, nor is it unique. It is a story of the hypocrisy of American gender norms and power relations, and it has played out in Jackson, California and many other towns across this nation. But perhaps some justice will be served if the story of Jackson motivates Americans to reconsider how they frame similar gender issues and recognize the validity of the relatively unexplored voices of women, whether those voices are those of housewives or prostitutes or anything in between.

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# THE GREAT AMERICAN FRAUD

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## HOW PATENT MEDICINE MANUFACTURERS DUPED THE PUBLIC AND HOW MUCKRAKERS EXPOSED THEM

BY ANDREW CLEMENTS

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**ABSTRACT:** Print media played a major role in shaping American public opinion at the turn of the twentieth century. Inclined to believe what they read in print, many Americans fell victim to unscrupulous advertising practices, such as those employed by the patent medicine industry. Without government oversight, manufacturers of such “cure alls” could claim anything they wanted in the papers, and put anything they wanted in their tonics, often with dangerous results. This paper explores the use of mass media in manipulating public opinion and official policy over a century ago. By exploring such historical events, we may be able to better understand the events that shape our contemporary lives.

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On an afternoon in March 1905, in Massachusetts, the state legislature debated whether or not to pass a bill that would have required labeling on all patent medicines sold within the state. The next day, March 16, those same state legislators would have had a very difficult time finding their statements in the state newspapers. In fact, beyond the Springfield Republican’s report, essentially nothing was mentioned at all in any of the state’s papers.<sup>1</sup> How could this be? Considering the popularity of patent medicines at the time and the potential effect such legislation could have, it appears very bizarre that almost nothing appeared in any of the newspapers in the state of Massachusetts. However, such an event was completely intentional.

This almost universal media silence in Massachusetts was but a small part of a much larger plan. The patent medicine industry utilized a nationwide media blackout and deceptive advertising in order to manipulate the public from learning the truth about what the industry was selling. Print media, whether it be advertisements or the simple lack of newspaper coverage of the danger of patent medicines, was absolutely vital in their continued popularity and profitability. In comparison, muckrakers capitalized on the rise of magazines in their efforts to expose the truth. Without the massive effectiveness and public trust in print media, the exposure of patent medicines would not have been possible. In conjunction with Upton Sinclair’s *The Jungle*, the complete exposure of the patent medicine industry led to the Pure Food and Drug Act of 1906.

Literature on the subject of patent medicines usually focuses primarily on either the way the industry misleads the public or the exposure of it

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<sup>1</sup> Mark Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” in *The Muckrakers*, ed. Arthur Weinberg and Lila Shaffer Weinberg (New York: Simon and Schuster, 2001), 179.

all; this paper combines the two. Emphasized here are both the influence of muckrakers and the appeal of patent medicine advertisements and their narrative structures, which capitalized on popular themes in American culture. For over two centuries patent medicine manufacturers stood virtually uncontested in the public eye, but around the turn of the twentieth century, muckrakers engaged the manufacturers in nothing less than a publicity war. The ensuing criticism challenged the manufacturers and forced them to use everything they had to their disposal to quiet the growing collective voice of muckrakers.

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The British exported patent medicines to their American colonies. Not only did the medicine itself appear in the colonies and then the US in the eighteenth century, but so too did advertisements for them.<sup>2</sup> In the eighteenth century, patent medicine advertisements began to appear in newspapers. By the nineteenth century, advertisements occupied most of the space in many of them.

Initially, advertisements marketed patent medicines as a cure-all. Dr. Bateman's Pectoral Drops, in an advertisement that appeared in the *Pennsylvania Gazette* on July 1, 1736, claimed to cure "Small Pox, Measles, Colds, Coughs, and Pain in the Limbs or Joints."<sup>3</sup> Another example was the mineral waters such as Dr. Willard's Mineral Water, Ballston or Congress Mineral Water, and Godwin's Celebrated German Water. An advertisement for Dr. Willard's Mineral Water appeared in the June 15, 1803 issue of the *New York Herald* and claimed to cure "Erisipelas, Salt Rheum, Leprous Affections, and indeed every cutaneous [relating to the skin] complaint."<sup>4</sup> In the nineteenth century, patent medicine manufacturers decided it would be more profitable to produce multiple products that "cured" a limited number of diseases rather than one product that "cured" everything.

Patent medicines fell in one of two categories. In either case, they were both dangerous but for different reasons. Useless medicines made up the first category. An example of this would be something that was mostly water or otherwise had ingredients that had little to no effect on whatever the patent medicine was supposed to cure. In this case the danger lied in its user assuming it could help them. The second category was patent medicine that contained dangerous ingredients such as alcohol, cocaine, or opium. Recipes for patent medicines better illustrate this. The third edition of *Secret Nostrums and Systems of Science*, Dr. Charles W. Oleson listed the recipes for many famous patent medicines: "Chlorodyne" contained twenty-four grams of sulphamorphia, six drams of chloroform, and 3.2 ounces of alcohol.<sup>5</sup> "Jack-

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<sup>2</sup> Edd Applegate, *Personalities and Products: A Historical Perspective on Advertising in America* (West Port, CT: Greenwood Press, 1998), 75.

<sup>4</sup> Applegate, *Personalities and Products*, 75-76.

<sup>5</sup> Applegate, *Personalities and Products*, 77.

<sup>5</sup> Charles W. Oleson, *Secret Nostrums and Systems of Medicine*, 3rd ed. (Chicago: Oleson & Co., Publishers, 1892), 42-43.

son's Cough Syrup" contained eight grams of sulphate morphine. "Meibom's Pectoral Balsam" contained ten parts opium, two parts acetic acid, ten parts butter, and ten parts "dragon's blood", a type of resin from plants. The interestingly named "Oil of Joy" contained four pints of alcohol, four ounces of water of ammonia, and three ounces of ammonia. "Raman's Microbe Killer" contained four drams of sulphuric acid and one ounce of hydrochloric acid. "Seven Seals" (also known as "Golden Wonder") contained four parts ether, six parts chloroform, and fifty parts alcohol. Finally, "Winslow's Soothing Syrup," probably one of the most famous and written about patent medicines of the era, contained a half gram of morphine, which resulted in addicted children and terrified mothers.<sup>6</sup>

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Advertisements for patent medicines reflected American cultural values at the time. In the 1830s and 1840s, some patent medicines romanticized Native Americans. Dr. Freeman's Indian Specific utilized not only a reference to them in the name of the product but also emphasized that the product was made from herbs that Native Americans used. In the 1840s, Wright's Indian Vegetable Pills were advertised as "The Original and only Genuine Indian Medicine."<sup>7</sup>

Appeals to nature were too secular for the more evangelical. For them, advertisement narratives that mirrored conversion experiences were more persuasive. Testimonials regarding patent medicines utilizing this narrative were reminiscent of the converted telling of their deliverance from suffering. In this evangelical narrative, vague sickness of the soul affected the body and required a physical remedy. In a contradictory sense, suffering was caused not by sin but by more conventional ills like constipation, catarrh, and bilious liver.<sup>8</sup>

Another popular advertising narrative was the appeal to primitivism, of which racism became an intrinsic part. By the end of the nineteenth century, patent medicine advertisements very much utilized herbalist language and connections to magic. Consequently, many patent medicines claimed a tribal origin.<sup>9</sup> The Kickapoo Medicine Company promised its buyers a "stomach like an Indian—he never worried about dieting. Why can't we live like the Indian, in a healthy, hearty, natural way?"<sup>10</sup> A pamphlet about the "discovery" of the Peruvian Catarrh Cure made obvious the implication of advertisements like the one for the Kickapoo Medicine Company: the discovery of remedies in primitive areas ought to be brought back to be consumed by white society. The pamphlet told of an adventure of Dr. Edward Turner in Peru. Troubled by catarrh since he was a boy, Turner learned of

<sup>6</sup> Oleson, *Secret Nostrums and Systems of Medicine*, 97-192.

<sup>7</sup> Applegate, *Personalities and Products*, 77.

<sup>8</sup> T. J. Jackson Lears, *Fables of Abundance: A Cultural History of Advertising in America* (New York: Basic Books, 1994), 143.

<sup>9</sup> Lears, *Fables of Abundance*, 146.

<sup>10</sup> Quoted in Lears, *Fables of Abundance*, 146.

Mosca, a red root, from a Catholic missionary in Indian Territory (now the state of Oklahoma). Turner decided to go to its source. Once there, Turner tricked the chief of the Cotahuasi tribe into believing that he did not only care for money, unlike other “palefaces.” The dying Turner relayed this tale to the narrator of the story, and Mosca helped many people.<sup>11</sup> This narrative pattern was often repeated during this time, including in an advertisement for Warner’s Safe Remedies which featured a man with a white head and a brown body.<sup>12</sup> The implication here was that darker peoples could only be relied upon for their brute strength, not their intellect. This particular narrative structure was indicative of a more imperialistic view of primitivism; the West and other regions of the world are not only to be differentiated, but the benefits of non-white society ought to be exported to the West for consumption.

If nature, religious conversion, or appeals to racism were not utilized, then narratives pertaining to patriotism, America’s past, and sometimes children, were. An advertisement for “Dalley’s Magical Pain Extractor” featured Molly Pitcher (a woman said to have fought in the Battle of Monmouth during the American Revolution) avenging her husband’s death.<sup>13</sup> Another advertisement, “T. M. Sharps Positive Cure for Dyspepsia,” had a uniformed Union soldier giving the remedy to a civilian. An advertisement for “Homo’s Sarsaparilla Blood and Cough Candy” featured a large eagle clutching olive branches and arrows, while an advertisement for “Isham’s Celebrated Stomach Bitters” had what appeared to be a cowboy with a hammer or pick axe on an American flagpole.<sup>14</sup> Finally, an advertisement for Ex-Lax had Uncle Sam himself sitting down and putting the finishing touches on a testimonial which read:

This is to certify that I am using over 10,000 boxes of Ex-Lax every month. I am very pleased with it.

--Uncle Sam<sup>15</sup>

Images of childhood, children, and young adults also appeared in some patent medicine advertising. Advertisements for Ayer’s sometimes featured children, including advertising for their “Cherry Pectoral,” “Cathartic Pills,” and sarsaparilla.<sup>16</sup>

Other advertisements lacked a definite narrative structure but were still notable for other reasons. For example, an advertisement for “Duffy’s Pure Malt Whiskey” claimed to help with longevity with a testimonial from a 106-year-old woman to “prove” it. In reality, the manufacturers of this product traveled the country and offered payment to centenarians for their

<sup>11</sup> Lears, *Fables of Abundance*, 146.

<sup>12</sup> Lears, *Fables of Abundance*, 147.

<sup>13</sup> James Harvey Young, *American Health Quackery* (Princeton, NJ: Princeton University Press, 1992), 66.

<sup>14</sup> Young, *American Health Quackery*, 67-68.

<sup>15</sup> Young, *American Health Quackery*, 69.

<sup>16</sup> Young, *American Health Quackery*, 130-133.

endorsement.<sup>17</sup> The well-advertised and infamous “Mrs. Winslow’s Soothing Syrup” promised to soothe teething and “cure diarrhea, regulate the Stomach and Bowels, cure Wind Colic, soften the Gums, reduce Inflammation, and give tone and energy to the whole system.”<sup>18</sup> Of course what the manufacturer neglected to state is that it often made babies addicted to morphine. Medicines were not the only way medical quacks duped the public. The “Holman’s Fever and Ague and Liver Pad” claimed to be the “only true cure for, and preventative of malaria, in all its forms...” It was “The Best Liver Regulator in the World” and cured “without medicine, simply by absorption.”<sup>19</sup>

In the nineteenth and early twentieth centuries, patent medicine advertising was everywhere. Beyond the obvious outlets like newspapers and magazines, advertisements appeared in other media. Farm papers were one outlet used by patent medicine manufacturers, as were religious journals. Of the roughly 1,000 religious journals, only a relative few excluded nostrum advertising.<sup>20</sup> In addition, patent medicine literature could be seen on the counters of drugstores and general stores.<sup>21</sup> Yet another popular medium was the almanac, which featured advertising from all of the major patent medicine manufacturers.<sup>22</sup> Perhaps a surprising place to find nostrum advertisement was the medical journal. Most of them contained patent medicine advertisements, and in fact patent medicine manufacturers owned some of the medical journals that ran these advertisements.<sup>23</sup>

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The exposure of the patent medicine fraud would not have been possible without the writers—the muckrakers—who made it happen. Though he did not write about patent medicines, Lincoln Steffens was certainly one of the most famous of the muckrakers. Steffens helped to expose government corruption in St. Louis with an article titled “Tweed Days in St. Louis,” published in *McClure’s* in October 1902. Another article, this time about police corruption in Minneapolis was titled “The Shame of Minneapolis: The Rescue and Redemption of a City That was Sold Out.” It appeared in the January 1903 issue of *McClure’s*. “Pittsburgh: A City Shamed,” “Philadelphia: Corrupt and Contented,” “Chicago, Half Free and Fighting On,” and “New York: Good Government in Danger” were also written by Steffens and published through *McClure’s*, bringing the number of cities exposed to

<sup>17</sup> Young, *American Health Quackery*, 36.

<sup>18</sup> *Patent Medicines & Miracle Cures*, New York City Bar Association, September 2011, <http://www.nycbar.org/library/featured-exhibitions/patent-medicines-and-miracle-cures>.

<sup>19</sup> Quoted in Young, *American Health Quackery*, 91.

<sup>20</sup> James Harvey Young, *The Toadstool Millionaires: A Social History of Patent Medicines in America before Federal Regulation* (Princeton, NJ: Princeton University Press, 1961), 104.

<sup>21</sup> Young, *The Toadstool Millionaires*, 105.

<sup>22</sup> Young, *The Toadstool Millionaires*, 139.

<sup>23</sup> Young, *The Toadstool Millionaires*, 207-208.

six.<sup>24</sup> His articles on St. Louis, Minneapolis, Pittsburgh, Philadelphia, Chicago, and New York—later collectively titled *The Shame of the Cities*—became his crowning achievement and had an audience ready to soak it up.<sup>25</sup>

Another writer named Upton Sinclair is probably the person most associated with the era of the muckrakers, and for a very good reason. His novel *The Jungle* exploded onto the scene in 1906 and within months was translated into multiple languages. In late 1904, as the campaign against patent medicine continued to gain steam, Sinclair left for Chicago to start writing. His socialist credentials only benefited him as fellow socialists and union men gave him access to slaughterhouses in the city. Sinclair wrote about the horrid conditions of these slaughterhouses, detailing how things other than meat wound up in containers of meat that would then be ground up and sold to an unsuspecting public. These unsavory details, however, were not Sinclair's primary reason for writing *The Jungle*. Interestingly enough, he dedicated the book to "the Workingmen of America."<sup>26</sup> He intended on, first and foremost, exposing the conditions of the workers in these slaughterhouses. In the process he also exposed the utterly horrifying workings of the meat packing industry. "I aimed at the public's heart and by accident I hit it in the stomach," he reflected on this peculiar outcome. For this explosive writing he earned his reputation as a leading voice for reform.

Edward Bok was for thirty years the editor of the *Ladies Home Journal*. Bok had his start at the magazine in 1889.<sup>27</sup> As editor, Bok had the *Journal* jump into the muckraking scene first by ending advertisements for patent medicines in their magazine in 1892. According to Bok, "seven other newspapers and periodicals followed suit."<sup>28</sup> Bok eventually enlisted the help of a young journalist and lawyer by the name of Mark Sullivan. After aiding Bok, Sullivan also helped *Collier's*.<sup>29</sup> During the immediate run up to the Pure Food and Drug Act; that is to say, the last few years of unregulated patent medicines, the *Ladies Home Journal*, with Bok as its guiding hand, helped to ramp up criticism of the massive industry.

Mark Sullivan may not be a household name like Upton Sinclair, Lincoln Steffens, or even Samuel Hopkins Adams, but Sullivan earned his place among the most important muckrakers of patent medicine quackery for his report on the way patent medicine manufacturers achieved media silence and cooperation. Harvard-educated, Sullivan went to work for Edward Bok after an investigation went south. Bok believed Sullivan's article to be too long for the *Ladies Home Journal*; its standard article length was two to three thousand

<sup>24</sup> Peter Hartshorn, *I Have Seen the Future: A Life of Lincoln Steffens* (Berkeley, CA: Counterpoint Press, 2011), 98-111.

<sup>25</sup> Hartshorn, *I Have Seen the Future*, 114.

<sup>26</sup> Leon Harris & Upton Sinclair, *American Rebel* (New York: Thomas Y. Crowell Company, 1975), 70.

<sup>27</sup> Edward Bok, *The Americanization of Edward Bok: The Autobiography of a Dutch Boy Fifty Years After* (New York: Charles Scribner's Sons, 1920), 160.

<sup>28</sup> Bok, *The Americanization of Edward Bok*, 340.

<sup>29</sup> Bok, *The Americanization of Edward Bok*, 344.

words. For the price of \$700 *Collier's* happily accepted the article.<sup>30</sup> Bok was perfectly fine with other periodicals entering the fray in earnest against patent medicine manufacturers. While other articles would expose the dangers of patent medicine, Sullivan's explained the industry's stranglehold on the press.

In 1891 Samuel Hopkins Adams began his career in journalism with the *New York Sun*.<sup>31</sup> He remained there for nine years, leaving in 1900 for *McClure's*. The magazine began in 1893, and by 1898 started focusing on current events with the breakout of the Spanish-American War. By Adams's second year on staff, *McClure's* became the leader in so-called exposure reporting. Adams found himself in an unfortunate position in 1903 as other *McClure's* writers Ida Tarbell and Lincoln Steffens focused on corruption in business and government while Adams wrote fiction. He left the magazine that year to focus on his free-lance writing. The following year, with the encouragement of newspaperman Ray Stannard Baker, Adams entered the arena of exposure reporting with his article "State of Kentucky vs. Caleb Powers." Meanwhile, Robert J. Collier and Norman Hapgood of *Collier's Weekly* were shifting the focus of the magazine away from fiction and towards politics. They were both apparently impressed with Adams's Caleb Powers story, enough to hire him as a political writer in 1904. Adams's first article for *Collier's* appeared in June 1904, titled "Despotism versus Anarchy in Colorado"; another of his appeared in late July of the same year, titled "Meat: A Problem for the Public." These two articles constituted the first running series of muckraking for the magazine.<sup>32</sup>

Adams's first medically-related article came in October 1904 with a report on tuberculosis in which he mentioned patent medicines, decrying their use in attempting to cure the disease. From late 1904 to March 1905 Adams free-lanced again, researching patent medicines for *McClure's*. During this time Mark Sullivan wrote his own article on the subject for Edward Bok, who sold it to *Collier's*. Even with this article, the magazine wanted a much bigger story on the patent medicine industry. The shared interests of Adams and *Collier's* caused them to reconcile whatever personal problems they had. S.S. McClure's little interest in Adams's idea of a patent medicine article only made the decision to return to *Collier's* easier. His investigation into patent medicines (the details of which are more thoroughly discussed below) took five months, with the first article of his series appearing in October 1905.<sup>33</sup>

As stated above, Mark Sullivan's article on the methods of patent medicine manufacturers in dealing with the media ran in *Collier's*, on November

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<sup>30</sup> Mark Sullivan, *The Education of an American* (New York: Doubleday, Doran & Co., Inc., 1938), 191.

<sup>31</sup> Samuel V. Kennedy III, *Samuel Hopkins Adams and the Business of Writing* (Syracuse, NY: Syracuse University Press, 1999), 21.

<sup>32</sup> Kennedy III, *Samuel Hopkins Adams and the Business of Writing*, 32-37.

<sup>33</sup> Kennedy III, *Samuel Hopkins Adams and the Business of Writing*, 39-45.

4, 1905. His research thoroughly explained why a trickle of criticism over decades never evolved into a flood. The 1900 census, Sullivan explained, placed the annual value of patent medicines at almost \$60 million, or what would be about \$1.7 billion in 2015 dollars. He further speculated that if given an “increase of half a decade of rapid growth, it must be today [1905] not less than seventy-five millions.” “That is the wholesale price,” he continued, “The retail price of all the patent medicines sold in the United States in one year may be very conservatively placed at one hundred million dollars.” Out of this figure “fully forty millions goes to the newspapers” for advertising. There existed an “intimate financial relation between the newspapers and the patent medicines.” Dr. Humphreys, “one of the best known patent medicine makers,” said to other members of the Patent Medicine Association, “The twenty thousand newspapers of the United States makes more money from advertising the proprietary medicines than do the proprietors of the medicines themselves.... Of their receipts, one-third to one-half goes to advertising.”<sup>34</sup>

Advertising revenue might not have been enough of a deterrent by itself for newspapers to be silent. Sullivan also highlighted two separate and important clauses in the contracts between newspaper publishers and patent medicine manufacturers that ensured almost complete media cooperation with the agenda of the manufacturers. The first clause, here specifically from the J. C. Ayer Company, read:

First—It is agreed in case of any law or laws are enacted, either State or national, harmful to the interests of the J. C. Ayer Company, that this contract may be canceled by them [the J. C. Ayer Company] from date of such enactment, and the insertions made paid for pro-rata with the contract price.<sup>35</sup>

Clearly this clause incentivized newspapers to speak out against state or federal bills that would negatively affect the J. C. Ayer Company. The second clause, known as the “silence clause,” read:

Second—It is agreed that the J. C. Ayer Company may cancel this contract, pro-rata, in case advertisements are published in this paper in which their products are offered, with a view to substitution or other harmful motive, also in case any matter otherwise detrimental to the J. C. Ayer Company’s interests is permitted to appear in the reading columns or elsewhere in the paper.<sup>36</sup>

In other words, if anything detrimental to the interests of the company appeared in the paper, such as criticism of the company’s products, or of patent medicines generally, the contract would be voided and the newspaper would lose future advertising revenue. More important than the clause itself is that other manufacturers copied it; specifically mentioned in the article were the C. I. Hood Company and Dr. Munyon. Patent medicine manufacturers colluded both to prevent criticism of patent medicines and reporting

<sup>34</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 180-81.

<sup>35</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 182.

<sup>36</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 182.

of state and federal bills that would negatively affect the industry.

It was not always this way. The Proprietary Association of America, before adopting the silence clause, spent as much as \$75,000 a year combating state efforts to regulate patent medicines. Its head, F. J. Cheney, devised a better way—the silence clause, which he relayed to the Association. “We have had a good deal of difficulty the last few years with the different legislatures of different States.... I believe I have a plan whereby we will have no difficulty whatever with these people,” he began. “I, inside of the last two years, have made contracts with between fifteen and sixteen thousand papers, and never had but one-man refuse to sign the contract, and by saying to him that I could not sign a contract without this clause in it he readily signed it. My point is merely to shift the responsibility.”<sup>37</sup>

This brought immediate success for the patent medicine industry. In reference to two bills in the Illinois legislature, a Dr. V. Mott Pierce stated at another Association meeting, “Had it not been for the active cooperation of the press of the State outside of Chicago, there is absolute certainty that bill would have passed.... I think that a great many members do not appreciate the power that we can bring to bear upon legislation through the press.”<sup>38</sup>

Eventually a member of the Association proposed an idea for a permanent bureau to assist with the killing of state bills that would regulate patent medicines, which the Association voted on and passed. A “lawyer in Chicago, a permanent secretary, office, and staff” constituted the bureau itself, but beyond that there were agents in every state legislature who relayed any bill relevant to their interests back to the bureau, and a copy of the relevant legislation would be sent to every member of the Association. The next step involved manufacturers reminding the newspaper publishers of their obligations under the contract they both agreed upon. The result was a plan that worked with “well-oiled accuracy” to defeat the bills that state Boards of Health introduced in their states every year. The letters that manufacturers wrote to newspaper publishers were rather matter-of-fact:

Gentlemen:

Should House bills Nos. 829, 30, 607, 724, or Senate bill No. 185 become laws, it will force us to discontinue advertising in your State. Your prompt attention regarding this bill we believe would be of mutual benefit.

We would respectfully refer you to the contract which we have with you.

Respectfully,

Cheney Medicine Company<sup>39</sup>

Mark Sullivan’s journalism was vital because that angle (how the industry achieved almost total control over the portrayal of patent medicines in the

<sup>37</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 185.

<sup>38</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 187.

<sup>39</sup> Sullivan, “The Patent Medicine Conspiracy Against Freedom of the Press,” 190.

media) had not been covered prior, at least to any substantial degree. While other muckrakers and publications like Edward Bok and the *Ladies Home Journal* and some others had begun the conversation on the dangers of patent medicines, Sullivan opened the door to another aspect of this great fraud. Where others had merely speculated on how the industry could achieve a national conversation almost completely in their favor, Sullivan confirmed.

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Patent medicines did not go without criticism until the turn of the century. Though the effect was minimal, attempts were made to report on the dangers of patent medicines, or they at least refused the industry's advertisements. For example, Orange Judd's *American Agriculturist*, begun in 1859, excluded patent medicine advertising and devoted a page to exposing frauds. Wilmer Atkinson's *Farm Journal*, begun in 1877, also refused industry advertisements. In 1867, *Atlantic Monthly* published Dr. S. Weir Mitchell's *The Autobiography of a Quack*. As stated above, Edward Bok of the *Ladies Home Journal* stopped printing patent medicine advertising in 1892.<sup>40</sup> Starting in 1893, the American Pharmaceutical Association debated quackery annually.<sup>41</sup> *Popular Science Monthly* launched attacks over the years. Probably the most important of these attacks, published in May 1891, contained the type of information that appeared in later articles. For example, it stated, "But the trouble is, that too many patent pills and medicines are not 'innocent' humbugs. On the contrary, a large class of patent preparations are deadly poisons." It went into more detail: "We need only point out that most soothing-s[y]rups contain opium; that most face preparations have arsenic and oxide of zinc; that most 'stomach bitters,' so called, are composed of powerful drugs or whiskey, principally; that most of the health-restorers contain narcotics." Most interestingly, the author, Lee J. Vance, called for action on patent medicines: "It is time that some restrictions were thrown around the sale of patent medicines... For obvious reasons, the law should compel nostrum-venders to make public the names and proportions of the ingredients."<sup>42</sup> This constituted perhaps the first recommendation of substantial regulation on the patent medicine industry.

The *Ladies Home Journal*, beginning in 1904, made a substantial contribution to the crusade against patent medicines. In May 1904 Edward Bok wrote "The 'Patent-Medicine' Curse" in which he harshly criticized the industry: "Every year, particularly in the springtime, tens of thousands of bottles of patent medicines are used throughout the country by persons who are in absolute ignorance of what they are swallowing." Bok also challenged his female readers to go to their physicians and ask about the "truth of the statements made here," referring to the amount of alcohol in the nostrums listed in the article. Finally, Bok suggested that the Woman's Christian Temperance

<sup>40</sup> Young, *The Toadstool Millionaires*, 212.

<sup>41</sup> Young, *The Toadstool Millionaires*, 209.

<sup>42</sup> Lee J. Vance, "Evolution of Patent Medicine," *Popular Science Monthly* (May 1891), 82.

Union (WCTU) look into the advertising columns of religious papers across the country.<sup>43</sup>

In November 1904, Bok and the *Journal* again attacked the patent medicine industry. This article was essentially separated into two parts. The first part addressed how advertisements were framed to appeal to women. According to Bok, nostrum advertisements list the “symptoms” of an ailment in a way to “cover almost every physical feeling that a woman is prone to.” The second part, the vast majority of the article, covered how some nostrum advertisements, connected with doctors, welcomed correspondence between the doctor and the consumer. Bok received information from somebody on the inside who began his investigation a “few years” prior to Bok’s article. It turned out that while the company this man worked for received hundreds of letters per day, the doctor never saw them and rarely went to his office at all.<sup>44</sup>

A third Bok article, written in April 1905, provides yet another dimension. Bok cited an unnamed man with knowledge of advertising. “I set out in my advertising to create ‘hypos,’” this man said. “Hypos,” according to him, were “people who have melancholia, the blues, feel depressed, you know, but who, in reality, have nothing the matter with them.” His job was to create more of these “hypos.” In explaining how exactly this worked on a practical level, the man discussed a series of advertisements in a newspaper. The first advertisement asked if you suffer from headaches. The advertisement would go on to say that headaches were a sign of “nervous exhaustion.” The man says that perhaps the advertisement does not persuade you, and you go on with your day. A second advertisement asks if you suffer from the occasional back ache. Maybe, the man surmises, you think there could be something wrong with you. Maybe you have “nervous exhaustion.” And that is how this process worked. Not only were patent medicines advertised to falsely cure real diseases people had, but sometimes they also claimed to cure diseases that people did not actually have and cited “symptoms” that did not necessarily have anything to do with each other.<sup>45</sup>

On October 7, 1905, *Collier's* published the first of Samuel Hopkins Adams’s six-part exposure of the patent medicine industry. He looked at advertisements, testimonials, relevant documents, and had some medicines analyzed. For this he used the talents of chemistry professor Arthur Percy Saunders.<sup>46</sup> Adams’s first article, “The Nostrum Evil,” famously began:

Gullible America will spend this year some seventy-five millions of dollars in the purchase of patent medicines. In consideration of this sum it will swallow huge quantities of alcohol, an appalling amount of opiates and

<sup>43</sup> Edward Bok, “The ‘Patent-Medicine’ Curse,” *Ladies Home Journal* (May 1904), 18.

<sup>44</sup> Edward Bok, “How the Private Confidences of Women are Laughed At,” *Ladies Home Journal* (November 1904), 18.

<sup>45</sup> Edward Bok, “A Diabolical ‘Patent-Medicine’ Story,” *Ladies Home Journal* (April 1905), 20.

<sup>46</sup> Kennedy, *Samuel Hopkins Adams and the Business of Writing*, 44.

narcotics, a wide assortment of varied drugs ranging from powerful and dangerous heart depressants to insidious liver stimulants; and, far in excess of all other ingredients, undiluted fraud. For fraud, exploited by the most skillful of advertising bunco men, is the basis of the trade.<sup>47</sup>

His first article essentially previewed the following articles, covering manipulating testimonials and harmful ingredients. Regarding testimonials, he said, “We see recorded (patent medicine testimonials) only the favorable results: the unfavorable lie silent. How could it be otherwise when the only avenues of publicity are controlled by the advertisers?” He also relayed the fact that often times people who signed testimonials had never tried the nostrum in question, but simply wanted to be in print as “prominent citizens.” He also previewed his more substantial discussion of acetanilid: “[It] will undoubtedly relieve headache of certain kinds; but acetanilid, as the basis of headache powders, is prone to remove the cause of the symptoms permanently by putting a complete stop to the heart action.” Perhaps most importantly, Adams calls for government action on patent medicines, an act apparently rare even among muckrakers: “Legislation is the most obvious remedy, pending the enlightenment of the general public or the awakening of the journalistic conscience.”<sup>48</sup> This short article, with its breadth and sharp rhetoric, may have been on its own enough to spur renewed action on a pure food and drug bill, but he did not stop there. The true impact of this series lied in the detail he went into in the following articles. He named names. He labeled nostrums. He pulled no punches.

*Collier's* released the second part of Adams's series, “Peruna and the Bracers,” on October 28. Peruna was a patent medicine notorious from its amount of alcohol, and its danger was only preceded by its popularity. It was “at present the most prominent proprietary nostrum in the country,” Adams said.<sup>49</sup> Peruna treated “catarrh,” so they said. “Catarrh” seemed to come in just about any form. Pneumonia was catarrh of the lungs, dyspepsia catarrh of the stomach, appendicitis catarrh of the appendix, heart disease catarrh of the heart, and so on. “What is catarrh? Whatever ails you,” Adams quipped.<sup>50</sup> To better illustrate just how much alcohol Peruna contained, Adams used a visual. He placed a bottle of Peruna next to bottles of whisky, champagne, claret, and beer. The bottle of Peruna had twenty-eight percent alcohol, and the bottle of whisky had fifty percent. The champagne, claret, and beer had nine percent, eight percent, and five percent alcohol respectively. Nobody would have drunk whisky to cure catarrh of the heart, but plenty of people drank something with a little over half of the alcohol content.<sup>51</sup> “But what makes Peruna profitable to the maker,” Adams commented, “and

<sup>47</sup> Samuel Hopkins Adams, *The Great American Fraud* (New York: P. F. Collier & Son, 1906), 3. As this makes clear, Adams's articles originally appeared in *Collier's Weekly*, beginning in October 1905 and concluding in February 1906.

<sup>48</sup> Adams, *The Great American Fraud*, 4-9.

<sup>49</sup> Adams, *The Great American Fraud*, 12.

<sup>50</sup> Adams, *The Great American Fraud*, 13.

<sup>51</sup> Adams, *The Great American Fraud*, 16.

a curse to the community at large is the fact that the minimum dose first ceases to satisfy, then the moderate dose, and finally the maximum dose....”<sup>52</sup> In short, Peruna did what any other liquor could do. The Office of Indian Affairs understood this fact quite well, causing them to ban Peruna’s use on Indian reservations in August 1905: “The sale of Peruna, which is on the lists of several traders, is hereby absolutely prohibited. As a medicine, something else can be substituted; as an intoxicant, it has been found too tempting and effective.”<sup>53</sup>

Adams referenced two reasons why a person would rather get drunk off Peruna than whiskey. The first reason had to do with states that prohibited alcohol. Maine and Kansas were such states, and not coincidentally they did a lot of business with patent medicines. The other reason involved unsuspecting people getting drunk on something they did not know had alcohol in it, or at least contained the amount that it did.<sup>54</sup> Citing all this, Adams had another suggestion for the government: “One thing that the public has a right to demand in its attitude toward the proprietary medicines containing alcohol: that the government carry out rigidly its promised policy no longer to permit liquors to disguise themselves as patent medicines, and thereby escape the tax which is put on other (and probably better) brands of intoxicants.”<sup>55</sup>

*Collier’s* published the third part of the series, simply titled “Liquozone,” on November 18. Liquid Ozone, or Liquozone, allegedly cured many diseases, including asthma, bronchitis, cancer, dysentery, gallstones, and others. If anybody had suspicions about the claims of Liquozone, fortunately the Liquozone Company had this to say: “We wish to state at the start that we are not patent medicine men, and their methods will not be employed by us.... Liquozone is too important a product for quackery.”<sup>56</sup> Despite their assurance, Adams was able to catch the company in a lie. Douglas Smith, head of the company, stated, “Liquozone is liquid oxygen—that is all.” Unfortunately for the company, as Adams pointed out, liquid oxygen does not exist above a temperature of 229 degrees below zero.<sup>57</sup>

Briefly setting aside the claims about Liquozone, Adams attacked the favorable reports that respected physicians allegedly gave to the nostrum. Firstly, a Dr. W. H. Myers of the *New York Journal of Health* contributed to a positive report on Liquozone. Adams discovered that there had never been a *New York Journal of Health*. Secondly, President Albert C. Smith of the Suffolk Hospital of Boston wrote favorably about Liquozone, saying, “Our [the hospital’s] test shows it (Liquozone) to possess great remedial value.” The letter was genuine, but the hospital in question had never heard of Liquo-

<sup>52</sup> Adams, *The Great American Fraud*, 13.

<sup>53</sup> Adams, *The Great American Fraud*, 15.

<sup>54</sup> Adams, *The Great American Fraud*, 17.

<sup>55</sup> Adams, *The Great American Fraud*, 22.

<sup>56</sup> Quoted in Adams, *The Great American Fraud*, 23.

<sup>57</sup> Adams, *The Great American Fraud*, 24.

zone, let alone tested it or prescribed it to anybody. Finally, a Dr. A. A. Bell of Madison, Georgia was quoted as saying, "I found Liquozone to invigorate digestion." However, Dr. Bell later said that his personal experience had shown it to be ineffective. Adams viewed Dr. Bell's original letter and noticed that the unfavorable portion had been scratched out.<sup>58</sup> Adams returned to the claims Liquozone made. Bizarrely, in one pamphlet the company stated, "Liquozone is deadly to vegetable matter, but helpful to animals.... *Germ's are vegetables*" [emphasis mine].<sup>59</sup> The most devastating thing revealed by Adams on Liquozone came in the form of a test of the product on guinea pigs, whom respond to germ infection most similarly to humans. Four tests were conducted, two using anthrax, another using diphtheria, and the last using tuberculosis. In the words of Lederle Laboratories, who carried out the experiment, "we would say that the Liquozone had absolutely no curative effects, but did, when given in pure form, lower the resistance of the animals, so that they died a little earlier than those not treated."<sup>60</sup> Not only did Liquozone not cure the laundry list the company claimed the product could cure, but it actually made the consumer more vulnerable to disease.

"The Subtle Poisons" appeared in *Collier's* on December 2, 1905. Orangeine was advertised as a headache powder. Unlike the average patent medicine, it printed its formula. It contained acetanilid, and the average person did not know what that was and maybe how to pronounce it. Orangeine claimed to "strengthen the heart and produce better blood" yet thinned the blood, depressed the heart, and undermined the whole system. "Thus far in the patent medicine field I have not encountered so direct and specific an inversion of the true facts," Adams said about it.<sup>61</sup> To give an idea of its danger, Adams highlighted the case of an eighteen-year-old Philadelphia woman who went to a drug store and purchased Orangeine. She read the instructions, took the correct dose, and died just three hours later.<sup>62</sup> Bromo-Seltzer is a very similar powder. The prescribed dose was a "heaping teaspoonful," about ten grains of acetanilid. A dose of five grains had been shown to produce fatal results.<sup>63</sup> Antikamnia was yet another of these powders. Despite its advertisement as an "ethical" remedy, some analyses claimed it contained as much as sixty-eight percent acetanilid.<sup>64</sup>

Any article or series of articles discussing patent medicines would be incomplete without discussing Mrs. Winslow's Soothing Syrup. Discussed in more detail above, it received blistering criticism from a Detroit physician, cited by Adams: "Mrs. Winslow's Soothing Syrup is extensively used among the poorer classes as a means of pacifying their babies. These children even-

<sup>58</sup> Adams, *The Great American Fraud*, 26.

<sup>59</sup> Quoted in Adams, *The Great American Fraud*, 29.

<sup>60</sup> Adams, *The Great American Fraud*, 30.

<sup>61</sup> Adams, *The Great American Fraud*, 32.

<sup>62</sup> Adams, *The Great American Fraud*, 33.

<sup>63</sup> Adams, *The Great American Fraud*, 37.

<sup>64</sup> Adams, *The Great American Fraud*, 38.

tually come into the hands of physicians with a greater or less addiction to the opium habit.”<sup>65</sup> Also covered in this particular article was cocaine, a very common ingredient in patent medicines, along with opium and alcohol. Crown Cure, in admitting that their product was 2.5% cocaine stated, “Of course, this is a very small and harmless amount. Cocain[e] is now considered to be the most valuable addition to modern medicine...it is the most perfect relief known.”<sup>66</sup>

Adams’s last two articles in his series, “Preying on the Incurables” and “The Fundamental Fakes,” were published in early 1906. The “incurable” in question was consumption, or tuberculosis. Adams believed “incurables” to be “one the strongholds of the patent medicine business.”<sup>67</sup> (What better business model is there than to promise to cure something that cannot be cured?) Adams wrote to one of the companies which produced a consumption “cure,” the A. C. Meyer & Co. The company downplayed their claims, saying “We do not claim that Dr. Bull’s Cough Syrup will cure an established case of consumption.” However, as Adams noticed, the company’s statement contradicted their own advertising. One booklet stated, “There is no case of hoarseness, cough, asthma, bronchitis...or consumption that cannot be cured speedily by the proper use of Dr. Bull’s Cough syrup.”<sup>68</sup> Another one of these was Piso’s Consumption Cure. Chemical analysis revealed that it contained chloroform, alcohol, and cannabis indica (hasheesh). “It is therefore, another of the remedies which cannot possibly cure consumption, but, on the contrary, tend by their poisonous and debilitating drugs to undermine the victim’s stamina,” Adams said about it.<sup>69</sup>

The last article of the series focused not so much on the dangers of any given patent medicine but how the papers advertised. “The strongholds of the fraud,” Adams remarked, “are the dailies, great and small, the cheap weeklies and the religious press.”<sup>70</sup> One of these religious papers, the *Baptist Watchman*, advertised something called Vitae-Ore. It claimed to be a mineral containing free iron, free sulphur, and free magnesium. It contained none of the three. The *Watchman*, like other religious papers, defended the presence of patent medicine advertising on their pages. Adams closed this article, and thus the series, with a discussion on how an American will seek counsel when buying a “horse, or a house, or a box of cigars.” But, when buying patent medicines, “he will give up his dollar and take his chance of poison on a mere newspaper statement which he doesn’t even investigate.”<sup>71</sup>

The effect of this series on the average American must have been jaw-dropping. Obviously other articles existed on this very topic, the dis-

<sup>65</sup> Quoted in Adams, *The Great American Fraud*, 40.

<sup>66</sup> Quoted in Adams, *The Great American Fraud*, 43.

<sup>67</sup> Adams, *The Great American Fraud*, 45.

<sup>68</sup> Quoted in Adams, *The Great American Fraud*, 45.

<sup>69</sup> Adams, *The Great American Fraud*, 50-51.

<sup>70</sup> Adams, *The Great American Fraud*, 55.

<sup>71</sup> Adams, *The Great American Fraud*, 68.

cussion of which here shows them to be quite compelling in their own right. However, nothing written before approached the devastating breadth as these six articles did. Adams covered it all—deceiving advertisements, fraudulent testimonials, nostrums containing alcohol or cocaine or acetanilid, and a press willing to sell their collective souls for advertising revenue. If Sinclair's *The Jungle* was the final straw to spur regulations for food, *The Great American Fraud* served no lesser purpose for drugs.

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By the turn of the century the fight for “pure food” had already begun, though progress was limited. The Paddock Bill of 1892 constituted the only comprehensive food and drug bill before the dawn of the twentieth century.<sup>72</sup> Proposed by Senator Algernon S. Paddock of Nebraska, the bill regulated food adulteration. Though both sessions of the Fifty-first Congress passed over the bill, it received debate in the Fifty-second Congress. The Senate passed an amended version of the bill, but the House failed to take action.<sup>73</sup> A *New York Times* article from March 1892 relayed concern from druggists. Albert Plant of the firm Lehn & Fink said, “As originally introduced, [the bill] was exceedingly incongruous, and, in fact, ridiculous. I myself do not see the necessity for any law of the kind.” “But that condition of affairs [unqualified druggists],” Plant continued, “has been radically changed by the standard of education and qualifications that are now required in all parts of the country before one can practice pharmacy. I will state without fear of contradiction that there are practically no spurious drugs now sold in this country.”<sup>74</sup> Though it did not receive approval from both chambers of Congress, the Paddock Bill would be the most serious effort at pure food legislation until another decade passed.

On December 18, 1902, this time the House passed a pure food bill. However, the Senate stood in the way and another three years of opposition would stifle progress.<sup>75</sup> During this time, Department of Agriculture chemist Harvey W. Wiley lobbied intensely in the interest of pure food and drug legislation. Increasing political pressure caused President Theodore Roosevelt to address the issue in a speech on December 5, 1905.<sup>76</sup> It read in part:

I recommend that a law be enacted to regulate interstate commerce in misbranded and adulterated foods, drinks, and drugs. Such law would protect legitimate manufacture and commerce, and would tend to secure the health and welfare of the consuming public. Traffic in foodstuffs which have been debased or adulterated so as to injure health or to deceive purchasers should be forbidden.<sup>77</sup>

The next day, Senator Weldon Heyburn of Idaho introduced a new pure

<sup>72</sup> James Harvey Young, *Pure Food: Securing the Federal Food and Drugs Act of 1906* (Princeton, NJ: Princeton University Press, 1989), 95.

<sup>73</sup> Young, *Pure Food*, 98-99.

<sup>74</sup> “Paddock Pure Food Bill,” *New York Times*, March 11, 1892, 10.

<sup>75</sup> Young, *Pure Food*, 146.

<sup>76</sup> Kennedy, *Samuel Hopkins Adams and the Business of Writing*, 50.

<sup>77</sup> Young, *Pure Food*, 193.

food and drug bill. From this point until mid-February 1906, he tried to get a vote for his bill with no success. The breakthrough came when Nelson W. Aldrich of Rhode Island, the Republican leader of the Senate, allowed a vote on Heyburn's bill. Meanwhile, by the middle of February, the House had made progress during Commerce Committee hearings on the bill Rep. William P. Hepburn introduced on February 13. Eight days later, a conservative bill introduced by Senator Hernando DeSoto Money failed while Heyburn's bill passed. Despite the progress, House leadership let Rep. Hepburn's bill die. The House finally began debate on the pure food and drug bill on June 21.<sup>78</sup> The *New York Times* reported the next day the start of House debate. Featured in the article was testimony by the sole speaker of the day, Rep. James Mann of Illinois. Mann discussed patent medicine advertising and various instances of death that patent medicines caused (with assistance from Samuel Hopkins Adams). Mann also discussed fraudulent foods. He brought out a bottle labeled "Pure Honey" and revealed that it was merely glucose. "It never saw the side of a bee hive, and came only from a glucose factory, but it contains, put in with the intention to deceive, a genuine dead bee. Who would have supposed that ingenuity would go so far?"<sup>79</sup> A key difference existed in this round of pure food and drug legislation discussion. *The Jungle*, released in February, had taken the country by storm by late June. If any substantial lack of public support for food and drug reform remained by this time, Upton Sinclair's book erased it.<sup>80</sup> As the House bill exited committee, Rep. Mann, with the assistance of Samuel Hopkins Adams and Harvey Wiley, drafted a clause requiring labeling of patent medicines the quantity of alcohol, opium, cocaine, or "other poisonous substances."<sup>81</sup>

The House approved Hepburn's bill on June 23.<sup>82</sup> Now the House and Senate had to conciliate the two bills. For the Senate, this would be up to Heyburn, James McCumber of North Dakota, and Ashbury C. Latimer of South Carolina; on the House side it was Hepburn, Mann, and William Ryan of New York. On June 29, The House and Senate agreed to a bill and President Roosevelt signed it into law the next day.<sup>83</sup> The relevant language of the "Pure Food and Drug Act of 1906" reads:

#### IN CASE OF DRUGS:

*SECOND.* If the contents of the package as originally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package, or if the package fail to bear a statement on the label of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative or preparation of any such sub-

<sup>78</sup> Young, *Pure Food*, 205-253.

<sup>79</sup> "Pure Food Bill Stirs the House to Interest," *New York Times*, June 22, 1906.

<sup>80</sup> Young, *Pure Food*, 253.

<sup>81</sup> Young, *Pure Food*, 257.

<sup>82</sup> Young, *Pure Food*, 240.

<sup>83</sup> Young, *Pure Food*, 261-262.

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stances contained therein.<sup>84</sup>

The fight for pure drugs took decades and the hard work of many people—writers like Adams and Sullivan and Bok, legislators like Heyburn and Mann, scientists like Wiley, and others. For years those who wrote about the subject were doing so in relative obscurity. It would take the turn of the century, curious writers, and a more curious reading audience to finally break through and expose the fraud that an entire industry played on the American people. And if the battle between the patent medicine industry and muck-rakers really was a publicity war, *The Great American Fraud* dealt the final blow.

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<sup>84</sup> *Federal Food and Drugs Act of 1906*, Food and Drug Administration, <http://www.fda.gov/regulatoryinformation/legislation/ucm148690.htm#sec8>.

# THE SAPIR-WHORF HYPOTHESIS & THE HOPI

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## REFLECTIONS OF MODERNITY IN THE BORDERLANDS OF AMERICAN CULTURAL LINGUISTICS

By Bobby Edwards

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**ABSTRACT:** In the early-twentieth century, anthropologists applied the principle of cultural relativity to their studies in the United States. Franz Boas, Edward Sapir, and Benjamin Lee Whorf advanced this principle by focusing on linguistics and the constructions of thought. They applied these ideas to their ethnographies of Native American peoples. As these studies began to formulate into the Sapir-Whorf hypothesis—which stated that language had an extreme effect in shaping peoples’ thought-worlds and life-worlds—the implications of relativity began to threaten and erode the ideal of modernity and the authority of science. This paper investigates the history of the Sapir-Whorf hypothesis with special attention to the intellectual history of anthropology, the power dynamics of ethnographic relationships, and the effects of epistemic hegemony in America.

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The Sapir-Whorf hypothesis emerged slowly through the early-twentieth century. Its development began with the new perspectives on culture, language, and psychology that were put forward by Franz Boas as he established anthropology as a professionalized, academic discipline in the United States. Boas’s theory of cultural relativity (1911) and his belief that ethnography would lead to scientific progress were key concepts that introduced American anthropology to the broader discipline. Boas’s student, Edward Sapir advanced these ideas by arguing that language, behavior, and psychology shared similar patterns, and that these patterns were inherently connected and mutually reinforcing. Sapir made the first explicit articulation of the Sapir-Whorf hypothesis when he claimed that the structure of language influenced people’s thought, and that the relativities within different structures of language caused significant differences in people’s perceptions (1927). Sapir’s student, Benjamin Lee Whorf concluded the Sapir-Whorf hypothesis when he made the stronger argument that language did not only influence thought, but that it actually determined people’s mode of experience, affecting the most basic perceptions of materiality, space, and time (1939). As the implications of cultural relativity and linguistic determinism slowly dawned on these anthropologists, and as new psychological understandings about subjectivity and the inner workings of the unconscious began to undermine the authority of their thinking, they began to critically reflect on the epistemology of science, and question the very idea of modernity itself.

Despite the sophistication of the critical discourses that surrounded the Sapir-Whorf hypothesis, there were important issues that remained suppressed by the epistemology of science. To clarify some of these issues, this essay includes a case study on the ethnographic relationship between

Benjamin Lee Whorf and his Hopi informant, Ernest Naquayouma. Whorf was an eccentric personality, and remained on the fringe of the professional academic world. He was also a spiritual person—best described as a mystic—and his science was driven by an obsessive preoccupation with divine and cosmic truths. Naquayouma was a diplomat in U.S.-Pueblo relations who used his role as an intermediary between Hopi and Anglo societies to achieve religio-political ends. He was also an uncredited, intellectual authority behind several ethnographic projects. This essay, then, begins with a brief history of the Sapir-Whorf hypothesis, emphasizing institutional power, ethical dilemmas, and the various intellectual currents that informed the hypothesis. It then moves on to investigate the ethnographic relationship between Benjamin Lee Whorf and Ernest Naquayouma in order to critically examine the religious thought, economics, politics, and subaltern intellectual authority that were suppressed by the epistemology of science.

The academic discipline of American anthropology was largely fashioned by the vision of Franz Boas and his professional work. Boas was a German Jew who was trained in physics and geography at the leading German academies. After receiving his PhD in physics, he visited northern and western Canada to do geographic research. While there, his budding interest in ethnography drew his attention to North American indigenous societies, and he began doing fieldwork with the Inuit. On his way back to Germany he spent some time in New York City and decided to stay in the U.S. permanently. His experience with anti-Semitism in his home country, along with the opportunity to continue his ethnographic work in North America, were key factors behind his decision to immigrate. As he settled in New York City he began work as an editor for a scientific journal and lectured at a small university.<sup>1</sup> In 1899, Boas became a professor at Columbia University, where he established the first academic course of anthropology in the United States.

The rise of anthropology as a professional, academic discipline—first at Columbia, and soon after at Harvard University, the University of Pennsylvania, and the University of Chicago—marked an institutional shift away from privately funded museums and government organizations such as The Bureau of American Ethnology.<sup>2</sup> Boas remained at Columbia as an institutional leader until his death in 1942. During those years, he generated an extensive amount of ethnographic data, published foundational works, helped organize several scientific societies, and also helped found the anthropology department at UC Berkeley.<sup>3</sup> He was instrumental to the shape that American anthropology took, having organized the discipline into the specialized fields

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<sup>1</sup>Thomas Hylland Eriksen and Finn Sivert Nielsen, *A History of Anthropology* (Ann Arbor: Pluto Press, 2001), 39.

<sup>2</sup>Thomas C. Patterson, *A Social History of Anthropology in the United States* (New York: Berg, 2001), 45.

<sup>3</sup>George W. Stocking Jr., *Race, Culture, and Evolution: Essays in the History of Anthropology* (Chicago: University of Chicago Press, 1968), 149.

of physical anthropology, cultural anthropology, archeology, and linguistics.<sup>4</sup> In addition, his students went on to publish their own seminal works, and many became professors in their own right. Thus, the “Boasian school” of American anthropology was highly influential to generations of scholars. In general, Boas’s impact as an intellectual leader is difficult to overstate; as biographer, George Stocking suggests, “much of twentieth-century American anthropology may be viewed as the working out over time of various implications in Boas’s own position.”<sup>5</sup>

Boas held a strong humanist commitment to an ideal of modernity and progress based on scientific rationality.<sup>6</sup> He fundamentally believed that all people had equal potential for intelligence, and that racism, imperialism, and poverty were responsible for much of the world’s disparities. Boas was troubled by the ethnocentric and xenophobic tendencies of nationalism, and this encouraged his cosmopolitan belief that all people belonged to a single world community based on a shared morality.<sup>7</sup> He was frustrated with conservatives who stymied progressive action, and he was equally wary of radical socialist philosophies that discredited the past. Boas thought that the advancement of anthropological knowledge—rooted in British empiricism and German historicism—would be a new direction forward. Thus, the fusion of his methodology with his political imperative was central to his thinking.<sup>8</sup> However, his politicized anthropology also created enemies within the U.S. government, which “at one point seems to have led to the freezing of funds for new positions at Columbia.”<sup>9</sup>

Intellectual communities were introduced to Boas’s revolutionary position through his critique of cultural evolutionism. Nineteenth-century anthropologists, working in Britain, France, Germany, Russia, and the U.S. often worked from the theory of cultural evolutionism, which held that human biology and culture were naturally locked together. The theory further held that all cultures advanced in a uniform trajectory, with the white, Western European race at its apex.<sup>10</sup> Woven into the rationale of New Imperialism, cultural evolutionism was part of a discursive complex that permeated Western beliefs. The theory provided scientific authority to the popular ideologies of racism, eugenics, and social Darwinism, and was more subtly entangled with the ideals of progress and civilization. Nationalist concepts from the German Romantic tradition also merged with cultural evolutionism, adding

<sup>4</sup> Paul A. Erickson, and Liam D. Murphy, *Readings for a History of Anthropological Theory* (Peterborough: Broadview Press, 2001), 109.

<sup>5</sup> George W. Stocking Jr., *Delimiting Anthropology: Occasional inquiries and Reflections* (Madison: University of Wisconsin Press, 2001), 45.

<sup>6</sup> Richard Bauman and Charles L. Briggs, *Voices of Modernity: Language Ideologies and the Politics of Inequality* (Cambridge: Cambridge University Press, 2003), 255.

<sup>7</sup> Franz Boas, *Anthropology and Modern Life* (New York: Dover, 1962), 104, 200, 246.

<sup>8</sup> Elvin Hatch, *Theories of Man and Culture* (New York: Columbia University Press, 1973), 40.

<sup>9</sup> Erikson, *Readings for a History of Anthropological Theory*, 56.

<sup>10</sup> George W. Stocking Jr., ed., *A Franz Boas Reader: The Shaping of American Anthropology: 1883-1911* (Chicago: The University of Chicago Press, 1974), 163.

language to the locked set of biological and cultural features. Together, these features were equated with a nation's character, which was often described in racial terms.<sup>11</sup> Hence, the scientific framing of "biology, culture, and linguistics," easily translated into the nationalistic framing of "ethnicity, tradition, and language," and the deep emotions associated with nationalism charged the rhetoric of many anthropologists. Boas's critique of cultural evolutionism had a scientific purpose, to be sure, but the critique simultaneously addressed a broader set of political ideologies that he hoped to discredit.<sup>12</sup>

In his "Introduction" to the *Handbook of American Indian Languages* (1911), Boas used historical and geographical methods to fully deconstruct cultural evolutionism. In the essay, he gave a historical summary of the ways in which Westerners had attempted to classify different peoples. He noted the arrival of the Spanish and Portuguese in the Americas, and how they conflated all indigenous peoples into a single type. He added that Biblical explanations were also given, which argued that indigenous peoples were part of the lost tribes of Israel. Boas then traced early anthropological thought, citing German naturalist Johann Friedrich Blumenbach, who first coined the term "race" in the eighteenth century when he conceived the racial categories of Caucasian, Mongolian, Ethiopian, American, and Malay.<sup>13</sup> In these passages, Boas used historical examples to contextualize the scientific understandings of his day, giving them a sense of arbitrariness. He also denounced the speculative and totalizing premises from which anthropologists based their arguments.

In the following sections of his "Introduction," Boas moved on to the topic of racial classification. He countered the premises of cultural evolutionism—and nationalism—by presenting disparate examples of culture, biology, and language from globally diverse regions, and then used ethnographic evidence to demonstrate their dynamism in place and time. This served as empirical proof demonstrating that culture, biology, and language had never actually coincided in any meaningful way, and that they did not follow any determined, uniform historical development.<sup>14</sup>

Through this critique, Boas outlined a new paradigm called cultural relativism, which was based on the principle that each culture was historically unique, and that each had its own epistemological categories and associated meanings. Therefore, each culture needed to be understood on its own terms.<sup>15</sup> Aside from the forceful arguments of Boas, cultural relativism was given special attention in the anxious and critical atmosphere before the First World War. The theoretical vigor of cultural evolutionism was all but

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<sup>11</sup> Bauman and Briggs attribute the origin of these ideas with the philosophy of Johann Gottfried Herder.

<sup>12</sup> Bauman, *Voices of Modernity*, 255-256. See also Franz Boas's *Anthropology and Modern Life* (1928).

<sup>13</sup> Franz Boas, "Introduction," in the *Handbook of American Indian languages*. Part 1. Bureau of American Ethnology (Washington: Government Printing Office, 1911), 5-88.

<sup>14</sup> Patterson, *A Social History of Anthropology in the United States*, 47.

<sup>15</sup> Peter Novick, *That Noble Dream: The "Objectivity Question" and the American Historical Profession* (Cambridge: Cambridge University Press), 144.

destroyed in the aftermath of the war, as disillusioned intellectuals could no longer associate the glory of European civilization with the barbarity of the conflict.<sup>16</sup> As a result, cultural relativism stepped into the forefront of anthropological thought in America and Europe, and the Boasian school assumed a leading position in disciplinary politics.<sup>17</sup>

A celebration of this history of anthropology, however, is set against a series of ideological inconsistencies and ethical dilemmas. First, there was an underlying tension between Boas's scientism and his humanism. In his work, he had managed to compound the empirical method with the subjective experience, but the tension resurfaced in the implications of cultural relativism: if the values and perspectives of each culture were relative to its unique history, then the universalist assumptions of science and the utopian vision of modern society were seriously undermined.<sup>18</sup> Boas, for his part, never fully resolved this issue. But by opening the door to cultural relativism he drew attention to the epistemological contingencies of science, and to the constructive nature of the ideal of modernity. These issues would preoccupy him throughout the rest of his career, and were behind his move toward the principles of psychology during the interwar period.<sup>19</sup>

Secondly, although Boas's liberalism drove him to advocate for women's rights, and the rights of African Americans and Native Americans, he was also instrumental in expanding the ethically complicated, yet often damaging practice of salvage anthropology.<sup>20</sup> Salvage anthropology was premised on the belief that modernization would lead to the eventual annihilation of indigenous cultures, by means of conquest or assimilation. The belief had informed ethnographic work in the United States since the 1850s, but Boas was especially convinced that documenting Native American cultures before they were lost was crucial to anthropology's underlying moral imperative.<sup>21</sup> He especially emphasized the need to collect linguistic data because he felt it was central to understanding epistemological differences between cultures.<sup>22</sup> Contrary to Boas's other positions, which held that cultures were historically dynamic, his position on salvage anthropology assumed that indigenous peoples could not integrate into modern society without losing the essence of their culture—granted, the U.S. government had taken aggressive measures to “assimilate” Native Americans into Anglo lifeways.

Despite the benevolent intentions associated with salvage anthropology, its production of knowledge remained ideologically entangled with dangerous Anglo-national mythology that combined a romantic image of the Na-

<sup>16</sup> Stuart H. Hughes, *Consciousness and Society: The Reconstruction of European Social Thought, 1890-1930* (New York: Random House, 1958), 27-32.

<sup>17</sup> Patterson, *A Social History of Anthropology in the United States*, 61-61.

<sup>18</sup> Bauman, *Voices of Modernity*, 1-18, 255-257.

<sup>19</sup> Stocking Jr., *Race, Culture, and Evolution*, 189.

<sup>20</sup> Patterson, *A Social History of Anthropology in the United States*, 50.

<sup>21</sup> Alessandro Duranti, “Language as Culture in U.S. Anthropology: Three Paradigms,” *Current Anthropology* 44, no. 3 (June 2003): 324.

<sup>22</sup> Bauman, *Voices of Modernity*, 257-258.

tive American “other” with a teleology of national conquest. In the romantic imagination of Anglo-national mythology, Native Americans were viewed as a timeless other—“noble savages” uncorrupted by civilization—and they conversely served as the static benchmark of progress. Hence, Anglo-national identity was partially defined by its imagined position opposite a caricature of Native Americans, and this mythical image worked to suppress the actual experience and values of indigenous peoples.<sup>23</sup> Anthropologists contributed to this suppression when they gave epistemic privilege to scientific principles, and transmuted indigenous lives into objective schemas devoid of an indigenous voice—a problem that was accelerated when salvage anthropology made the production of ethnographic knowledge a scientific emergency.<sup>24</sup> The cultural archive that was constructed served as the authoritative proxy of indigenous perspectives—not only epistemological perspectives, but socio-historical and political perspectives as well.<sup>25</sup>

Anglo-national mythology also assumed the teleology of national conquest, which took for granted that indigenous cultures would not survive the United States’ westward territorial expansion due to the country’s military power, political achievements, and moral authority.<sup>26</sup> These sentiments trace back to the rhetoric of providence and exceptionalism that, in the early-seventeenth century, encouraged Protestant Pilgrims to sail westward from England to settle the Massachusetts Bay Colony.<sup>27</sup> This teleology continued to frame centuries of expansionist, genocidal, and morally sanctioned warfare against indigenous peoples. It was evident in the ideal of Manifest Destiny, which in the nineteenth century, used the rhetoric of American virtue to perpetuate westward settlement and justify the U.S.-Mexican war. The teleology of national conquest is also clear in Fredrick Jackson Turner’s “Frontier Thesis,” which, in 1893, claimed that westward territorial expansion symbolized American exceptionalism, individualism, and the national, democratic character.<sup>28</sup>

In addition to these intellectual currents, a multitude of executive orders, congressional acts, treaties, policies, and laws—typically at the federal level—gave institutional sanction to state and cultural violence against indigenous peoples. This is signified by the fact that, for the early government, the task of U.S.-indigenous relations was given to the War Department; and in 1824, the War Department created the Bureau of Indian Affairs to manage indig-

<sup>23</sup> James Wilson, *The Earth Shall Weep: A History of Native America* (New York: Grove Press, 1998), xx-xxiv.

<sup>24</sup> Vanessa Smith, “Joseph Banks’s Intermediaries: Rethinking Global Cultural Exchange.” In *Global Intellectual History*, edited by Samuel Moyn and Andrew Sartori (New York: Columbia University Press, 2013), 82.

<sup>25</sup> Lomayumtewa C. Ishii, “Western Science Comes to the Hopis: Critically Deconstructing the Origins of an Imperialist Canon,” *Wicazo Sa Review* 25, no. 2 (Fall 2010): 65-88.

<sup>26</sup> Ishii, “Western Science Comes to the Hopi,” xx-xxiv.

<sup>27</sup> See John Winthrop’s “A Model of Christian Charity” (1630). A canonical work in American intellectual history that is best known for the phrase “a city upon a hill.”

<sup>28</sup> Brendan C. Lindsay, *Murder State: California’s Native American Genocide, 1846-1873* (Lincoln: University of Nebraska Press, 2012), 59-62.

enous relations in the federal government's interest. The Indian Removal Act of 1830, formulated by President Andrew Jackson and his allies in Congress, forcibly relocated the Chickasaw, Choctaw, Muscogee-Creek, Seminole, and Cherokee from their ancestral territory in the American south, to the federally established "Indian Territory" in what is now eastern Oklahoma. Beginning in 1868, the Indian reservation system was created through the executive orders of President Ulysses S. Grant, and it continued the federal government's policy of forcibly relocating indigenous peoples in the interest of the state. In 1887, the Dawes Severalty Act compelled nearly all Native Americans—except for those in Indian Territory—to parcel communal land into individualized sets of private property, which served to further facilitate Anglo encroachment, development, and resource extraction.<sup>29</sup> Crucially, all of these state policies were implemented under threat of military violence, which all too often led to conflict and devastating massacres at the hand of the U.S. Army.<sup>30</sup>

These examples of contested territory and physical violence, and the intellectual currents that compelled them, went hand in hand with state sponsored cultural violence against traditional, indigenous lifeways. The disorientation that indigenous societies often felt under Western modes of law represented a perilous rupture in the social history of indigenous peoples. In addition, several aggressive re-education policies were carried out with the mission to assimilate indigenous communities into Christian lifeways, and to systematically eradicate indigenous languages and practices—policies which devastated indigenous identities.<sup>31</sup> The cultural archive constructed by American anthropologists was rarely directly associated with these examples of state coercion; nevertheless, government officials readily used anthropological information to achieve their own ends, and there were cases of direct association between the U.S. military and the government's Bureau of American Ethnology.<sup>32</sup> Thus, the discipline of American anthropology—its ideas, practices, personalities, and the institutions that housed them—can not be disassociated from these historical forces of social and political power.

In the interwar period, American anthropology reached a turning point. As the extreme scientism that marked earlier generations of scholars receded and psychology grew as an intellectual trend, some of Boas's students followed the hesitant lead of their mentor and took their work in a decidedly psychological direction. None more so than Edward Sapir. Sapir was the first professionally trained linguist in the American anthropological discipline, and his work emphasized the role that language played in culture and

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<sup>29</sup> Herman J. Viola, *Diplomats in Buckskins: A History of Indian Delegations in Washington City* (Washington: Smithsonian Institution Press, 1981), 11.

<sup>30</sup> Wilson, *The Earth Shall Weep*, 304-309.

<sup>31</sup> Kermit L. Hall, *The Magic Mirror: Law in American History* (Oxford: Oxford University Press, 2009), 164-165.

<sup>32</sup> Viola, *Diplomats in Buckskins*, 188; Viola notes that the U.S. Army published research on Native American sign language through the Bureau of American Ethnology.

psychology.<sup>33</sup> His writings about the subjective experience went well beyond Boas's cautious probing, resulting in the first explicit articulation of what would later be called the Sapir-Whorf hypothesis.

Sapir was from an orthodox Jewish family that immigrated to New York from Prussia while he was in his youth. He attended Columbia for his graduate education, and initially studied philology with a focus on German and Indo-European languages. He eventually changed disciplines to join Boas's anthropology program at Columbia; and, assuming the task of salvage anthropology, he shifted his focus to the indigenous languages of North America. Sapir earned his PhD in anthropology in 1909, and his dissertation was on the language of the Takelma, who live in the American northwest. After completing his graduate studies, Sapir began his professional career working in museum administration in Canada. During this time, he did his first ethnographical fieldwork with the Nootka of Vancouver Island in British Columbia. In 1925, Sapir took a faculty position as professor of anthropology at the University of Chicago, and then at Yale University six years later as professor of anthropology and linguistics. While at Yale, he began doing fieldwork with the Navajo and Hoopa in the American southwest.<sup>34</sup>

Sapir had other intellectual interests besides anthropology and psychology. He also studied sociology, along with the more aesthetic disciplines of music and creative writing. He was particularly taken with poetry and had several of his poems published, and he published reviews on contemporary literary works and on music as well. It is also noteworthy that his father was a lifelong musician; thereby, Sapir's intimacy with creative energies was rooted in his childhood. These biographical details help contextualize Sapir's preoccupation with aesthetics in his anthropological analyses.<sup>35</sup> Beyond aesthetics, he was also inspired by Boas's fierce liberalism, and followed Boas's lead in becoming a public intellectual. Aside from organizing scientific societies from behind the scenes, he wrote non-professional works that offered an anthropological view on important issues of his day.<sup>36</sup>

While most other anthropologists still thought of culture as a mere collection of traits, Sapir, like his peers in the Boasian school, portrayed culture as patterned and embedded in historical context. However, Sapir's work was unique in its claim that cultural patterns were ultimately located in the unconscious, which he believed was a powerful conditioner of culture. Sapir also highlighted the conscious role that individual agency and creativity had in the construction of culture, and gave attention to individuals' life history and subjective experience. His emphases on the aesthetic nature of cultural

<sup>33</sup> Erickson, *Readings for a History of Anthropological Theory*, 111.

<sup>34</sup> Franz Boas's obituary of Edward Sapir. In *Edward Sapir: Appraisals of his Life and Work*, edited by E.F.K. Koerner (Amsterdam: John Benjamin's Publishing, 1984) 3-4.

<sup>35</sup> This statement refers generally to Sapir's focus on the patterned relationships of culture, language, and psychology. It also refers to specific references Sapir makes to music as an analogy to culture in "The Unconscious Patterning of Behavior in Society" (1927).

<sup>36</sup> Franz Boas's obituary of Edward Sapir.

patterns were linked to these unconscious and conscious processes of the mind. Biographer, Judith T. Irvine argues that the central, organizing concept of Sapir's work was "symbolic mediation": that patterns of language, culture, and thought, resemble each other in form and mutually reinforce one another; and that these relationships generate epistemological categories and their associated emotional meanings.<sup>37</sup>

In 1921, Sapir's ideas coalesced into a preliminary sketch of the Sapir-Whorf hypothesis. In his book *Language: An Introduction to the Study of Speech*, he claimed that language served as a general framework of thought. He illustrated this point by saying that, even when one is thinking to themselves without audible speech, one still uses the frameworks of language to form ideas. He then added that these linguistic frameworks existed in the unconscious, and worked primarily as a "pre-rational function."<sup>38</sup> With his organizing concept of symbolic mediation, language and thought were fundamentally linked to culture; for Sapir, culture was simply the sum of individuals' actions.

Like Boas before him, Sapir critically reflected on the implications of cultural relativism, and he drew novel insights about the epistemology of science. In his essay "The Unconscious Patterning of Behavior in Society" (1927), he considered how an ethnographer could analyze the patterns of another cultural group's behavior, but never get a clear sense of the meaning that it holds in the minds of its practitioners due to their relative mode of understanding. On the other hand, the observed practitioners act in what Sapir terms a "naïve practice" that is "not so much known as felt." Therefore, they are also at a disadvantage in that they are not consciously aware of their own cultural patterns. This presented a methodological dilemma for Sapir in that there was an inherent gulf separating ethnographers from the inner-lives of their subjects.<sup>39</sup> But Sapir went further and turned the premise of naïve practice back upon himself, as a modern scientist:

It is strange how frequently one has the illusion of free knowledge, in the light of which one may manipulate conduct at will, only to discover in the test that one is being impelled by strict loyalty to forms of behavior that one can feel with the utmost nicety but can state only in the vaguest and most approximate fashion.... Owing to the compelling, but mainly unconscious, nature of the forms of social behavior, it becomes almost impossible for the normal individual to observe or to conceive [the meaning of] behavior in other societies than his own, or in other cultural contexts than those he has experienced, without projecting into them the forms that he is familiar with. In other words, one is always finding what one is in unconscious subjection to.<sup>40</sup>

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<sup>37</sup> Judith T. Irvine, ed., *The Psychology of Culture: A Course of Lectures* (New York: Mouton de Gruyter, 2002), xiii.

<sup>38</sup> Edward Sapir, *Language: An Introduction to the Study of Speech* (New York: Harcourt, Brace and Company, 1921), 9-15.

<sup>39</sup> Erickson, *Readings for a History of Anthropological Theory*, 115.

<sup>40</sup> Edward Sapir, "The Unconscious Patterning of Behavior in Society," from *The Unconscious: A Symposium*, edited by E.S. Drummer (New York: Knopf, 1927), 549.

Sapir's venture into the implications of subjectivity, then, began to completely erode his own authoritative position as a scientist. He continued his critical reflection by stating that ethnographer's analyses were "merely imposed by the nature of the interest of the observer and are not inherent in the phenomenon themselves," and that they are essentially an "arbitrary mode of interpretation."<sup>41</sup> These remarks were potentially devastating to the project of ethnography and its underlying moral imperative. Yet, Sapir seems to have used his conclusions to chart new scientific territory, with ambiguous consequences for modern ethics. Notably, Sapir's ideas coincided with the intellectual climate of the interwar period, which was marked by ethical disillusionment.<sup>42</sup>

In his 1929 essay, "The Status of Linguistics as a Science" Sapir fused his earlier ideas about the unconscious influence of linguistic frameworks, with his critical reflections on cultural relativity, and in doing so, articulated the first clear outline of the Sapir-Whorf hypothesis:

Human beings do not live in the objective world alone, nor alone in the world of social activity as ordinarily understood, but are very much at the mercy of the particular language which has become the medium of expression for their society. It is quite an illusion to imagine that one adjusts to reality essentially without the use of language and that language is merely an incidental means of solving specific problems of communication or reflection: the fact of the matter is that the 'real world' is to a large extent unconsciously built up on the language habits of the group. . . . The worlds in which different societies live are distinct worlds, not merely the same world with different labels attached.<sup>43</sup>

Here, Sapir's position destabilized the authority of science, as well as the monolithic status of Western thinking in general. He used novel psychological principles of subjectivity and cognition to methodically subvert notions of objective truth and values. This associated him—as an anthropologist—with philosophers, sociologists, psychologists, and artists who had been voicing a critique of Western civilization since the polemics of German philosopher, Friedrich Nietzsche (1878).<sup>44</sup> Sapir's contributions to the critiques of Western civilization shifted modernity itself from an objective truth with an objective value system to a mere epistemological construction rooted in the inner workings of the mind; though the political overtones of his argument were significantly muted in his writings. Thereby, the thrust of Sapir's critical thought remained confined to the implicit conclusions of his statements.

The theoretical outline created by Sapir was advanced by the work and writings of Benjamin Lee Whorf: Sapir's brilliant, yet eccentric student at Yale. Whorf was born in Winthrop, Massachusetts, and his family had deep

<sup>41</sup> Sapir, "The Unconscious Patterning of Behavior in Society," 546.

<sup>42</sup> Novick, *That Noble Dream*, 144.

<sup>43</sup> Edward Sapir, "The Status of Linguistics as a Science," *Language* 5, no. 4 (December 1929), 209.

<sup>44</sup> The most notable of these critical voices, in my opinion, are Friedrich Nietzsche, Karl Marx, Sigmund Freud, and the Dadists.

roots in the area, dating back to some of the first Pilgrims of Provincetown. He was raised in a highly artistic home environment; his father was a commercial artist and amateur photographer, and his two brothers grew to achieve some fame in water-coloring and theatre acting, respectively. Whorf, for his part, took an early liking to science and language. Biographer John B. Carroll suggests that his interest in chemistry likely came from observing his father work with photographic chemicals and appreciating the “magical” transformative effects of the process. Carroll also notes that Whorf was interested in botany at a young age and quickly learned the Latin names of many plants. He also seemed to enjoy making and breaking codes for play, which is telling of his knack for cryptography.<sup>45</sup> Whorf eventually attended college at the Massachusetts Institute of Technology, and in 1918 he received a Bachelor of Science degree in Chemical Engineering. He then began his career as a fire-prevention engineer, and relocated to Hartford, Connecticut to work for the Hartford Fire Insurance Company. He excelled in the insurance business and achieved such distinction as an observant, creative, and thorough analyst that he was quickly promoted to special agent, and later as assistant secretary. He remained under the employment of the company until his death in 1941.<sup>46</sup>

Whorf was a deeply spiritual person. His background was in the Methodist Episcopalian tradition, and he showed a specific interest in creationism in his early writings on science.<sup>47</sup> His combined interest in religion and science created a personal crisis, which was indicated in a letter he wrote to a culture critic who taught at Yale whose work defended Christianity from scientific criticism. In the letter, Whorf complained about atheists and anti-religious types who published articles attacking Christianity. He said that he had been writing responses to different magazines “to show the reasonableness of Christianity, and that religion is not a mere superstition, credulous and anti-intellectual.” He also described that his “leading purpose [was] to work toward a reconciliation of the modern intellectual world to God.”<sup>48</sup>

Whorf took it upon himself to try and resolve the crisis between religion and science, and ultimately focused his attention on the Old Testament. He began doing extensive research on the Hebrew language; however, his language study was not just for translation. Whorf was convinced that there were mystical truths in the properties of language itself, and he was particularly taken with contemporary, esoteric philosophies about the symbolic function of grammar.<sup>49</sup> This preoccupation of Whorf’s drove him to expand

<sup>45</sup> John B. Carroll, ed., *Language, Thought, and Reality: Selected Writings of Benjamin Lee Whorf* (New York: The Technology Press, MIT, 1956), 2-6.

<sup>46</sup> Carroll, *Language, Thought and Reality*, 1-3.

<sup>47</sup> Carroll notes that Whorf’s creationist sentiments are evident in his unpublished essay, “Why I Have Discarded Evolution” (1925).

<sup>48</sup> Benjamin Lee Whorf, Letter to Professor William Lyon Phelps (1927). From the *Benjamin Lee Whorf Papers* (New Haven: Yale, Sterling Memorial Library, 1975).

<sup>49</sup> Carroll, *Language, Thought, and Reality*, 8-9.; Carroll claims that Whorf drew these ideas from the works of French Philosopher, Antoine Fabre d’Olivet (1816).

his linguistic study to the Mayan and Nahuatl (Aztec) languages. He soon began publishing papers that solved long standing linguistic problems of both languages, thereby gaining a reputation in the professional community as an adept amateur. Hence, while he used his linguistic training to solve obscure problems of industrial signage at his day job as a fire prevention engineer, in his free time, he became a scientific authority in linguistics.

His ideas on religion and language informed some of his first original scientific concepts; notably, the linguistic principle of “oligosynthesis.” His early comments on oligosynthesis are found in his letter to the editor-in-chief of the linguistic journal *Modern Philology* in 1930. While negotiating the publication of an article on Nahuatl, Whorf explains:

One does not take up such a subject as linguistics unless the dry bones of it have been transfigured by some living idea. My interest became serious when I began to be persuaded of a certain idea, and that this idea was what the anthropologists call a ‘lead,’ that is a means of bringing to light and exploring new ranges of phenomenon. . . . The reason I am interested in every phase of linguistics is that I am primarily interested in something that might be styled “intra-atomic” linguistics.<sup>50</sup>

He added that, before the inner workings of atoms were revealed, to inquire about such things would have “excited serious doubts to one’s sanity.” He continued: “Now we know that the so-called atom is a complex domain of its own, and this discovery has been the greatest ‘lead’ in modern chemistry and physics.”<sup>51</sup> In later letters, Whorf developed this idea further and referred to it as oligosynthesis, describing it as the essential source of meaning, held in a grammatical component that is smaller than a linguistic root or stem. He added that these grammatical features were the fundamental link between language and psychology.<sup>52</sup> Today, this notion is generally known as a *phoneme*.

Whorf’s ideas were similar to Sapir’s principle of symbolic mediation, though Whorf arrived at his conclusions by a dissimilar path—granted, he was familiar with the work of both Boas and Sapir.<sup>53</sup> In an effort to give his ideas traction in the academic community, Whorf began a frenzy of correspondences with professionals. In the process, he began written discussions with Boas in 1928 and was introduced to Sapir through a mutual colleague in 1930.<sup>54</sup> A year later, Whorf was accepted to Yale and studied linguistics under the mentorship of Sapir. At Yale, Whorf was trained in Boasian ethnography and began doing fieldwork with the Hopi in the American southwest, (with the graces of his employers at the Hartford Fire Insurance Company, who were liberal with his terms of employment). Whorf’s study of the Hopi led to his more formidable written works in anthropology.

<sup>50</sup> Whorf. Letter to Professor Nykl at the University of Chicago (1930).

<sup>51</sup> Whorf. Letter to Professor Nykl at the University of Chicago (1930).

<sup>52</sup> Whorf. Letter to Boas (1928); Whorf. Letter to Dr. S. G. Morley at Carnegie Institute (1928).

<sup>53</sup> Whorf. Letter Dr. Benedict (1928); [Author Illegible]. Letter to Whorf (1930).

<sup>54</sup> Franz Boas. Letter to Whorf (1928); [Author Illegible]. Letter to Whorf (1930).

In one of Whorf's early anthropological essays, titled "A Linguistic Consideration of Thinking in Primitive Communities" (1936), Whorf followed Sapir's lead in focusing on the unconscious processes of language, and he expanded on Sapir's work using the principles of oligosynthesis. Whorf used examples from a wide range of languages—including Hopi, English, Chinese, and Sanskrit—and argued that beneath the more apparent structures and mechanics of language was a "covert class" of grammatical functions that he now called "cryptotypes," which represented the underlying link between language and psychology. Whorf offered the example of how some plurals can animate a subject and attribute to it a life force. With this connotation, the basic grammatical structure of a plural is "given a flood of new meaning" that could be metaphorical or religious in nature. He noted that cryptotypes were submerged in the unconscious, and elusive, but that they were also universal.<sup>55</sup>

Whorf's idea about a covert class of grammar was developed further in his essay "The Relation of Habitual Thought and Behavior to Language" (1939). In it, Whorf used a comparative analysis between the Hopi language and what he called SAE (standard average European). He focused on certain peculiarities of each type of language. He claimed that SAE exhibited a linguistic phenomenon that he called a "binomial," which separated substance from form. For instance, the SAE word "water" was a mass-noun, which described the substance in an abstract, un-specific sense. To create an expression, SAE required a binomial formula that combined a mass noun describing substance with another word that described its form: a "cup of water." Whorf argued that Hopi did not use binomials, but that they did have a unique way of constructing each noun as a concrete reference—"that-specific-body-of-water," for example. Whorf also claimed that Hopi added "tensors," or a sense of attributing to each word a sense of phasing. Thus, for the Hopi, it is not a binomial "crop of corn," it is a "corn-crop-in-preparation." When comparing the two phrase constructions, the concept shifts from an abstraction into an event. The broader implication, for Whorf, is that SAE tends to turn the material world into an abstraction and thereby objectifies it, whereas Hopi is much more concrete and subjective in its representation of nature.

Whorf then followed this line of analysis and critically examined linguistic constructions of space and time. He described how SAE used metaphor to conflate space with meaning: for instance, "the argument was over my head," or, "my attention may wander." He claimed that such spatial metaphors were minimal in Hopi speech. Rather than conflating space with meaning, they instead tended to infer intensity, tendency, duration, and the rate of change. Whorf also argued that SAE combined binomials with spatial metaphors to segment time into abstract quantities: "a moment of time," or, "a second of

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<sup>55</sup> From the essay "A linguistic Consideration of 'Thinking in Primitive Communities,'" in Carroll, *Language, Thought, and Reality*, 65-86.

time.” He stated that “the pattern is simply that of ‘a bottle of milk’ or ‘a piece of cheese.’” Whorf then noted that such abstract quantities of time led to the cultural features of “annals, histories, the historical attitude, interest in the past, and archeology.” Hopi, he continued, had no use for abstract notions of history because for them history was implicit in the “eventing” of each moment. He claimed that, rather than speculate on the past or the future, Hopi culture emphasized repetition and ritual, which were seen as accumulative acts of an ongoing eventfulness.

The consequences were potentially far reaching, for Whorf. He thought that such grammatical differences did not just influence different types of pre-rational perception—as Sapir might have argued—but that they *determined* entirely different modes of experience. As Whorf himself put it: “Ultimately, matter, space, and time are not intuitions, but products of culture and language.”<sup>56</sup> Many of these statements by Whorf were patently false. For instance, it hardly need mentioning that the Hopi are perfectly adept to abstract thinking and can easily intuit concepts of history and the future. Whorf’s immediate reception in the scholarly community was controversial. However, other statements of his proved to be ahead of their time, in so far as they set early precedents to ideas that are currently held by cognitive scientists.<sup>57</sup>

It is worthwhile to point out that Whorf’s version of the Sapir-Whorf hypothesis, and its position on linguistic and cultural relativity, was rooted in a universal statement about a covert class of grammar that all languages shared. By presenting a totalizing position through the framework of science, Whorf was able to respond to the tension between empirical science and cultural relativism, guided by Sapir’s emphasis on the inner workings of the unconscious. In doing so, he again gave science a firm authority on truth that was founded on linguistic analysis. Whorf thereby assumed Boas’s missionary zeal for politicized science, with what he considered a firm, empirical foundation. He made his position on this point clear in a later essay that was unequivocally titled, “Linguistics as an Exact Science” (1940). In it, he stated that “it is the use of language upon data that is central to scientific progress,” and thereby claimed that linguistics was the principle source of knowledge.<sup>58</sup> With this attitude, Whorf’s critical reflections on the epistemology of science, and on modernity, took a more affirmative tone:

As time goes on, the type of knowledge that such a survey would unlock becomes more and more a matter of concern and interest outside the world of scholarly pursuits—for it may play a very important part in world

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<sup>56</sup> From the essay “The Relation of Habitual Thought and Behavior to Language,” in Carroll, *Language, Thought, and Reality*, 134-159.

<sup>57</sup> For a critical assessment of Whorf’s ideas from the perspective of cognitive science see John A. Lucy’s essay “Whorf’s view of the linguistic mediation of thought,” In *Semiotic Mediation: Sociocultural and Psychological Perspectives*. Edited by E. Mertz, and R. J. Parmentier (New York: Academic Press, 1985), 73-97.

<sup>58</sup> From the essay, “Linguistics as an Exact Science,” in Carroll, *Language, Thought, and Reality*, 220-232.

history now in the making. The problems of achieving mutual understanding, of language barriers, of propaganda and advertising, of education, of the technique of managing human affairs without undue friction, of an intelligence in human relations that can keep pace with the changes brought about by the physical sciences, all run afoul of this matter of language and thought.<sup>59</sup>

Although Whorf's motives, and even his methods, were informed by his religious beliefs, they were suppressed in his academic writing. However, he did have other public outlets for his religio-scientific intellectual interests. Whorf's Christian leanings had given way to the mystical teachings of theosophy: an Indian intellectual circle that focused on the mystical aspects of Hinduism and Buddhism. The Theosophy Society was an international organization and had an office in Hartford, Connecticut, near Whorf's home. Whorf became a member and made public presentations at society meetings, including one titled "The Magic of Language." An advertisement of one presentation read: "Benjamin Lee Whorf will show how the grammatical analysis of language sheds light on the psychological and hypnotic effects of words. He will describe the 'transcendental word magic' of Egypt and India, and, if conditions are favorable, will perform some simple experiments in 'word magic' with the audience."<sup>60</sup> Hence, outside of Whorf's academic writing as a scientist, the range of his beliefs were given full expression.

Just before his death in 1941, Whorf contributed an essay to a theosophy journal that was published in Madras, India, titled "Language, Mind, and Reality."<sup>61</sup> In it, he took a less guarded approach to revealing his opinions. He began with a critical comment not too dissimilar to those he articulated in his academic works: "What we call 'scientific thought' is a specialization of the western Indo-European type of language, which has developed not only a set of different dialectics, but actually a different set of dialects." With this clever word play, Whorf effectively used the principles of the Sapir-Whorf hypothesis to provincialize European intellectual history and epistemology. Following this, however, he doubled down on the idea of scientific progress by stating: "Thus, one of the important coming steps for Western knowledge is a re-examination of the linguistic backgrounds of its thinking, and for that matter of all thinking."<sup>62</sup>

Whorf then argued for the expansion of the scope of scientific knowledge. He cited the new precedents of relativity physics and gestalt psychology, but he then moved outside of the conventional academic trends to draw attention to mantra yoga as a "manifold of conscious patterns" and to the unexplored realms of "hyper space and higher dimensions." His eccentricity became more apparent in statements he made about the word "mental,"

<sup>59</sup> From the essay "A Linguistic Consideration of Thinking in Primitive Communities," in Carroll, *Language, Thought, and Reality*, 81-82.

<sup>60</sup> Advertisement for the Hartford theosophical Society [no date]. James S. Perkins. Letter to Whorf's wife from The Theosophical Society in Madras, India (1954).

<sup>61</sup> Carroll, *Language, Thought, and Reality*, 20.

<sup>62</sup> Carroll, *Language, Thought, and Reality*, 246-270.

which he thought was overly ambiguous in its English form. He suggested that it would be improved if it connoted “a cosmic structural order characterized by patterning.” He also made claims about “the inner affinity of language and the cosmic order,” and “the premonition in language of the unknown, vaster world—that world of which the physical is but a surface or skin, and yet which we are in, and belong to.”<sup>63</sup>

These examples from Whorf’s writings demonstrate two things regarding the history of modern science. First, they reveal some of the complicated motivations and unconventional intellectual influences that informed American anthropological theory in the early-twentieth century, which undermined the scientific ideal of a dispassionate, unbiased objectivism founded on the scientific method. Whorf may have been an extreme example, but a similar case can be made for Boas’s unique form of politicized anthropology and Sapir’s appeal to aesthetics. Furthermore, the socio-political context of the subaltern Native American experience, the hegemony of the United States government and Anglo-national mythology, and the institutional politics of anthropology also undermined the scientific ideal.

The second insight that Whorf’s case brings to the history of modern science is that the framework of modern epistemology—with its secular prerogative—distinctly segregates religion from science.<sup>64</sup> This distinction confuses the texture and signification of intellectual discourse. We can see this problematic take concrete form when Whorf chose to remove the religious connotation from his scientific texts. Although Whorf’s case may not be representative of scientific belief in general, there were certainly many early-twentieth century scientists who practiced Christianity. Further, the moral imperative of science and its subsequent authority drew its power from the Anglo experience, which had its taproot in the history of Christianity.<sup>65</sup>

A fresh vision of the history of modern science, through the example of American anthropology, can be initiated with a focus on Ernest Naquayouma, who was Whorf’s Hopi informant. Naquayouma’s story is somewhat obscured in that there are few documents representing him. However, a brief history of Hopi society provides a cultural context for his life, and the collected information from newspapers, Whorf’s archival papers, and from the strategic use of secondary sources, offer enough information to make a compelling critical study. Moreover, the Hopi Cultural Preservation Office has provided key details to Naquayouma’s biography.

The early history of the Hopi is characterized by migrations throughout the continental southwest, in what is today the United States and northern Mexico.<sup>66</sup> Between the sixth and eighth centuries, they settled a modest

<sup>63</sup> Carroll, *Language, Thought, and Reality*, 246–270.

<sup>64</sup> Mikail S. Adolphson, *The Teeth and Claws of the Buddha* (Honolulu: University of Hawaii Press, 2007), 1.

<sup>65</sup> See Friedrich Nietzsche’s *The Genealogy of Morals*.

<sup>66</sup> Kurt Dongoske, Leigh Jenkins, and T.J. Ferguson, “Understanding the Past Through Hopi Oral History,” *Native Peoples: The Arts and Lifestyles* (Winter 1993): 24.

breadth of land in what is now northeastern Arizona. Their society is located on four projections of the Black Mesa—known as Antelope, First, Second, and Third Mesas—and some present-day villages were founded as far back as the fourteenth century. However, the Hopi claim a strong historical connection to a wider territory throughout the southwest because it is part of their long history of ongoing migration throughout the area.<sup>67</sup> Many of these historical details have been drawn from archeology, a discipline and practice that has brought welcomed knowledge to the Hopi, but which has also been entangled with legal battles over land and resource rights. Today, leading members of the Hopi community are accepting of the perspectives of Western science; though, there is currently a strong movement to intervene in the archeological and anthropological discourses by adding the perspectives and concepts of Hopi knowledge.<sup>68</sup>

An account of Hopi oral history is described in a seminal article by Hopi scholars, Kurt Dongoske, Leigh Jenkins, and T.J. Ferguson:

The Hopis emerged into this, the fourth world, from the Sipapuni, a limestone cone located in the gorge of the Little Colorado River near the Grand Canyon. Upon emerging, they encountered *Mašaw*, the guardian of the Fourth World. A spiritual pact was made with *Mašaw*, wherein the Hopis would act as stewards of the world. As a part of this pact, the Hopis vowed to place their footprints throughout the lands of the Fourth World as they migrated in a spiritual quest to find their destiny at the center of the universe.<sup>69</sup>

To bridge the archeological account and the oral account, Dongoske, Jenkins, and Ferguson offer a description of the Hopi narrative forms of *navoti*, *tutavo*, and *wuknavoti*:

*Navoti* is historical knowledge of events to which the speaker has a direct and personal link, either by virtue of having experienced the events being discussed, or because the information is ritual knowledge the speaker has been entrusted with as a member of a religious society.... The theological and prophesying aspects of Hopi narratives are described as *tutavo* and *wuknavoti*. *Tutavo* are teachings, instructions, and guidance. *Wuknavoti*, literally ‘old people’s knowledge,’ is more properly defined as prophecy.... *Navoti*, *wuknavoti*, and *tutavo* are powerful narratives that inspire and guide the Hopi way of life. These narratives incorporate the unfolding of historical events in real places in past time, and they provide conceptual bridges between those events and the present.

Hopi scholars John D. Loftin and Wesley Bernardini add that there is no uniform history of the Hopi people.<sup>70</sup> Each Hopi clan has a distinct history that is linked to its specific set of migrations. “Each successive movement brought new experiences, and group identity constantly shifted. Between

<sup>67</sup> Wesley Bernardini, *Hopi Oral Tradition and the Archeology of Identity* (Tucson: The University of Arizona Press, 2005), 8.

<sup>68</sup> Dongoske, “Understanding the Past Through Hopi Oral History,” 24–25.

<sup>69</sup> Dongoske, “Understanding the Past Through Hopi Oral History,” 24.

<sup>70</sup> John D. Loftin, *Religion and Hopi Life*, 2nd ed. (Indianapolis: Indiana University Press, 2003), 64.

movements, clans often stopped to join with other clans in villages, and later moved on again independently, creating social diversity within any one village, and between villages.<sup>71</sup> The Hopi are part of a broader group of Pueblo peoples, including the Keres, Towa and Zuni. They also have cultural ties to the Comanche and have a long-standing rivalry with the Navajo.<sup>72</sup> For the Hopi, contact with Westerners—first the Spanish in the sixteenth century, and then Anglo-Americans in the nineteenth century—posed the serious dilemma of trying to come to terms with the changes that have followed; changes which Hopi have a full range of mixed feelings about.<sup>73</sup>

Naquayouma was a member of the Eagle Clan, from the village of Hotevilla on the Third Mesa, and was the son and key advisor to Chief Yukiwma.<sup>74</sup> The first evidence of he and Whorf meeting dates back to 1933, a year after Whorf started doing fieldwork with the Hopi.<sup>75</sup> Strikingly, Naquayouma was living in New York City at the time with his family; still, he visited Hopi land regularly. Between the two men's regular travels, they arranged meetings in New York City, Whorf's hometown of Hartford, Connecticut, and during Whorf's visits to Hopi land. Their written correspondences regarding work extended between 1933 and 1936. It is noteworthy that the two seem to have shared a sincere friendship. Whorf's letters to Naquayouma are missing, but Naquayouma's letters back are casual, warm, and humorous. He enquired about Whorf's family, and made mention of his own. He even sent a photo of he and his family in a Christmas card.<sup>76</sup> In letters that Whorf sent to Boas and Sapir regarding Naquayouma, Whorf spoke highly of him and showed concern for his well-being. In the end, however, theirs was a work-based friendship.

Aside from the authoritative role that Naquayouma held as an interlocutor for Whorf's studies, he was also the final authority on the Hopi-English glossary in Alexander M. Stephens's seminal anthropological study, the *Hopi Journal* (1936). Stephens died before the *Journal* was published, and anthropologist, Elsie Parsons was editing it for print. Boas oversaw the whole affair and asked Whorf to review and correct the glossary portion of the journal, as it was outside of Parson's expertise.<sup>77</sup> Another colleague sent Whorf a copy of the only other Hopi glossary that had been printed for comparison, which was a compilation done by Mennonite missionaries who had established themselves in Hotevilla (home of Naquayouma).<sup>78</sup> Whorf found so many errors in Stephens's glossary that he deferred the task of editing to Naquayouma. Boas gave Whorf a grant as payment for his work, and Whorf

<sup>71</sup> Loftin, *Religion and Hopi Life*, 7-8.

<sup>72</sup> Loftin, *Religion and Hopi Life*, 64.

<sup>73</sup> Loftin, *Religion and Hopi Life*, xxvi-xxvii, 64.

<sup>74</sup> Personal email with Leigh J. Kuwanwiswma, scholar, and director of the Hopi Cultural Preservation.

<sup>75</sup> Whorf. Letter to Boas (1933).

<sup>76</sup> Ernest Naquayouma. Christmas card to Whorf (1938).

<sup>77</sup> Boas. Letter to Whorf (1933).

<sup>78</sup> Harry Hoijer. Letter to Whorf (1933).

then passed a portion of the money on to Naquayouma.<sup>79</sup> Whorf even wrote back to Boas requesting more funds, explaining that the job of correcting the glossary was more substantial than he had foreseen.<sup>80</sup> This may have been partially due to Naquayouma's regular appeals to Whorf for more work. The financial desperation of Naquayouma was ever present in the subtleties of his letters to Whorf—an issue that complicated the sincerity of their friendship.

Representing Naquayouma as an intellectual authority due to his work correcting the glossary may seem like something of an overstatement; but if one turns the tables to note how difficult it was for the leading linguists in the field of Hopi ethnography (Stephens and Whorf) to understand the idiosyncrasies of the Hopi language, then Naquayouma's comparative ease in learning the English language, not to mention his ease in adapting to the urban lifestyle of New York City after growing up on the rural Third Mesa, serves to equalize the intellectual comparison. Historian Vanessa Smith, who is a specialist on intercultural contact, puts a global perspective on the issue:

From the earliest contacts, the expansion of European knowledge has depended on cultural intermediaries willing to act as local informants, translators, and guides, as well as in more profound capacities as intellectual interlocutors able to negotiate between not just languages but also epistemologies, methodologies, genres, and practices.<sup>81</sup>

Smith's statement can be addressed specifically to American ethnography, reinforcing the fact that its scientific authority and utopian mission was utterly dependent on the capacity of informants like Naquayouma to guide them through the difficult spaces between cultures. This context of Naquayouma's voice puts the Sapir-Whorf hypothesis in a curious light, in that the notion that there are other modes of experience and that Western science may not be the final authority on truth, would have been painfully self-evident to anyone living in a subaltern culture with an alternative epistemology, in the colonial experience of Anglo-hegemony. In a sense, it could only be from the perspective of epistemological domination that the relativity of worldviews would be a novel idea. Again, Smith offers a crucial insight: "Bearing in mind the global frame of reference... enables us to question assumptions that inform the dominant construal of both intellectual history and cultural intermediarism, [and thereby facilitate] justice in the historical record"<sup>82</sup>

This example of Naquayouma's voice also draws attention to the privileged role that textuality has in assigning intellectualism, which highlights the qualifying effects of material conditions and industrial society. It was, and often remains, an unquestioned axiom that writing is a basic feature of civilization. Thereby, the privileging of textuality automatically marginalized

<sup>79</sup> Sapir. Letter to Whorf (1935); Whorf. Letter to Sapir (1936).

<sup>80</sup> Whorf. Letter to Boas (1934).

<sup>81</sup> Vanessa Smith, "Joseph Banks's Intermediaries: Rethinking Global Cultural Exchange," in *Global Intellectual History*, edited by Samuel Moyn and Andrew Sartori (New York: Columbia University Press, 2013), 82.

<sup>82</sup> Smith, "Joseph Bank's Intermediaries," 82.

the Hopi oral tradition, and so the religious knowledge that Naquayouma would have been given with his status as the son and key advisor to his chief, would be denied any intellectual authority under Western norms. In Western eyes, Naquayouma could only be a voiceless informant or a potential object of study.

Beyond his job as an informant, however, Naquayouma was also affiliated with the Pueblo political council and participated in efforts to defend Pueblo land from encroachment and exploitation. The Pueblo had a political status that was unique among Native American societies. They had land grants from the Spanish that were guaranteed in the Treaty of Hidalgo (1848), in which Mexico ceded its territory in the American southwest to the United States after the U.S.-Mexican War. In 1913, the U.S. Supreme Court overturned the treaty and claimed that the Pueblo were now federal wards. The federal government then integrated Pueblo land into the reservation system, which put them under the direct sovereignty of the federal government.<sup>83</sup>

Another threat came in 1921. While Sapir was fashioning his first sketch of the Sapir-Whorf hypothesis in Connecticut, Senator H. O. Bursom of New Mexico introduced a bill to give states the final authority over Pueblo land rights, rather than federal courts. If it passed, the state of New Mexico was poised to side with the settlers and industries that wanted access to the land's limited water resources. This would have been devastating to the Pueblo, who perpetually struggled to survive in the extremely arid climate. The Bursom bill passed the next year, but was appealed by a member of the House of Representatives and was ultimately defeated. Though, in the same year, the Secretary of the Interior ruled that the land in the reservation system was the public domain. Thereby, the land was now legally open to further encroachment and exploitation under the General Leasing Act.<sup>84</sup> In sum, the U.S. government had designs on Pueblo land: to incorporate it into its legal authority, and to facilitate settlement and industry.

In response to these affronts by the state, the All-Pueblo Council was reformed after centuries of inactivity. As part of an effort to gain political power, the Hopi Council began a public relations campaign that had an eye to the real-politic of shrewd negotiation. However, the campaign was also a religious act that sought to bring good fortune back upon the Pueblo tribes.<sup>85</sup> In 1936, the council was aided by John Collier, who had recently been appointed as Commissioner for the Bureau of Indian Affairs by President Franklin D. Roosevelt, as part of the President's Indian Reorganization Act, which was often described as the "Indian New Deal" in the wake of the Great

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<sup>83</sup> Alexander Ewen, and Jeffrey Wollock, *Encyclopedia of the American Indian in the Twentieth Century* (Albuquerque: University of New Mexico Press, 2015). <http://www.fofweb.com/History/MainPrintPage.asp?iPin=ENAIT091&DataType=Indian&WinType=Free> [accessed November 15, 2015].

<sup>84</sup> Viola, 192-194; Ewen.

<sup>85</sup> Genevieve Flavin, "Indian Dreams Take the Shape of Art Works," *Chicago Tribune*, February 23, 1950.

Depression. Its purpose was clear in its former title: "An Act to conserve and develop Indian lands and resources; to extend to Indians the right to form business and other organizations; to establish a credit system for Indians; to grant certain rights of home rule to Indians; to provide for vocational education for Indians; and for other purposes."<sup>86</sup> Collier wanted to present a "Pueblo democracy" to Congress in order to sway political opinions in favor of indigenous rights.<sup>87</sup>

There was a caveat, however. Collier's strategy was that a Hopi delegate visit Washington D.C. and present ritual dances while dressed in traditional garb in order to entertain Congress and the public, and thereby appeal to Anglo sentiment. The attitude of the Pueblo Council was affirmative. Council member Martin Vigil of Tesuque Pueblo is noted as saying: "I am not ashamed to sing."<sup>88</sup> Vigil continued to explain how fifteen years earlier he had gone to Washington in another delegation that was organized to fight the Bursum Bill. The members of that delegation had also performed before various groups in an effort to gain support for their cause. "I think that is how we brought all American people together to help the Indians," he said. "We did not go traveling about from one city to another like show people. We just did it for the honor of our people."<sup>89</sup> In the end, the delegation was a popular success, and between the efforts of the Pueblo Council and the prerogatives of the Indian Reorganization Act, Congress's predatory designs on Pueblo land were diminished.

Due to the scarce sources, it is difficult to construct an exact narrative of Naquayouma's specific role in these political activities. However, there is evidence that he was a foremost personality in Pueblo politics, as there are several newspaper accounts about his traveling to New York, Connecticut, and Chicago, working as an artist making jewelry and Kachina dolls (ritual dolls of ancestral spirits).<sup>90</sup> He is cited by a journalist as saying that "his interest is part of an ancient belief that making Kachina dolls will help aid Indians in their home life and give them prosperity, and bring them only the good things of earth."<sup>91</sup> In addition, a letter to Whorf from a friend locates Naquayouma with the Pueblo delegation in Washington D.C.<sup>92</sup> Finally, a publication by the Bureau of Indian Affairs lists him as a distinguished visitor, and there is also a letter from Naquayouma to Whorf in which he discusses his attempt to get

<sup>86</sup> Charles J. Kappler, *Indian Affairs: Laws and Treaties* (Washington: Government Printing Office, 1941), Statute 984. In Oklahoma State Digital Library. [http://digital.library.okstate.edu/kappler/vol5/html\\_files/v5p0378.html](http://digital.library.okstate.edu/kappler/vol5/html_files/v5p0378.html) [accessed November 15, 2015].

<sup>87</sup> Peter M. Whiteley, *Rethinking Hopi Ethnography* (Washington: Smithsonian Institution Press, 1998), 8.

<sup>88</sup> Viola, *Diplomats in Buckskins*, 194.

<sup>89</sup> Viola, *Diplomats in Buckskins*, 194-95.

<sup>90</sup> George W. Bragdon, "Hartford Scholar, Expert in Study of Aztec Masters Difficult Language of Hopi Indians," *The Hartford Daily Times*, May 15, [unknown date].

<sup>91</sup> Genevieve Flavin, "Indian Dreams Take the Shape of Art Works," *Chicago Tribune*, February 23, 1950.

<sup>92</sup> W. Peck Taylor. Letter to Whorf (1936).; [unknown author], "Hopi Indian Village to set up in Clayton," *On The St. Lawrence and Clayton Independent*, June 18, 1936.

a job with the bureau as a teacher.<sup>93</sup> So, although the details are somewhat ambiguous, it is clear that Naquayouma was politically active. But Naquayouma's political acts were also religious, and even artistic. This portrayal of Naquayouma adds a richness to his character, and reestablishes the agency denied him by the texts of American anthropology. And like Whorf, whose religion and science were inseparable, Naquayouma's experience reveals how the modern distinction between the categories of science, religion, politics, and aesthetics, work to obscure the historical record.<sup>94</sup> Those enterprises are often interwoven and saturated with socio-historical power—and are not without a certain sense of mystery.

In conclusion, this survey of the history of American anthropology locates the ideas of the Sapir-Whorf hypothesis in the context of the institutional development, the disciplinary politics, and in the intellectual currents of the early-twentieth century. Furthermore, this essay demonstrates how the Sapir-Whorf hypothesis was the product of certain problematics in the epistemology of science—and in the concept of modernity itself—which Boas, Sapir, and Whorf discovered during their ethnographic encounters in the contested borderlands of the United States. Finally, by giving voice and agency to the Hopi, and to Ernest Naquayouma specifically, this essay emphasizes how the scientific production of the Sapir-Whorf hypothesis was founded on the asymmetrical power relationships of colonialism. The notion that reality was shaped by relative modes of experience could only have been novel from the perspective of epistemological domination.

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<sup>93</sup>Naquayouma. Letter to Whorf (1937). Smithsonian Libraries, "Washington Office Visitors," *Indians at Work* 6 no. 11 (July 1939): 5.

<sup>94</sup>Whiteley, 83-84; Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness* (London: Verso, 2002), 77. Also see Gyan Prakash's *Another Reason: Science and the Imagination of Modern India* (1999), and, Stephan Palmié's *Wizards and Scientists: Explorations in Afro-Cuban Modernity and Tradition* (2002).

# CLEANING IT UP & BURNING IT DOWN

## THE BUBONIC PLAGUE IN HONOLULU AND SAN FRANCISCO, 1899-1905

By Sheri Epps-Frederito

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ABSTRACT: Contagious disease plays an important role in human history, and few diseases evoke fear like the bubonic plague. Also known as the Black Death, the plague killed millions of people worldwide in the fourteenth century, and it has reared its ugly head more than once in the intervening centuries. This paper explores one of the more contemporary outbreaks, the first to strike U.S. soil at the turn of the twentieth century—a time when racial biases affected every aspect of American life. An exploration of how early-twentieth century officials handled the outbreak reveals much about contemporary American character, racism, and the politics of fear.

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One morning, in the beginning of May 1900, Lim Fa Muey, a teenage cigar maker, went to work at a cigar factory feeling sick. She suffered from head and body aches, an upset stomach, and fever. At home, her symptoms worsened. She eventually became delirious, slipped into a coma, and died. On May 11, Lim Fa Muey became San Francisco's first female plague victim.<sup>1</sup> Typically, the plague is associated with the fourteenth century Black Death that swept through Asia and Europe and killed an estimated twenty-five million people.<sup>2</sup> While most people in the fourteenth century were familiar with the plague and its fatal outcome, its transmission remained unknown, which attributed to the fear and paranoia with its return in the mid-nineteenth century. Bubonic Plague is caused by a bacterium, *Yersinia pestis*, whose victims experience "a cycle of symptoms including fever, chills, weakness, and headache followed by swelling of lymph nodes of the groin, neck, and armpits, all places in the body where the bacteria multiply. . . . Within three to five days the untreated condition results in an excruciatingly painful death for approximately sixty to ninety percent of patients."<sup>3</sup> The common perception of disease transmission was that disease and germs were microbes in the air that thrived in dirt or food; once infected, a victim could then transmit the disease to others. In the late-nineteenth and early-twentieth centuries, doctors, scientists, and the public widely accepted that extreme sanitary measures were the most effective way to combat disease transmission. However, this theory is problematic regarding bubonic plague as, first, the plague is "a zoonotic

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<sup>1</sup> Marilyn Chase, *The Barbary Plague* (New York: Random House, 2003), 56.

<sup>2</sup> "Plague: The Black Death," NationalGeographic.com, accessed December 5, 2015, <http://science.nationalgeographic.com/science/health-and-human-body/human-diseases/plague-article>.

<sup>3</sup> Alan M. Kraut, *Silent Travelers: Germs, Genes, and the "Immigrant Menace"* (Baltimore: The Johns Hopkins University Press, 1994), 85.

disease, an ailment shared by humans and lesser creatures,”<sup>4</sup> and second, only the first two pandemics of plague mutated into airborne, pneumonic forms while the third pandemic did not. The public did not have an understanding of disease transmission between insects, animals, and humans.

In the early-twentieth century, people attributed the transmission of disease to unsanitary conditions, to “dirty” practices and customs, which made scapegoats of minority populations. Whites perceived Chinese immigrants and native Hawaiians as transmitters of plague. Furthermore, the plague outbreaks in Honolulu and San Francisco occurred in Chinatowns, further perpetuating the racist discourse of germ transmission and the “filthy” immigrant. The San Francisco and Honolulu bubonic plague outbreaks of 1900 serve as a lens through which one can examine power and racism in two primary contexts: government and public response. First, the public associated plague transmission with immigrants and natives. Second, in response the government conducted eradication measures specifically in immigrant communities.

Prior to the new bacteriology of the nineteenth century, western medical tradition based its understanding of disease transmission on the zymotic theory, which asserted that “disease agents were chemical ferments produced by decaying filth, and that they could generate spontaneously given the right atmospheric circumstances.”<sup>5</sup> Zymotic theory evolved into the germ theory, consisting of “two related propositions: first, that animal and human diseases were caused by distinctive species of microorganisms, which were widely present in the air and water; and second, that these germs could not generate spontaneously, but rather always came from a previous case of exactly the same disease.”<sup>6</sup> By maintaining an immaculately clean house, Americans could fight the germ microbe with the insinuation that germs and disease transmission had a direct correlation to dirt.

In both Honolulu and San Francisco, people had a basic understanding of a correlation between bubonic plague and rats in the sense that whenever a plague outbreak occurred, rat corpses appeared alongside human bodies. Doctors Alexandre Yersin and Paul Louis Simond made the definite connection between plague, rats, and humans. As a medical student in Paris, Alexandre Yersin worked as an assistant to Emile Roux, where the two of them discovered “the exotoxin produced by the diphtheria bacillus.”<sup>7</sup> After graduating from medical school, Yersin decided to set sail for Indochina aboard the *Volga* as a doctor for *Compagnie des Messageries Maritimes* as part of his desire to follow in the footsteps of medical missionary and explorer

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<sup>4</sup> Kraut, *Silent Travelers*, 85.

<sup>5</sup> Nancy Tomes, *Gospel of Germs: Men, Women, and the Microbe in American Life* (Cambridge: Harvard University Press, 2005), 27.

<sup>6</sup> Tomes, *Gospel of Germs*, 33.

<sup>7</sup> “Alexandre Yersin (1863-1943): Discoverer of the Plague Bacillus, Explorer and Agronomist,” PubMed.gov, accessed April 6, 2016, <http://www.ncbi.nlm.nih.gov/pubmed/18653838>.

David Livingstone.<sup>8</sup> While abroad, he became a member of the *Corps de Santé* and went to Hong Kong to investigate the plague.<sup>9</sup> Once in Hong Kong, Yersin found his initial attempts to study the plague dashed as Japanese physicians had reserved exclusive access to the autopsy materiel.<sup>10</sup> Yersin found his autopsy material in an alternate way—he wrote in his diary:

I try to persuade some English sailors, whose duty it is to bury the dead from the city and other hospitals, to let me take the buboes from the dead before they are buried. A few dollars conveniently distributed and the promise of a good tip for every case have a striking effect. The bodies before they are carried to the cemetery are disposed for one or two hours in a cellar. They are already in their coffins in a bed of lime.... The coffin is opened. I move the lime to clear the crural (thigh) region. The bubo is exposed, within a less than a minute I cut it away and run to my laboratory.... I see a real mass of bacilli, all identical.... From the bubo I inoculate agar tubes, mice, and guinea pigs.... My bacillus is most probably that of plague but I am not certain.... (June 21) I go on cutting and examining buboes. I always find the same bacillus, extremely abundant. My animals inoculated yesterday are dead and show the typical plague buboes.<sup>11</sup>

Yersin successfully identified the plague bacillus; he named it *Bacterium pestis*. It would be renamed in his honor in 1923—*Yersinia pestis*. Yersin noted the dead rats in the city and associated the rats to human plague cases, recording the likelihood “that rats are the principal vector.”<sup>12</sup> While Yersin made this connection, he lacked sufficient evidence to prove his theory.

Another medical missionary, Dr. Paul Louis Simond, verified the link between rats and the plague shortly after Yersin’s discovery in 1898. Like the housefly who spread germs from home to home, Simond found that another insect was responsible for germ transmission—the flea. Like most animals, the flea is a constant companion of rodents. *Yersinia pestis* spreads from the rat to the flea, after the flea drinks an infected rat’s blood. The flea, now infected, hosts the bacterium, which “multiplies in the flea’s gut until it forms a mass that causes blockage and, when the flea feeds, regurgitation of germs.”<sup>13</sup> Thus, fleas spread the bacterium by biting an infected host and later feeding on, and infecting, other rats. Generally, the plague remains within rodent populations. However, infected rats and fleas often stowed away on ships that traveled along trade routes. They spread the disease, causing pandemics.

In June 1899 the S.S. *Nippon Maru* completed a journey to Hawaii from Hong Kong and anchored in Honolulu harbor. The captain informed the board-appointed physician that the dead body of a Chinese passenger was

<sup>8</sup> Jack Moseley, “Travels of Alexandre Yersin: Letters of a Pastorian in Indochina, 1890-1894,” *Perspectives in Biology and Medicine* 24 (1981): 610, accessed April 6, 2016. doi: 10.1353/pbm.1981.0043.

<sup>9</sup> Charles Gregg, *An Ancient Disease in the Twentieth Century* (Albuquerque: University of New Mexico Press, 1985), 52.

<sup>10</sup> Gregg, *An Ancient Disease in the Twentieth Century*, 52.

<sup>11</sup> Gregg, *An Ancient Disease in the Twentieth Century*, 53.

<sup>12</sup> Gregg, *An Ancient Disease in the Twentieth Century*, 54-56.

<sup>13</sup> Arno Karlen, *Man and Microbes: Disease and Plagues in History and Modern Times* (New York: Touchstone, 1995), 76.

aboard the ship and that he wanted to off-load the body to be returned to the passenger's family before continuing on to San Francisco. The ship's doctor insisted that the passenger died of blood poisoning; however, the Hawaiian health inspector conducted his own test and found the passenger died from the plague.<sup>14</sup> In the interim, authorities confined the *Nippon Maru* to Quarantine Island for seven days. No one could leave the ship and cargo could not be unloaded. During these quarantine period, no one else aboard the ship became sick or developed signs of plague. Satisfied, authorities lifted the restrictions placed on the *Nippon Maru*, which promptly docked in Honolulu before continuing to San Francisco.<sup>15</sup> Once docked in Honolulu, a few four-legged stowaways entered the city.

You Chong was in his early twenties and worked at Wing Wo Tai's General Store in Honolulu's Chinatown, where he was employed as a bookkeeper. On December 8, 1899, Chong woke up with a high fever and swelling in his groin area; he died two days later.<sup>16</sup> Immediately after Chong's death, physicians caught wind of another death around the corner. Another bookkeeper, Yuk Hoy experienced symptoms similar to Chong's before he too died. Both men had impromptu autopsies and tissue samples extracted. Once tested, the results confirmed the physician's suspicions: bubonic plague.<sup>17</sup> The Hawaiian Board of Health (BOH) acted swiftly. On December 12, BOH president Henry Cooper publically announced that bubonic plague had reached Honolulu, and that it was spreading. He closed the port of Honolulu to both incoming and outgoing ships and put Chinatown under quarantine.<sup>18</sup> Authorities required those ships already in port to move away from the dock, grease their mooring lines, and establish rat guards to watch the lines. Officials disinfected and inspected the ships' cargoes. Furthermore, Cooper enlisted volunteer inspectors to "locate plague cases and 'infected premises' which were then required to be disinfected with 5% sulfuric acid solution and bichloride of mercury and sanitized by destroying the old privy and digging new cesspools."<sup>19</sup> On the surface and to the public eye, Cooper enacted these measures to confine the plague to Honolulu; in effect, however, these measures confined the plague to Chinatown and its inhabitants.

The headline of the December 13, 1899 *Pacific Commercial Advisor* read: "Bubonic Plague—It Makes Its Appearance in Honolulu. Five Deaths Reported."<sup>20</sup> The headline caused anxieties, fears, and paranoia within Hono-

<sup>14</sup> James Mohr, *Plague and Fire: Battling Black Death and the 1900 Burning of Honolulu's Chinatown* (Oxford: Oxford University Press, 2005), 29.

<sup>15</sup> Mohr, *Plague and Fire*, 30.

<sup>16</sup> Myron Echenberg, *Plague Ports: The Global Urban Impact of Bubonic Plague, 1894-1901* (New York: New York University Press, 2007), 189.

<sup>17</sup> Mohr, *Plague and Fire*, 38.

<sup>18</sup> James Ikeda, "A Brief History of Bubonic Plague in Hawaii," *The Proceedings from the Hawaiian Entomological Society* 25 (March 1985), accessed October 10, 2015. [http://scholar-space.manoa.hawaii.edu/bitstream/handle/10125/11175/25\\_75-81.pdf?sequence=1](http://scholar-space.manoa.hawaii.edu/bitstream/handle/10125/11175/25_75-81.pdf?sequence=1).

<sup>19</sup> Ikeda, "A Brief History of Bubonic Plague in Hawaii," 76.

<sup>20</sup> *Pacific Commercial Advisor*, December 13, 1899.

lulu's white population. Some historians assert that such anxiety among the whites stemmed from memories of their ancestors, who suffered in the fourteenth century European plague epidemic; "Plague had long been among the most powerful metaphors in Western consciousness, a negative marker that went back even further than Biblical imagery."<sup>21</sup> Believing that Asians were more susceptible to the plague and more likely to be plague carriers, whites expressed their sense of racial superiority through their rhetoric. The BOH restricted inter-island travel, including an absolute ban for Chinese and Japanese immigrants while non-Asians could apply for special travel exceptions. Discrimination even extended to cargo. "The BOH developed a clearance list for certain articles, so-called clean freight such as lumber and building materials, American tobacco, gasoline, and kerosene, while arbitrarily ruling that foodstuffs from Asian ports deemed incapable of being disinfected would be banned from inter-island trade."<sup>22</sup>

The quarantine of Chinatown demonstrated the dependence of white Hawaiians on immigrant workers. Commerce ground to a halt. As a result, authorities ordered people who employed immigrants to not allow their workers to go into Chinatown, where they would not be able to leave. The BOH banned people who lived within Honolulu's Chinatown from leaving its confines and enforced constant quarantine through the National Guard.

The inhabitants of Chinatown were not only Chinese, for large numbers of Japanese immigrants also lived in Chinatown, where most of their major businesses were located. Many Japanese immigrants worked on plantations and lived in Chinatown while waiting for plantation assignments. Chinatown also contained a large population of Hawaiian natives, who chose to stay in the homes their families occupied before the immigration of Asian laborers. These inhabitants were affected the most by the quarantine. Those who worked outside of Chinatown were not permitted to leave and therefore could no longer work and suffered from lost wages. Food like meat and fish spoiled quickly in the Hawaiian climate and the ban of goods in and out of Chinatown created a shortage. Officials subjected residents to daily body inspections and forced them to use a *cordon sanitaire*—a public bath under the watchful eye of a BOH worker. Residents felt that these public inspections and baths were, "the most intrusive and personally objectionable of the Board's anti-plague initiatives. Intimate bodily inspection by strangers seemed insulting, unnecessary, and ineffectual."<sup>23</sup> Yet, Chinatown residents obediently partook in these inspections in hopes that the quarantine would be lifted quickly.

Aside from minor inconveniences and fear of the plague, white Hawaiians were not affected by the quarantine in the same manner as Chinatown's residents. In fact, the disparity between the treatment of white Hawaiians,

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<sup>21</sup> Ikeda, "A Brief History of Bubonic Plague in Hawaii," 56-57.

<sup>22</sup> Echenberg, *Plague Ports*, 195-96.

<sup>23</sup> Mohr, *Plague and Fire*, 62-65.

Asians, and native people resulted in a cry over racial bias. Chinese people pointed out “the quarantine line had been drawn to include Chung Kun Ai’s brand new City Mill, which fronted on the harbor, but excluded the white-owned Honolulu Iron Works—Honolulu’s largest industry—whose grounds were immediately contiguous to City Mill.”<sup>24</sup> Not surprisingly, disparity existed between white plague patients’ treatment and the treatment of Chinese plague victims. If a Chinese person contracted the plague, officials sent them to plague hospitals while quarantining, fumigating, and sometimes burning the patient’s residence. An article in the *Pacific Commercial Adviser* reported that a white resident, “H.M. Levy was removed on Thursday from one of the Hawaiian Hotel cottages as a suspect. [He] is holding his own, is conscious, [and] in good spirits. His temperature averaged 100; there are no new developments, and the case remains a very suspicious one and one difficult to say much about.”<sup>25</sup> Directly under this passage, the *Adviser* reports, “A China Man, Chick Tuck (Lee Ling), 25 years old, was removed from a house back of J. Peters’ place, Kahili about 4:30 yesterday, and is in the suspect ward.”<sup>26</sup> These two reports, published in the same newspaper on the same day, demonstrate the biased racial treatment in potential plague cases. For quarantined Levy, the reporter did not identify his quarantine status or if he was held in the “suspect ward.” The reporter mentioned the state of his health with concern and with respect for his privacy. The article also mentioned that when the hotel staff was questioned about Levy, they responded, “The fellow is simply suffering from an attack of diarrhea.”<sup>27</sup> The reporter gave much less media coverage to Mr. Tuck, including less concern for his welfare, but addressed that he was quarantined.

The BOH placed Chinatown under quarantine on two occasions. After nine days they lifted the first quarantine because no other reports of the plague came to light. However, on December 24, 1899, a few days later, officials reported nine cases of the plague and the quarantine was reinstated.<sup>28</sup>

U.S. officials at Angel Island quarantined the same ship that likely brought the plague to Honolulu, the S.S. *Nippon Maru*, prior to entry into San Francisco due to concerns over the health of some of the passengers. The crew and passengers stayed under quarantine at the federal Marine Hospital Service Quarantine Station under “antiseptic imprisonment,” and officials had the ship fumigated. Inspectors discovered several Japanese stowaways on board the *Nippon Maru*, two of whom escaped capture by jumping into the San Francisco Bay. When officials discovered their bodies, they found evidence of infection.<sup>29</sup>

<sup>24</sup> Mohr, *Plague and Fire*, 67.

<sup>25</sup> *Pacific Commercial Advisor*, March 3, 1900.

<sup>26</sup> *Pacific Commercial Advisor*, March 3, 1900.

<sup>27</sup> *Pacific Commercial Advisor*, March 3, 1900.

<sup>28</sup> Ikeda, “A Brief History of Bubonic Plague in Hawaii,” 77.

<sup>29</sup> Guenter Risse, *Plague, Fear, and Politics in San Francisco’s Chinatown* (Baltimore: The Johns Hopkins University Press, 2012), 79.

Shortly after ringing in the Chinese New Year—coincidentally, the year of the Rat—passersby discovered the body of Wong Chut King on March 6, 1900. King, a middle-aged lumber salesman, resided at the Globe Hotel. One morning, King felt too sick to go into work claiming to have body aches, fever, vomiting, delirium, and a “knot of pain that pulsed in his groin.”<sup>30</sup> He soon fell into a coma and died. A doctor performing King’s autopsy found swollen lymph glands and sores on his thigh and called the police surgeon. The city health official determined that Wong Chut King died from bubonic plague but waited for confirmation through official laboratory results.<sup>31</sup> The city health official recognized Wong Chut King as the first person to contract and die from bubonic plague on United States soil. On the heels of the plague outbreak in Honolulu, San Francisco authorities quickly took action. On March 7, the police chief ordered a blockade put up around the fifteen-block neighborhood of Chinatown after he sent a few of his men to evacuate all of the white inhabitants they could find. Once officials enacted the quarantine, only whites could enter and exit Chinatown.<sup>32</sup> San Francisco Mayor James Phelan asked Chinese leaders in to promote cooperation amongst people and to not hide anyone who fell ill or who died as a result of the plague. Fearful of a repeat of the disaster in Honolulu, Chinese residents hid bodies and protested against the quarantine.<sup>33</sup> Under scrutiny from the public and too impatient to wait for laboratory results, Mayor Phelan lifted the quarantine after two days. A few days later, laboratory results returned positive for plague.<sup>34</sup>

San Francisco’s bubonic plague outbreak differed from Honolulu in a myriad of ways. First and foremost, Hawaii held a territorial relationship to the United States while California was an official part of the United States, receiving statehood in 1850. Prior to and during the plague outbreak, U.S. cities redefined governing roles and underwent a re-organization. The city Board of Health was “one of several municipal departments that gradually grew in power, jurisdiction, and personnel in the latter decades of the nineteenth century.”<sup>35</sup> Out of this re-organization new political values took hold and the health of the city grew in importance.

Sickness was no longer seen as an inevitable condition of the living but rather as an avoidable flaw.... The very explanation and diagnosis of disease shifted in professional medicine from the early-nineteenth-century focus on interpreting the particular visible symptoms of a patient to a late-nineteenth-century practice of objectifying disease and evaluation of an individual’s deviation from the universal and normal healthy human.<sup>36</sup>

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<sup>30</sup> Marilyn Chase, *The Barbary Plague* (New York: Random House, 2003), 16-7.

<sup>31</sup> Chase, *The Barbary Plague*, 18.

<sup>32</sup> Kraut, *Silent Travelers*, 84-5.

<sup>33</sup> Gregg, *Plague*, 41.

<sup>34</sup> Echenberg, *Plague Ports*, 218.

<sup>35</sup> Nyan Shah, *Contagious Divides: Epidemics and Race in San Francisco’s Chinatown* (Berkeley: University of California Press, 2012), 46.

<sup>36</sup> Shah, *Contagious Divides*, 46.

The public goal of having a “healthy city” became a central theme in the combat against the bubonic plague in San Francisco. This is evident in how California Governor Henry Gage reacted to plague; he simply insisted that it did not exist in the city.

Politics played a much larger role in San Francisco than they did in Honolulu. Much to the dismay of the governor and the California Board of Health, who maintained that the plague did not exist and had to keep news of the plague quiet, the news of a plague outbreak in San Francisco spread like wildfire across the nation. Surgeon General Walter Wyman suggested to President William McKinley that anti-plague regulations should be passed. The Quarantine Act of 1890 gave precedent to control the movement of people so that the plague could not spread. The act allowed for “the Marine Hospital Service to refuse the sales of tickets for out-of-state transportation. People traveling from San Francisco to other parts of the country could not purchase them unless they were inoculated with the Haffkine serum or possessed a health certificate stating that the bearer was free from plague infection.<sup>37</sup> Another rule prohibited Asians from public transportation as “members of other races [were] particularly susceptible to the disease.”<sup>38</sup> Many Americans expressed similar anti-Chinese sentiment during the early-twentieth century. Whites viewed Chinese immigrants as dirty, disease transmitting, opium using, gambling, backwards, and primitive degenerates who would “undermine the dignity and wage scale of American workers.”<sup>39</sup> Importantly, the Quarantine Act and travel ban extended to Japanese immigrants as well, even though officials had not discovered a single instance of bubonic plague in the San Francisco Japanese immigrant population. Therefore, the law expanded beyond an anti-Chinese notion, extending to all Asians.<sup>40</sup>

Politically, Chinese immigrants in Chinatown had lawyers and the Fourteenth Amendment on their side in the battle against exclusionary acts, unlike the Chinese immigrants in Honolulu. Court representation manifested by way of the Chinese Six Company which was an:

Elite body consisting of six district associations representing those regions of origin in China that came together in 1882 to oppose discrimination against the Chinese.... Their duties included the registration of arriving immigrants, the arbitration of debts, labor recruitment, and the facilitation of exit permits for passage back to China. The organization also handled political and legal responses involving Chinese Americans’ dealings with the city, state, and federal authorities.<sup>41</sup>

The Chinese Six Company went to court on behalf of Chinatown residents on several occasions to stop plague control measures. One such oc-

<sup>37</sup> Risse, *Plague, Fear, and Politics in San Francisco’s Chinatown*, 140.

<sup>38</sup> Gregg, *An Ancient Disease in the Twentieth Century*, 42.

<sup>39</sup> Kraut, *Silent Travelers*, 80.

<sup>40</sup> Chase, *The Barbary Plague*, 60.

<sup>41</sup> Echenberg, *Plague Ports*, 220.

casation was to “argue that the plague campaign [by way of travel restrictions and anti-plague inoculations] had restricted the rights of residents of Chinatown to ‘pursue lawful business.’”<sup>42</sup> In this specific case, the judge ruled that the travel restrictions and mandatory inoculations violated the residents’ Fourteenth Amendment rights. San Francisco Chinatown residents utilized legal representation and rights guaranteed by law to support them, unlike Chinese residents of Honolulu. However, in both cases Asian immigrants’ experiences during plague outbreak and treatment occurred differently than that of whites. White officials discriminated against the Asian population and demonstrated clear racial bias.

As aforementioned, when Chinatown was under quarantine whites could enter and exit as they pleased. This racial casting supported the idea that the Chinese were transmitters of disease and more susceptible to the plague. Chinese travelers and immigrants, who came into San Francisco via ship, were held in quarantine at Angel Island, underwent a physical check-up, and then were doused in disinfectants. White travelers avoided the disinfectants, and officials merely checked their luggage before sending them on their way.<sup>43</sup> The Surgeon General ordered a mass inoculation of the Haffkine vaccination for Chinatown residents, but not for whites. The vaccination caused severe side effects such as “pain and swelling, to fever and malaise and, occasionally, death.”<sup>44</sup> Due to the ineffectiveness of the vaccination and Chinatown residents’ resistance to health officials, the rise in the number of plague victims resulted in Governor Gage and legislators’ creation of a plan to combat the plague utilizing sanitary measures.

The Hawaiian Board of Health and Governor Gage in California used very different measures in their attempts to eradicate the bubonic plague. After the second outbreak in Honolulu, BOH president Cooper created a commission to investigate Chinatown and to establish a plan to combat the outbreak. The commission reported, “Plague lives and breeds in filth and when it got into Chinatown, it found its natural habitat.”<sup>45</sup> The board decided to utilize fire to suppress the plague, claiming “fire would destroy the plague germs, kill rats, cleanse the soil, and open it up to the purifying influences of sun and air, and would prevent any occupancy of the premises until a safe period of time has elapsed.”<sup>46</sup> With this decision, the board began setting “sanitary fires” to combat the plague epidemic.

Under the order of a few members of Cooper’s commission, the fire department was enlisted to put the Board of Health’s plans to action. On January 20, 1900, the BOH ordered the fire department to burn a block of condemned shacks. Because of the location of the shacks near the Kaumakapili Church, the most prominent landmark in Chinatown, fire chief Hunt had all

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<sup>42</sup> Echenberg, *Plague Ports*, 223.

<sup>43</sup> Echenberg, *Plague Ports*, 6.

<sup>44</sup> Chase, *The Barbary Plague*, 49.

<sup>45</sup> Chase, *The Barbary Plague*, 49.

<sup>46</sup> Ikeda, “A Brief History of Bubonic Plague in Hawaii,” 77.

of his department on hand that morning. The fire began as planned, moving away from the church; however, the winds changed in direction and strength and the fire turned back towards the church. The change caught Hunt and his men by surprise. They worked to keep the fire away from the church, but an ember ignited one of the church's steeples and quickly grew out of control. By noon, the fire could not be contained. Chinatown residents scrambled to secure whatever personal belongings, furniture, or pets they could. Some abandoned their possessions, running for their lives.<sup>47</sup>

Even while Chinatown burned, guards stood at their posts outside of the quarantine parameters. Fearful that they could not handle the swarms of people and contain them within the boundaries of Chinatown, they requested military reinforcements. By the time the fire burned itself out, Chinatown lay in ruins and roughly seven-thousand people had to move to detention camps where officials could continue to observe them until the quarantine was lifted in April 1900. Remarkably, no one was killed.<sup>48</sup> In the aftermath, residents and businessmen petitioned for compensation for their losses. In October 1901, "the court honored claims of \$333,730.... Shortly after it began its proceedings, the claims court arbitrarily decided that because it was being flooded by what it regarded as false claims, it would pay a maximum of only one-half of any request."<sup>49</sup>

In the wake of the burning of Honolulu's Chinatown, Governor Gage in California took a different route to combat the plague. Similar to the common perception that plague could be cleaned by extreme sanitary measures, on March 9, 1901 the Governor and his legislators created a plan to sanitize San Francisco's Chinatown: the Calcutta Plan. It included "a general disinfection of Chinatown, daily inspection of persons reported to be sick or dead, removal of suspicious cases to an isolation facility, and transport of the diseased to a morgue for possible autopsies."<sup>50</sup> The BOH encouraged Chinatown residents to maintain their properties in sanitary means or they could be subject to inspection, condemnation, or demolition.<sup>51</sup> This policy played on the fears of residents familiar with the fire in Honolulu. While plan looked good on paper, it failed to produce results; new plague cases were not found, officials managed to disinfect only a limited number of homes, and the sulfur dioxide used to disinfect damaged buildings and personal belongings roused complaints from the Chinese residents.<sup>52</sup>

The plague in San Francisco did not have a definitive ending; "The city agreed to clean Chinatown's streets three times a week and remove the garbage weekly."<sup>53</sup> Thus, the city eliminated the feeding grounds for rats, and

<sup>47</sup> Mohr, *Plague and Fire*, 125-132.

<sup>48</sup> Mohr, *Plague and Fire*, 133.

<sup>49</sup> Echenberg, *Plague Ports*, 210.

<sup>50</sup> Risse, *Plague, Fear, and Politics in San Francisco's Chinatown*, 180.

<sup>51</sup> Risse, *Plague, Fear, and Politics in San Francisco's Chinatown*, 181.

<sup>52</sup> Risse, *Plague, Fear, and Politics in San Francisco's Chinatown*, 180.

<sup>53</sup> Echenberg, *Plague Ports*, 235.

bubonic plague eventually stopped spreading. Though a second bout of plague affected San Francisco after the 1906 earthquake that razed the city, it affected white neighborhoods more fiercely than the previous outbreak in Chinatown. By this time, residents widely attributed the spread of plague to rats and their fleas instead of immigrant sanitation techniques; focus shifted to rat eradication measures.

Communities across the globe utilized rat eradication methods to combat the spread of bubonic plague. Such measures were not a new phenomenon to San Francisco. When the plague hit colonial Philippines, the Board of Health waged war against the rodents, sending out rat-catchers who traveled to homes in areas afflicted with plague to set up traps. In February 1902, rat catchers delivered more than twenty-thousand rats to government officials.<sup>54</sup> In colonial Hanoi, the French administration enlisted native Vietnamese catchers to rid the sewers of the vermin. On June 12, 1902, French officials recorded that 20,114 rats were caught and killed.<sup>55</sup> In San Francisco, Dr. Rupert Blue was sent by the United States Surgeon General to oversee rat eradication efforts. Blue erected a command center and laboratory at 401 Fillmore Street dubbed “The Rattery” where hunted rats were taken for autopsies, “like a coroner’s office for rats.”<sup>56</sup> Blue sent workers out to search houses, place poison traps, close up rat holes, and to eliminate garbage because he understood that if he could control the rats, he could control the plague. On November 8, 1907, Blue reported to the Surgeon General that his weekly catch was at 13,000 rats.<sup>57</sup> Blue’s efforts in San Francisco brought the plague to a halt by 1909.

The early-twentieth-century bubonic plague outbreak killed far fewer people than its fourteenth-century predecessor. Despite its relatively light fatality, the outbreak inspired a lasting legacy. On Oahu, officials reported 228 cases of bubonic plague with 204 deaths.<sup>58</sup> In San Francisco, between the years of 1900 and 1904, bureaucrats identified 121 cases with 113 deaths.<sup>59</sup> Compared to the fourteenth-century outbreak, these numbers pale in comparison to the estimated twenty-five-million killed; yet the memory of the modern outbreak endures, perhaps because it occurred on U.S. soil, or perhaps because of the time and context in which it took place. Various scholars agree that the plague epidemic of the twentieth century is “located at the intersection of powerful American ideologies—race and xenophobia, dread of disease, and modern sanitation.”<sup>60</sup>

Dr. Rupert Blue warned Washington that plague could spread outside

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<sup>54</sup> Warwick Anderson, *Colonial Pathologies: American Tropical Medicine, Race, and Hygiene in the Philippines* (Durham: Duke University Press, 2006), 62.

<sup>55</sup> Michael G. Vann, “Of Rats, Rice, and Race: The Great Hanoi Rat Massacre, An Episode in French Colonial History,” *French Colonial History* 4 (2003): 196.

<sup>56</sup> Chase, *The Barbary Plague*, 159.

<sup>57</sup> Chase, *The Barbary Plague*, 163.

<sup>58</sup> Ikeda, “A Brief History of Bubonic Plague in Hawaii,” 79.

<sup>59</sup> Echenberg, *Plague Ports*, 231.

<sup>60</sup> Gregg, *An Ancient Disease in the Twentieth Century*, 1.

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San Francisco borders from rats to other small rodents. By the time Blue received the approval to continue his efforts against the plague, it had spread eastward, with plague fleas spreading to squirrels, chipmunks, and prairie dogs. Today, scientists from the United States Centers for Disease Control and Prevention monitor wildlife and have a permanent surveillance station in Fort Collins, Colorado as the plague is now “too deeply embedded in the wild to be eradicated.”<sup>61</sup> In Hawaii, the plague eventually spread beyond Oahu to the other islands. Rather than containing and eradicating the plague, the fire that consumed Chinatown and displaced thousands of residents hastened the spread of plague by forcing plague-bearing rats to seek new habitats.

The bubonic plague outbreak of the twentieth century serves as a lens through which we can examine racism and power, but it can do more than that. It can serve as a warning for the next disease outbreak, reminding us not to correlate disease with race, and not to let our fears run wild. Perhaps next time, people will be more humane and sympathetic towards one another.

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<sup>61</sup> Chase, *The Barbary Plague*, 210.

# THIS LAND IS NOT YOUR LAND, IT BELONGS TO ME?

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## THE AMBIGUOUS NATURE OF LAND OWNERSHIP IN FRONTIER CALIFORNIA

By Adam Gosney

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**ABSTRACT:** America's relationship with land ownership has always been complicated. The battles over land in frontier California during the early 1850s provide a fascinating case study into how Californians and Americans debated over land and expansion. This essay examines the struggles between land speculators, squatters, California Indians, and larger commercial interests, who leveraged racial and class prejudices to their advantage. Indeed, this California story begins and ends with a lesson that still resonates today: power is fleeting, and those who possess land can quickly lose it.

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[Wait] a little while, and I think it will appear that the down-trodden "Settlers" are powerful in their Imbecility, and are not to bow the knee to land speculators.... Here is a soil where American citizenry rights and possessions lie buried seven feet deep...But a party is organized to attack this monopoly and is augmented day by day. I hope for peace, but ah! me, I do not know what the Historians will need to chronicle on the page of 1850.<sup>1</sup>

Alonzo Hill's letter to his parents on June 12, 1850 describing the heated tensions between squatters and land speculators in frontier Sacramento is emblematic of America's long dispute over land. Hill refers to the squatters of 1850 as settlers, for squatting is as old as America itself. George Washington wrote in his diary in 1784 about the need to evict squatters on land he owned in the Alleghenies.<sup>2</sup> America's relationship with land has always been a complicated one. The battles over land in frontier California during the early 1850s provide a fascinating case study into how Californians and Americans debated over land and expansion. The American ideal perceives land as free for the taking, as long as any able-bodied man proves worthy of sustaining it. Unfortunately, those in power perceive land in various ways, and their power over the land is fleeting. When the story of the California Indian and his relationship with incoming immigrant gold mining settlers is compared to the circumstances behind the Sacramento squatter rebellion during the summer of 1850, the power dynamics of who controls American land becomes rather ambiguous.<sup>3</sup> Historians have long debated these incidences and sided with

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<sup>1</sup> Letter from Alonzo Hill to his parents, dated June 12, 1850. Quoted in Mark A. Eifler, *Gold Rush Capitalists: Greed and Growth in Sacramento* (Albuquerque, NM: University of New Mexico Press, 2002), 142.

<sup>2</sup> William Walter Robinson, *Land in California* (New York: Arno Press, 1979), 111.

<sup>3</sup> Throughout this essay, the author utilizes the terms "California Indian" and "Native American" interchangeably.

one side or the other, but therein lies the problem: no clear winner exists. In the end land speculators, settlers, squatters, and Indians, lost out to larger commercial interests because they let racial and class prejudice blind them to the true threat. In both cases powerful interests stripped away ownership of the land, whose own power of land proved nebulous.

In order to fully comprehend the ambiguous nature of land ownership in early American California, it is imperative to begin with one man: John Augustus Sutter.<sup>4</sup> In 1841 the California Governor Alvarado awarded eleven leagues of land to the famous Swiss pioneer Captain John Augustus Sutter.<sup>5</sup> In 1845 Governor Micheltorena assured Sutter of even more land but never filed any official land grant with the Mexican government. Everyone in early Sacramento took Sutter at his word upon arrival, however, and thus paid Sutter to settle on his property. The fact that Sutter possessed no printed title came to a head when squatters refused to pay him.<sup>6</sup> In October 1848 Sutter transferred a majority of his property to his son John A. Sutter, Jr., who discovered his father was \$80,000 in debt, wasted his money on alcohol, and drunkenly deeded away most of his land.<sup>7</sup> Sutter Sr.'s relationships to Indians and Sacramento in particular were rather cantankerous. Contemporaries like William M'Collum, M.D., present Sutter as the savior of Indians in New Helvetica because he employed them, which offered Indians a better chance at life.<sup>8</sup> In May of 1847 the Maidu tribe assisted James Marshall, who sought a suitable location for Sutter's sawmill and later found gold, which sparked a spectacle unlike any seen in the nation.<sup>9</sup> Sutter endeavored to make his town of Sutterville the premier establishment in the region but failed to properly recruit investors. Beginning in 1848 he perceived Sacramento as a means to fund the rise of Sutterville, so he charged exorbitant prices for his Sacramento land. Unfortunately for Sutter Sr. his son favored the development of Sacramento over Sutterville due to the latter's location along the Sacramento River.<sup>10</sup> After gaining back control of his land from his son, Sutter Sr. sold most of it to a real estate company in July 1850, whom discovered that Sutter Sr. had sold and resold the land several times. To complicate matters, Sutter

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<sup>4</sup> For a broad analysis of Sutter's life see Albert Leon Hurtado, *John Sutter: A Life on the North American Frontier* (Norman, OK: University of Oklahoma Press, 2008). For an anthology primarily consisting of Sutter's own words, see Allan R Ottley, ed., *The Sutter Family and the Origins of Gold-Rush Sacramento* (Norman, OK: University of Oklahoma Press, 2002).

<sup>5</sup> Josiah Royce, "An Episode of Early California Life: The Squatter Riot of 1850 in Sacramento," in *Studies of Good and Evil: A Series of Essays Upon Problems of Philosophy and of Life* (New York: D. Appleton and Company, 1899), 304.

<sup>6</sup> Donald Dale Jackson, *Gold Dust*. (Lincoln, NE: Univ. of Nebraska Press, 1980), 138.

<sup>7</sup> Donald Pisani, *Water, Land, & Law in the West: The Limits of Public Policy, 1850-1920* (Lawrence, KS: University Press of Kansas, 1996), 58-59.

<sup>8</sup> Dale L. Morgan, ed., *California as I Saw It: Pencilings by the Way of its Gold and Gold Diggers! and Incidents of Travel by Land and Water by William M'Collum, M.D., A returned Adventurer* (Los Gatos, CA: The Talisman Press, 1960), 153.

<sup>9</sup> James J. Rawls, "Gold Diggers: Indian Miners in the California Gold Rush," *California Historical Quarterly* 55, no. 1 (Spring 1976), 29.

<sup>10</sup> John Boessenecker, *Gold Dust and Gunsmoke: Tales of Gold Rush Outlaws, Gunfighters, Lawmen, and Vigilantes* (New York: John Wiley & Sons, Inc., 1999), 179.

Jr. awarded speculators like Samuel Brannan of the C.C. Smith & Company power-of-attorney over large lots in Sacramento.<sup>11</sup> During the winter and summer of 1849 to 1850 squatters hoped to utilize this ambiguity to their advantage.<sup>12</sup>

The story of the 1850 squatter riot in Sacramento between squatters and speculators enables a case study upon which to compare the power dynamics of land in frontier California and the relationships between squatters, speculators, settlers, and Indians. In May of 1850 the *Sacramento Transcript* reported that “the chaotic condition in which Sacramento City first sprang into existence is fast settling into harmony.”<sup>13</sup> Later that same month the *Placer Times* warned citizens that the Settlers’ Association continued to grow in number, which threatened the very sanctity of land titles in the city.<sup>14</sup> As mining began to dry up in the summer of 1850 former miners returning to Sacramento joined the Settlers’ Association because Sacramento consisted primarily of tents and wooden frames. Brick buildings did not appear with any regularity until 1853.<sup>15</sup> The Settlers’ Association accepted these newcomers wholeheartedly; it assumed that the higher its membership rolls the more likely the federal government might heed its grievances against Sacramento’s speculators. In April the *Sacramento Transcript* offered to sell the document which established? ‘Mr. Augustus Sutter’s’ official Mexican land grant. The document placed the border of the grant north of Sacramento. As a result, “residents hesitated before buying city lots from speculators, whose title might not be valid. City land values...now had reached a plateau and even begun to drop off in value.”<sup>16</sup> Speculators convinced Jean Jacques Vioget, the surveyor of Sutter’s grant, to sign an affidavit retroactively returning Sacramento to Sutter’s original land grant.

Also during April, the transitional legislature passed ‘An Act concerning Forcible Entry and Unlawful Detainer,’ which granted justices the right to eject and fine squatters under the slimmest of evidence. The speculators, who ran the Common Council, also passed a city ordinance that banned the erection of “tents shanties, or houses on any vacant lot belonging to a private person.”<sup>17</sup> When a local militia arrested several squatters and a judge refused to allow bail, Dr. Charles Robinson, head of the Settlers’ Association, expressed his consternation to the local press: “If the bail of an arrested squatter be refused simply because the bondsmen is not a land-holder under Captain Sutter, we shall consider all executions issued in consequence thereof as acts of illegal force, and shall act accordingly.”<sup>18</sup> The first trial pitted

<sup>11</sup> Pisani, *Water, Land, & Law in the West*, 59-60.

<sup>12</sup> Royce, *Studies of Good and Evil*, 316.

<sup>13</sup> Eifler, *Gold Rush Capitalists*, 131.

<sup>14</sup> Donald Dale Jackson, *Gold Dust* (Lincoln, NE: Univ. of Nebraska Press, 1980), 138.

<sup>15</sup> Andrew Isenberg, *Mining California: An Ecological History*. (New York: Hill and Wang, 2005), 58-59.

<sup>16</sup> Eifler, *Gold Rush Capitalists*, 133-137.

<sup>17</sup> Eifler, *Gold Rush Capitalists*, 137.

<sup>18</sup> Royce, *Studies of Good and Evil*, 331.

speculator and city councilman John P. Rogers and squatter John F. Madden against one another, which the Settlers' Association kept appealing to higher courts after the judge ruled in favor of Rogers. In June, as the Madden case progressed through the courts, about thirty speculators, under the auspices of the Law and Order Association, tore down squatter settlements in various parts of the city. These violent acts coincided with Sutter agreeing "to surrender his remaining lands free of charge to anyone willing to clear squatters from the lands."<sup>19</sup> Speculators needed this additional land not only because of their greed and need for profit, but because most of the land's reported value rested somewhere between ten to a thousand times its actual value. Throughout June and July the Settlers Association held several meetings to condemn the action of the speculators, asserting they lacked legal authority.<sup>20</sup>

According to historian Mark Eifler two incidents led tensions between squatters and speculators to escalate into violence. First, on August 5 Barton Lee, the city's largest landholder, declared bankruptcy. His fellow speculators bought his foreclosed land, which further inflated land prices. This inflation strengthened the resolve of speculators to procure more land. Second, on August 10 the county court ruled against Madden and, more importantly, Judge E.J. Willis denied Madden's appeal to the Supreme Court.<sup>21</sup> As a result of the Madden ruling the Settlers Association drafted a manifesto, which Charles Robinson authored, that accused the courts of denying the one form of redress at the squatters' disposal. Robinson, in response to what he termed the plight of the poor, landless man against the wealthy, devilish class, argued that the laws passed by the Sacramento city-council and the courts that refuse to hear the pleas of squatters confirmed nothing but that squatters were still within their rights in California *territory* and that their manifesto asserted a Higher Law over any State Law.<sup>22</sup> The success of the settlers required broad public support, however, and most residents wished to be left out of the whole affair.<sup>23</sup> On August 12 Robinson led a contingent of men to the Madden settlement and began passing out the manifesto.<sup>24</sup> Soon nearly two hundred squatters signed a petition to join the Settlers' Association in their fight against the speculators. Upon Mayor Hardin Bigelow's arrival he assured the squatters no action would be undertaken until after a thorough investigation. The next day, however, Bigelow called for the arrests of leaders James McClatchy and Michael Moran. The sheriff arrested the two men and

<sup>19</sup> Eifler, *Gold Rush Capitalists*, 137-141.

<sup>20</sup> Boessenecker, *Gold Dust and Gunsmoke*, 180.

<sup>21</sup> Eifler, *Gold Rush Capitalists*, 146-148. For a review and analysis of California frontier courts, see Gordon Morris Bakken, "The Courts, the Legal Profession, and the Development of Law in Early California," in *Taming the Elephant: Politics, Government, and Law in Pioneer California*, edited by John F. Burns and Richard J. Orsi (Berkeley: University of California Press, 2003): 74-95.

<sup>22</sup> Eifler, *Gold Rush Capitalists*, 150.

<sup>23</sup> Royce, *Studies of Good and Evil*, 333-334.

<sup>24</sup> Jackson, *Gold Dust*, 293. On August 11 Robinson entered into a shouting match with speculator Samuel Brannan as he attempted to pass out the manifesto.

after a short trial imprisoned them aboard the prison ship *La Grange*.<sup>25</sup> That night Robbins and John P. Maloney, a Mexican War veteran who the squatters voted their military commander that day, devised a plan to retake Madden's settlement.<sup>26</sup> Little did they know it would spark a battle that still lives on in California lore today.

On August 14, Robinson and Maloney recruited about fifteen men to retake the Madden property by force. As the force traveled through squatter settlements other men joined their merry band and they easily retook the lot, which the army left unguarded. After restocking the Madden settlement Robinson decided to disembark via the waterfront to avoid unwanted attention. Unfortunately the force walked right past the *La Grange*, which stirred citizen fears of a squatter uprising. Mayor Bigelow recruited a rag-tag army himself and, with the help of Sheriff McKinney and city assessor J.M. Woodland, demanded the squatters surrender peacefully. Maloney, fearing an attack, shouted "Shoot the Mayor!" Several bullets hit Woodland in the chest, killing him instantly. Bigelow received four gunshots to the chest and arm, but took over three months to transpire. Robinson fled the scene after a bullet grazed him. Authorities arrested him later that day. Maloney, after receiving a bullet in the arm, fled down an alley, where city recorder B.F. Washington caught up with him and proceeded to shoot Maloney in the head. After the violence ceased both sides counted their casualties: three squatters killed, one wounded; while one of the mayor's men received a fatal gunshot and four suffered minor injuries.<sup>27</sup> After the riot the city speculator convinced the Common Council to declare martial law in Sacramento. For several weeks the new mayor, Demas Strong, and the new head of police, B.F. Washington, led teams of militia who patrolled the streets, stopping anyone they failed to recognize.<sup>28</sup>

While the speculators won the battle, their continued calls for violence in Sacramento turned public discourse against them. "Neither did the attempt to stop the squatters forestall the speculators' own economic collapse. Rather, the riot acted as a check on any further speculation in city lands."<sup>29</sup> Soon other speculators declared bankruptcy, and the great speculating boom in Sacramento subsided. The conflict between squatters and speculators represented a fight between two American traditions: that of a deep respect for property rights and the other the frontier tradition of homesteading.<sup>30</sup>

The ambiguous nature of land in 1850s California begins and ends with speculators. Merchant speculators like Samuel Brannan, Barton Lee, and Albert Priest controlled the fledgling Sacramento city government.<sup>31</sup> Historian

<sup>25</sup> Eifler, *Gold Rush Capitalists*, 150-151.

<sup>26</sup> Boessenecker, *Gold Dust and Gunsmoke*, 180.

<sup>27</sup> David Kulczyk, *California Justice: Shootouts, Lynchings and Assassinations in the Golden State* (Sanger, CA: Word Dancer Press, 2008), 1-2.

<sup>28</sup> Eifler, *Gold Rush Capitalists*, 156-157.

<sup>29</sup> Eifler, *Gold Rush Capitalists*, 160-161.

<sup>30</sup> Gordon Morris Bakken, ed., *Law in the Western United States* (Norman, OK: University of Oklahoma Press, 2000), 327.

<sup>31</sup> Isenberg, *Mining California*, 58.

Josiah Royce inaccurately portrays squatters as lawless marauders, but he is correct that speculators won the initial battle for public opinion. Royce claims that if the public deemed speculators as the aggressors, then squatters represented honest men the wealthy class kept relegated to second-class citizenship. The American public might regard Robinson and his followers as heroes, which would lead to all land in California being decided by whomever was the most violent.<sup>32</sup> This violence opened the public's eyes to the barbarism of the squatters, however, and turned the tide in favor of the speculators.<sup>33</sup> Not until after 1851 did Congress began an investigation of Mexican land claims in California at which point speculators had laid claim to almost all arable land. The general public failed to realize their decision of sitting idly by while the squatters lost their fight. "To many of these 'North American adventurers,' as native Californians liked to refer to them, the great landowners were merely monopolists who, like the Indians, were obstructing the path or progress of civilization."<sup>34</sup> While speculators appealed to a public that abhorred taking land unlawfully through force, other potential landholders utilized force to obtain land amid massive popular support.

When thinking within the context of the squatter rebellion, the fact that settlers violently exterminated California Indian resistance speaks to the ambiguity of land ownership on the California frontier. For example, the most abundant gold deposits in California resided in the middle of Indian Territory.<sup>35</sup> According to M'Collum, Indians did not know how to use the land: "They know nothing about the use of gold, and if not too lazy to pick it up, they would gladly exchange it for a red strip of flannel."<sup>36</sup> In retelling stories of Indian brutality, white observers like M'Collum neglect to consider *why* Indians felt compelled to commit such atrocities. "It was but a few day[s] previous to our advent there, that [Indians] inhumanly murdered one of a party of three explorers. The unfortunate man had been wounded by the accidental discharge of his rifle. While his companion was absent to procure help to remove him from the wilderness, the Indians barbarously robbed and murdered him."<sup>37</sup> Whites encroached on Indian land, killed Indian men, women, and children, and thus forced Indians, who faced relocation or pos-

<sup>32</sup> Royce, *Studies of Good and Evil*, 327.

<sup>33</sup> Boessenecker, *Gold Dust and Gunsmoke*, 183.

<sup>34</sup> Robinson, *Land in California*, 112.

<sup>35</sup> Kevin A Tierney, "Argonauts and Indians in the California Gold Rush: An Analysis of the Sacramento-Region Press, 1848-1860" (Master's thesis, California State University, Sacramento, 2010), 2.

<sup>36</sup> Morgan, *California as I Saw It*, 147.

<sup>37</sup> Morgan, *California as I Saw It*, 168. For more first-hand accounts of Indians attacking and stealing from whites see J.S. Holliday, *The World Rushed In: The California Gold Rush Experience*. (New York: Simon and Schuster Press, 1981), 127, 273, 278, 327; Ronald M. James and Robert E. Stewart, eds., *The Gold Rush Letters of E. Allen Grosh and Hosea B. Grosh* (Reno, NV: University of Nevada Press, 2012), 82-86, 164-168, 221n19, 232n13.

sible extermination, to fight back against white miners and settlers.<sup>38</sup>

For most of the nineteenth and early twentieth century contemporaries and historians neglected to include Indians in the wondrous Gold Rush story.<sup>39</sup> This is an unfortunate situation, for the influx of white settlers drastically influenced California Indians. Between 1848 and 1852 the white population of the gold-rush region increased exponentially from a few thousand to over a quarter million. From 1848 to 1860 the California Indian population, on the other hand, decreased from more than 100,000 to 30,000. Indian tribes went from controlling eighty percent of the land to zero percent.<sup>40</sup> As a territory Indians could have filed grievances with the federal government of the land white settlers confiscated in California. Ironically, due to the high influx of these settlers, however, California became a state in 1850, thus inhibiting Indians from seeking federal retribution. Indeed, “the free labor of white men created personal and national wealth from the public domain. Indians were merely an impediment, an unproductive and potentially dangerous obstacle to white expansion and national prosperity.”<sup>41</sup> Gold seekers may have separated themselves according to class and moral fiber, but one fact held constant amongst both: the California Native Americans possessed no rights to the land or even life if whites willed it. If a Native American moved aside, whites might have let him live, “but, if there was any conflict whatsoever with the system, the native was eliminated -- ruthlessly, either by a quick death from a bullet in the head; or by a slow death -- confinement in a reservation.”<sup>42</sup> So in terms of fighting for land rights, Indians are in some ways similar to speculators in that they resided on the land prior to settlers but in other ways similar to squatters in that they assumed California would remain a territory for some time and thus permit them to seek retribution. But the discourse of progress, which permeated through California and the nation during this era, relegated Indians to the lowest class and threatened them with extinction. This discourse negated any potential similarities between Indians and whites.

The squatters of 1850 Sacramento would not, and possibly could not, see the connection between themselves and Indians. For one, squatters abhorred that courts continuously sided with land grants that originated from

<sup>38</sup> Brendan Lindsay, *Murder State: California's Native American Genocide*. (Lincoln, NE: University of Nebraska Press, 2012), 168, 188-195. Men like the Argonauts from Oregon territory wreaked havoc on Indian populations.

<sup>39</sup> Owens, *Riches for All*, 90.

<sup>40</sup> Hurtado, “The Maidu and California Indian Policy, 1846-1855,” 64. Eugene L. Conrotto, *Miwok Means People: The Life and Fate of the Native Inhabitants of the California Gold Rush Country* (Fresno, CA: Valley Publishers, 1973), 17. Hurtado overviews how the Maidu faced starvation if they stood against the federal government and Conrotto states that between 1770 and 1910 the Miwok population alone fell from a high of 9000 to a low of 700.

<sup>41</sup> Owens, *Riches for All*, 94-95.

<sup>42</sup> Conrotto, *Miwok Means People*, 18-20, 27. From 1850 to 1855 the California State Legislature decreed three laws which hastened the demise of native Californians: denying them the right to testify in court, permitting the selling of a convicted native into forced labor, and allowing natives to be designated as slaves to whites.

the inferior Mexican race.<sup>43</sup> They asserted that the United States defeated Mexico and took her lands, and, in the manner of the War of 1812, the government should permit Americans to settle wherever they claimed land, not where a defeated people allotted them.<sup>44</sup> While this strategy worked for settlers in the Mother Lode, in Sacramento speculators held the power.<sup>45</sup> Squatters also pointed to the ambiguous rulings regarding land in California as vindication for their squatting. For example, Henry Hallack, California's secretary of state during the late 1840s, declared in an 1850 report that most Mexican grants were of a dubious nature. William Carey Jones, an agent of the Interior Department, on the other hand, anointed Mexican grants as legal.<sup>46</sup> Thus squatters resembled Indians in their futile efforts to obtain or keep land.

Squatters also became impatient with the courts and took settlements with force because they wanted to purchase their land at 1850 rates, not inflated 1854 rates because they themselves improved the land while squatting.<sup>47</sup> This point serves as another reminder of the ambiguity of land in frontier California. Squatters improved the land but lost when they employed violence, which the public shunned. Settlers ruined Indian land, decimated fishing and hunting grounds, and erected towns and mines where Indian villages once stood, all the while enjoying a public support that not only permitted such atrocities but chastised the federal and state government for not acting quickly enough to "save" California Indians through forced relocation to reservations.

While the squatter rebellion in Sacramento failed, it sparked further rebellions in Oakland and San Francisco, adding to the ambiguous nature of land ownership in frontier California. As more squatters arrived in California in the early 1850s politicians began to covet their vote. For example, in 1854 Governor John Bigler called for legislation to legitimize the squatters' settlement efforts. "Finally, in 1856, the legislature passed a law providing that all lands in the state were to be regarded as public until the legal title should be shown to have passed to private parties."<sup>48</sup> While in practice this law helped large businesses more than squatters, which further complicates who owned the land, its passage exemplifies that losers of one battle over land could claim victory in another; unless one happened to be Indian, then the only option for winning was simply surviving.

In *Frémont v. United States* (1854) the Supreme Court validated the for-

<sup>43</sup> Pisani, *Water, Land, & Law in the West*, 66.

<sup>44</sup> Royce, *Studies of Good and Evil*, 317-319.

<sup>45</sup> Upon the admission of California into the United States, Robinson ran and won a seat in the state Assembly. He soon left for Kansas, distraught of the power landowners and speculators exerted on the state level. See Pisani, *Water, Land, & Law in the West*, 68.

<sup>46</sup> Pisani, *Water, Land, & Law in the West*, 68. It is important to note that Jones acquired thousands of acres of Mexican land grants in the 1840s, which may have factored into his report.

<sup>47</sup> Pisani, *Water, Land, & Law in the West*, 69.

<sup>48</sup> Robinson, *Land in California*, 116.

ty-thousand-acre Mexican land grant of John C. Frémont. Chief Justice Roger Taney ruled that Alvarado possessed every right to sell the land to Frémont, even if Alvarado never settled or surveyed the land. How could he, Taney argued, with marauding Indians parading around his territory? This court ruling devastated opportunities for squatters who sought to settle California lands under the auspice of public domain. Thus henceforth California became a state not of many small landowners, but a few large speculators.<sup>49</sup> While squatters and speculators fought over land titles the true victors of the issue emerged: Sacramento's business owners. As historian Mark Eifler examines in detail, city residents "view[ed] the riot and formed their opinions about the struggle from the perspective of their own business situation – either because they needed city land as collateral for credit or because rents and leases were too high to run their own business operations."<sup>50</sup> Hence the true frontier story of California becomes more lucid. Miners and speculators, hoping to cash in on the Gold Rush and leave California, found themselves, some by chance but most through necessity, settling into the Golden State as businessmen. These businessmen, personified in such iconic figures as Collis P. Huntington, soon utilized their newly found business acumen to rewrite the history of California and the entire United States.<sup>51</sup>

In terms of mining in the Mother Lode, settlers failed to permanently reap the rewards of ousting Indians from their land. According to historian James Rawls, the extermination of the Indians hurt, not helped, the settlers. Businessmen could no longer employ Indians cheaply, so they mechanized in order to avoid paying the exorbitant wages of white mining settlers.<sup>52</sup> In 1848 white workers made about \$20 a day mining, but by 1856 wages dropped to a mere \$3 a day.<sup>53</sup> After 1856 placer mining dominated gold digging, and thus gold-mining settlers needed to survive off the land because their wages failed to adequately meet demand.<sup>54</sup> The placer mining companies took cues from the settlers' interactions with Indians, however, silting waterways, which killed spawning areas for fish, and rerouted water supplies if someone found gold in an area lacking adequate water flow, which devastated crops.<sup>55</sup> Settlers became so enshrined in their idealized discourse of progress they neglected to notice that larger commercial interests cared little for their mission to civilize California for the white man.

A review of local newspapers around 1850 enables a better comprehension of this discourse of progress. Newspapers facilitate useful insights into nineteenth-century social discourse because, as Rawls attests, "three-fourths

<sup>49</sup> Bakken, *Law in the Western United States*, 326, 239-331.

<sup>50</sup> Eifler, *Gold Rush Capitalists*, 166.

<sup>51</sup> Eifler, *Gold Rush Capitalists*, 166-169. For more on Collis P. Huntington see Richard Rayner, *The Associates: Four Capitalists Who Created California*. (New York: W.W. Norton & Company, 2008).

<sup>52</sup> Rawls, "Gold Diggers," 42.

<sup>53</sup> Isenberg, *Mining California*, 23.

<sup>54</sup> Pisani, *Water, Land, & Law in the West*, 7.

<sup>55</sup> Hurtado, "The Maidu and California Indian Policy, 1846-1855," 66.

of families [in the United States] included at least one adult who engaged in life-long reading, and that reading had become more varied, secular, and particularly focused on...keeping up with the times through newspapers.”<sup>56</sup> Historians must understand the bias of newspaper editors however, and read beyond the lines. For example, most editors portrayed white miners as vile, benighted, and cutthroat. To combat the savagery of miners, editors argued, “civilized” whites needed to stem the bloodshed and protect ignorant lazy Indians.<sup>57</sup> While newspapers advocated for the protection of Indians, most articles refer to Indians as “Diggers,” “red faces,” or “acorn eaters.”<sup>58</sup> Newspaper editors believed that authorities must separate Indians and white miners, for the two could not coexist. Newspapers like the *Sacramento Daily Transcript* and the *Placer Times* argued that California Indians were not only inferior to whites but other Indians as well: “The Aborigines of California are perhaps the most feeble, and incapable of carrying on a formidable system of warfare, of any of the North American Indians.”<sup>59</sup> A few newspapers like the *Sacramento Daily Union* understood the significance of calls for Indian relocation onto reservations. As historian Kevin Tierney relates, “The editors of that publication argued in 1860 that Indians needed protection from large numbers of white who had eyes for Indian land. The editors proclaimed, “There are numerous illustrations of the total indifference which prevails among American pioneers upon Indian rights to land.”<sup>60</sup> At no time did any newspaper propose that white settlers vacate Indian lands or at the very least interdict infringement upon Indian lands, however. In fact, newspapers like the *Daily Alta California*, *Sacramento Daily Bee*, *Sacramento Daily Transcript*, and the *Placer Times* advocated for military action against Indians who presumably assaulted, stole from, or otherwise infringed upon white-settler land. The discourse of progress permeated so securely throughout the era that squatters, speculators, and settlers focused all their energies upon each other and Indians while their true foe worked behind the scenes, biding his time while simultaneously consolidating his power over the land.

According to historian Josiah Royce, squatters are squatters because they settle on land that belongs to someone else.<sup>61</sup> Royce’s claim is true, but he assigns blame to the wrong cohort of people, for squatters, settlers, and speculators represented a minority of frontier California’s population. Most Sacramento residents failed to benefit from any side capturing victory and Indians obviously lost no matter which white group obtained posses-

<sup>56</sup> Tierney, “Argonauts and Indians in the California Gold Rush,” 6-8.

<sup>57</sup> “Our Indian Difficulties,” *Daily Alta California* 2, no. 36 (1851), quoted in James E. Seelye, Jr. and Steven A. Littleton, eds., *Voices of the American Indian Experience*. Vol. 1, *Creation-1877* (Berkeley, CA: University of California Press, 1971), 286. The editor of the *Daily Alta California* in 1851 argued that when Americans destroyed Indians for their land Americans lost a part of their humanity that separates them from Indian savages.

<sup>58</sup> Tierney, “Argonauts and Indians in the California Gold Rush,” 19-22, 27.

<sup>59</sup> Tierney, “Argonauts and Indians in the California Gold Rush,” 20-22.

<sup>60</sup> Tierney, “Argonauts and Indians in the California Gold Rush,” 26-36, 41-43.

<sup>61</sup> Royce, *Studies of Good and Evil*, 321.

sion of the land they inhabited. Some historians refer to the massacres of the California Indians as a “holocaust,” while others refer to it as simply a “genocide.” Contrary to other historians, this author contends that the exact terminology is less important than the fact that whites methodically sought to eliminate California Indians from the face of the earth in the name of expanding the American empire.<sup>62</sup> Thus the California story begins with a lesson that still resonates today: power is fleeting, and those who possess land can quickly lose it. Alonzo Hill, writing again to his mother on the eve of the August hostilities in Sacramento, poignantly surmises that the aims of both the speculators and squatters are as ambiguous as the land they fight over: “The speculators pretend to own all the land...but the class so wealthy contend that ‘Sutter’ has not claim or title. But the ‘Settlers’ as they are called, knowing that Theocracy and Democracy are combined, they are determined to sustain the just right of Autocracy.”<sup>63</sup> How ironic that a contemporary like Hill knew that all those who crave land desire power, and *that* is the lesson of the frontier California story. Hence why knowledge of the California squatter and Indian story is essential to understanding the growth and expansion of America.<sup>64</sup> Or, as historian William Walter Robinson asserts in *Land in California*, every American is a squatter at heart.<sup>65</sup>

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<sup>62</sup> For the wide range of various arguments on this complicated issues, see Tierney, “Argonauts and Indians in the California Gold Rush,” 5. Lindsay, *Murder State*, 1-7; Clifford E. Trafzer and Joel R. Hyer, *Exterminate Them!: Written Accounts of the Murder, Rape, and Enslavement of Native Americans during the California Gold Rush* (East Lansing, MI: Michigan State University Press, 1999), 2; Kevin Starr, *Rooted in Barbarous Soil: People, Culture, and Community in Gold Rush California* (Berkeley: University of California Press, 2000), 1- 2; Ward Churchill, *A Little Matter of Genocide: Holocaust and Denial in the Americas, 1492 to the Present* (San Francisco: City Light Books, 1997), 4-6.

<sup>63</sup> Letter from Alonzo Hill to his mother, dated August 9, 1850. Quoted in Eifler, *Gold Rush Capitalists*, 141-142.

<sup>64</sup> Pisani, *Water, Land, & Law in the West*, 85.

<sup>65</sup> Robinson, *Land in California*, 111.

# THE PRIVATIZATION OF UNITY

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## A STUDY OF HESSIAN MERCENARY SOLDIERS

By Stephen Herrera

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**ABSTRACT:** In this essay, Stephen Herrera explores the economic and political implications of the British Empire's employment of Hessian mercenaries in the late-eighteenth century. Contracting military forces had specific implications in both the military and civilian spheres. This paper examines these shifting perceptions of utilizing Hessian mercenary forces during both the Seven Years War and the American Revolution from both the perspectives of the military personnel and public.

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Characteristics of war tend to illuminate its violence, brutality, nationalism, patriotism, glory, and failure. However, the business of war tends to be neglected in historical accounts of famous wars such as the Seven Years War and the American Revolution. The prime focus of military history rests in tactics, technology, and outcomes during battle. These foci cover only a partial aspect of combat; cultural ramifications become neglected in such basic analyses. A much deeper analysis of war illustrates how a state operates under the mechanism of war while providing an economic backbone that provides stability for a nation.

The state of Hesse-Cassel under Landgrave Frederick II utilized war to bring cultural and economic stability to its populace by contracting out its Hessian mercenary army to other European powers. Like other industries, war lacks immunity to economic trends and follies that threaten markets and societies. An examination of the mercenary troops provided by Landgrave Frederick II highlights the business trends of war and the cultural ramifications that contracted troops have on and off the battlefield throughout the Seven Years War and the American Revolution. Analyzing Landgrave Frederick II's mercenary army illuminates the value of unity within battalions. Privatization of Hessian forces against a common, regimented, and uniformed enemy during the Seven Years War proved effective. However, the American Revolution that encompassed guerilla warfare tested the unity between Hessian and British forces. When unconventional warfare changed the dynamic of the battlefield, Hessian and British forces crumbled because they lacked cultural unity. For privatized warfare to both be effective and efficient, common culture identity is critical for success on the battlefield.

By the time that Landgrave Frederick II assumed the helm at Hesse-Cassel in 1760, he became part of a military-industrial complex that stood for nearly a century, offering economic and political stability for the state. "Hesse-Cassel's century-long involvement in the mercenary trade afforded the crown even greater fiscal leverage by giving it more revenue than it ac-

tually needed to run the state.”<sup>1</sup> Hesse-Cassel capitalized on its mercenary trade because, regionally, the state lacked the necessary resources for mass production like excess lumber. It had a vibrant textile industry; however, its textile industry alone could not support a growing state. Hesse-Cassel required long-term economic growth to support a growing population and face off any looming threats from French and Catholic forces. During this time, the Seven Years War raged on between Protestant and Catholic nations battling for hegemony in Europe. By contracting out Hessian soldiers to both Protestant and Catholic states, Frederick II reaped in enough residual income to provide a surplus for the state of Hesse-Cassel. Contracting out Hessian forces to opposing religious state factions stemmed from the 1744 treaty with Bavaria. This treaty briefly put Hessians on both sides in the War of the Austrian Succession.<sup>2</sup> This same treaty also included a blood money clause providing extra compensation for dead and wounded. As a result of this treaty, the landgrave had 8.5 million thaler in British troop subsidies on hand, with still more money coming.<sup>3</sup>

With the surplus from the Seven Years War, Frederick II created a massive civil service institution that totaled nearly 200 state positions and enabled him to spread his outreach for contracting out Hessian mercenaries internally and externally. According to Charles Ingrao, “His willingness to draw on these funds to help the estates, whether by tax reductions or moratoriums, debt assumptions, or outright grants, gave him tremendous leverage and helped ensure the cooperation of the diet for the entire reign.”<sup>4</sup> Frederick II maintained complete control over the state of Hesse-Cassel because the Treasury acquired a surplus during the Seven Years War. This enabled him to remain unbound by loans that other nations would usually need to acquire during times of war. In addition, the landgrave also set aside many state positions, such as ambassador titles, for military officers to maintain the Hessian military’s presence in court and estate politics. In fact, “the Frederician regime provided an unusually large number of positions for a state its size, whether as civil, court, or military officers.”<sup>5</sup> With military officers holding ambassador positions, the political pressure for nations to hire Hessian mercenaries continued to spread as long as military conflict erupted throughout Europe. “Military officers account for only 25 of the 184 civil officials in the Hessian bureaucracy.”<sup>6</sup> These civil officials, associated with the military, advocated for Hessian military involvement, thus acting as the tentacles to Frederick II’s mercenary entity. With a significant amount of ambassadors convincing the employment of Hessian mercenary forces between both Protestant and

<sup>1</sup> Charles W. Ingrao, *The Hessian Mercenary State: Ideas, Institutions, and Reform Under Frederick II 1760-1785* (Cambridge: Cambridge University Press, 1987), 39.

<sup>2</sup> Dennis Showalter, “HESSIANS The Best Armies Money Could Buy,” *Military & Government Collection* 24, no. 7 (October 2007): 39.

<sup>3</sup> Ingrao, *The Hessian Mercenary State*, 39.

<sup>4</sup> Ingrao, *The Hessian Mercenary State*, 39.

<sup>5</sup> Ingrao, *The Hessian Mercenary State*, 40.

<sup>6</sup> Ingrao, *The Hessian Mercenary State*, 30.

Catholic states during the Seven Years War, large-scale recruitment of these mercenary forces continued and paved the way for economic growth for the state of Hesse-Cassel.

Contracting out Hessian forces to European powers, such as Great Britain, the Netherlands, and Sweden provided Hesse-Cassel's economic growth. As a result, unemployment rates lowered with military recruitment initiatives that increased the soldier to civilian ratio in the state. "The eighteen subsidy treaties that Frederick II concluded provided alternative employment for younger sons, thereby easing the burden of poverty in the countryside and putting an end to the constant exodus of young people to other parts of Germany while also attracting foreign exchange that could be used for industrial investment."<sup>7</sup> These subsidy treaties provided military employment for young men living in poverty due to the famine that struck during 1770 that was induced by widespread crop failure. Hesse-Cassel experienced ongoing crop failure. Consequently, farmers became the leading recruits for the Hessian military since employment became a matter of life and death. As a result, higher recruitment rates occurred during the summer just before harvest, as many people enlisted to escape starvation.<sup>8</sup> While farmers provided the bulk of the forces, young men from families of nobles also proceeded to explore careers in the Hessian military. "Though nobles still dominated the highest ranks, the officer corps was evenly split between noble and commoner by a system that drew officers from three sources: nobles, who started as pages; burghers, who began as corporals but became officers after a few years; and common soldiers, who rose through the ranks in unusually large numbers."<sup>9</sup> For the most part, Hessian forces remained composed of a wide array of people with different backgrounds. Mercenaries found a unique aspect within the army: social mobility.

In addition to creating recruitment pools from people with diverse backgrounds, Frederick II set guidelines for recruiting soldiers into the Hessian military. In 1762, Landgrave Frederick II signed the *Canton Réglement*, which permitted the military to enlist only men aged between sixteen and thirty who volunteered and were economically expendable. A large portion of the military came from both noble families that lacked any substantial social prevalence and the lower class. The *Canton Réglement* also held parents responsible for their son's military recruitment and even imprisoned them for sons that avoided conscription.<sup>10</sup> Personal accounts highlight this aggressive recruiting by accounting recruiting officers traveling through the country, taking peasants away from their families and homes, and driving them like a herd of cattle to the barracks.<sup>11</sup> Widespread mandatory recruitment turned Hesse-Cassel

<sup>7</sup> Ingrao, *The Hessian Mercenary State*, 127.

<sup>8</sup> Ingrao, *The Hessian Mercenary State*, 88, 131.

<sup>9</sup> Ingrao, *The Hessian Mercenary State*, 130-131.

<sup>10</sup> Showalter, "HESSIANS The Best Armies Money Could Buy," 7.

<sup>11</sup> Matthew Volm, *The Hessian Prisoners in the American War for Independence and their Life in Captivity* (Charlottesville: University of Virginia, 1937), 5-6.

into a military state. Its population became disproportionate between soldiers and civilians where soldiers outnumbered the civilian population. It was composed of a 12,000 man field army plus another 12,000 militia serving in garrisons, resulting in a remarkable soldier to civilian ratio of 1:15, twice Prussia's 1:30.<sup>12</sup> In addition, a 1793 census "allows us to calculate that in that year there were 343 soldiers for every 1000 Hessian males between the ages of fifteen and twenty five."<sup>13</sup> By the early 1770s, Hesse-Cassel had effectively become a true military power in its sheer numbers alone.

With the tensions rising between Great Britain and its American colonies, Frederick II realized that it was only a matter of time before Britain needed aid to suppress the unruly colonists. The Seven Years War spread Britain's army too thin, and Britain was desperate to amount forces to stop the American rebels. By the time 1776 arrived with the *Declaration of Independence* at Great Britain's doorstep, Frederick II stood ready with his mercenary army ready for hire at a moment's notice.

The marketability behind Frederick II's mercenary army rested in two aspects: its sheer numbers and its readiness to deploy. "Having held a 12,000 man regular army in readiness for over a decade, he was now the only ruler who could immediately commit strong forces to crush the Americans before they could organize."<sup>14</sup> For the past ten years, Frederick II's large-scale military recruitment through economic enticement proved largely successful for the state of Hesse-Cassel. Unemployed farmers now acquired consistently paid positions in the military and nobles who lacked state positions now became officers in the military. They stood ready at arms to fight alongside the British during the outbreak of the American Revolution. Frederick II saw Britain's conundrum as a diplomatic and economic situation that offered monetary gain. Signing a treaty with Britain proved tactfully sound in two major ways. First, it offered him the prospect of cementing a previously strained relationship with a traditional ally, without incurring any military danger to the country itself. Second, the treaty provided solid employment of his military. It required the British to outfit the Hessians and undertook to pay the Landgrave twice the rate per soldier until at least one full year beyond the end of hostilities. With this, Frederick II started the push to ensure that Great Britain would employ the Hessian military to counter the rebels during the American Revolutionary War. Frederick II sold his auxiliary army based on deployment and numbers. By January 31, 1776, Great Britain signed the treaty that Frederick II dreamed about and Hessian forces readied themselves for the battle about to come.<sup>15</sup>

The structure and tactics of the overall Hessian military remained relatively unchanged between the Seven Years War and the American Revolution.

<sup>12</sup> Ingrao, *The Hessian Mercenary State*, 132.

<sup>13</sup> P.K. Taylor, "Military System and Rural Social Change in Eighteenth-Century Hesse-Cassel," *Journal of Social History* 25, no. 3 (Spring 1992): 482.

<sup>14</sup> Ingrao, *The Hessian Mercenary State*, 136.

<sup>15</sup> Ingrao, *The Hessian Mercenary State*, 136-137.

For the most part, Hessian mercenaries remained as support troops, or shock troops, throughout Protestant allied forces. To display this, one British officer's account states, "The Hessian dragoons and the regiment of cavalry of the fame nation, had two shocks with the royal carabineers of Provence and the regiment of Rousillon, and broke them."<sup>16</sup> According to the same British officer, the allied forces combined made up a total of 30,000 troops.<sup>17</sup> Hessian mercenary forces made up a significant amount of these forces since they contracted out their services, mainly to Great Britain.

Some accounts suggest that Hessian artillery forces also contracted out to French forces. An unknown British officer who served in the Allied Army under the command of Prince Ferdinand recalled French forces becoming "relieved by Hessian artillery."<sup>18</sup> Even though Hessian troops are not explicitly stated fighting against each other, this statement still suggests that the allocation of Hessian artillery and supplies occurred between Hessian and French diplomats. In addition, the same officer recalled "private men under the command of French hussars" becoming prisoners of war in the county of Eichsfeldt.<sup>19</sup> These "private men" could most likely be Hessian soldiers considering they battled in German areas of the Seven Years War. Also, 'private' ensues privatization, which results in these prisoners most likely being soldiers for hire. Again this largely remains speculative but personal accounts of Hessian artillery fired upon Protestant troops and mercenaries captured in the German states by Protestant forces suggests that Hessian military aid remained allocated to both sides of the Seven Years War.

Frederick II maintained a large court with many ambassadors that contracted out Hessian soldiers or, at the very least, commended their mercenary services to European powers. Therefore, it is plausible that ambassadors sold unauthorized artillery equipment without detection during the Seven Years War. This kind of back dealing becomes increasingly plausible when war breaks out and people in power can manipulate the loose ends of the business of war.

The Hessian mercenaries quickly earned a reputation as superior support troops in ambush situations. According to this unnamed officer's account, Hessian soldiers became surrounded by the French and battled themselves out of a massive ambush that led to 3,000 French soldiers wounded and 1,500 killed.<sup>20</sup> News spread quickly of the Hessian forces' ferocity during the Seven Years War.

According to Colonel George Hanger of the British Army, Hessian sol-

<sup>16</sup> British Officer, *The Operations of the Allied Army: Under the Command of His Serene Highness Prince Ferdinand, Duke of Brunswic And Luneberg, During the Greatest Part of Six Campaigns, Beginning In the Year 1757, And Ending In the Year 1762*, Printed for T. Jefferys, geographer to the King 20, no 4., 46 (accessed October 6, 2015), <http://hdl.handle.net/2027/nyp.33433082131024>.

<sup>17</sup> British Officer, *The Operations of the Allied Army*, 78.

<sup>18</sup> British Officer, *The Operations of the Allied Army*, 196.

<sup>19</sup> British Officer, *The Operations of the Allied Army*, 244.

<sup>20</sup> British Officer, *The Operations of the Allied Army*, 52.

diers' conceptions remained largely optimistic and positive throughout combat during the Seven Years War. Colonel Hanger had nothing but admiration for Hessian mercenary forces when he stated, "I shall now, with pleasure, speak of my old companions in war, the Hessian troops, than whom there are no braver or better disciplined forces in the world."<sup>21</sup> He also noted that "their discipline is the same as that of the Prussians."<sup>22</sup> According to Colonel Hanger, the Hessian forces contracted out share similar qualities of Prussian forces, which illuminate their caliber of training. These mercenary warriors received statewide training.

Contracting out its forces on a national scale placed Hesse-Cassel in a unique position. Frederick II localized militarized forces within a population of no more than 275,000 by dividing Hesse-Cassel into cantons. Each canton maintained a field regiment for the subsidy army and a garrison regiment for home defense.<sup>23</sup> Another unique quality that Colonel Hanger highlights rest in the composition of Hessian forces compared to Prussian forces. Colonel Hanger states, "In one respect the preference may be given to them, the Hessian regiments being composed all of *landes kinder*, (Natives of the country), whereas the Prussians have a great number of foreigners in their battalions."<sup>24</sup> The effectiveness and coherency of Hessian mercenary troops was clear. They were an analogous army that established itself on the battlefield, partly because of their homogeneity. Unlike the Prussians, according to Colonel Hanger, effective combat rested in effective communication. By employing 'foreigners' in their battalions, the Prussians encountered instances of miscommunication while in an ambush or a volley of artillery fire from the enemy. Colonel Hanger praised not only the Hessian troops but also commended Landgrave Frederick II.

Colonel Hanger admired Landgrave Frederick II and exaggerated his achievements. For instance, the Colonel states, "The Landgrave of Hesse-Cassel is a powerful prince. His coffers are well stored, his finances well regulated, and his army in the highest state of military discipline."<sup>25</sup> News of the rich state of Hesse-Cassel seeped down to the British troops, where stories of the contracted Hessian mercenaries became widespread. During the Seven Years War, British soldiers' and officers' impressions of Hessian mercenaries remained positive.

Personal accounts display the quick mobilization efforts that Frederick II employed with his large-scale mercenary army. For instance, Colonel Hanger again praised Frederick II, except for this time he acknowledged Hessian mobilization efforts. He stated, "His Serene Highness, whenever he chooses, can bring forty thousand troops into the field, as good as any in Germa-

<sup>21</sup> George Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger: Written by Himself*, (London: Johnson and Stryker, 1801), 20.

<sup>22</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 20.

<sup>23</sup> Showalter, "HESSIANS The Best Armies Money Could Buy," 41.

<sup>24</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 20.

<sup>25</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 20.

ny: there cannot be any better appointed, or better disciplined.”<sup>26</sup> Assigning 40,000 troops to a battlefield proved to be an exaggeration, considering the sum of Allied forces totaled around 30,000. However, the image of Frederick II persists as an enlightened monarch who supports allies in need with vast amounts of troops, outfitted with the best equipment to survive and trump any hostile situation they encountered. However, another reason for this mighty attribution rests in the fact that the Protestant forces won the Seven Years War. These positive perceptions might have easily become negative if the outcomes of war became unfavorable.

When tensions rose between the American colonists and the British, Great Britain’s populace started to question its nation’s degree of military involvement overseas. “The English people could more easily be persuaded to spend their money than to send the youth of their country to foreign lands to be killed on foreign battlefields.”<sup>27</sup> Hessian mercenaries provided a political answer to this conundrum. The prospect of fighting American colonists caused division in the British Parliament. Conscripting England’s youth meant social upset domestically because British citizens lacked a nationalistic interest in foreign affairs with the colonists. As a result, Parliament turned to contracting Hessian auxiliary forces to implement brute force against the colonists in hopes of suppressing the revolution overseas. “Hessians were in English service throughout the eighteenth century, and England was the best customer of Hessian princes.”<sup>28</sup> The total numbers of Hessian forces employed into North America tallied into the thousands. A total of about 30,000 German soldiers served in America under the English flag with about 20,000 of these forces consisting of Hessians.<sup>29</sup> These troops fought alongside British forces under certain stipulations to ensure fluidity in combat. For instance, one of the agreements between Parliament and Frederick II sought to prevent misuse of Hessian forces while under British control. “To ensure that Hessian troops were not misused, they were to serve together, under their own officers, unless the exigencies of war required otherwise. Further, the Germans were to serve only in Europe or in North America.”<sup>30</sup> For the most part, this clause aimed at providing German-speaking soldiers under the command of German-speaking officers. However, the fog of war paired with the chaos of combat created static conditions that forced British and German forces to adapt.

In times of intense combat, pivotal officers fall and the next soldier in the chain of command must assume leadership and guide his regiment against the enemy. This aspect proved detrimental for British and Hessian forces when they combated American revolutionaries. Since British and

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<sup>26</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 20.

<sup>27</sup> Volm, *The Hessian Prisoners*, 4-5.

<sup>28</sup> Volm, *The Hessian Prisoners*, 4.

<sup>29</sup> Volm, *The Hessian Prisoners*, 4.

<sup>30</sup> Thomas Ryan Stephens, *In Deepest Submission: The Hessian Mercenary Troops in the American Revolution*, (Ann Arbor: UMI 1998), 28.

Hessian forces intermingled within the same battalions, commanding British officers that fell created a void in the chain of command. In this scenario, Hessian officers assumed command over both British and Hessian battalions and continued leading the intermingled forces into combat. According to General Samuel Graham, a Hessian officer commanded both British and Hessian forces when the American rebels outmaneuvered their forces. He stated, “As it was on the flank, the officer naturally asked for orders, the Hessian field-officer immediately replied, ‘I give you order; you and your men die here while we go forward,’ meaning that in case the enemy should come on the flanks they were to defend the work to the last extremity.”<sup>31</sup> This displays how Hessian officers commanded British forces and the social barrier between the two allies. The Hessian officers sent British forces first into combat or hold out to valuable defensive positions.

Hessian forces became incorporated in the standard battalion formation during the American Revolution. “A battalion was composed of ten small companies, eight of which were line companies and one each of light infantry and grenadiers. Each company, of whatever type, was made up of three officers, three sergeants, three corporals, two drummers, and fifty-six privates at full strength. Grenadiers added two fifers to their organization.”<sup>32</sup> Within this battalion formation, specialty units such as cavalry and long rifleman provided additional support on the sidelines of the battlefield when signaled. An account of Colonel George Hanger described his battalion as a diverse group that incorporated 200 men from the Hessian army, Colonel Emirick’s company of riflemen, and about sixty German *jagers*.<sup>33</sup> Hessian forces trained to the standard mode of lined combat that exchanged volleys of cannon fire, and musket rounds turn after turn. Hessian forces also employed support through artillery fire in battles at Chesapeake Bay. A Hessian regiment under a Prince Héréditaire supplied artillery reinforcement to Hessian and British troops during this battle to push back American rebel forces. The forces that this artillery unit provided support to consisted of the Foot Guards and Hessian Regiment de Bosc, with some provincial corps and detachments both of cavalry and infantry, amounting to nearly 3000 men.<sup>34</sup> The House of Commons commended this artillery unit stating that “the officers and men of the British and Hessian artillery deserve much commendation for their active services on this occasion.”<sup>35</sup> For the most part, mixed battalions of British and Hessian troops and their deployment appeared politically sound during the first battles of the American Revolution. Hessian troops commanded British troops effectively and vice versa. The accounts of Lieutenant General

<sup>31</sup> Samuel Graham, *Memoir of General Graham: With Notices of the Campaigns In Which He Was Engaged From 1779 to 1801*, (Edinburgh: R&R Clark, 1862), 26.

<sup>32</sup> Stephens, *In Deepest Submission*, 29.

<sup>33</sup> Coloraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 171.

<sup>34</sup> Graham, *Memoir of General Graham*, 28 and 33.

<sup>35</sup> Great Britain. Parliament. House of Commons. *The Parliamentary Register: Or, History of the Proceedings And Debates of the House of Commons*, (London: J. Debrett v. 1-17, 1802), 356. <http://hdl.handle.net/2027/hvd.hxh1ak>.

Heister commanding two brigades of Hessians and one British continued to dominate the landscape of the battlefield during the American Revolution.<sup>36</sup>

With Parliament's employment of thousands of Hessian auxiliaries, Britain soon faced a financial burden after the American Revolution lasted longer than anticipated. England must have paid to Germany about 4,584,450 thalers for the troops.<sup>37</sup> As mentioned before, conscription lacked a political solution for fighting the rebels in America. Therefore, reliance on foreign military aid provided the only diplomatic solution for confronting the rebelling colonists during the American Revolution. In a conversation between Lord George Germain and General Sir William Howe, the economic constraints started to display their grip on the British economy during this time of conflict. In this correspondence, Howe requested more Hessian troops to come to aid after the Battle of Trenton. This point in the American Revolution created a milestone in the war that ultimately led Hessian forces to blame. Germain regretted to inform Howe on the lack of resources available to deploy the requested amount of troops, stating, "I begin to fear it will [not] be possible to send you more new forces than about 820 Hessian chasseurs, ditto Hanau about 400; two regiments of Anspach infantry, consisting of about 1280, and four companies of Highlanders, amounting to about 400."<sup>38</sup> The total amount of reinforcements came out to about 2,000 foot soldiers, which was 1,000 soldiers shy of what Howe requested. With economic burden plaguing England, the state of Hesse-Cassel flourished economically as long as treaties forced England to keep Hessian auxiliary troops on retainer.

Since England faced the economic burdens of war during the American Revolution, British officers experienced minimal pay or cuts in their traditional payments because the English treasury fell victim to the financial burdens of prolonged war. Many officers expressed their grievances with the British military and their ill payments for services. At the height of suffering this economic burden, British navy officers' pay became docked by half.<sup>39</sup> As a result, British officers contemplated offering their services to the Hessian military. Colonel George Hanger discussed his frustration with the British military when he stated, "I never should have come to England, but gone to Germany, where I am certain the Landgrave of Hesse-Cassel would have requited my services in a far more satisfactory manner than this country has done."<sup>40</sup> Colonel Hanger represented widespread problems in the British military during this time. Officers lacked appropriate payment for their services while fighting a war that they might not necessarily support or believe in. As a result, Colonel George Hanger separated himself from the American Rev-

<sup>36</sup> Great Britain. Parliament. House of Commons, *The Parliamentary Register*, 354.

<sup>37</sup> Volm, *The Hessian Prisoners*, 6.

<sup>38</sup> Great Britain. Parliament. House of Commons, *The Parliamentary Register*, 395.

<sup>39</sup> Edmund Burke, *The Annual Register, Or A View of the History, Politics, and Literature for the Year*, (London: J. Dodsley, 1762-1838), 325. <http://hdl.handle.net/2027/uc1.31175017120901>.

<sup>40</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 192.

olutionary War effort and himself from the British military, stating, "With my employment and pay as a Hessian officer in his Serene Highness's service, I could have lived most magnificently, and never have known distress, or have been subjected to a prison, in a land of liberty."<sup>41</sup> For many British officers, working for the Hessians appeared more attractive than fighting for King and Country.

At the start of the American Revolution, British forces looked to the Hessian auxiliary forces as a means to end the colonists' rebellion. They believed that the swift tactics that both Hessian and British forces utilized provided the necessary force to crush the rebellion in North America. As a result, British troops perceived Hessian generals, officers, and foot soldiers with the expectations that their veracity would end this unpopular war across the Atlantic. However, as the tides of war shifted in the colonists' favor, British troops and officers became increasingly frustrated with the lack of success, battle after battle, throughout the Revolutionary War. After the British and Hessian defeat at the Battle of Trenton, British attitudes started to shift from a favorable view of the Hessians to a negative one. In this case, they sought the Hessians as a reason to blame for their defeats.

In the *Parliamentary Register*, British members of the House of Commons continued to praise Hessian forces for their initial military triumphs overseas in the American colonies. Documentation during a Parliamentary hearing states, "The Hessian troops, under the command of Lieutenant Generals Heister and Knyphausen, have also exhibited every good disposition to promote his Majesty's interests, and justly merit my acknowledgement of their services."<sup>42</sup> Lieutenant Generals Heister and Knyphausen gained reputations as strict military leaders who often obeyed orders none other than their own. Even Hessian foot soldiers regarded Lieutenant General Knyphausen as a tactful military mind that lacked human empathy. In *A Hessian Diary of the American Revolution*, Private Döhla stated, "The Hessian General Knyphausen was also a man who had military knowledge and held fast his attention to duty, but he had a morose and unfriendly appearance otherwise, because he seldom seemed friendly or even smiled."<sup>43</sup> Along with Knyphausen, General von Heister achieved the stigma of a general who only obeyed orders from the Landgrave. He disregarded the orders of British generals and even the King during troop deployment. In a passage of *The Voyage of the First Hessian Army from Portsmouth to New York 1776*, General von Heister apparently refused to set sail to New York and follow British Navy orders unless all of his Hessian divisions sailed together.<sup>44</sup> General von Heister's refusal to obey British orders, unless they specifically derived from the Landgrave, presents

<sup>41</sup> Coleraine, *The Life, Adventures, And Opinions of Col. George Hanger*, 192.

<sup>42</sup> Great Britain. Parliament. House of Commons, *The Parliamentary Register*, 361.

<sup>43</sup> Johann Conrad Döhla, *A Hessian Diary of the American Revolution* (Norman: University of Oklahoma Press, 1990), 70-71.

<sup>44</sup> A. Pfister, *The Voyage of the First Hessian Army from Portsmouth to New York 1776* (New York: Printed for C.F. Heartman, 1915), 1.

an issue with unity within the diversified ranks. High-ranking Hessian officers and commanders often lacked respect for British orders, even when these orders came from British commanders that outranked Hessian officers. The combined Hessian and British units proved successful for the first half of the Revolutionary War but started to dwindle when guerilla warfare tactics flustered British and Hessian forces. As a result, constant losses against the colonists started to shift British attitudes towards the Hessians.

The battle at Kings Bridge in New York displays nothing but high admiration for Hessian and British soldiers. According to British Parliament, "The activity of Commodore Hotham, most of the captains of the fleet, and the navy officers in general, were infinitely conducive to the King's service in this difficult movement."<sup>45</sup> British Parliament further commends Hessian artillery reinforcements by commenting on their bravery and tenacity during this engagement against the colonists.<sup>46</sup> The battle at Kings Bridge sheds light onto the perception of Hessians during the beginning of the Revolutionary war. British officers and Parliament revered them due to their abrupt attacks on the colonists and swift acting reinforcements. However, after British and Hessian defeat at the Battle of Trenton, British soldier perceptions changed abruptly towards the Hessians. Instead of viewing them as "brothers at arms," the British discredited Hessian soldiers' loyalty and viewed them as the primary cause for the war swaying in favor of the colonists.

According to the *Memoirs of General Graham*, Graham and his soldiers faced discrimination when searching for shelter in the middle of winter in New York. Graham's personal account states, "We could hardly find room to shelter ourselves from the weather, every house being filled with Hessian infantry, who are in no respect friendly to the English."<sup>47</sup> He further elaborates on this discrimination from the Hessians when he recalls that they refused to let them stay in captured houses, with fires bellowing in fireplaces. The Hessian officers even posted sentries by the cellar doors to prevent the inhabitants from selling liquor to British troops and kicked out any British soldier that attempted entering these homes.<sup>48</sup> When defeat started to resonate throughout these mixed battalions, a lack of unity started to erode away the morale of British and Hessian forces. What started out as a symbiotic relationship, where British commanded Hessian forces and Hessian forces commanded the British in the heat of combat, now transformed into a malicious relationship where each party refused to provide shelter for the other.

This discriminatory behavior stemmed from a larger overarching problem between these two cultures. The British and Hessians came from very diverse backgrounds. Their political systems and cultural systems differed from one another dramatically. The British were under Parliamentary rule while the Hessians were under autocratic rule under their landgrave. However, the

<sup>45</sup> Great Britain. Parliament. House of Commons, *The Parliamentary Register*, 354.

<sup>46</sup> Great Britain. Parliament. House of Commons, *The Parliamentary Register*, 356.

<sup>47</sup> Graham, *Memoir of General Graham*, 203.

<sup>48</sup> Graham, *Memoir of General Graham*, 203-204.

major difference that blossomed this animosity towards one another rested in the language barrier between these two cultures. Private Döhla spoke of this language barrier and how it affected logistics in the battlefield. He stated, "All orders from the King, Parliament, and the commander in chief were given in English, and all reports were required in the same language."<sup>49</sup> According to Private Döhla, Hessian officers learned English to avoid constantly relying on an interpreter.<sup>50</sup> However, Hessian officers who neglected to learn English lacked combat fluidity. If an interpreter perished in combat, then non-English speaking Hessian officers found it difficult to communicate with British troops they commanded. The problem of different languages created a barrier in communication between these two groups. The British lacked comprehension for the German language, which left battalions in a state of confusion and panic once the colonists utilized guerrilla warfare tactics. When chaos enters the battlefield, communicating with soldiers is dire. Therefore, when troops lacked communication with their commanding officers, battle plans crumbled, along with Hessian and British soldiers.

When analyzing their constant defeats after the Battle of Trent, British commanders turned the blame on Hessian forces. The Hessians, for the most part, spoke only German, their officers often neglected British commands, and they fought a war where finances concerned them. For British commanders, blaming their defeats on Hessian forces turned Hessian forces into scapegoats that had little agency. Generals William Howe and George Clinton sought to avoid personal responsibility for the events at Trenton and shifted the blame for the defeat towards the Hessians.<sup>51</sup> With British generals shifting the blame towards the Hessians, morale continued to dwindle, followed by the eventual British loss of the American Revolutionary War. The Hessians showed little sympathy when they saw the English soldiers parted from their families to go to war, did not share the grief of the English people when large parts of the Empire were torn away, and were almost unmoved when the pride of the English nation had to lay down their arms.<sup>52</sup> The Hessians lacked the same sense of sentiment that British had for the British Empire. After the events of Trenton, the Hessians' perceptions of the British altered to an unfavorable stance as well.

At the beginning of the American Revolution, Hessian soldiers respected British forces for their tact and dedication on the battlefield. Private Döhla showed great admiration for General Howe when he remarked, "General Howe is an intelligent man, daily more highly thought of by the army the more they get to know him."<sup>53</sup> Hessian soldiers admired these British officers and commanders, like General Howe, because of their intelligence and resourcefulness. These British generals became renown by the end of the Seven

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<sup>49</sup> Döhla, *A Hessian Diary of the American Revolution*, 71.

<sup>50</sup> Döhla, *A Hessian Diary of the American Revolution*, 71.

<sup>51</sup> Stephens, *In Deepest Submission*, 3.

<sup>52</sup> Volm, *The Hessian Prisoners*, 7.

<sup>53</sup> Döhla, *A Hessian Diary of the American Revolution*, 69.

Years War, and their positive perceptions carried throughout the American Revolution. With their reputation followed a sense of arrogance among the ranks, according to Hessian soldiers. Personal accounts of Hessian foot soldiers allude to British arrogance when they state that they looked down on all other nations, especially the Germans, and saw their auxiliaries only as mercenaries.<sup>54</sup> This arrogance transpired to the battlefield where Hessian forces felt less inclined to help their British allies, for instance, not offering shelter in drastic weather conditions as stated above. Like General Howe and General Clinton, Captain Johann Ewald blamed the opposite ally for the loss at Trenton. Ewald criticized Cornwallis for only marching one column against the American colonists, thus leaving their flank open, which the colonists took advantage of.<sup>55</sup> Prior to the Battle of Trenton, Hessian officers focused on winning the war; after the battle they shifted their effort avoiding blame for the defeat. An anonymous officer encompasses the misery that Hessian forces experienced fighting in a foreign land when he states the following: “This is a bad country, this America, where you always have to drink, either to get warm, or to get cool, or for protection against the evil mists—or because you get no letters.”<sup>56</sup> This letter, written in 1780, displays the gloomy attitudes of Hessian forces. Defeat became imminent once their unity with their British allies broke from the strains of combat in a foreign land.

The relationship between the colonists and Hessian forces appeared respectful. Hessian officers and troops admired the tenacity of the American rebels, and even struck friendships after the Revolutionary War ended. Initially, American rebels feared the Hessians, according to Corporal Andreas Wiederholdt, they “were unlike any other human beings they had come across that spoke a strange language and considered a wild and barbaric bunch.”<sup>57</sup> However, these outlooks towards the Hessian forces changed towards the end of the American Revolutionary War. On the night that the British surrendered, captured Hessian soldiers were invited to dance and celebrate the peace. Other higher-ranking officers felt the burden of failure and decided to take their own lives before standing in court processions in Hesse-Cassel. Private Döhla recalls a captain of the Hereditary Prince Regiment slashing his throat open in his quarters during the peace celebrations.<sup>58</sup> Captives were even permitted to remain in the United States of America, could work, trade, and farm without hindrance, and acquire “native-born citizenship.”<sup>59</sup> Even Captain Ewald commended the Continental Army saying, “The regiments are under good discipline and drill in the English style as well as the

<sup>54</sup> Döhla, *A Hessian Diary of the American Revolution*, 71.

<sup>55</sup> Johann von Ewald, *Diary of the American War: A Hessian Journal* (New Haven: Yale University Press, 1979), 50.

<sup>56</sup> Ray Pettengill, *Letters from America 1776-1779: Being Letters of Brunswick, Hessian, and Waldeck During the Revolution* (Port Washington: Kennikat Press, 1964), 230-231.

<sup>57</sup> Christo Mauch, “Images of America—Political Myths—Historiography: ‘Hessians’ in the War of Independence,” *Amerikastudien* 48.3 (2003). 414.

<sup>58</sup> Döhla, *A Hessian Diary of the American Revolution*, 220-221.

<sup>59</sup> Döhla, *A Hessian Diary of the American Revolution*, 222.

English themselves.”<sup>60</sup> By the end of the war, Hessian commanders and soldiers commended the rebel colonists and even became U.S. citizens in some cases. With the Revolutionary War ending, popular conceptions criticized the use of Hessian auxiliary forces for foreign motives. Sending Hessian men overseas to fight foreign endeavors led the people of Hesse-Cassel to question the Hessian state and its absolute authority.

After the defeat in the American Revolutionary War, hiring auxiliary armies to fight for foreign causes was discouraged as Enlightenment ideals flooded the political opinions of populaces. A positive correlation existed between the rise of Enlightenment and the public backlash using Hessian men as auxiliary forces for foreign colonial endeavors. A correspondence between Frederick the Great and Voltaire, dated on June 18, 1776 suggested that disagreement heightened over sending Hessian forces to America during the Revolutionary War. In the letter, Frederick the Great stated, “If the landgrave had come out of my school then he would not have sold his subjects as one sells cattle to the slaughterhouse.”<sup>61</sup> He continues on and stated, “Such an action can be caused only by a high degree of selfishness.”<sup>62</sup> Frederick the Great highlights the scope of public opinion of sending Hessian auxiliary units overseas. Approaching the turn of the century, the population of Hesse-Cassel viewed contracting out their state’s army as inhumane that violates natural rights. Essentially, the American Revolution dragged the state of Hesse-Cassel deeper into war because the state privatized the industry of war. Hessian politicians and nobles pushed for subsidiary treaties with Great Britain to fund the state, while the men in the army exhausted their will to fight for pay in a foreign land where guerrilla warfare established the winning tides of war. With the fall of absolutism and the rise of Enlightenment ideals, the state of Hesse-Cassel refrained from continuation of their privatized army to dissipate the angst of their people. War defeated the state that privatized war.

The privatization of war opens up new avenues for combating military conflicts between states. Contracting out auxiliary armies and mercenaries is an alternative to statewide conscription that falls under great scrutiny with the public. In the case of Great Britain, Parliament contracted out Hesse-Cassel’s army to avoid public backlash for conscripting British men to fight in both the Seven Years War and the American Revolution. These wars, especially the American Revolution, failed achieving public support. Therefore, contracting auxiliary armies provided a solution for Parliament avoiding public scrutiny. Hiring Hessian forces proved successful during the Seven Years War, when armies engaged in exchanging volleys of cannon fire and musket rounds until one side surrendered. This was a strategy in numbers, where the side with the most troops generally rose victorious on the battlefield. However, when

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<sup>60</sup> Ewald, *Diary of the American War*, 340.

<sup>61</sup> Volm, *The Hessian Prisoners*, 5.

<sup>62</sup> Volm, *The Hessian Prisoners*, 5.

tested in guerilla warfare zones against the American colonies, the Hessian forces proved futile after the Battle of Trenton. In the chaos that guerilla warfare ensues, numbers fail to prove relevant and communication becomes pivotal for achieving victory. With language and cultural barriers between Hessian and British forces, their communication links became severed when colonists ambushed them. Without effective communication in the heat of combat, British and Hessian forces sense of unity within their battalions quickly dissipated. As a result, the mixed British military failed to suppress the rebellion and the colonists rose victorious.

Although privatization offers a political solution for avoiding conscription and mandatory drafts, which public favor falls short on, it holds nations hostage. Big privatized military companies (PMCs) bind states with contractual agreements that continually hire PMC services. These services range from weapon engineering and purchasing, to contracting out highly specialized soldiers for specific combat missions. For highly militarized nations, the need for military industrial progress is crucial to maintaining their hegemony. PMCs realize this and cater to these militarized states' hegemonic needs. They manipulate the market with the basic principles of the barter system. If a nation fails to renew a contract, PMCs sell their services to the next nation willing to pay or drive up the price of their contracts. This contractual loop paves the way for the military industrial complex, where states continually pay for PMCs to develop new military technology and engage in combat scenarios that lack public support. Today, PMCs monopolize military progress instead of the state. In contemporary times, unity remains to prove itself in this new age of military industry. However, profit remains the driving force for military agency within PMCs, which eventually led to the dismantlement of the Hessian auxiliary system. If historical parallels prevail, PMCs further state military conflict with a larger consequential backdrop of looming destruction that towers the historical situation that state of Hesse-Cassel and Great Britain faced.

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# HENRY VII

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## POLITICS OF EARLY ENGLISH CONSTITUTIONALISM

By Benjamin Leake

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ABSTRACT: In his quest for greater legal authority, Henry VII created the basis for the later English Constitution. In his expansion of legal offices, access to courts, and movement away from traditional roles of power, Henry created the first truly significant English common law. Though the system was mired in a quest for personal fiscal control, the extension of power opened new doors for the common man. In this essay, Benjamin Leake examines how this impacted the English common people while subsequently examining Henry VII's monarchy.

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Henry VII's administration is often referred to as the usurious beginning of the Tudor Dynasty, preferring monarchical power over common law administrators. Due to fluctuations in rulership caused by the War of Roses, administrative offices managing the king's justice fell into disarray, forcing reliance on traditional functions of royal legal offices. To scholars, early Tudor rule enacted political reform benefitting not only the king but the nation, redefining kingship through changing the duties of various royal offices and individuals possessing them.<sup>1</sup> Reform—while not uncommon for new monarchical dynasties of Europe—as means of asserting control under the early Tudors emphasized the connectedness through English common law. Reforms in this manner, however, would in turn move power firmly into and away from that of the *royal weal* into a loosely defined constitutional monarchy. Constitutional monarchy—while not generally argued for by Tudor scholarship until the late Elizabethan period—holds preface within reforms first instituted by Henry VII's focus of creating equality of laws across divisions of social rank. Through maneuvering away from traditional functions of government to that of localized systems, Henry VII moved political power both into his grasp while furthering the concept of equality under law. While preeminently focused on monarchical power, early Tudor reforms removed numerous powers from the royal person and that of traditional offices therein diversifying power.

Prior to Henry VII's conquest of England, officials regularly attempted to refine fiscal systematic problems of the late Plantagenet rule. Policy issues of the later Plantagenet rule often pertained to previous rulers, focusing greatly on the usage of existing nobility in government, many of which lacked personal loyalty to the king.<sup>2</sup> Moving rulership from these lords to

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<sup>1</sup> G.R. Elton, "A New Age of Reform?" *The Historical Journal*, Vol. 30, no. 3 (September, 1987): 709.

<sup>2</sup> Elton, "A New Age of Reform?" 709.

lesser members of the Lancastrian nobility constituted regime changes away from the traditional system of royal patronage. Through placing emphasis on obligation to the king and his household over all other aspects of government, the authority of the king's will covered every individual within the kingdom. Albeit not a significant change to the structure of a government in regards to policy making, it raised the point of the king's authority over his populace within certain parameters. In Henry's eyes, control focused pre-eminently on his subjects' fiscal obligations to his crown, providing different functions depending upon his will.<sup>3</sup> Obligation, while differing in overall usage for the king under parliament, held the singular purpose of enforcing taxation and personal fines levied against citizens. Therefore, reforming the laws of obligation coincidentally created legal status for lords judged within the system and the king.

Establishing equality under law in any form held immediate import to a monarch, especially one such as Henry VII. Henry's first parliament of 1485 emphasized the exceptional nature of the king by establishing statutes encompassing both parliament and the lords and making illegal any law that saved the members of these groups from inclusion.<sup>4</sup> Promoting the *common weal* of the populace through law thus referred to the constitutional tenant of all members of the system presenting themselves as equals under the law, despite social standing. Due to corruption present within all governmental systems of the late-medieval period, the semblance of equality under law remained paramount in maintaining monarchical power. However, the statutory system created within Henry's first parliament suggests the innate desire for equality under law, undermining his critics' belief of his usurping power. By refining the definition of obligation to the monarch, and by carrying out necessary reforms required by such a system, Henry VII and Parliament legitimized the tenuous rule of the new dynasty.

Personal obligation to the king reinforced the political control of the monarchy, and Henry VII used this obligation to his own ends. Judgements under Henry VII often focused on personal fiscal obligation to the king, using monetary obligation as reinforcement of equality. However, due to the often negotiable nature of obligation, the law never fully addressed the disparity between landed magnates and gentry. The king's legal counsel filed civil legal suits against individuals in which judgements held basis on personal debts owed to the king or his administration as a way to promote personalized obligational roles to the king.<sup>5</sup> Obligations under previous Plantagenet administrations emphasized military service over taxation; Henry VII revived monetary obligations that, though construed as usurious by contemporary

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<sup>3</sup> Sean Cunningham, "Loyalty and the Usurper: Recognizances, the Council and Allegiance under Henry VII," *Historical Research*, Vol. 82, no. 217 (August 2009): 460.

<sup>4</sup> Sir Francis Bacon, *The History of King Henry VII*, edited by F.J. Levy (New York, NY: The Bobbs-Merill Company Inc., 1972), 76.

<sup>5</sup> Mark R. Horowitz, "Policy and Prosecution in the Reign of Henry VII," *Historical Research*, Vol. 82, no.217 (August 2009): 418.

critics, emphasized the *king's weal* while increasing individual rights. Unlike preceding periods, individuals of any station could file suit within the court of common pleas to force arbitration and resolve conflicts before such disputes resulted in physical violence.<sup>6</sup> The ability of private individuals to form suits within courts of common law against the king or other subjects within the realm promoted the ideals that would later lead to constitutional democracy. Equality under law promoted the later arguments of Henry VIII and the House of Stuart that the king is personally responsible to his own government under laws of fiscal and personal obligation. In other words, Henry VII's concept of equality under the law, and his focus on monetary obligation, strengthened his ability to levy and collect taxes, but it also made everyone, including the king, equally subject to the law.

Henry VII ascended the throne without the aid of peers among the nobility, creating unique opportunities for reforming traditional government bodies. Enforcement of monarchical prerogative to both the government and the individual existed not only in courts of law, but also in the members of the king's council. The council prior to Henry Tudor consisted preeminently of men from noble houses with familial affinities from the Duchy of York or Lancaster. Tudor ascension to rule held preface with the ability to enforce the laws and govern through a new body of councilors brought from within the largest private landholding in England, the Duchy of Lancaster. The Duchy of Lancaster required all officials to take personal bonds that would bind them to the enforcement of laws and statutes similar to obligatory nature of sheriffs to the state.<sup>7</sup> Through using obligations for those in services of the king's will, the king enforced legal equality for those in office and outside of it by promoting the *common weal* of government. Government, according to the commonwealth model, promotes the generalized responsibility of those in government to submit to laws passed as universally-binding obligations. Constitutional monarchy functions under a similar guiding principle in so far as each man, despite his station, consenting to common governance and bound by common laws. In order to function, such a system required courts with appellent qualities to review rulings, encourage impartiality, and legitimize statutes that prefaced the decision of court.

Henry VII's refinement of the judiciary demonstrated that he valued promoting law not only under the authority of the monarch but also under the authority of local officials. During the latter half of his reign, Henry repositioned all personal prisons of the lords under his appointed sheriffs.<sup>8</sup> Redefining the role of prisons removed the powers of local lords in proclaiming justice over violators of law, redirecting the noble's judiciary authority into the king's civil and criminal courts. Prison reform placed considerable power in the court. Before Henry's reform, prisons like those in the Duchy

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<sup>6</sup> Horowitz, "Policy and Prosecution in the Reign of Henry VII," 420.

<sup>7</sup> Horowitz, "Policy and Prosecution in the Reign of Henry VII," 421.

<sup>8</sup> Bacon, *The History of King Henry VII*, 227.

of Lancaster or Duchy of York contained immense legal powers in their own right, deteriorating the *common weal* by creating unnecessary regional division. Placing power into the legal system in which exclusion from due process is illegal suggested the king's personal desire for power counterbalanced with the desire to create a long-lived commonwealth. Alteration of power, however, increased the necessity for more efficient legal processes, such as access to legal representation and speedy trials.

The Star Chamber Act of 1487 created the first appellate court necessary to review cases presented in front of the court of common pleas or courts of obligation. The council's function prior to Henry VII focused preeminently on aiding the king with matters of state in an advisory capacity. The Star Chamber Act, however, created a permanent court with investigative powers into matters of perjury and evasion of obligations to the king's person with overarching power to pass judgements on civil cases.<sup>9</sup> While limiting traditional methods of legal power, appellate bodies possess stated purposes pertaining to the maintenance of common law or creation of legal statutes. The Star Chamber's focus, contrariwise, remained outside of traditional English common law with the ability to pass judgments on cases from any court based on admittance of writs.<sup>10</sup> The expansion of power over common law implied through the act, while appearing as promoting the personal interests of the king, generates another notion: that the law exists outside the king's person. By creating an appellate body, the king's power instead became personalized with the monarch appointing officials from outside the traditional sphere necessary for the establishment of a commonwealth or constitutional monarchy.

Consisting preeminently of upper-class appointees, the membership of the Star Chamber attempted to generate solvency in the crown's finances. The judges and members of the Court of the Star Chamber combined both members of the laity, clergy, and traditional royal offices, all of which held appointment to the council from the king personally.<sup>11</sup> The selective membership of the Star Chamber promoted the concepts of the unbiased nature of the king's administration and the importance of the *common weal* not present under late Plantagenet rule. The *common weal*, while not a new concept to the administration of justice, augmented the traditional rule of English law through personalizing conduct of legal administration. The effect of personalization resulted in the broadening of the general scope of the cases heard in civil courts.

Under Henry's administration, the Star Chamber emphasized the subtle

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<sup>9</sup> Kenneth Pickthorn, *Early Tudor Government: Henry VII* (Cambridge, UK: Cambridge University Press, 1949), 38.

<sup>10</sup> William Busch, *England under the Tudors: King Henry VII* trans. Alice M. Todd (New York, NY: Burt Franklin Publishing, 1895), 267.

<sup>11</sup> A.F. Pollard, "Judges' interpretation of the Star Chamber Act of 1487 from the Year Books, Vol. 8," in *The Reign of Henry VII from Contemporary Sources* (New York, NY: AMS Press, 1967), 57.

goal of justice for the *common weal* by encouraging individuals from the clergy and laity to file writs. To manage such a system, promotion of those versed in law held personal import to Henry.<sup>12</sup> Through promoting legal scholars, the king effectively, and with minimal effort, increased the possibility of equal judgements and asserted his power in both the secular and non-secular realms. However, such changes placed the king in the position of having to judge cases not traditionally heard by civil courts: those of the clergy. One of the earliest examples of appealing to the king's authority exists in the records of the Abbot of Eynsham laying charges against Sir Robert Harcourt. The case detailed the overt dismissal by lay citizens of the Church's taxation authority.<sup>13</sup> The charges represent the first time the Church chose to submit a case to civil authorities for review. Submissions to the court, such as the Harcourt case, emphasized the increase in civil authority under the king's court necessary for establishing a *common weal* in which clergy arbitration equates civil authority. Submission of such cases to civil authority presented the first statutory evidence of the crown's primacy over the Church with regards to matters of the *common weal*. The *common weal* further emphasized the roles of church and state courts in relation to previous courts, such as the common arbitration of the Exchequer of Common Pleas.

The lessening of power within the traditional office of the Exchequer of Common Pleas reflected the increasing value placed by Tudor monarchy in consolidation of power under the king and removal of traditional monarchical functions. The Exchequer of Common Pleas, until the Tudor period, focused on collection of royal revenues and disputes about the payment of obligations.<sup>14</sup> While the collection of revenues remained immensely important to Henry VII, the nature by which the court heard such cases necessitated an overdue reform. By establishing courts such as the Court of the Star Chamber and the Court of King's Bench, the Exchequer's power lessened, predicated an increase in access to courts by those outside the traditional noble structure.<sup>15</sup> Availability of access to civil courts, and therefore civic justice, promoted the establishment of *common weal* under the king's direct influence while also diversifying power to the commons.

The Exchequer, though regularly seen as losing public acclaim from its preeminent patron, still maintained numerous powers necessary for Henry VII's continuance of legal reform. The chamber system, such as that of the Star Chamber, never fully replaced the function of the Exchequer's Office due to the continued need for maintaining royal lands and embassies.<sup>16</sup> The

<sup>12</sup> Bacon, *The History of King Henry VII*, 244.

<sup>13</sup> Pollard, "The Abbot of Eynsham v. Sir Robert Plumpton and Others," 90-92.

<sup>14</sup> De Lloyd J. Guth, "The Early Tudor Exchequer of Common Pleas," *Tudor Men and Institutions; Studies in English Law and Government*, edited by Arthur J. Slavin (Baton Rouge, LA: Louisiana State University Press, 1972), 110.

<sup>15</sup> De Lloyd J. Guth, "The Early Tudor Exchequer of Common Pleas," 106.

<sup>16</sup> John M. Currin, "Pro Expensis Ambassadorum: Diplomacy and Financial Administration in the Reign of Henry VII," *English Historical Review*, Vol. 108, no.428, (July 1993): 589-590.

royal lands held particular import to Henry VII, more so than previous kings, due to the immense size of his inheritance. With the victory of Henry's army at Bosworth Field in 1485, he possessed the largest land holdings in England, ranging from the Duchy of Lancaster to the lands of the Yorkist affinity. Now under the direct ownership of the king, maintenance of lands necessitated the survival of the traditional royal office and subsequent court with their bureaucratic systems. The office often worked in tandem with the new chamber system, such as that of the Star Chamber, in maintaining law and order or accumulating necessary wealth for the king's ambassadorial missions.<sup>17</sup> Cooperation between the old and new systems, however, contained numerous problems, such as arbitrations going to the highest bidder.

Courts—such as that of the Exchequer of Common Pleas—from the previous dynasty remained the common means for judicial arbitration in civil cases. The court remained popular due to the speed of arbitration and received fewer cases with the increased focus of transitioning from spoken obligation to late-fifteenth-century written forms of obligation.<sup>18</sup> Obligation reform away from the office of the Exchequer both increased the funds received by the king while additionally facilitating the king's ability to enforce his will. Due to the narrow nature of the Court of Common Pleas, movement by the king to other civic courts also demonstrated the desire for at least perceived impartiality of communal justice necessary to formulate a commonwealth. Corruption within the courts presented a problem similar to one faced by previous reigns in that it appeared to go against the *common weal*.

The Exchequer, similar to any political office or court, is not inviolate in proclaiming judgements. In his correspondence with his sibling Edward, Sir Robert Plumpton stated clearly that paying off the Exchequer or his aid could avoid poor rulings in arbitrating justice.<sup>19</sup> Due to corruption present within cases pertaining to fiscal obligation, safeguards for protecting Henry's personal interests necessitated shifts in power to new courts from traditional offices. Fiscal movements away from traditional offices, in effect, generated solvency within the office of kingship and created the image of a strong, unbiased monarch, allowing the king to collect debts from private individuals. Collecting loans from private individuals, such as Sir Henry Vernon, to support his policy-making suggests that the king's solvency existed not only for his personal service, but the universal weal of England.<sup>20</sup> The movement generated side effects within the system for the citizenry by creating opportunities to receive unbiased judgements in civil cases including those referring to obligation to the king. To Henry VII, the commonwealth presented itself as the perfect means through which to further his own aspirations for monetary collections from towns and individuals. To his subjects, the concept provided the potential for an impartial and unbiased judicial system.

<sup>17</sup> John M. Currin, "Pro Expensis Ambassadorum," 590-91.

<sup>18</sup> De Lloyd J. Guth, "The Early Tudor Exchequer of Common Pleas," 118.

<sup>19</sup> Pollard, "Plumpton Correspondence," 119.

<sup>20</sup> Pollard, "Royal Request for a Loan from Sir Henry Vernon April 26, 1492," 44-45.

To Henry VII's administration, the meaning of commonwealth possessed numerous varied qualities implicit within the law. In regards to local leaders, the Tudor government enforced the *universal weal* of good governance which included obligation of a town to the government due to obligations of citizens in towns to their appointed leaders.<sup>21</sup> Through the diversification of power, Henry VII's reform program streamlined the connection of local efforts to the king's administration while promoting the function of government at the local level and promoting citizenship. These individual rights promoted the concept of *common weal* within society. But some scholars, most notably Gladys Temperly and James Lee, have argued that conceptions of citizenship and legal liberties varied between towns due more to strategic location than the king's reforms.<sup>22</sup> While a reasonable argument, historical evidence suggests otherwise. By shifting the nature of obligation from feudal structures to the conception of the commonwealth, Henry both asserted his personal power and created support among the gentry's population necessary for the late-medieval kings to maintain power. Henry VII, through localizing governmental bodies, emphasized already extant civic obligations and provided a stronger voice for the governed through a better-structured legal relationship between the king and his subjects that resulted in more power exercised more-consistently at the local level. Democratization of power thusly extended beyond Henry's initial objective of just establishing a better means of collecting obligations into something that helped ensure the *common weal* and through that the legitimacy and secure rule of the king by bringing more people into the power structures.

In promoting the role of appointed representatives to government at large, Henry weakened the affective role of the king as supreme monarch by gifting the community a voice, whether dissenting or otherwise. For example, in the weeks following the death of Richard III in the year 1485, the leaders of York voiced their opinions against the regime change to local lords and removed royal appointees, but they never rejected the new monarch's rule.<sup>23</sup> While not precisely aimed at the national unity of the commons, binding the interests of the king with local officials promoted the notion of a monarchy that respected the common's opinion in regards to law. The implication that the king respected the will of the people was demonstrated by Henry's acquiescence to some localized management of his kingdom. Another example of democratization of power within Henry's government is evident in his dispensation of justice in the Duchy of York in the early 1490s. Henry, following failed insurrections by citizens of York, chose not to increase obligations held to the royal person and instead entrusted governance and collection of obligations to local officials.<sup>24</sup> By not increasing obligations, Henry avoided

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<sup>21</sup> James Lee, "Urban policy and Urban Political Culture: Henry VII and his towns," *Historical Research*, Vol. 82, no.217 (August 2009): 495.

<sup>22</sup> Gladys Temperly, *Henry VII* (London, UK: Constable Publishing, 1914), 254.

<sup>23</sup> Lee, *Henry VII*, 495-96.

<sup>24</sup> Lee, *Henry VII*, 498.

the taxation dilemmas of his predecessors while simultaneously emphasizing the relation of the community with royal officials. Despite the seemingly universal nature of Henry's reforms, some towns in late-medieval England did enjoy more liberties than others due to their strategic locations, but even these differences could serve the common good.

Local political interests acted towards the creation of universal *weal*. Cities gain power under such overt maneuvers for control through attaining voices within the lower house of parliament, allowing them the opportunity to vocalize their opinions on the matters of taxation or personal obligation.<sup>25</sup> Given the debatable nature of personal obligation and access to courts prevailing under Henry VII, the constitutional monarchy's foundations were not forgone conclusions, but they demonstrated promise within certain constraints, most notably the management of obligation to the king and the king's ability to veto parliamentary actions. Most prevalent of the constraints placed on towns pertains to obligation due to the king and his personal right to annul acts of Parliament.<sup>26</sup> The right to annul, or veto, necessitated the development of a compromise position between Parliament and the king. Though not often addressed, the House of Commons' concern for royal retribution ran rampant in the earliest parliaments of Henry VII, which can best be described as "lame duck" parliaments.<sup>27</sup> Parliament, however, possessed power to make laws that address the *common weal* and reducing the effect of nullification by the king's administration.

Statutes of the latter half of Henry VII's rule demonstrate his attempts to bring solvency to the monarchy and promote the fiscal growth necessary to support constitutional monarchy in the future. The parliaments of the mid-1490s emphasized the epitome of what later historians would constitute as Henry's campaign of usury due to the frequent creation of tariffs against foreign goods.<sup>28</sup> The raising of tariffs, however, presents the necessary function of governmental reforms to create a fiscally solvent basis for establishing constitutional monarchy. Fiscal solvency, to new dynasties, held particular importance. This proved especially true in the case of promoting the *common weal* following the previous half century of near-constant warfare. By reinforcing the power of the king over his subjects through tariffs, it presented a government with aims to maintain a fiscally solvent nation-building plan, which was necessary to formulate a lasting constitutional monarchy.

The law under Henry VII experienced multiple reform movements intended to streamline the government into one cohesive body. Through modeling administration upon that of the Duchy of Lancaster in regards to the passage of law, Henry VII's administration maneuvered unknowingly towards the preface of one singular *common weal*. The *common weal*, expressed in laws composed under Henry created the basis for constitutional monarchy.

<sup>25</sup> Lee, *Henry VII*, 255.

<sup>26</sup> Lee, *Henry VII*, 256.

<sup>27</sup> Lee, *Henry VII*, 250.

<sup>28</sup> Bacon, *The History of King Henry VII*, 226.

Though the creation of constitutional government did not fully take place until the Stuart dynasty nearly a century-and-a-half later, England took its first constitutional steps under the first Tudor. While emphasizing the collection of taxes, the king unknowingly created the system of government that ensured England's rise to prominence. The solvency created by Henry furthered the development of lasting administrative bodies that broke with the old medieval Plantagenet model and created something new and modern. This new system of governance would go through several permutations, but the legal structures Henry VII promoted ensured many of the early successes of the reformation by granting his son, Henry VIII, the solvency, and thus the independence, to lead the first of many English reformations.<sup>29</sup>

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<sup>29</sup> Christopher Haigh, "The Recent Historiography of the English Reformation," *The Historical Journal*, Vol. 25, no.24 (December 1982): 995-1007.

# EL MALCRIADO

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## PLANTING CULTURAL AND SOCIAL IDEAS IN THE FARM WORKERS MOVEMENT

By Vanessa Madrigal-Lauchland

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**ABSTRACT:** In 1965, *El Malcriado: Voice of the Farm Worker* coupled the *experience* of racism, economic injustice, and police brutality with culturally-specific imagery, symbolism, and rhetoric to expand, motivate, and mobilize its readership. Highlighting social equality for oppressed farm laborers of various ethnicities linked the cause with the Civil Rights Movement. The use of gendered language and religious imagery, directed toward a traditional Mexican Catholic audience, emboldened family participation. An appeal to American democratic social values made the labor movement approachable to a White, middle-class. This paper examines the mobilization techniques of the UFW's newspaper through the lens of social history.

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Chicano Catholicism is deeply entrenched in the engagement of the senses. Venerated saints' icons adorn the walls of the blessed house and sacred cathedral alike, the sounds of traditional *mariachi* horns boom during a Christmas *Posada* celebration, and the aroma of *tortillas*, rice, beans, and *carnitas* fill the air in anticipation of the community feast that follows a newborn's baptism. The National Farm Workers Association (NFWA) quickly infused this tradition, wherein the spiritual mingles with the secular, into their indigenous mobilization techniques and protest tactics. However, the success of the grape boycott launched in 1965, depended upon national, multi-ethnic cooperation. The NFWA extended its use of culturally-specific language, symbolism, and imagery to mobilize White Americans in the Midwest and Black Americans in the South and urban centers of California. Contemporaneous social justice movements complemented their cause as they moved with facility between gender and racial expectations throughout the nation. Within the first year of *El Malcriado's* publication, the National Farm Workers Association intertwined religion, rhetoric, and race to create a cohesive message to motivate, expand, and connect its audience across boundaries of race and space.

In September 1965, Larry Itliong and Philip Vera Cruz of the Agricultural Workers Organizing Committee (AWOC) approached Cesar Chavez, asking for the support of the NFWA in a strike. Chavez and Dolores Huerta, president and vice-president of the organization, respectively, swiftly supported the cause in the fields. The workers demanded a higher wage in accordance with the federal minimum wage, the right to vote on a union, and safer working conditions, among other items. This movement, *la Causa*, identified racial discrimination as a root cause for treatment of farm workers and ethnic minorities as second-class citizens. Gilbert Padilla, a veteran organizer, explained the need to keep activists engaged during the off-season led

the NFWA to organize a boycott of table grapes throughout the country.<sup>1</sup> The field workers picketed in front of stores and distribution centers, and the NFWA sent organizers to mobilize urban centers across the nation. The National Farm Workers Association merged with the Agricultural Workers Organizational Committee in 1966, forming the United Farm Workers. In 1972, the AFL-CIO recognized them as the United Farm Workers of America. Therefore, this paper refers to the associations separately as “NFWA” and “AWOC” in the context of the first years of the strike (*la huelga*), and as “the UFW” after their merger.

Nestled between the Civil Rights Movement and Women’s Liberation Movement, and encompassing something in between a labor movement and a social justice movement, historians long seemed to overlook the strike and boycott in favor of other concurrent movements. Instead, journalists, writers, and photographers chronicled *la Causa*. However, by the 1990s, historians began to make greater contributions to the story, and there has been a proliferation of study within the last fifteen years. Labor historian Nelson Lichtenstein’s book review of Frank Bardacke’s *Trampling Out the Vintage*, not only gave academic credibility to journalist research on the movement, but also reinforced the interdisciplinarity of this historical inquiry. Matt Garcia continued Bardacke’s critique against the dominant narrative of Cesar-As-Savior, arguing that Chavez’s pride curtailed sustained success of the movement. With Chavez as a focal point of the union, the male-focused accounts of organization and mobilization largely dominate the story of the UFW and overlook women and the role of family participation. Although historians frequently highlight Dolores Huerta’s contributions, as the co-founder of the NFWA, Huerta upheld the goals and visions of the male leadership and organization. Further, the historiography frequently discusses her in only relation to Cesar Chavez. Even though Huerta intentionally aligned herself with both the organization and Chavez, the historiography fails to analyze these decisions in the context of a complex gendered system. While the organization’s unified front served as a tactical advantage for the organization during the strike, framing her contributions alongside Chavez’s perpetuates a problematic analytical structure. She thus becomes a mere shadow of Chavez’s ideology.

Historians’ selection of photographs mimic the larger narrative: Chavez is generally a central figure, supported by male strikers, organizers, and politicians. This image selection reflects the tendency to overlook individual contributions of women and children on the picket lines. In the 1990s, Margaret Rose expanded efforts to connect the role of women to the success of the boycotts. Only within the last few years have historians like Ana Raquel Minian widened the lens of history and analyzed religious symbolism and imagery within the movement. However, the scope of these discussions

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<sup>1</sup> Matthew Garcia, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement* (Berkeley: University of California Press, 2012), 47.

limit themselves to the height of the boycott and neglect to explore the origins of mobilization; furthermore, few of these histories offer a holistic view of the movement, focusing on either its grassroots organizing or its distinct demographic. In reality, *la Causa* connected the NFWA to many of the concurrent movements since the beginning of the strike; it introduced and translated them through their own cultural value system. These origins are clearly observed by examining the association's organizing methodologies and rhetoric.

NFWA President Cesar Chavez founded *El Malcriado: The Voice of the Farm Worker*; however, its independence cushioned the union against criticism of the paper's radical rhetoric. Published in Spanish in early 1965 by The Farm Worker Press, *El Malcriado* reflected the NFWA's Mexican-American demographic, and Chavez "decided the paper would be a benefit for the members, offered by subscription, and sold in barrio [sic] stores throughout the Central Valley of California."<sup>2</sup> Published every two weeks, the paper launched the English edition in the summer of 1965, aimed at US educated Mexican American youth and English-speaking farm workers.<sup>3</sup> When the NFWA went on strike with the largely Filipino AWOC in late 1965, and subsequently declared a nationwide grape boycott, the importance of having an English edition grew. Editor Bill Esher explained that the English version communicated news of the strike to urban supporters in Los Angeles and Oakland, and "garnered key subscribers in urban California, including Sam Kushner, a reporter for the Communist newspaper, *The People's World*, and progressive folks in the Bay Area, including those linked with The Committee for Farm Labor."<sup>4</sup> Bill Esher worked closely with Chavez through most of the paper's first year, so that once the strike began, Chavez left the newspaper in Esher's hands, confident of a continuity in radical messaging.<sup>5</sup> Thus, rather than spreading the voice of the farm worker, Chavez and Esher used *El Malcriado* as the voice of the union.

Esher and Chavez carefully infused culturally significant imagery into their reports, turning the newspaper into an effective tool for widespread mobilization. *El Malcriado* introduced the newspaper's English edition in July 1965, with the title: "The Shame of Arvin." Arvin is a small town, southeast of Bakersfield, California. The community consists largely of oil-field workers and migratory farm laborers of Mexican descent. Working within a familiar Christocentric gender system, the NFWA used the strike in Arvin to energize a grassroots base of organizers. Within this edition are stories of defeat and corruption that led to the emasculation of the community — to its shame. The introductory page formats with complete capitalization, conveying a sense of urgency and frustration. Its has a ritualistic tripartite structure:

<sup>2</sup> Doug Adair and Bill Esher Rampujan. *El Malcriado: "The Voice of the Farm Worker": Origins 1964-1965* (March 2009), 2.

<sup>3</sup> Adair and Esher, *El Malcriado* (July 2009), 2.

<sup>4</sup> Adair and Esher, *El Malcriado* (May 2009), 1-2.

<sup>5</sup> Adair and Esher, *El Malcriado* (May 2009), 2.

it begins with a public cry of grievance, which connects the unjust treatment to the sufferings of Christ; followed by an admonishment of evil-doers; closed with a curse (threat of damnation) until the ultimate restoration of justice. The format and structure have been left intact below:

THE TWENTY FOUR MEN ARRESTED THIS MONTH IN THE ARVIN STRIKE OF THE UNION OF THE NORTH NOW TAKE THEIR PLACES AS HEROES OF THE CAUSE. THEY JOIN A LONG LINE OF BRAVE MEN WHO, THROUGH THE YEARS, HAVE SACRIFICED THEMSELVES SO THAT OTHERS CAN LIVE A BETTER LIFE.

WE CALL IT THE SHAME OF ARVIN BECAUSE IT IS ONE MORE NAIL IN THE CROSS ERECTED BY SOME OF THE MOST IGNORANT MEN IN THE UNITED STATES. NOW AMONG THEM IS THE SHERIFF OF KERN COUNTY.

WE CALL FOR THE REMOVAL OF THE SHERIFF FROM PUBLIC OFFICE. HE SEEMS TO WANT TO PRACTICE HIS PROFESSION IN THE TRADITION OF THOSE POLICE IN MISSISSIPPI AND ALABAMA -- WE DO NOT WANT HIM IN OUR STATE WHERE MEN ARE SUPPOSED TO LIVE IN FREEDOM UNDER A LAW WORTHY OF RESPECT.

MAY THE GRAPES OF EL RANCHO FARMS ROT ON THE VINE UNTIL MEN ARE PAID WHAT THEIR LABOR IS WORTH. AND MAY THE 24 MEN BE REMEMBERED UNTIL THE DAY WHEN THE CAUSE TRIUMPHS AND SUCH A THING CAN NO LONGER HAPPEN.<sup>6</sup>

Portraying the male strikers as victims has a twofold purpose. First, it connects them with the suffering of Jesus Christ. Second, the portrayal of helplessness in the face of injustice serves as a point of emasculation: the tyrannical, white authority figures work to undermine the strikers' roles as *machistas* (ones who embody *machismo*). *Machismo* defines a type of masculinity dominated by male assertiveness, virility, and authority. *El Malcriado* describes *machistas* with overt religious imagery, associating them with Christ's suffering. Thus the *machista* emulates Christ, transforming *machismo* beyond more than a point of pride; it becomes a vocational role in the strictest sense of the word: that is, a calling. The emasculation now places the rancher at enmity with the divine plan, while motivating the male reader to reclaim his rightful place in this patriarchal cosmology.

As men emulate Jesus's perfection of masculinity, women, then, assume the qualities of Mary. The interplay between Jesus and Mary makes traditional *machismo* masculinity only valid if juxtaposed with the gender role ascribed to women within the *marianismo* construct. *Marianismo* infuses the Virgin Mary's qualities into the Mexican-American cultural value system. These qualities often reflected male preference of femininity: docility, motherhood, and

<sup>6</sup> "Shame of Arvin." *El Malcriado*, no. 17 (July 1965).

obedience.<sup>7</sup> Furthermore, phrases of Marian deference exemplified passive femininity, such as Mary's response when the Archangel Gabriel announced of Mary's upcoming virginal conception. She declared, "I am the handmaid of the Lord, be it done unto me according to your word."<sup>8</sup> Her instructions at Jesus's first miracle at the wedding at Cana, "Do whatever he tells you,"<sup>9</sup> further reinforce the patriarchal system within the Church, community, and home. This rhetoric was particularly salient to *El Malcriado's* Mexican-American audience.

Published every two weeks, the paper's next edition, Number 18, expanded the argument of "The Shame of Arvin" by motivating its readers toward an aggressive fight against racism and social inequality with a male-centered shift from victimization to mobilization, highlighting the necessity to redeem the head of household's masculinity. In both editions, the editors blended *machista* values with with a critique of the Southern-style system of racial justice, giving *El Malcriado: The Voice of the Farm Worker* tone of social justice, and linking it to the Civil Rights Movement. Further, the two editions utilize appeals to democratic values, implicitly proclaiming itself as a distinctly American newspaper. . Thus, the following Dignity article, Villarreal story, and farm camp photo all appeal to traditional Mexican-American values while simultaneously resonating with African Americans and Anglo-Americans within the context of Civil Rights Movement.

Within the first two editions of the English version of *El Malcriado*, the National Farm Workers Association created a clear image and thematic usage of manhood according to the norms of *machismo*. In "Dignity of the Farm Worker," the newspaper vowed to aggressively reassert its masculinity and reclaim its dignity in the face of the injustices in the fields:

FOR NEARLY ALL PEOPLE, THERE IS A THING THAT IS MORE IMPORTANT THAN MONEY. IT IS A THING CALLED DIGNITY OR SELF-RESPECT OR HONOR, AND IT SHOWS ITSELF IN MANY WAYS. SOMETIMES IT IS SHOWN BY THE MAN WHO WILL FIGHT WHEN HE IS INSULTED.

WE WHO ARE FARM WORKERS HAVE ALL BEEN INSULTED. WE HAVE SEEN OURSELVES TREATED LIKE CATTLE . . . WE HAVE SEEN OUR CHILDREN TREATED AS INFERIORS IN THE SCHOOLS. WE HAVE SEEN IN THE FACE OF THE COP OUR INEQUALITY BEFORE THE LAW. WE HAVE KNOW WHAT IT IS TO BE LESS RESPECTED, TO BE UNWANTED, TO LIVE IN A WORLD WHICH DID NOT BELONG TO US . . .

THE DIGNITY OF THE FARM WORKER WILL SHOW ITSELF IN MANY WAYS.

<sup>7</sup> LG Castillo, FV Perez, R Castillo, and MR Ghosheh. "Construction and initial validation of the Marianismo Beliefs Scale." *Counselling Psychology Quarterly*, no. 2. (2010).

<sup>8</sup> *New American Bible*, revised edition, (New York: Catholic Book Publishing, 1990), Luke 1:38.

<sup>9</sup> *New American Bible*, John 2:5.

THIS YEAR AND IN THE YEARS TO COME, IT WILL BE SHOWN BY THE MAN WHO WILL FIGHT WHEN HE IS INSULTED.<sup>10</sup>

Capitalization of the editorials continue to suggest their proclamatory, even sermon-like, nature. The NFWA argued that education and macho expression of defiance would restore the farm worker and his family. The NFWA's particular expression of defiance manifested itself in strict peaceful protest, availing themselves of the tactics and training of organizers from the Student Nonviolent Coordinating Committee (SNCC).

The *machismo-marianismo* system forms a complementary relationship between the sexes; *familismo* completes and contextualizes the value system of the Mexican-American community. The *machista* and *marianista* are expected to perform their roles within the context of *familismo*, which "stems from a collectivistic interdependence and self-sacrifice for the group is viewed as the norm."<sup>11</sup> This cultural value regards duty and obligation toward family members as expectations; Catholicism infuses austerity to the paradigm, using the Holy Family as a template for perfection. At the heart of both *marianismo* and *machismo* are the *familismo* imperatives to nurture, protect, and provide. *El Malcriado* reported stories that epitomized the triumph or failure of these roles to its Mexican-American audience. In an article that appeared in both the first and second English editions, a rancher beat five-year-old Ramiro Villarreal. Utilizing *marianista* values, the story introduces Dolores Huerta as an intercessor between the victim and the judge, assisting the family in the court paperwork process. Meanwhile, the newspaper highlights the family's (and thus, the community's) impotence in the face of injustice: "The judge stalled them for one and a half hours, using excuses like, 'He could not remember Mr. Buerkle's [the rancher] name.' Because of this, the Association feels that there is a question whether the case can get a fair trial . . . Also, there is gossip that the judge is the book keeper of the rancher."<sup>12</sup> The articles, therefore serve to mobilize women to protect *la familia* (see Figure 1).

The newspaper's follow-up to the Villarreal story in Number 18 expands beyond a cultural appeal, forming an economic critique of the situation. Systemic corruption underscored the NFWA's frustration with the justice system, particularly that ranchers had judges in their pockets. The rancher's employment of the judge revealed the implicit power imbalance.<sup>13</sup> The NFWA created an economic commentary flexible enough to withstand the Cold War tensions. The judge's employment risks undermining American exceptionalism, and permits *El Malcriado* to assert the moral supremacy of *la Causa*, implicitly declaring the strike to be an expression of true American

<sup>10</sup> "Dignity of a Farm Worker," *El Malcriado*, no. 18 (July 1965): 2.

<sup>11</sup> Castillo, "Construction of Marianismo," 164.

<sup>12</sup> "Criminal Complaint Against Rancher," *El Malcriado*, no. 18 (July 1965): 7.

<sup>13</sup> "Criminal Complaint Against Rancher," 7.

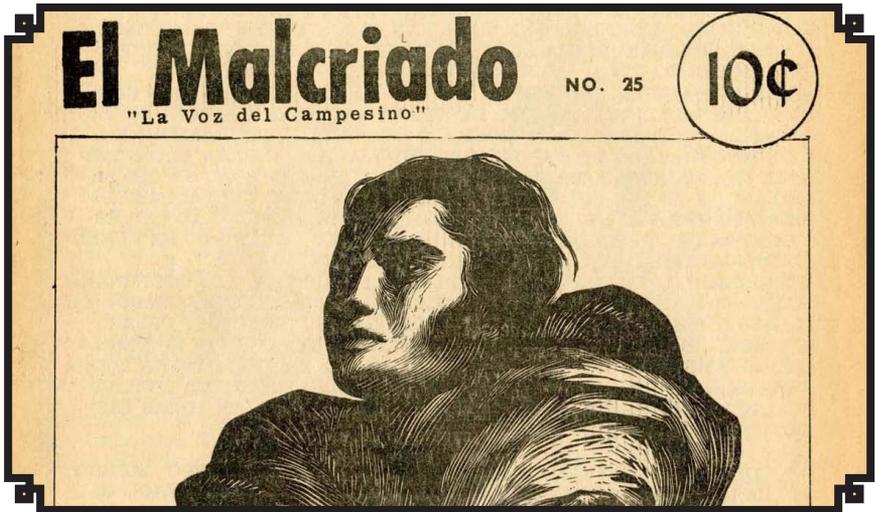


Figure 1: "Marian Protection," Front Cover, in *El Malcriado*, no. 25 (December 1965):1.

democracy, by true Americans. The newspaper doubles-down on this latter theme in the article, "The Roots of Cowardice." A translation from issue twelve, *El Malcriado* opens the article boldly asking, "Why do some men live in fear from the moment they are born until the moment they die? For a single reason: IGNORANCE. Ignorance of the rights which the Constitution gives them."<sup>14</sup> This article urges the reader to familiarize himself with constitutional rights, so that he may feel emboldened in the face of corruption, effectively defend the cause, and reassert his masculinity.

*El Malcriado* further depicted the threat that injustice has on the family by capturing women struggling to uphold their feminine roles without the support of their men. A photograph depicted a farm camp, with a woman doing her laundry outside a shack, while her children play barefoot in the foreground. The newspaper paired the photo with a picture of the house of Tulare County Housing Authority Director, Ferris Sherman. He lived in a middle-class suburban home, with indoor plumbing, and modern amenities. Its value, reportedly \$20,000, contrasted sharply with the "400 shacks which had been built for \$100 each as 'temporary housing'" in the 1930s.<sup>15</sup> Woman within the home, with her washing machine and electricity, exemplified strength of consumer-based democracy.. Cold War propagandists used images like this to judge the communist nations and developing countries as uncivilized, inherently unequal, and distinctly un-American: unable to complete domestic chores and obligations, living in an unsanitary shack, unable

<sup>14</sup> "The Roots of Cowardice," *El Malcriado*, no. 18 (July 1965): 12.

<sup>15</sup> "Rent Strike: Pressure Forces Commission to Talk to Tenants," *El Malcriado*, no. 18 (July 1965): 8-9. Also see Figure 1.

to educate her children to wear proper shoes and clothes, let alone educate them in democratic ideals. However, with this photo taken in the heart of California, the NFWA exposed the third-world in America. These images, in addition to the reality that “the Soviet economy on average grew faster than the US economy from the mid-1960s to the mid-1970s, raising Soviet GNP from 49 to 57 of US GNP,”<sup>16</sup> turned the argument for American supremacy on its head. Implying Soviet-style accommodations, the newspaper titled the image as “The People’s Houses” and thus further emphasized the un-American nature of the socio-economic situation. Appealing to White middle-American social mores, the NFWA poised itself to charge the ranching class with undermining American values, and thus America’s supremacy in the Cold War.

While the images raised arguments about economic systems, they also engaged the reader in a racial discussion. The pictured woman fulfilled her domestic role despite the hardship of poverty, thus the victimized *marianista* (a woman who lives according to the heteronormative gender role of *mari-anismo-machismo* system) also challenged racist assumptions of white moral superiority. Furthermore, the *machista’s* conspicuous invisibility did not infer his absence from the family; rather, it implied his presence in the fields, in an effort to support his kin. It further reinforced the value of *familismo* and reasserted masculine providence. Instead of undermining the humanity of the Mexican-Americans (by using appeals to fear and xenophobia), the photograph stood as a judgement against the racially-based double standard of justice. Resonating with their Black readers in the South, the image represented the oppressed agricultural workers who demanded a vote in the fields, dignity, and justice in the face of a corrupt ruling class. *El Malcriado* argued that the system excluded farm workers from the American Dream, while Director Sherman lived in luxury on their backs. The photo was a call to arms, to rise out of victimization.

As exigencies of the strike and boycott demanded participation of women and children, *El Malcriado* began to highlight the victories of women in *la Causa*. They used middle-class values of domesticity to underline shared experiences of birth, motherhood, and family life to appeal to Anglo-American middle-class. Historian Margaret Rose explored Mexican-American women’s organizational roles in the boycott in Philadelphia during 1969 and 1970. She identified that “idealized maternalist argument based on female values, moral power, and the female domain of the consumer market united them at the same time as class differences tested their alliance.”<sup>17</sup> Rose discusses how United Farm Workers flexibly navigated the code of domesticity to appeal

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<sup>16</sup> Office of Soviet Analysis, “A comparison of the Soviet and US Economies: Evaluating the Performance of the Soviet System” *CLA Historical Review Program*, Release as Sanitized (1999): v.

<sup>17</sup> Margaret Rose, “Woman Power will Stop those Grapes: Chicana Organizers and Middle-Class Female Supporters in the Farm Workers’ Grape Boycott in Philadelphia, 1969-1970,” *Journal of Women’s History* 7, no. 4. (1995): 9.

to middle-class white women. UFW organizers strategically approached allies who upheld shared traditional gender norms, and White middle-class women simultaneously offered Mexican-American women an outlet to explore feminist ideas in organizational leadership positions. The Women's Movement created a new opportunity within the social justice movement. It vocalized implicit tensions within the patriarchal system, and asserted the right to equality. The National Farm Workers Association, however, was not directly connected to more radical women's liberationists. Instead, they extended their lobbying efforts at middle-class, reputable women's groups to mobilize support and activism of the White middle-class. The YWCA and the League of Women Voters offered farm workers a doorway into elite circles of bourgeois feminism.<sup>18</sup>

Alliance between Mexican-American organizers and Women's Movement activists proved fragile. Often perceived as an idea of white elite values, feminism frequently encountered wary skepticism. White feminists fought for fulfillment outside of the house; whereas minority women frequently already worked outside the home. Suburban life and consumer culture oppressed the White middle-class woman; racism and socio-economic injustice oppressed the minority woman. For a minority woman, life as a mother in suburbia seemed like a luxury. Further, budding Mexican-American feminists frequently encountered cultural mistrust of a seemingly white movement. Alan Eladio Gomez's interview with an organizer uncovers the tenuous relationship between ideas and identity. Olga Talamante recalls the opposition Chicanas faced within their ranks, especially among Chicano men. Accusing them of "going to join the bra-burning *gringas*,"<sup>19</sup> Chicano men and women often trivialized Chicanas' claims to a feminist ideology, or denounced the women as *vendidas* (sell-outs).

These conversations took place in the late 1960s and 1970s, but *El Malcriado* depicted early manifestations of feminist dialogue in the Mexican American community as early as 1965. Though there seemed to be little room for outright feminism in the *Machismo-Marianismo* cosmology, *El Malcriado* began breaking down these barriers in the English edition as early as their first year in circulation by subtly tying feminist goals to *marianista* values. Rather than a conscious effort to court middle-class feminists, an unconscious feminist ideology arose in the paper as a direct result of women's participation in *la huelga* and boycott efforts: women's politicization became an extension of their traditional maternal role. Nearing the end of its first year, *El Malcriado* portrayed women as educated, politicized, and professionalized, acknowledging their influence and their connections to power. The newspaper carefully courted middle-class feminist values (as opposed to feminist activists) in its descriptions of women. In "Police Seize Teacher," the newspaper lists

<sup>18</sup> Rose, "Woman Power," 9.

<sup>19</sup> Margaret Rose, "From the Fields to the Picket Lines: Helga Women and the Boycott, 1965-1975," *Labor History*, no 31, (summer 1990): 267.

Rosemary Quiroga's credentials: a Bachelor of Arts and Master of Arts in Sociology from University of California, Santa Barbara, Secretary of the Democratic League, member of the California Association of Educators, on the Advisory Council to the State Superintendent of Schools.<sup>20</sup> Referring to Quiroga as "Miss" implies her ambitious achievements as a single woman. However, this tactic does not offend the Chicano's value of separate spheres; instead, it serves to broaden the definition of *marianismo*. Since the Marian woman sacrifices her self-interest for her husband, nourishes her children, and loves her community, the *huelguista's* obligation to these ideals became intertwined with the boycott and strike.

The expansion of the *marianistas'* roles facilitated the full participation of families in *la Causa*. Sent to the urban centers across the country to create national support for the boycott, women attended community meetings, contacted media sources and public affair programs alongside men, while children canvassed neighborhoods and shops.<sup>21</sup> Organizer Jerry Brown (no relation to the California governor) explained that fifty percent of grape shipments went to only ten North American cities.<sup>22</sup> Placing men and women in key urban centers, therefore, became integral to the success of the boycott. Men of the UFW often occupied leadership roles, advocating for union-structure activism, while women's activism displayed more cooperative methods and offered more flexibility from the organizational structure.<sup>23</sup> Margaret Rose argues that the UFW had greater success when entire families relocated to advocate and organize in urban centers than did individual men. Without the support structure that the entire family unit offered, men quickly returned from homesickness. Meanwhile, women struggled to feed and raise the children without the assistance of their husbands.<sup>24</sup> In urban centers, women created connections with feminists and middle-class white women, to whom men did not have access. For families that remained local, the men stayed on the picket line or searched for alternative forms of work. This created unprecedented opportunities for women to organize at the local level. *Marianistas* became more than just bridge-builders, they rose as leaders.

Rose explains that the "lack of a trained professional staff and limited resources contributed to the decentralized approach to the boycott which by default allowed more opportunities for women to rise to these positions."<sup>25</sup> Although the NFWA did not recruit women as primary targets for official leadership, their involvement led to a destabilizing of the gendered status quo, placing women not only in the public view, but also with a political message. *El Malcriado's* portrayal of women heralded women's unprecedented role in

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<sup>20</sup> "Tyrants Look Foolish in Moscow, Mississippi, or Delano," *El Malcriado*, no. 24 (1965): 6.

<sup>21</sup> Rose, "From the Fields," 276.

<sup>22</sup> Rose, "Woman Power," 44.

<sup>23</sup> Rose, "From the Fields," 272.

<sup>24</sup> Rose, "From the Fields," 275.

<sup>25</sup> Rose, "Woman Power," 7.

the the union. It normalized their involvement and elevated women's roles as heroic participants in the struggle, ultimately leading to their indispensability in urban organizational efforts.

Strong female leaders are familiar in Mexican mythology and history. The legend of Adelita takes place during the Mexican Revolution. She was an organizer of the people, loved by all, and honored by the revolutionaries. The image asserts female sexuality, revolutionarily politicization, and martial prowess. Her beauty caught the adoration of the general, and her strength gained his respect. With her bandoliers draped over her shoulders, she symbolized the strength of women in war (see Figure 2).



Figure 2: "Adelita," Front Cover, in *El Malcriado*, no. 3 (1965): 1.

*El Malcriado* consistently utilized revolutionary rhetoric and images, including Adelita, to inspire readers. The newspaper extolled the values of the *villistas* (so called after Francisco "Pancho" Villa, who embodied the liberal and democratic ideals of the Mexican Revolution) to such great extent that one issue requested submissions for personal stories from the Revolution. Even as Vice President of the National Farm Workers Association, Dolores Huerta's appearance in *El Malcriado* remained minimal until the end of its first year of circulation. However, her arrest in late 1965 provided the organization with the opportunity to ease the religious scruples of the audience and associate Huerta's identity with both the *marianista* as well as Adelita. *El Malcriado* expresses her moral superiority in her quote: "While in jail, I prayed that God would give me strength in continuing our struggle, and that He would guide our actions so that true justice will be established . . . I

am more determined than ever to continue in the fight for justice for farm workers."<sup>26</sup> She simultaneously proved her moral and spiritual superiority and her indignation in the face of injustice. Additionally, Huerta unified the revolutionary rhetoric of Adelita with the docility of Mary, thus her portrayal of a non-violent revolutionary connected the cause more closely with the Civil Rights Movement. Dolores Huerta became both Adelita and Mary of *la Causa*, betraying neither ideology of the *marianistas* or the *villistas*.

*El Malcriado* also captured the ranchers' violence to allegorize victims. A 1966 incident elevated the status of the men and women of *la Causa* to Marian and messianic figures. Ida Cousino was among the peaceful strikers at DiGiorgio's Sierra Vista ranch, along with Manuel Rosas. Participating in the nonviolent protest, Cousino fulfilled her Marian role as the protectress of the domestic sphere of family and social values. However, when DiGiorgio's armed men arrived and drew their guns, Cousino took on the role of Adelita, a fighter for social justice and democratic ideals. She approached him to put him under citizen's arrest, was assaulted and thrown to the ground. Manuel Rosas, a fellow picketer, came to her defense, but the armed man "took a heavy club and bashed in his head."<sup>27</sup> The injuries to Rosas's head symbolically represented the wounds of a suffering savior, according to the Biblical representation of Christ's Passion: "And they spat upon him, and took the reed and struck him on the head."<sup>28</sup> *El Malcriado's* description of these wounds transformed Rosas into a messianic figure.

Cousino and Rosas's experience exemplifies the interplay between the Chicano understanding of gender relationships, as well as the Catholic interpretation of Marian participation in eschatology. This links to the theological understanding of Mary's participation in the sufferings of Christ: "And Simeon blessed them and said to Mary His mother, 'Behold, this Child is set for the fall and rising of many in Israel, and for a sign that is spoken against (and a sword will pierce through your own soul also), that thoughts from many hearts may be revealed.'"<sup>29</sup> Instead of a passive domestic figure, Mary is an active participant in the eschatological narrative. Catholic Catechetical teachings explain that "Mary's role in the Church is inseparable from her union with Christ and flows directly from it. 'This union of the mother with the Son in the work of salvation is made manifest from the time of Christ's virginal conception up to his death.'"<sup>30</sup> Only after accepting the sufferings of injustice, Christ (masculinity) rises from the dead, and Mary (femininity)

<sup>26</sup> "Grape Strike: Victory is Near," *El Malcriado*, no. 22 (October 1965): 8.

<sup>27</sup> "Farm Workers Sue DiGiorgio for \$650,000," *El Malcriado*, no. 35 (May 5, 1966): 4.

<sup>28</sup> *New American Bible*, Matthew 27:30.

<sup>29</sup> *New American Bible*, Luke 2:34-35.

<sup>30</sup> *Catechism of the Catholic Church*, Paragraph 6, I, 964.

also is assumed in glory.<sup>31</sup> Catechetical instruction during youth ingrained these subtle images into Chicano Catholic consciousness. The NFWA even adopted the Virgin of Guadalupe as their patron saint, leading their marches with a banner image. *El Malcriado* uses the image of the Virgin of Guadalupe on the march to assert the strikers' righteousness, and accuse the police of spiritual and corporeal corruption. Instead of reverting to a passive domestic role, Mary is depicted here to be on the front line. She is Adelita; Adelita is Mary (see Figure 3).



Figure 3: "Mary as Adelita," Front Cover, *El Malcriado*, no. 33 (April 10, 1966): 1.

<sup>31</sup> Pope Pius XII, *Munificentissimus Deus*, (1950): Paragraph 40, outlines the Marian dogmas: "Hence the revered Mother of God, from all eternity joined in a hidden way with Jesus Christ in one and the same decree of predestination,(47) immaculate in her conception, a most perfect virgin in her divine motherhood, the noble associate of the divine Redeemer who has won a complete triumph over sin and its consequences, finally obtained, as the supreme culmination of her privileges, that she should be preserved free from the corruption of the tomb and that, like her own Son, having overcome death, she might be taken up body and soul to the glory of heaven where, as Queen, she sits in splendor at the right hand of her Son, the immortal King of the Ages." [http://w2.vatican.va/content/pius-xii/en/apost\\_constitutions/documents/hf\\_p-xii\\_apc\\_19501101\\_munificentissimus-deus.html](http://w2.vatican.va/content/pius-xii/en/apost_constitutions/documents/hf_p-xii_apc_19501101_munificentissimus-deus.html) (accessed September 18, 2015).

As the *Theotokos* (Mother of God), Mary's motherhood takes on a universal character, and traditional practice extends her motherhood to all peoples. Naturally, then, the plights of all oppressed peoples became the concern of the Chicana, without betraying her feminine role in the patriarchal system. The Chicano frequently assumed the Christ-figure: abused, scorned, and humble. NFWA President Cesar Chavez mastered this role, who re-titled his hunger strikes and marches as fasts and pilgrimages. On March 14, 1966, Cesar Chavez issued a statement for the march from Delano to Sacramento titled, "*Peregrinacion, Penitencia, Revolucion*," translated as "Pilgrimage, Penitence, Revolution." He outlined the cultural significance of the pilgrimage as an opportunity to request a particular spiritual intention from God.

Chavez co-opted Catholic symbolism to create an implicit language of purity. Catholics venerate saints as models of holiness and intimacy with God. The use of the Virgin Mother became an implicit announcement of sexual purity, and upheld the virtues of motherhood.<sup>32</sup> At the same time, her declaration as "the handmaid of the Lord" solidified the primacy of self-sacrifice on the road to sanctity. This symbol invigorated the march, pronouncing that strength comes through struggle.

Within the Catholic Church, physical discipline and bodily mortifications take on symbolic meanings as outward signs of an internal reality. The three-hundred-mile march from Delano to Sacramento became a key opportunity to exhibit these signs. Chavez chose to fast as a method to display the discipline of the movement and its people. Fasting, familiarly associated with Lent, the season of penance within the Catholic liturgical calendar, evoked a religious, social, and political response. The decision to take pilgrimage during the Lenten season has significant meaning. The faithful meditate upon the sacrifices of Jesus during this season, which culminates with the suffering, death and resurrection of the messiah on Easter. The road to Calvary becomes a particular focus during Lent, and most Catholic parishes hold meditation prayer services every Friday, called Stations of the Cross. This guided meditation leads the parishioners through the sufferings of Jesus on his road to Calvary. Mary's role as the suffering Mother of God is weaved into the Stations of the Cross, with the petitioner meditating on her presence and physical support of her Son. The farm workers' *Penegracion* from Delano to Sacramento was thus bursting with cultural significance for *El Malcriado's* Mexican American readers.

*El Malcriado* reported that during the fall of 1965, NFWA leaders began discussing a cross-country pilgrimage. Later in the winter, a priest approached the association to discuss the upcoming Lenten season. Shortly after, the association decided to march on pilgrimage from Delano to Sacramento. Introducing the story of the march with a discussion of religious ritual and tradition creates a sense of legitimacy to the actions, and thereby prevented

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<sup>32</sup> Lauren Araiza, *To March for Others: The Black Freedom Struggle and the United Farm Workers* (Philadelphia: University of Pennsylvania Press, 2013): 71.

the opposition from accusing *el movimiento* of radicalism. *El Malcriado* sought to soothe any concerns within the traditional sector of its audience by referencing the nostalgic memories of pilgrimage: "Some of the strikers from Old Mexico recalled Lenten pilgrimages they had made. One of the men amused others by showing how he walked along the bumpy, dusty roads with long swinging steps. Thirty miles a day, he bragged."<sup>33</sup> This masculine reflection highlights the heritage of the pilgrimage as a test of moral strength and physical discipline. Distinguishing the march as a religious ritual, a cultural tradition, and a point of pride, it thus epitomizes *machismo* and *marianismo* values.

*El Malcriado* described the decision to march as an inclusive democratic process, implicitly appealing to American ideals. Despite this inclusivity, the association clearly voted in accordance with the *machismo-marianismo* worldview. During the march's organization process, leaders needed to allocate people to the march to the Capitol, to the picket line in the fields, and to the association's social services in the camps and cities. Since the Mary-Adelita archetype expanded the reach of the domestic sphere, these duties were no longer exclusively male. However, "someone proposed that if wives took over the picketing, then more husbands could go on the pilgrimage. The women agreed to this."<sup>34</sup> While the women's choice in the decision-making and organizational process reveals the implicit influence of feminist ideals, leading female organizers adhered to this updated version of *marianismo*. They agreed to remain as a support-base while the men went on pilgrimage across the state. This echoes the experiences of the cultural heroines.

About 100 people wanted to march . . . On March 17th, 68 had been selected. Their wives and children and friends left at home marched to the city limits. Sixty-eight went on. The first night when the marchers stopped to rest, someone discovered that a seven-year-old boy had skipped school, evaded his mother, and was intent on marching on. He was sent reluctantly home, and 67 marched on.<sup>35</sup>

The brief synopsis echoes the experiences of cultural heroines, like Adelita, while maintaining the values of *machismo*, *marianismo*, and *familismo*. *El Malcriado* portrayed the men as active participants in the pilgrimage; while the women remained on strike. Familial protection and providence necessitated both feminine and masculine roles, and the pilgrimage provided an opportunity to extend the *familismo* to the broader community as an organizational mechanism.

Immediately following the older generation's religious recollections, *El Malcriado* reiterated the decision to strike democratically throughout the ensuing paragraphs. The article reflects the broadening readership, and the need to appeal to a younger, more liberal demographic. The association's decision as a consensus conveyed civic ideals of democratic participation of the pilgrimage. This message resonated with young adults, who understood

<sup>33</sup> *El Malcriado*, No. 33. (April 10, 1966): 5.

<sup>34</sup> *El Malcriado*, No. 30. (April 10, 1966): 5.

<sup>35</sup> *El Malcriado*, No. 30. (April 10, 1966): 5.

the movement's implicit connections with the Civil Rights Movement. This generation came of age and was socialized with the language of the Civil Rights Movement. They connected with the call to march more tightly than the call to prayer. Furthermore, activists in the Civil Rights Movement organized around voter registration drives and against disenfranchisement. This paralleled with farm workers' demand for a vote in the fields. *El Malcriado* carefully utilized social justice rhetoric to mobilize an increasingly politicized generation of young people.

The National Farm Workers Association committed itself to nonviolent tactics, effectively connecting its readers to the themes of the larger national movements and, likewise, bringing national attention to the fight for social justice in the fields. The progress that the Student Nonviolent Coordinating Committee (SNCC) made in the South motivated *El Malcriado* to increase the attack on the racist underpinnings of economic oppression. Labor was inextricably intertwined with race. A justice-focused strategy opened avenues for collaboration with other organizers. During its five-year strike, the NFWA found allies in several organizations. *El Malcriado* foreshadowed these acts of solidarity, reporting on the plight of Southern Blacks and appealing to liberal Whites. Shifting *la Causa* from a labor fight to a social justice struggle, *El Malcriado* paved the way for multi-regional, multi-ethnic collaboration.

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# ADVERSUS JUDAEOS

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## A CONSIDERATION OF JEWS IN MEDIEVAL CHRISTIAN ART

By Robert Miller

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**ABSTRACT:** Medieval relations between Christians and Jews continued complicated patterns from ancient times. Early Christians sought converts in Jewish communities, but by the fourteenth century, Christians persecuted and demonized Jews throughout Europe. Robert Miller examines changing Christian attitudes towards Judaism throughout the Middle Ages. Knowledge of ecclesiastical and secular authorities' leverage of growing anti-Semitic sentiments towards their own short-term goals provides insight into long-term patterns. Indeed, such short-sighted actions often ended with disastrous results. Negotiating these processes enables the historian to understand the lasting consequences associated with the process of Othering.

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In the mid-fourteenth century, the Black Death ravaged its way across Europe, killing millions and leaving survivors in search of a cause for their suffering. For many contemporary Christian communities, the cause was obvious: Jews. One chronicler notes that, beginning in 1348, all of the Jews between Cologne and Austria were burned and “in Austria they await the same fate, for they are accursed of God.”<sup>1</sup> The violence witnessed in the fourteenth century was not the result of isolated or spontaneous factors. Rather, it was the result of an evolving form of anti-Semitism most readily examined by observing the changing depictions of Jews in Christian artwork. Christian imagery of Jews in the tenth century and earlier depicted only biblical Jews, but by the fourteenth century, Jews were depicted as powerful symbols of difference and sin associated with the Devil. This fact is evident in the art and imagination of both the secular and ecclesiastical spheres of Medieval society. How did a transformation from images of biblical Jews to contemporary Devils occur in various Western artistic mediums? Examining images of Jews in Christian artwork is significant because it does not reflect an ostracized minority on the fringes of society but exemplifies an increasing sense of anti-Semitism in the Medieval world and reflects a change in European culture. The artwork that developed in the High Middle Ages reflected, and potentially inspired, legal treatises regarding interactions between Jews and the state, and it contributed to acts of violence that reverberate in the cultural memory of Jewish communities around the world. The image of Jews in the imagination of Medieval Christians in the Latin West was transformed at the end of the Early Middle Ages and followed a pattern of ostracization culminating in demonization. However, this transformation was not uniform, nor was it explicitly directed. In a largely-illiterate society,

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<sup>1</sup> Heinrich von Diessenhoven, *On the Persecution of the Jews in Reading the Middle Ages: Sources From Europe, Byzantium, and the Islamic World*, ed. Barbara H. Rosenwein (Toronto: University of Toronto Press, 2014), 446.

artwork served to inform Medieval populations of official positions. In turn, the sentiment expressed in art informed the opinions of new generations of officials, both ecclesiastical and secular. This paper will highlight the interaction between Christian art, ecclesiastical opinion, and secular legal judgments in shaping Christian opinions of Jews. The resulting interplay between art and official power in Medieval Europe culminated in a downward spiral of anti-Semitic sentiment and widespread violence against Jews throughout the Middle Ages.

The Christian conception of Jews and Judaism in the Medieval period was informed by the foundations of early Christianity. When Constantine legitimized Christianity at the beginning of the fourth century, the resulting conflation of ideologies regarding true expressions of Christian practice had a profound effect on Christian attitudes towards Jews. The fifth through ninth centuries witnessed many events that, little by little, solidified the Christian faith as the dominant religious practice in Western Europe. In fact, Christianity became the dominant religion in the entirety of Europe, taking forms in Catholic, Celtic and Eastern Orthodox variations in essentially all of the territories once held or occupied by the former Roman Empire. Everywhere Christianity spread, Christian imagery and symbolism took root as the dominant form of expression in the local cultures. However, an internal argument about the nature of icons in the Catholic Church prompted John of Damascus to write a treatise defending the use of icons in the middle of the eighth century.<sup>2</sup> John's arguments are significant because he establishes the importance of images over scripture and the infantilizing and inherent blindness of Jews. In his writings, John offers a scathing attack on Jews stating that "They err truly, not knowing the Scriptures, for the letter kills whilst the spirit quickens-not finding in the letter the hidden meaning...These injunctions were given to the Jews on account of their proneness to idolatry. Now we, on the contrary, are no longer in toddler harnesses."<sup>3</sup> John's view of the Jewish tradition exemplifies two significant features of anti-Jewish attitudes of the High and Late Middle Ages. John indicates that Jews were blind to the message of the scriptures and the fact that Jesus was the Messiah. Like children, they are unable to comprehend the message. The increased nature of twelfth-century iconography witnessed a proliferation of examples of blind Jews in Christian art. The culture of the Middle Ages was intensely visual in nature and John's view of Judaism as a religion was transformed in Crusader imagery to include Jews as individuals. Beginning in the eleventh century and coinciding with the Crusades, Jewish imagery in Christian art began to shift from biblical depictions to more sinister forms. The Crusades encouraged an increasing militancy in artistic expression, marking significant changes in the representation of Jews in Christian art.

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<sup>2</sup> The defense for icons is that they were venerated and not worshiped. John of Damascus believed that Christianity could be trusted with icons and not fall into worship of false idols as biblical Jews had. For more discussion, see his works cited below.

<sup>3</sup> John of Damascus, "On Holy Images," in *Reading the Middle Ages*, 63.

Examples of Christian artwork from the Early Middle Ages reveals a rather interesting fact regarding the subject matter depicted. Monumental work, art created for public viewing or religious and or memorial purposes, steeply declined during the Late Antique period. Historians and archeologists have noted that literacy rates and population of cities steeply declined after the fall of the Roman Empire.<sup>4</sup> Skilled artistry faded with the decline of the once vast Roman Empire in the face of far greater struggles for survival, governance, and religious cohesion. The Crusading period, in contrast, offered cultural, economic, and religious reforms that culminated in an array of artistic representations of Jews.

Robert Chazan, the esteemed scholar of Medieval Jewish history, states that the tenth and eleventh centuries were a time of great awakening for Northern Europe in all aspects of life: demographics, economic vitalization, political maturation, and intellectual renewal. These improvements took place all over Europe; each sphere grew and informed the others that provided an attractiveness to a once dimly-lit region of Late Antiquity.<sup>5</sup> The period of the Crusades thus marks a point in which European society had regained control of the fragmented Roman legacy. Legal, economic, and religious conformity resulted in an environment that was, at last, able to produce greater numbers of monuments, manuscripts, and religious imagery that the previous four-hundred years had not seen.

This matured and increasingly visual society gave rise to the institution of Crusading. In 1095, Pope Urban II, speaking to French knights and members of the clergy in Clermont, in the south of France, set in motion an event that future historians would use as a dividing line in the Middle Ages. The ambiguity surrounding the call for Christians to “take the cross” led to much confusion regarding the intended recipients of the message. The popularity of the Crusades, evidenced by the extreme reaction of Urban’s call, make it a salient point in the discussion of the ill effects a society stirred to religious frenzy had on popular images of Jews living in Europe. The earliest examples of anti-Jewish violence by exuberant Christians took place in 1096 and serves as evidence that the Crusades instigated popular anti-Jewish sentiment, altering the direction of Judeo-Christian relations for the rest of the Middle Ages, and arguably to the Modern Era. The call to Crusades was also an effort to direct the violence Urban saw in Christian territories at far off lands. The violent nature of the southern French region was hinted at in Pope Urban II’s declaration of holy war when he stated that “It is so bad in some of your provinces, I am told, and you are so weak in the administration of justice, that one can hardly go along the road by day or night without being attacked by robbers.”<sup>6</sup> Urban sought to turn the intra-European violence

<sup>4</sup> Peter Wells, *Barbarians to Angels: the Dark Ages Reconsidered* (New York: W.W. Norton, 2008), loc. 121 of 2726 (kindle ed.).

<sup>5</sup> Robert Chazan, *European Jewry and the First Crusade* (Berkeley: University of California Press, 1987), 11-16.

<sup>6</sup> Urban II, “Call to Crusade,” in *Medieval Culture Reader*, ed. Dr. Mary Doyno, 35.

into extra-European institutions of war. The original intent of the *Call to Crusades* was a political reordering of the established hierarchy of Medieval society. Urban positioned himself as head of the entire world with lay power and society under papal authority. The message of a religious call to arms that directed Christian knights to stop battling one another and instead fight a holy war against the enemies of Christianity was extremely popular. It had a decidedly detrimental effect on Jewish communities in Europe, however, when fervent men took to preaching the message of holy war to a wider audience than originally conceived.

A monk named Peter the Hermit took Urban's message to the masses, beyond the clergy and French nobility assembled at Clermont. His exhortations struck a chord in the peasantry and resulted in the People's Crusade, an unorganized mass of peasants who marched on the Holy Land under the direction of Peter. This movement paralleled the organized, noble-led, and Church-sanctioned First Crusade. The fiercest attack on Jewish communities was carried out by organized armies in a Medieval military fashion by the forces of Emicho on the city of Mainz. The attack was recorded in Hebrew chronicles as well as Christian Sources. The sources describe deliberate violence against Jews from the arrival at the town to the subsequent siege and attacks with "arrows and lances."<sup>7</sup> The fervent nature and military organization of the attacks on Jewish communities indicate pogroms were accepted popular outcroppings of Crusading and anti-Jewish sentiment.<sup>8</sup> Ecclesiastical leadership, including Pope Urban II, did not anticipate violence against European Jews as a result of their call for Crusade. Indeed, many such leaders spoke out against attacks in the wake of the First Crusade, and many local and religious leaders attempted to hide and preserve Jews in villages along the Crusaders' route to the Holy Land. However, despite these protests and efforts, anti-Jewish themes remained a popular artistic trope and never left the Christian art of the Middle Ages.

Early Medieval art preceding the inception of the Crusades highlights a major difference in the manner in which Late Medieval artisans depicted Jews; before the First Crusade, Early Medieval artisans did not depict contemporary Jews. The first images of contemporary Jews that have survived differentiated Jews with conical hats and often colors that Medieval Christianity associated with evil, red and yellow in particular. Dating from the twelfth century, the images that depict contemporary as opposed to Jewish biblical figures appear only after the First Crusade. According to Sara Lipton, an expert in Jewish images in Christian artwork, pre-Crusade images of hated figures associated the conical hat with Eastern kings, antique authority, and the marking of priestly or royal dignity. The earliest examples of the "Jewish Hat" marked Jews as Christian theological adversaries and biblical

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<sup>7</sup> Chazan, *European Jewry and the First Crusade*, 60.

<sup>8</sup> Pogrom is a Russian word internationally utilized to describe attacks that result in bloodshed, property destruction, rape, and looting of Jewish communities.

figures of authority, not as evil or different. The violent nature of the attacks on Jewish communities in the wake of Urban II's call in 1095 marks a significant change in imagery and clearly an appropriation of iconography took place that allowed Jews to become immediately discernable to Christian viewers. In an image taken from a manuscript dating from around 1180, a group of Jewish elders are gathered, dressed in garbs colored in blues and reds and adorned with conical hats of various style but uniform design, while St. Matthew writes his Gospel above them (see Figure 1).<sup>9</sup> This image clearly utilizes the conical hat to distinguish these figures as Jewish. The artist has also neglected to portray any individuality in the depictions of these Jewish men. The men are posed in contemplation of the saint but are for the most part indistinguishable from one another. These Jewish men are also dressed in the attire of late twelfth-century European men and not the biblical attire appropriate to earlier pre-Crusade depictions. In essence, the artist is capturing what he knows about contemporary Jews living in Europe.



Figure 1: "Jews Contemplating St. Matthew." The Moscow Gospels, Saxony, ca. 1180. Moscow, Russia State Archives of Old Acts Fonds 1607, Inv. 1, no. 23, fol. 1; From Sara Lipton, *Dark Mirror: The Medieval Origins of Anti-Jewish Iconography*. New York: Metropolitan Books, 2014.

The image of contemporary Jewish men contemplating St. Matthew was likely to invoke the Christian desire for Jewish conversion. Once a Jew himself, Matthew bore witness to Jesus and converted to Christianity, marking Matthew as a figure associated with proselytization. This image functions as an example of the evolution of the conical hat which served to identify Jews in Christian manuscripts and monuments after the twelfth century. The conical hat, however, was not uniformly distributed in the artwork nor as a reflection of cultural, or legal attire throughout the Latin West. Several regions of England, Germany, and France adopted a circular or tablet shaped

<sup>9</sup> Sara Lipton, *Dark Mirror: The Medieval Origins of Anti-Jewish Iconography* (New York: Metropolitan Books, 2014), 7, 16, 47.

badge that served as a marker to Christian society of Jewish identity. The Latin West was not unique in its desire to regulate Jewish identity to maintain a separation. Under Islamic controlled regions of the Middle East and Spain during the Middle Ages, Jews were required to wear a belt that distinguished them from Muslims called a *zumar*. This legal requirement under the Pact of ‘Umar may have been influential to later Christian theologians who made identifying markers a legal reality for Western European Jews in 1215.<sup>10</sup> The artwork translated into real-world consequences for Jewish societies when many secular and ecclesiastical legal regulations made identification a requisite of daily life throughout Europe. However, secular authorities did not uniformly enforce the wearing of Jewish badges and wealthy Jews in many areas paid to receive exemptions from this legal requirement. Regardless, the symbol, whether in artwork or worn in reality, resulted in a vulnerability of Jewish community members.



Figure 2: Ecclesia and Synagoga opposite the Crucifixion. Monchengladbach, former Benedictine abbey of St. Vitus. Mon. Jud.Handb. 1963, no. 36. From Heinz Schreckenberg, *The Jews in Christian Art: An Illustrated History* (New York: Continuum, 1996), 39.

Art was an essential medium in the Middle Ages for the exegetical constructions of Christian society. Ecclesia and Synagoga offer a salient example of the animosity depicted in Church images and artwork. These two figures, female allegorical personifications of the Christian Church and Jerusalem or Judaea, are often found depicted alongside one another. An example from a Benedictine monastery in Munich from around the late tenth century depicts a Crucifixion scene with Ecclesia seated opposite Synagoga (see Figure 2).<sup>11</sup> Ecclesia holds a chalice representing the Holy Grail and a cross-staff as a symbol of temporal authority. Synagoga holds tablets with the Ten Commandments in her left hand and a lance, the instrument of the Passion in her right. Synagoga is blindfolded, representing Judaism’s blindness to Christ and the Gospels of the New Testament. The image of blinded Synagoga received

<sup>10</sup> Mark R. Cohen, *Under Crescent and Cross: The Jews in the Middle Ages* (Princeton: Princeton University Press, 1994), 61-63.

<sup>11</sup> “Crucifix with Ecclesia and Synagoga” in *The Jews in Christian Art: an Illustrated History* by Heinz Schreckenberg (New York: Continuum Publishing Company, 1996), 38.

a more visceral treatment and direct association with devilish imagery in the fourteenth century. Synagoga's blindfold transformed into the image of a snarling serpent wrapped over her eyes.<sup>12</sup> This replacement signified not only that Jews were blind to Jesus as the Messiah but attributed this blindness to the Devil. These depictions are adversarial in nature, visual expressions of the belief in the superiority of Christianity over Judaism. It is worth noting that the representation of Synagoga here is representative of Judaism as a religion and not a likeness of contemporary Jews. Secondly, this image is still respectful in ways later images of crucifixion scenes will not be. The long-held bias against Jewish blindness made its way into Christian art very early on. In the High and Late Middle Ages, Jews have often been depicted blindfolded. The blindfolding motif was an important feature of anti-Jewish iconography and by the thirteenth century, it was linked to demonic forces, the other enemy of Christianity. In a monumental example carved on a cathedral in Bamberg, and part of the *Fürststenportal* or Prince's Portal immediately below the carving of Synagoga, the Devil is reaching down to blindfold a Jew (see Figure 3).<sup>13</sup> The Prince's Portal is the doorway into the cathedral, and it contains a large scene of the Last Judgment. Bamberg Cathedral, reconstructed after a fire in 1225, is very famous and renowned for the sculptures adorning the walls. The images of Judgment, the blinding of Synagoga and contemporary Jews by devilish figures would have been immediately identifiable to Medieval pilgrims and members of the community. Understanding that those living in the Middle Ages inherited Christian perceptions of superiority and notions of Jewish ineptitude and blindness, provides the framework for the religious environment that produced vitriol in many public and exclusive artworks in the succeeding centuries. The tropes of early Christianity, however, were transformed by religious zeal in the twelfth century.



Figure 3: "Synagoga being blinded by the Devil." 1230-1240, Statue, Bamberg Cathedral, Prince's Portal. From Schreckenberg, *The Jews in Christian Art*, 245.

<sup>12</sup> "Ecclesia and Synagoga" in *The Jews in Christian Art*, 56.

<sup>13</sup> "The Devil Blindfolds a Jew" in *The Jews in Christian Art*, 245.

Jewish society, once considered a central element of the Christian religion, served the dual purpose of prophesizing the message of the New Testament and bearing witness to the truth of scripture on the Day of Judgment. The esteemed Church Father Augustine of Hippo in the early fifth century declared in *De Civitate Dei*:

It was not enough that he should say, "Slay them not, lest they should at last forget Thy law," unless he had also added, "Disperse them;" because if they had only been in their own land with that testimony of the Scriptures, and not every where, certainly the Church which is everywhere could not have had them as witnesses among all nations to the prophecies which were sent before concerning Christ.<sup>14</sup>

Expanding on these ideas, popes issued papal bulls throughout the Middle Ages, often during peak instances of anti-Jewish violence, which reinstated the idea that no violence should come to Jews. A papal bull issued by Pope Calixtus II in 1120 forbade the killing of Jews, forced conversions, and attacking synagogues and Jewish cemeteries.<sup>15</sup> The edict was in response to the persecutions suffered by Jewish communities in the wake of the First Crusade. Successive popes reissued this papal bull until the fifteenth century. The spiritual relationship between Jews and Christians in Medieval society, like Jews in Medieval artwork, devolved from those of closely-connected but differentiated societies to neutrality, and to a desire by European Christian society to be rid of Jews in Europe. The eve of the Second Crusade in the twelfth century also witnessed ecclesiastical leaders justifying violence against Jews as divine retribution. Divine justice is a theme present in late Medieval illustrations of the Hand of God taking revenge on Judaism through the allegorical murder of Synagoga.



Figure 4: "Ecclesia and Synagoga," ca. eleventh century, walrus tusk relief. Copenhagen, Nationalmuseet. From Schreckenberg, *The Jews in Christian Art*, 245.

<sup>14</sup> Augustine of Hippo, *De Civitate Dei Book XVIII* accessed December 3, 2015, [http://people.bu.edu/dklepper/RN470/augustine\\_jews.html](http://people.bu.edu/dklepper/RN470/augustine_jews.html).

<sup>15</sup> Calixtus II *Sicut Judaeis* accessed December 3, 2015, <http://people.umass.edu/~juda102/outlines/sicutjudaeis.html>.

Synagoga and Ecclesia receive much harsher treatment beginning in the eleventh century, reflective of the rhetoric and vitriol of post-Crusade Christian society. In an image carved on walrus tusks, contemporaneous to the First Crusade, Synagoga is again paired with Ecclesia. Synagoga is in stark contrast to a regal Ecclesia, who is crowned and holding a cross scepter in one hand and firmly holding a book, likely holy scripture. Synagoga appears shameful with her head pointing away and down, her eyes are closed, her chest is bare and she has lost her grip on a book of scripture (see Figure 4). The loss of control of scripture is a visual marker of the Christian understanding of covenant theology and supersessionism. Christianity believes that Judaism lost its covenant with God and Christianity maintains the new covenant. This image of Synagoga depicts an attitude of shame towards the Jews who appear stripped of power and are left ashamed, lost, and unseeing. The use of materials as exotic as walrus tusk illustrates that European societies were finally recovering after the long dark of Late Antiquity. It is also extremely indicative of the importance of these images, and thus the message it represents, to the creator of this piece of art.

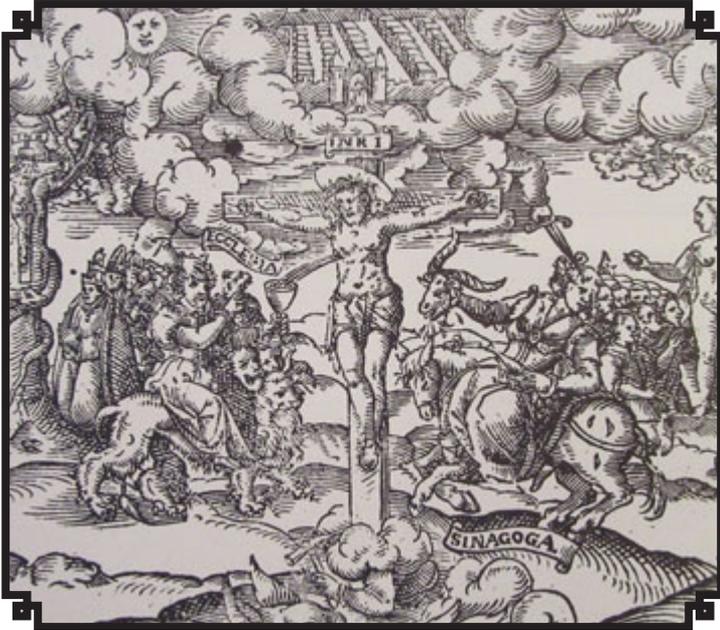


Figure 5: "God Killing Synagoga," ca. 1600, woodcut. Copied from a fresco of the parish church of St. Andreas in Goss. From Schreckenberg, *The Jews in Christian Art*, 64.

The pinnacle of anti-Jewish depictions of Synagoga appears in the fifteenth century in a soteriological painting (see Figure 5).<sup>16</sup> Synagoga is usually

<sup>16</sup> Soteriology is the study of religious doctrines of salvation.

now depicted in woodcuts blindfolded, riding an ass and carrying a broken lance in one hand and a sacrificial goat head in the other. The demonization of Jews and Judaism reached its height in the fourteenth and fifteenth centuries and the goat's head carried by Synagoga is at once representative of Jewish sacrificial law and associating Judaism with Satan.<sup>17</sup> The lance is a powerful symbol of the Passion used to pierce Christ's side. A broken lance symbolizes the lost power of Jews over Christianity; they can no longer inflict wounds upon the faithful. In an example of a very intricate woodcut painted in the last quarter of the fifteenth century, Synagoga, represented with all of the trappings described above, is riding on a donkey. She is pierced through the temple by the hand of God holding a sword and emanating down from the City of God, the holy city of Jerusalem, pictured above the scene.<sup>18</sup> The ethereal violence directed at Synagoga is an essential feature of these cruciform scenes and likely reflects the real violence Crusading pilgrims visited on Jewish communities. Circling just below the panorama lies the open jaws of hell, ready to devour with eternal flame issuing forth. The descent from clear but restrained animosity toward Judaism to demonization and persecution of Synagoga in these depictions over the course of several centuries provide a theme of evolving attitudes Christian society maintained towards Medieval Jews and Judaism.

The feudal relationships that characterized hierarchical societies in the Middle Ages did not reflect Jewish legal standing. Most European legal regulations required, to varying degrees, a stratified social hierarchy. However, Jews maintained a direct relationship with papal and secular leadership. Often cited as the King's Jews, royal authority and protection extended to Jewish communities in the various lands under monarchical control. Attacks on Jewish communities then were often seen as an assault on the king and could be prosecuted as such. In times of violent pogroms kings could do very little to mitigate the attacks, though some tried. In England, this protection was withdrawn when Jews were no longer financially useful to the Crown. Some historians classify the relationship between Jews and the king as serfdom. Jews were chattel of the king.<sup>19</sup> An example of the legal authority and close relationship between the crown and Jews, depicted in a miniature codex from 1312, illustrates the German Emperor Henry II extending his authority through the written word onto an assembled Jewish community.<sup>20</sup> The legal position of Jews in any municipality depended on a multitude of factors and expulsions were a reality of the Middle Ages. One of the most famous is the expulsion of all the Jews in England in 1290 by King Edward I. The ecclesiastical hardening against the sin of usury, and the social conditions that bankrupted many English Jews under Henry III resulted in mass expul-

<sup>17</sup> This is a theme that will be explored in more detail later in this paper.

<sup>18</sup> "Ecclesia and Synagoga" in *The Jews in Christian Art*, 34.

<sup>19</sup> E.M. Rose, *The Murder of William of Norwich* (Oxford: Oxford University Press, 2015), 71.

<sup>20</sup> "The German Emperor and the Jews" in *The Jews in Christian Art*, 341.

sions throughout England and finally the entire country. Edward I outlined England's position against the Jews in his *Statute of the Jewry* in 1275 which did little to improve the position of Jews in England.<sup>21</sup> The edict of expulsion remained in place in England for the remainder of the Middle Ages. The expulsion from England resulted in mass expulsions all over Europe, which had a detrimental effect on the perceptions of Jews. The artwork from the High and Late Middle Ages resonates the suspicions and increased fear of Christian communities. It is also worth noting that expulsions increased the likelihood that artists and sculptors crafted depictions of Jews even when such artisans had never encountered them personally.

Many images in Christian artwork made use of crucifixion themes during the Middle Ages. In various manuscripts, the aforementioned Ecclesia and Synagoga were almost always pictured alongside Christ on the cross. Artists did this in part to represent the moment Christians believe that Jews lost favor and Christians became the chosen people of God. It is also worth noting that Synagoga was always on the left hand of Christ, indicative of the Medieval perception of salvation and damnation. The right side of Christ being salvation and the left being damnation. This likely stems from Roman suspicions regarding left-handed individuals. The Latin word for left is *Sinister* the modern English derivation of which is evident in the spelling. These Cruciform images also functioned as memory devices for Medieval Christians and the Crucifixion served to "domesticate and to familiarize the Bible, around an affecting polarity of violence and victimhood, persecution and mercy." In an age of illiteracy, where men and women relied on images and sermons to understand their spiritual and material worlds, the Crucifixion was a powerful medium that communicated everything contemporary culture thought about themselves and their perceived enemies.

The immense importance Medieval culture placed on the Crucifixion serves to introduce what some historians have called "the most 'Medieval' of allegations against Jewry" that of ritual child killing, or "blood-libel."<sup>22</sup> The origins of these accusations will illuminate the foundation of the artwork associated with contemporary communities and the perversion of passion panoramas. The earliest accusations of blood libel came from twelfth century English monastic sources. The village of Norwich is home to a child saint, later Saint William of Norwich, who was violently murdered and mutilated in 1144. Townspeople found his body on the road near the forest. Christians blamed his murder on Jews of the neighboring community which resulted in the widespread murder of many Jews in the area. The story of William is chronicled in a manuscript *The Life and Miracles of Saint William of Norwich* in 1173 by Thomas of Monmouth. This manuscript, likely written to increase pilgrimages to the new Cathedral in Norwich, exploded in popularity,

<sup>21</sup> Edward I, "Statute of Jewry," in *Reading the Middle Ages*, 414.

<sup>22</sup> Anthony Bale, *Feeling Persecuted: Christians, Jews and Images of Violence in the Middle Ages* (London: Reaktion Books, 2010), 50.

evidenced by the accusations of ritual murder that occurred shortly after publication on the European mainland. Some historians have argued that the popularity of the manuscript was isolated to Norwich for several decades before it reached continental Europe.<sup>23</sup> The popularity of this story in England resulted in specific counties expelling Jews from the land, leading up to the mass expulsion by the King of England in 1290. It is telling that the proliferation of accusations spread in the years leading up to the Third Crusade. The dissemination of artwork and ideas followed in the wake of pilgrims on route to the Holy Land. Blood libel was a pervasive accusation and one repeatedly denounced by papal authority. Originating as an isolated English cultural saint story, accusations of blood libel haunted Jewish communities for the remainder of the Middle Ages and into the early modern period. The popularity of these charges and its presence in the corruption of crucifixion artwork is indicative of popular anti-Semitic sentiment.

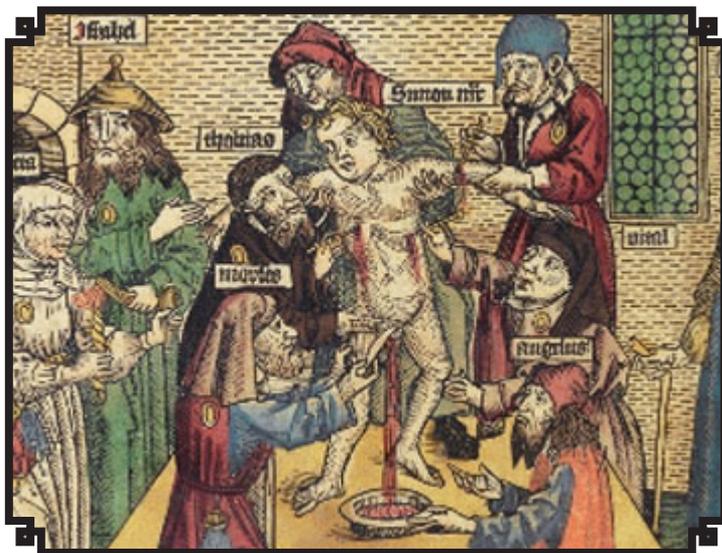


Figure 6: Michael Wohlgemut, *Blood Libel*, 1493, woodcut. *Chronicle of the World* by Hartmann Schedel, Nuremberg (Koberger), folio CCLIII verso. From Schreckenberg, *The Jews in Christian Art*, 278.

“Jewish” attributes enhanced the perversion of crucifixion scenes in medieval art. Ascribed to tormentors of Christ in various depictions, historians identified several visual features of decidedly grotesque Jewish faces that include “long or large, downward-curved, snout-like or beak-like noses... combined with brutish expressions and shaggy beards.” Images with these features were considered visual indicators of bestiality, brutality, irrationality,

<sup>23</sup> Rose, *The Murder of William of Norwich*, 151.

and especially evil and were “read” as Jewish.<sup>24</sup> Before this period, traditional passion scenes, despite accusations of Jewish deicide, never depicted the executioners of Christ as Hebrews, Israelites, or Jews nor were they assigned monstrous facial features. New passion scenes appeared everywhere in the art of the High and Late Middle Ages from the public stained glass windows to private manuscript illustrations. A typical example of one such passion scene comes from a famous woodcut and illustration depicting a ritual murder scene (see Figure 6).<sup>25</sup> A boy is ritualistically tortured and mutilated for his blood, believed to be a necessary component of Jewish ritual. Surrounding the table, and participating in the murder, Jewish men and women, identified with conical hats and Jewish badges, wear an expression of pleasure and delight in stark contrast to the fear expressed by the boy, his arms outstretched in imitation of Christ. The accusations of bloodletting are voracious in the artwork, and this scene is depicted in many formats, maintaining the same elements but sometimes including host desecration and Jewish names scribbled on the conical hats of the boy’s tormentors. These depictions contain a significant component for Late Medieval Christian demonization; Christians suspected Jews of sorcery and feared the use of Christian blood in ceremonies conducted with the Devil against Christians.

The specific association of Jews with demons and the Devil dates back to the inception of Christian texts. The New Testament accounts of Pontius Pilate’s attempts to free Jesus can be read to exonerate Pilate from culpability and the blame for the suffering and death of Jesus rests squarely on his fellow Jews.<sup>26</sup> Jesus thus had two principal enemies: the Devil, and the Jews. Art reflected this relationship that had been established quite early in Medieval Christian culture. The cultural environment of Europe after the massive failures of the Second Crusade in 1149 led to an increase in the rhetoric of associating Jews with biblical sins of usury. Returning Crusaders, unable to pay back large debts taken out from Jewish moneylenders to fund the endeavor to retake Jerusalem, were left with precious few options to alleviate their debts. On the eve of the Second Crusade, Peter the Venerable, Abbot of the extremely powerful Cluniac Monastery, sent letters to the King of France expressing his desire to use the wealth of the Jews to fund the Crusade. Historian Robert Chazan believes that Peter the Venerable’s view of non-violence towards Jews stems not from early Church fathers’ express concern about bearing witness but something much more anti-Semitic. Chazan states that the subservient, tenuous, and persecutory status Jews held in a Christian society to be “a fate worse than death, along the lines of Cain’s fratricide. The Jews must be preserved because the degradation of their fate is in itself a fitting punishment for the act of fratricide and deicide they

<sup>24</sup> Sara Lipton *Dark Mirror*, 107.

<sup>25</sup> “Woodcut in the passion story of J.M. Tibernius on Simon of Trent” in *The Jews in Christian Art*, 278.

<sup>26</sup> Joshua Trachtenberg, *The Devil and the Jews: The Medieval Conception of the Jew and Its Relation to Modern Anti-Semitism* (Philadelphia: The Jewish Publication Society, 1983), 20.

committed.”<sup>27</sup> The connection between the artwork and the dual enemies of Christ is evident in much of the surviving artwork of the High and Late Middle Ages and typifies the rhetoric evident in the writings of ecclesiastical leaders like Peter the Venerable. Much of this artwork contains messages uttering Christian fear and abhorrence of Jewish sorcery and demonic ritual.

The Albigensian Crusade of 1204 greatly affected perceptions of Jews, heretics, and the Devil in Medieval manuscripts. A popular example is the *Bible moralisées* created sometime in the twelfth-century for the Parisian royal family, *Bible moralisée* were illustrated bibles used to explain the stories of the Bible and expound the guiding moral and social principles of the European West to illiterate members of the French royal family or their compatriots. The Albigensian Crusade, leveled in the Occitan and Languedoc regions of southern France, was the only officially sanctioned Crusades against Western Europeans. The attack was against a group of heretics known as Cathars, whose particular set of beliefs survive only in the inquisitorial records. The artwork of *Bible moralisée* conflated Jews with heretics. The images express widely held sentiments of demonic anxiety. These Bibles are telling in that French royalty maintained a close connection with Jewish communities and yet these images frame Jews in a negative and demonic light. In a period, which saw prominent members of ecclesiastical society attempting to define a Catholic West, it was imperative to define what was *contra ecclesia*.



Figure 7: "Jews invite university students to turn to heresy and worship a cat." Commentary to III Kings 11:1-9, *Bible moralisée*, Paris, ca. 1220-25. Vienna ÖNB cod. 2554, fol. 50 vd. (Photo: Österreichische Nationalbibliothek, Vienna). Available from: <http://saralipon.com/chapter4.html> (accessed April 16, 2016).

Historian Sara Lipton calls the adoption of the cat in thirteenth-century Gothic manuscripts and moralizing bibles “innovative iconography.” The cat symbolized heresy and was likely adopted as a symbol because it was not commonplace in medieval bestiaries and to the heretical group of Cathars. The linking of Jews with heretics and demons is done visually in the *Bible*

<sup>27</sup> Chazan, *European Jewry and the First Crusade*, 187.

*moralisée*, and several features are worth examining in some detail. In one quadriptych, the four types of sins are detailed, two of which are instructive for this examination. The first image in the upper left corner features bearded Jews wearing *Jüdische Hüte* and examining a scroll that reads *Infidelitas Judeorum*. The language present on the scroll is appropriated by the institution of the crusades, marking Jews as infidels. The panel directly underneath features a kneeling man in robes in front of a cat positioned on an altar with a raised tail and the man kissing the cat's anus (see Figure 7). This symbolic gesture is a desecration of the altar space and represents oaths taken to the Devil. In a more striking example from the *Bible moralisée*, in two images a demonic figure is perched in front of a kneeling king and directly below Jewish figures entice a monk to turn from Jesus, pictured to the left of the monk with a grim look upon his face and pointing to what is presumably the Gospels. The three menacing Jewish figures are holding an outstretched cat in what Sara Lipton remarks is the only depiction of the feudal ceremony of *exfestucatio* the ritual breaking of homage symbolized by the casting of straw to the ground. The monk is further manipulated by the devilish serpent wrapping around his body and whispering in his ear. This feudal breaking of ties and the kissing of the cat's anus would create a new vassal-lord relationship between the Devil and the man. Lipton feels this image further links heresy and Jews by the latter supporting the cat, a symbol representing the Devil and an object of heretical veneration.<sup>28</sup> The artistic association with the Devil increased throughout Europe and the Jewish connection to Kings in Europe was nearly severed in the thirteenth century.

The High Middle Ages witnessed an increase in the variety of identifying features of Jewish clothing. The conical hat or *Judenhut* discussed earlier reflected the desire in artwork to mark Jews as different. The legal environment of Europe made these distinctions a reality, a piecemeal process that occurred at various times throughout Europe and the Middle East and suggestive that the legal requirements were not always strictly forced or followed by Jewish communities, necessitating religious and secular authorities to periodically reissue statutes concerning dress. Proclamations existed in many regions that attempted to regulate Jewish attire. The Fourth Lateran Council of 1215 unified and expanded the desire to differentiate explicitly between Jews and Christians. The texts state "we decree that such persons [Jews] of either sex, in every Christian province and at all times, are to be distinguished in public from other people by the character of their dress."<sup>29</sup> The declaration by secular and ecclesiastical ruling bodies, and presided over by the most influential pope of the Middle Ages Innocent III, meant that Christian society sustained a fear of Jews and felt it necessary to regulate Judeo-Christian interaction. The fear in the 1215 ruling was expressly anti-sexual in nature,

<sup>28</sup> Sara Lipton *Images of Intolerance: The Representation of Jews and Judaism in the Bible Moralisée* (Berkeley: University of California Press, 1999), 88, 91.

<sup>29</sup> Decrees of Lateran IV (1215), in *Reading the Middle Ages*, 367.

expressing the fear of inter-religious liaison. It is worth noting that this ecclesiastical ruling body did not posit its recommendations on how European Jews should differentiate themselves by the dress. It is a likely supposition then that the artistic conical hat and circular patch found on Jewish articles of clothing were sufficient in the minds of policy makers. The artwork of the Late Middle Ages expanded the legal process of identification to attaching the Devil and demons with Jews in a more direct manner, turning the artistic and cultural markers of Judaism into specific identifiers of the worst enemy of Christianity.



Figure 8: "Aaron the Devil's Son," anonymous court clerk, 1277 drawing in the *Essex Forest Roll*. London Public Record Office, from Schreckenberg, *The Jews in Christian Art*, 305.

In much of the artwork depicting Jews after the thirteenth century, a small circular patch attached to clothing served to identify the wearer as Jewish. This patch, painted yellow in many manuscripts, identified tormentors and crucifiers of Jesus in many depictions of Passion scenes. The falsification of the biblical account of the Passion was an integral aspect of interpreting Medieval conceptions of Jewish sin. The markers of Jewish identity were passed on to demons and devilish figures. In a thirteenth-century manuscript known as the Forest Roll of Essex, the earliest sketch of a contemporary Jew identifies the biblical figure of Aaron as "Aaron fil[ius] diaboli," Aaron, son of the Devil (see Figure 8). The drawing is a caricature of Jewish physiognomic features including curly hair and a hooked nose. The figure is wearing a Jewish badge in the form of tablets characteristic of English Jewish badges. The connection to Jewish identity and devilish figures, according to some historians is explained as altogether a sign of the Jew's allegiance to the Devil. A final example comes from Crete where Jews were obliged to proclaim this allegiance to the Devil in a "novel variation of the Jew badge—a wooden figure of the Devil affixed to their doors.<sup>30</sup> This example is likely a demonization of Jewish ritual, prevalent in the Middle Ages as seen with accusations of ritual murder. The commandment of hanging a mezuzah on the lintels in one's home could have been the inspiration of this requirement of Jews

<sup>30</sup> "Aaron fil diabolic," in *The Devil and the Jews*, 26-27.

living in Crete. This requirement illustrates the conception that demons and devilish figures were literally Jewish. In the figurative sense Jewish existence was tied to the demonic. The demonic view of Jews extends from notions of their close association with the sin of usury and other moral differences that Medieval Christian society sought to draw between itself and Jewish religious practice, a process that Christianity engaged in since the first centuries of the new millennium. One such distinction found in the Medieval artwork is the sexual demonization of Medieval Jewish women.

Several depictions of Synagoga, one of a paucity of Jewish females to appear in Western Christian artwork, have implicitly and explicitly sexualized the archetypal personification of Judaism. Precious few Jewish women appear in Christian artwork though many examples exist of women in the extant Ashkenazic artwork of the High Middle Ages.<sup>31</sup> Almost every illustration depicts Synagoga as a young and beautiful woman, in contrast to typical depictions of Jews in Medieval art which were almost exclusively unpleasant men. One image depicts Synagoga in an almost seductive manner. She is wearing a virtually transparent sheer dress, and her hair is loose and disheveled draping down around her shoulders.<sup>32</sup> Ecclesia, by contrast, is always depicted as a regal, fully clothed and covered with no hints at the sexual nature of her womanhood. Ecclesia is the liturgical embodiment of religious and spiritual-moral authority; she is pious and strong in the face of Jewish violence, and acidity to the Christian kingdom found in the myriad of depictions of Passion scenes. The Christian perspective on sex was that it was a necessity for reproduction purposes only. The ideal, of course, is that of Mary, procreation without sexual interaction. Judaism, however, viewed the commandment of being fruitful and multiply as the responsibility of what it meant to be a Jewish man. Christians viewed Jewish women as immoral and overly sexualized. Some have suggested that Synagoga was sexualized to highlight the connection of women and Judaism to the demonic, sinful, and fallen women found in the Bible like Delilah and Jezebel.<sup>33</sup> The demonization of Jews, however, was no more explicit in Medieval art than in it was in the *Judensau* motif that illustrates the artistic pinnacle of European anti-Semitism.

<sup>31</sup> For a myriad of examples of the diversity to be found in Ashkenazi artwork of the High Middle Ages see *Jewish life in the Middle Ages: Illuminated Hebrew Manuscripts of the Thirteenth to the Sixteenth Centuries* by Therese and Mendal Metzger (Alpine Fine Arts Collection, 1983). Jewish artwork from earlier than the twelfth century appears to have not survived. Cultural and historic factors resulted in a handful of extant documents from only a few regions of France and Spain from the last few centuries of the Middle Ages. The images found in the pages of this book shed light on a diverse and beautiful world of Jewish images that one simply does not find in Christian depictions of Jews, and especially of Jewish women.

<sup>32</sup> "Ecclesia and Synagoga [depicted on wooden sanctuary ceiling]," in *The Jews in Christian Art*, 53.

<sup>33</sup> Irven M. Resnick, *Marks of Distinction: Christian Perceptions of Jews in the High Middle Ages* (Washington D.C.: The Catholic University of America Press, 2012), 47.



Figure 9: *Frankfurt Judensau*, ca. 1470, woodcut. Nuremberg, Germanisches National Museum, Inv. No. HB 2463I/1269. From Schreckenberg, *The Jews in Christian Art*, 333.

The use of *Bible moralisée* to instruct Parisian royalty on the dangers of both Jews and heretics resulted in rather disturbing images and entirely new iconography. Sometimes called the *Frankfurt Judensau*, this scene encapsulates all of the anti-Semitic imagery from the inception of images depicting Jews in Christian art (see Figure 9). A typical scene is laid out with a large sow in the center of the picture. Christian artists identified men and one or more devilish figures surrounding a sow with the Jewish circular badge. Some of these men are being suckled by the sow, and others are riding her. The devilish figure is holding a kneeling man behind the sow; her tail lifted as fecal matter emanates from the sow into the mouth of the kneeling man. Above the scene, a boy is bound in a crucified manner. The crucified boy atop many of these scenes is an allusion to the ritual murder charges that were so epidemic in the Middle Ages. These rather disturbing images have their origins in the thirteenth century and escalate in their demonization in subsequent centuries and remained popular artistic themes well into the early modern period.

Christians circulated and displayed the *Judensau* in many different forms throughout the High and Late Middle Ages. Early examples are drawn in manuscripts while others were carved into wooden structures in Churches and Cathedrals. Later depictions, likely taken from manuscripts, and turned into woodcuts, were widely distributed in the early modern period. Construction of several of these scenes took place in public spheres. One early carving of this scene was constructed on the Capital frieze of the Ernestine Chapel around 1270. The scene is comparatively benign containing a single sow with two Jews, both identified by the conical “Jewish hat,” one standing underneath and one to the rear of the sow.<sup>34</sup> Demonic forms are absent, however.

<sup>34</sup> “Magdeburg Cathedral,” in *The Jews in Christian Art*, 332.

Around the year 1222 in Cologne Cathedral in Germany, an example of the *Judensau* is carved into the Choirstall relief. The carving depicts conical-hatted Jews holding and suckling from a sow while one carries away a child, possibly intoning the ritual child murders.<sup>35</sup> These images were carved into the capitals and choir reliefs in churches and cathedrals making them items constructed with public viewing in mind. These depictions would echo and enhance sermons given to Christians who frequented houses of worship as an integral element of Christian identity. In essence, these pieces of artwork were not simply drawn in a manuscript for learned men to ruminate; these images were carved into the very foundations of Christian society.

The purpose of art in the Middle Ages was based on the communal nature of an increasingly visual society. As such, the transformation of Jews from biblical entities into devilish persecutors of Christian society in the wake of the Crusades is an important aspect of Medieval culture. Depictions of Jews before 1095 were indistinguishable from other Christians in dress or any other discernable feature characteristic of Jews. The artwork of this period was less adversarial and tended to express the notion that Jews were obsolete and that Christians superseded them. Jews who appeared in artwork were biblical figures marked by scrolls indicating the ancient knowledge of the Old Testament. Christian attitudes of Jewish blindness manifested as a blindfold, covering the eyes of Judaism. The blindfold transformed into a serpent, connecting the source of Jewish blindness to the Devil. The perversion of the passion scenes in Medieval Christian artwork represented the perception that Jews were the enemies of Christianity, both liturgically and physically, persecuting both Christ and contemporary Christian children. Finally, Christians portrayed devilish figures as Jews in some of the most anti-Semitic artwork from the Middle Ages. The artistic legacy of caricature and demonization is an unfortunate inheritance of the Crusading period, contributing to the widespread pogroms between the eleventh and fourteenth centuries and shaping modern perceptions of early Christian representations of Jews. While scholars have accomplished much work in the field of Jewish history, the modern adversarial nature of Judeo-Christian and Judeo-Muslim cultures necessitates a deeper understanding of the origins of anti-Jewish imagery.

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<sup>35</sup> “Judensau Choirstall Relief,” in *The Jews in Christian Art*, 332.

# MONUMENTAL HERO

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## MARTIN LUTHER KING, JR. AND THE CONSTRUCTION OF MONOLITHIC COLLECTIVE MEMORY

By Trevor Neeley

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**ABSTRACT:** Various institutions constantly construct and re-construct collective memory, and the collective memory of the modern Black Freedom Struggle in the United States is no exception to this rule. The collective memory of that movement, for most, centers on a few key figures and events: Dr. Martin Luther King, Jr., Rosa Parks, Little Rock, Selma, and perhaps even Malcolm X. Trevor Neeley writes about the construction of this collective memory and how such construction, by boiling down the complex and nuanced nature of the long 1960s and the wider Civil Rights Movement into a few figures and events, can actually do harm to the legacy of those events and undermine the potential of continued activism.

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On Martin Luther King, Jr. Day, 2013, my grandfather sparked up a conversation in his dusty old small-town barbershop in the great central valley of California. In a room of six white men, he greeted the latest patron to arrive by asking him how the holiday had treated him thus far. The man responded with a sharp “I don’t know if you can really call this a holiday, but I’m doing alright.” My grandfather, a generally friendly, passive, and uneducated man, then surprised me by saying that he felt Dr. King “was a good man” who deserved the recognition. The barber then went on to explain that “the other guys, the dangerous ones like Malcolm X and Mario Savio” are the ones that we should avoid celebrating. His classification of these figures as criminals constantly “up to no good” astounded me both because what I have read about the period does not portray them as criminals, and because these men would be about the same age as my grandfather today. As a self-identified radical queer student activist of the twenty-first century, the microcosm of society that I had enveloped myself within allowed me to assume that folks like Malcolm X and Mario Savio at least claimed the respect of their peers at the time, even if they had been so severely misinterpreted in the reductive national collective memory. After I have spent so much time dreaming of what I would have done had I lived as a young person in the 1960s, I could not believe that my own grandfather believed so strongly in the false dialectic of a deviant, dangerous half of the Civil Rights Movement and the commonly celebrated “peaceful mainstream” of Martin Luther King, Jr. Hearing the perspective of my close relative in such clear contrast with what I had read in my classes caused me to want to dig deeper into the national memory of the Civil Rights Movement in the contemporary United States. Unsurprisingly, this hero/criminal dichotomy proved untenable considering the complex nuances of the multiple and stratified social movements that made up the wider Civil Rights movement.

Systemic racism rooted in fearful mythology and inadequate public memory has caused the social construction of a reductive collective memory of the Civil Rights Movement in the United States. This reductive narrative has contributed to widespread misunderstanding of the complexity of the Civil Rights Movement more generally, allowing for the simple commemoration of Martin Luther King, Jr. to serve as the singular prosthetic for remembering the period of activism often called the long 1960s.<sup>1</sup> Politicians, urban planners, architects, and public historians have constructed a collective memory of the Civil Rights Movement that centers far too closely on the single figure of Martin Luther King, Jr., largely eliminating from public memory the historical narrative put forth by academic historians. Such a reductive narrative not only functions as a barrier to historical fluency among the masses but also reinforces the common misconception that the “Civil Rights Movement,” as it is commonly understood, marks the end of systemic racism in the United States. Understanding the period as a complex set of multiple interconnected movements for civil rights broadens the cultural appreciation for the achievements made by activists and helps lay the groundwork for future progressive activism in the United States, especially during a period of political polarization like that of the 2010s.

Sociologist Paul Connerton has written extensively on the cultural value of forgetting to construct a more unified collective memory. In his seminal work, *How Societies Remember*, Connerton argues that societies “can preserve the past deliberately without explicitly re-presenting it in words and images.”<sup>2</sup> From the rest of the excerpt one can gather that Connerton calls for a more valuable formulation of collective memory than attempting to depict the reality of the past. In forgetting the exact details of the past, public historians can construct a collective memory that societies can apply to a myriad of contemporary social and political issues. The refusal to let go of anything Martin Luther King, Jr. did during his career of evangelical activism has contributed to the cultural de-valuation of the rest of the Civil Rights Movement in the United States.

In the case of remembering the Civil Rights Movement in the United States, public historians, architects, bureaucrats, and community organizers have clung to what Connerton calls an “inscribing process” of remembering Martin Luther King, Jr. (MLK). This process of constructing social memory of a person depends upon the belief in the informative and transformative power of the subject even after their death. However, the constant need to re-present his words and the man himself works to upset interest groups,

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<sup>1</sup> Since the cultural turn of the late twentieth century, social and cultural historians have utilized the term “the long 1960s” to refer to a period of remarkably dynamic and wide-reaching social change during the middle of the twentieth century. While some historians argue that the social activism of the 1960s must also include the latter years of the 1950s and the first few years of the 1970s, others, like Barbara Ransby, argue that phenomena such as the Black Freedom Struggle can be traced to as early as the 1930s.

<sup>2</sup> Jeffrey K. Olick, *States of Memory: Continuities, Conflicts, and Transformations in National Retrospection* (Durham: Duke University Press, 2003), 338.

scholars, and even the family of MLK. Too many discourses on other people, events, actions, laws, and social norms remain unmentioned when the conversation begins with how to memorialize Dr. King rather than how to highlight the legacy of the long struggle between social justice activism and systemic racism. In *How Societies Remember*, Connerton focuses on the role of bodily posturing in delineating the mnemonic value of any single cultural icon. The positioning of Dr. Martin Luther King, Jr. as the lone-standing, morally upright figure of the Civil Rights Movement in America has destroyed the national capacity for remembering the complexities of a generation of activism in the long 1960s.<sup>3</sup>

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Geographer and Civil Rights Memory scholar Owen J. Dwyer succinctly outlines the reductive nature of Civil Rights monuments in his essay, "Interpreting the Civil Rights Movement: Contradiction, Confirmation, and the Cultural Landscape."<sup>4</sup> In this detail-orientated account of monuments across the United States, Dwyer develops a nuanced understanding of the explicitly anti-racist memorialization of Civil Rights activism. His work credits community planners, architects, and cartographers in places like Birmingham, Selma, and Little Rock in the fostering of generative conversations regarding activist commemoration, yet remains constantly critical of narrative trends. In general, monuments to the Civil Rights Movement in the U.S. reduce the complex period of social activism to grand historical narratives that the majority of Americans can feel comfortable with. These narratives purposefully avoid complicated conceptions of racial politics in order to avoid contemporary issues of inequality. In praising charismatic leaders and focusing on dramatic events, typical grand narratives of the movement characterize the long 1960s with a "triumph of toleration" that people in the seemingly post-racial society of the twenty-first century can feel okay about.<sup>5</sup> Simplistic narratives of the period rely upon a story of dangerous liberal outsiders that serve to "sanctify" the "mainstream, peaceful heroes" like Martin Luther King, Jr.<sup>6</sup> In canonizing a few Civil Rights martyrs and constantly privileging male leaders, reductive narratives also produce the side effect of invisibilizing hard-fought community organizing carried out by women (and gay men, such as Bayard Rustin) within groups like the Student Non-Violent Coordinating Committee (SNCC) and the National Association for the Advancement of Colored People (NAACP). Such a simplistic national memory not only disrespects the hard-working people of the Civil Rights Movement by leaving them out of the conversation, but it also contains the dangerous consequence of limiting successful strategies of community organizing and social justice activism in the future.

<sup>3</sup> Olick, *Status of Memory*, 338.

<sup>4</sup> Renee C. Romano and Leigh Raiford, *The Civil Rights Movement in American Memory* (Athens: The University of Georgia Press, 2006), 5.

<sup>5</sup> Romano, *The Civil Rights Movement in American Memory*, 7.

<sup>6</sup> Romano, *The Civil Rights Movement in American Memory*, 21, 35.

Looking at specific examples like Birmingham Alabama's Kelly Ingram Park, infamous for the police dogs and fire hoses of 1963, Dwyer begins his extensive case study of Civil Rights memorialization in the U.S. toward the end of the twentieth century. The author confronts the 1992 re-design of the park directly, placing the supposed transformation of the space into "A Place of Revolution and Reconciliation" within a historical trend of totalizing narrative and hyperbolic memory manipulation.<sup>7</sup> With "foreboding, dark sculptures" of police, provocative imagery of children behind bars, and oversized bronze police dogs, the city planners designed a park that immortalizes the fantastic brutality of a single 1963 protest, drawing attention away from the subtle systemic racism of the 1990s.<sup>8</sup> The explicit anti-racist imagery of this memorial, while potentially transformative and more representative than the bulk of the author's studied sites of memory, marks one of very few public displays of anti-racist memorialization. Furthermore, the positioning of these valuable sites of memory construction in largely Black communities serves the interests of white city planners attempting to maintain the apparent pleasant pacifism of the suburbs.

Negligence toward the stories of women activists in the Civil Rights Movement marks one of the greatest failures in national memory construction on the period. Like other American memorials, "the 'Great Man' paradigm of history dominates the re-telling of the Civil Rights Movement."<sup>9</sup> The focus on larger-than-life leaders, rather than on participants and community organizers, tends to valorize the stories of men over those of women and privilege national rather than local achievements. The grand narratives of the Civil Rights Movement, as depicted by most Civil Rights memorialization, obscures the role of hard-working women like Ella Baker (SNCC), Septima Clark (Freedom Schools), and JoAnn Robinson, the Montgomery organizer who invited Martin Luther King, Jr. to help lead the famous bus boycott of 1955-56.<sup>10</sup> Despite an obvious upsurge in personal comparisons to Rosa Parks in public media and institutional discourse, women's stories often fall victim to a distinctly-gendered valuation of feminized personality traits, rather than a full appreciation of the disproportionate amount of groundwork and organizing that they accomplished during the movement.<sup>11</sup>

The dominant scholastic narrative on the Civil Rights Movement has maintained the primacy of male leaders, peaceful protest, and a patient fight for fairly basic, inalienable civil rights, most often centered on electoral politics. For example, historians, journalists, and anthropologists alike have tended to describe events like the 1946 Atlanta voter registration drive in terms of the electoral outcome. In this case, the history books have focused on the men elected rather than describing the women-led community orga-

<sup>7</sup> Romano, *The Civil Rights Movement in American Memory*, 8.

<sup>8</sup> Romano, *The Civil Rights Movement in American Memory*, 9.

<sup>9</sup> Romano, *The Civil Rights Movement in American Memory*, 9.

<sup>10</sup> Romano, *The Civil Rights Movement in American Memory*, 11.

<sup>11</sup> Romano, *The Civil Rights Movement in American Memory*, 365.

nization necessary to achieve Black representation.<sup>12</sup> Especially with regard to the memory of gender relations in the Civil Rights Movement, the easily consumable narrative of peaceful “living heroes, bygone villains, canonized martyrs, and steadfast success” depends upon the erasure of complex stories of grassroots community organization.<sup>13</sup>

Retrospect has affected the stories and memories of the participants themselves, too. As historian Steve Estes confirms in “Engendering Movement Memories,” white women involved with groups like SNCC have largely retracted their complaints about sexist practices within the organization, so as to maintain an idealized national memory of the movement as a whole.<sup>14</sup> Such a false egalitarianism discredits the testimonies of Civil Rights activists during the period itself and even the overarching goals of the Women’s Liberation Movement of the late 1960s and early 1970s. Here, the memory of a foundational piece of Black feminism relies upon the gendered representation of relations between the sexes during the Civil Rights Movement. Similarly, oral history accounts of Black male participants in SNCC show disproportionate attention to the construction of a distinct Black masculinity, largely born out of the later memory of the Black Power Movement and carried out in the popular “Million Man March” events of the 1990s.<sup>15</sup> The dynamic nature of Civil Rights memory has direct implications for the intersectionality of sex, gender, and race in the contemporary United States. As gendered perceptions of what it means to be Black in America transform the role of social-justice activists, social memory calls upon historians to engage the past in the conversations of the present.

The Dr. Martin Luther King Jr. Memorial Foundation celebrated the grand unveiling of the newest monument on the national mall in Washington D.C. on August 28, 2011. The monument stands as the clearest symbol for the monolithic nature of memory-making processes on the United States Civil Rights Movement of the 1960s. While partner groups like the National Park Service claim that the monument exemplifies the spirit of countless individuals who fought for justice and equality in the complex historical process now known as the Civil Rights Movement, the reality remains that the memory of Martin Luther King, Jr. has subsumed the vast majority of valuable history on the Black Freedom Struggle. The characterization of Dr. King as the leader of the Civil Rights Movement, most apparent in the basic commemoration of such a monument, destroys any sense of collective memory of a more complex national movement that required great poise, intelligence, and compromise from numerous individuals and groups in order to make gradual, non-linear progressive change a reality.

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<sup>12</sup> Romano, *The Civil Rights Movement in American Memory*, 251.

<sup>13</sup> Romano, *The Civil Rights Movement in American Memory*, 135.

<sup>14</sup> Romano, *The Civil Rights Movement in American Memory*, 291.

<sup>15</sup> Romano, *The Civil Rights Movement in American Memory*, 304.



“Revolution” on the National Mall: The Latest Monument Unveiled.  
National Park Service, U.S. Dept. of the Interior, [www.nps.gov](http://www.nps.gov)

The latest monument on the Mall is a landmark achievement for many reasons, none of which include providing an adequate method of commemoration of the Civil Rights Movement in the United States. The construction of the Martin Luther King, Jr. Memorial marks the first on the Mall to commemorate an individual Person of Color.<sup>16</sup> It also honors the first non-president on such a visible national stage. The proportions of the monument should not go understated. The thirty-foot granite body carved into “the Stone of Hope” stands at the center of a four-acre plot along the edge of the tidal basin, adjacent to the memorial to Franklin D. Roosevelt and just across from the memorial to Thomas Jefferson. Furthermore, the \$120 million MLK monument, like that of Jefferson, sits along an axis lined up directly with the Lincoln Memorial. The location alone sets King apart not only from any potential Person of Color that architects might someday add to the Washington Mall, but the gargantuan proportions are likely to be unmatched by memorials of past and future, even those of the founding fathers. Notably, while Jefferson and Lincoln stand at about nineteen feet tall, King’s thirty-foot tall sculpture requires fifty foot piles driven into the ground

<sup>16</sup> “Martin Luther King, Jr. Memorial,” <https://www.nps.gov/mlkm>.

for support.<sup>17</sup> The vast structure, very much on its own within the landscape of the Mall, serves to both isolate the Civil Rights Movement within the larger historical narrative of U.S. History and to solidify the man himself above all others in the fight for social justice.

Even the depiction of Martin Luther King subsumes the messages of peace, equality, and community exemplified by the Civil Rights Movement. Rather than depicting Dr. King as a benevolent minister, the monument projects an image of a stern, monolith, and almost oppressive figure. As reported by *New York Times* columnist Edward Rothstein, the physical isolation of the piece, along with its “enormity” and Dr. King’s “posture” work together to force onlookers to see this charismatic and faithful orator as a sort of “authoritarian” ruler.<sup>18</sup> The statue commands the attention of all who pass by, just as the memory of Martin Luther King, Jr. has effectively commanded the discourse around the Civil Rights Movement more generally. Just as the architect lost sight of the monument’s theme of “out of the mountain of despair a stone of hope,” so too has the public collective memory lost the ability to imagine the Civil Rights Movement without the dictatorial pillar of Martin Luther King, Jr.

The controversy that the monument has elicited only serves to further prove the unified sentiments rooted in a simplistic collective memory that mandate the overt reification of the individual cultural icon of Martin Luther King, Jr. While the monument has stirred up quite a bit of controversy, the majority of the dispute has mostly arisen in the form of people calling for an even greater representation of the man himself. In an effort to include the reverend’s own eulogy-type language from a speech in Atlanta just months before his assassination, the architects paraphrased his words, inscribing “I was a drum major for justice, peace, and righteousness” on one side of the granite rock known as the “stone of hope.” The inscription remains the ultimate manifestation of the architect’s attempt to reify the single figure of Dr. King. In this case, the planners took the glorification of the Dr. King so far that they angered not only a myriad of public historians, art critics, and journalists, but even the descendants of the reverend Dr. King.<sup>19</sup>

The rapid development of the Martin Luther King, Jr. Memorial on the National Mall highlights a cultural desire by elected officials and public historians to create a unified collective memory of the Civil Rights Movement. The bi-partisan support for the Martin Luther King, Jr. foundation indicates a political interest in erecting such a massive memorial on the National Mall. Notably, the foundation began fundraising for their project in 1998, had settled on a design by the year 2000, broke ground on the memorial in 2006, and opened the memorial to the public in 2011. The relative quickness of

<sup>17</sup> Edward Rothstein, “A Mirror of Greatness, Blurred,” *New York Times*, August 25, 2011.

<sup>18</sup> Rothstein, “A Mirror of Greatness, Blurred.”

<sup>19</sup> Gene Weingarten and Michael E. Ruane, “Maya Angelou says King Memorial Inscription Makes Him Look Arrogant,” *Washington Post*, August 30, 2011.

this construction, especially when contrasted with other monuments on the National Mall, highlights the clear ability of politicians and architects to agree on the most important figure to the United States Civil Rights Movement as they saw it: Dr. Martin Luther King, Jr.<sup>20</sup> The monolithic depiction, from the granite statue to the overwhelming wall of MLK quotes, indicates the desire of the vast majority of those in power to inscribe their image of the peaceful reverend into the national consciousness as the primary image of the Civil Rights Movement. In general, politicians can feel comfortable with the monument to Martin Luther King, Jr. on the National Mall. All those interested in constructing a non-polarizing memorial no doubt celebrated on August 28, 2011, with the unveiling of a new national hero for the present and the future. Meanwhile, cultural historians have alternatively proven that the Black Freedom Struggle should instead be characterized as a long, complex, and violently controversial history of racial politics in the U.S., a movement that could not possibly be led by a single person.

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The sheer quantity of memory sites featuring the Reverend Dr. Martin Luther King, Jr. in contrast to Malcolm X and other important individuals and groups of the Civil Rights Movement highlights the disparity in historical collective memory on the part of the American public. Especially since the 1980s, city planners and other municipal officials have plastered Martin Luther King, Jr.'s name onto public schools, street signs, murals, monuments, and museums in countless cities and towns. Even within the monolithic signification of the movement in one person the sites largely limit the legacy of Dr. King to his one speech, most often quoting his "I Have a Dream" speech or making schools that "will keep the dream alive." The reductive tendency to hold up the one most dramatic moment of the Civil Rights Movement in national memory tells a substantial story for the future of national memory. In focusing on a single speech and a single male leader, community planners and others who designate memorial sites have erased a vast history of social upheaval that makes the long 1960s a remarkable era.

City planners have made the name Martin Luther King, Jr. ubiquitous over the past three or four decades in an attempt to properly honor the contributions of a well-respected public figure and increase the apparent diversity of their communities. Dr. King does deserve some recognition and commemoration, his story remains impactful and inspiring to people of varying races and ages, even in the late twentieth and early twenty-first centuries. This remains clearly evident in that by 1996 public officials had named 483 streets after the great Civil Rights leader, and, as of February 2, 2011, city officials have named 730 streets and roads in the United States after Martin Luther King, Jr.<sup>21</sup> As more and more time passes since the 1960s, public display of

<sup>20</sup> Kirk Savage, *Monument Wars: Washington, D.C., the National Mall, and the Transformation of the Memorial Landscape* (Berkeley: University of California Press, 2009).

<sup>21</sup> Derek H. Alderman, "A Street Fit for a King: Naming Places and Commemoration in the American South." *Professional Geographer* (2000): 52, 672-684.

commemoration, such as the naming of streets, has served as a telling prosthetic for remembering the Civil Rights Movement at the local level.

The geographic positioning of streets named after Martin Luther King, Jr. can tell us quite a bit about contemporary racial politics in the United States. Two studies carried out by Derek Alderman and the New Georgia State Encyclopedia highlight the lingering racism in the self-interests of some white business owners who have fought against the naming and/or re-naming of major thoroughfares in their communities. While some business owners attribute the costs of formally changing ones address, others blatantly disagree with such public forms of commemoration because they refuse to accept the social perception of their business as part of a largely Black community.<sup>22</sup>

The conflation of MLK with the entirety of the Civil Rights Movement occurs most readily at the local level with the naming and re-naming of streets. As pointed out by Derek Alderman, scholars and journalists alike have taken the struggle to maintain geographic control of a neighborhood in the naming of a street after MLK as a proxy for understanding the achievements of Black people in the United States as a whole.<sup>23</sup> With an in-depth look at the intra-racial conflicts in renaming streets, Alderman highlights “the struggle to construct the scale of geographic commemoration” and by effect, the clear divisions between various forms of Black activism and the memory thereof.<sup>24</sup> Through a complex understanding of the intra-racial disagreements in places like Eatonton, Georgia, Alderman highlights the problematic arguments of past scholars, such as Joseph Rhea, who have used the naming of streets after MLK to unilaterally define the Black backlash against white-dominated social memory. More valuable than a valuation of Black memory creation through the lens of MLK-named streets, one can understand local disputes and the politics of memory by analyzing the construction of these streets within the larger framework of rejecting the primacy of the singular Civil Rights leader. Such a study, as carried out in Georgia by Derek Alderman, allows for a nuanced understanding of just a fraction of race relations, providing a place for discussing the legacy of Martin Luther King, Jr. within the context of a broader Civil Rights Movement that still demands national attention.

For contemporary societies, cultural products are available in huge quantities and their contents vary greatly. Hence, choosing a particular book, movie, or speech as indicative of a period and system of beliefs is often difficult to justify.<sup>25</sup>

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<sup>22</sup> Derek H. Alderman, “Street Names and the Scaling of Memory: The Politics of Commemorating Martin Luther King, Jr. within the African-American Community,” *AREA* 35, 2 (2003): 163-73.

<sup>23</sup> Alderman, “Street Names and the Scaling of Memory,” 163-73.

<sup>24</sup> Alderman, “Street Names and the Scaling of Memory,” 164.

<sup>25</sup> Amitai Etzioni and Jared Bloom, *We Are What We Celebrate: Understanding Holidays and Rituals* (New York: New York University Press, 2004), 8.

In 1986, by creating a federal holiday in the name of Dr. King, the federal government attempted to solidify in the collective memory one single national hero of seemingly mythic proportions for the commemoration of the Civil Rights Movement. While the nation honors the Reverend Dr. Martin Luther King, Jr. with a national holiday every year, the birthday of the more “controversial” Malcolm X only receives attention in a few more “radical” cities such as Berkeley and Detroit.<sup>26</sup> As outlined by the preeminent social scientist Emile Durkheim, shared values maintained by collective ritual - as practiced in national holidays -reaffirm the construction of social bonds and maintain the shared commitment to morality and social order in any modern society.<sup>27</sup> Understanding the shared commitment to inalienable Civil Rights, despite controversy surrounding the creation of the day, allows for a rich discourse on the intractable nature of political erasure. In effect, the supremacy of Martin Luther King, Jr. has contributed to the obfuscation of the Civil Rights Movement in national memory.

In “The Invention of Martin Luther King Jr.’s Birthday,” Matthew Dennis analyzes the controversial origins and dual purposes of the national holiday that serves Black Americans and the United States as a whole in very different ways. On the one hand, many scholars (including Dennis) seem to understand the holiday as “a monument to African American achievement and to the modern civil rights movement generally,” rather than as a day to commemorate the contributions of a single individual.<sup>28</sup> Opposing views have challenged the worthiness of MLK on different grounds, maintaining a subtle form of racism while undercutting the impressive accomplishments of the Reverend Dr. King.<sup>29</sup> While these groups reject the continued fight for racial equality at the turn of the twenty-first century, the former group tends to idealize the holiday as a sort of cultural festival that gives voice to all Black people in the United States. The reality remains, however, that the mixed reception to the congressionally sanctified holiday signifies a need to continue fighting for the visionary goals of the many players involved in the Civil Rights Movements of the long 1960s. Nobody can question the demand that millions of Americans have made for the institutionalization of Martin Luther King, Jr. Day in the United States.<sup>30</sup> However, looking at the myriad of ways that diverse states and even local communities have decided to honor the life of MLK, the public seems to understand the holiday in terms of the hard work of the many activists of the period, including but not limited to Dr. King. Thus, activists and proponents of social justice in the twenty-first century can use MLK Day as a mobilizing resource to demand greater social equality *and* a more complete public memory of the Civil Rights Movement

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<sup>26</sup> Thaa Walker, “Berkeley Honors Controversial Civil Rights Leader,” *San Jose Mercury News*, May 20, 2005.

<sup>27</sup> Etzioni and Bloom, *We Are What We Celebrate*, 8.

<sup>28</sup> Etzioni and Bloom, *We Are What We Celebrate*, 179.

<sup>29</sup> Etzioni and Bloom, *We Are What We Celebrate*, 182.

<sup>30</sup> Etzioni and Bloom, *We Are What We Celebrate*, 181.

for the future.

In *The Invention of Tradition*, E.J. Hobsbawm argues that “traditions derive their legitimacy and sanctity in part from their apparent timelessness.”<sup>31</sup> Unfortunately, in recent years the overt commodification of MLK Day in the United States has both trivialized the man and further destabilized the important history of the Civil Rights Movement. Advertisements for Apple computers and McDonald’s Happy Meals have used captions like “think differently” under famous pictures of the Reverend Dr. King to sell their products.<sup>32</sup> Similarly, conservative politicians such as Ronald Reagan have hollowed out King’s speeches for campaigning purposes and, ironically, even to speak against liberal proposals for legislation on affirmative action and public welfare.<sup>33</sup> Yet despite the commercialization and bastardization of MLK’s “dream,” polls indicate that by the 1990s the memory of the man far surpassed his popularity while living.<sup>34</sup> Thus, the foundations for timeless commemoration seem to remain clearly intact. The possibility for taking on the enormously popular memory of a public martyr and hero allows for a future in which activists and scholars can honor Dr. King by celebrating his accomplishments alongside the work of countless other figures at his side. In the twenty-first century, after all of the initial arguments over the validity of the holiday, vocal leaders in fights for social justice can use the acceptance of MLK to start conversations about equality more broadly. Rather than serving some segregated population of Black Americans and Americans more generally, the timeless memory of Dr. King can serve the dual purpose of honoring the past and re-configuring popular memory to demand a better future.

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The United States, as a nation, should not remember the Black Freedom Struggle as “the” Civil Rights Movement. Instead, the masses should be historically fluent enough to recall the activism of the 1960s and early 1970s as multiple ongoing movements for social justice. Only then will students of U.S. history be able to recall a more substantive memory that they can build a future on. The monolithic construction of the MLK Memorial on the National Mall represents the latest failure to understand the complex conflict between extreme racial inequality and the foundational concepts of democracy, liberty, and justice from the American Revolution. The timeless memory that the memorial represents, however, can help contribute to a national memory that forces a continuation of Civil Rights discourse, activism, goals, and achievements. The lack of representation on utilitarian memory sites such as street signs represents a generative process of memory formation that, up to the present, fails to fully illustrate itself. In the same vein, the celebration of a national holiday for Martin Luther King, Jr. every January alludes to a distinct progress in racial discourses that could potentially re-

<sup>31</sup> Etzioni and Bloom, *We Are What We Celebrate*, 179.

<sup>32</sup> Etzioni and Bloom, *We Are What We Celebrate*, 188.

<sup>33</sup> Etzioni and Bloom, *We Are What We Celebrate*, 186.

<sup>34</sup> Etzioni and Bloom, *We Are What We Celebrate*, 180.

sult in the future proliferation of more complete national memory. Through daily interrogation of the cultural signification of the past, combined with contemporary demands for social justice, scholars and activists of the twenty-first century can continue the legacy of Dr. King and the work of the many individuals on the ground in their communities. Only in constantly challenging the reification and normalization of any single perspective can social justice advocates maintain the potential for the real social progress of tomorrow.

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# CRUEL ARE THE PAINS I'VE SUFFERED

## AN EXPLORATION OF THE WOMEN TROUBADOURS OF FRANCE

By Kirsten Ismene Schilling

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ABSTRACT: Students of medieval history struggle to find women's voices, but a few marked examples exist. France's female troubadours provide one such example. The troubadours were poets, songwriters, and performers, usually male, who graced the high courts of France with their artistry, espousing courtly love—a medieval European conception of love emphasizing chivalry and nobility in the service of a lady. France's female troubadours provide an intriguing insight into the other side of courtly love.

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To be in love is to stretch toward heaven through a woman.<sup>1</sup>

Heaven knows! In all my love it was you, and you only I sought for. I looked for no dowry, no alliances of marriage. I was even insensible to my own pleasures; nor had I a will to gratify. All was absorbed in you. I call Abelard to witness. In the name of a wife there may be something more holy, more imposing; but the name of mistress was ever to me a more charming sound.<sup>2</sup>

The first troubadour was Guilhem IX, Count of Poitiers and Duke of Aquitaine (d. 1127) and it was his granddaughter, Eleanor of Aquitaine (1122-1204) who carried the sunniness and sophistication, the songs and the *courtioisie* [or courtly manners] of her native land first to the court of Louis VII of France and then to the court of Henry II of England. Her move northwards through Europe, with her retinue of courtiers and musicians and poets, spread the erotic and exotic mores of the southern French and taught the Anglo Normans the conventions of the poets.<sup>3</sup> The troubadour Raimbaut d'Orange beautifully sums up the essence, and the motivation, for playing by the twelfth and thirteenth century games and rules of courtly love with his beautiful, somber lyrics below. It is interesting to note that he mentions baseness as a contrast to *fin'amor*, the refined and high form of love (and the very point and end-goal in the entire game of courtly love) no less than four times!

Here blossoms the flower upside down  
Upon the rocks, among the mounds.  
Flower of snow, ice, and frost,  
That stings the flesh and hurts and cuts.  
Dying are songs and dying are those who whistle  
In the branches and among the stems.

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<sup>1</sup> Meg Bogin, *The Women Troubadours: An Introduction to the Women Poets of 12th century Provence and a Collection of their Poems* (New York: W.W. Norton & Co., 1976), 37.

<sup>2</sup> Marina Warner, *Alone of All Her Sex: The Myth and Cult of the Virgin Mary* (New York: Vintage Books, 1976), 134.

<sup>3</sup> Warner, *Alone of All Her Sex*, 138.

But me I hold toward delight  
 When I spy the withering of baseness.  
 For everything for me also turns upside down  
 And the plains appear to me as mounds,  
 The flower blossoms from the frost,  
 The warmth cuts through the flesh of cold,  
 The storm becomes a song and a whistle  
 And leaves cover stems.  
 So well does delight hold on to me  
 That no place anywhere seems like baseness.  
 May then my verse go upside down  
 Over and beyond the vales and mounds  
 To where they know not frost  
 And the cutting cold has lost its sting;  
 For my lady I sing and whistle  
 Clear. On his heart strikes the stem  
 If he knows to sing only of delight  
 And to banish all baseness from his song. Very sweet  
 Lady, delight  
 Holds us together in spite of baseness.<sup>4</sup>

The elevation of the lady in courtly love, as seen in Raimbaut d'Orange's poem, was a distinct reversal of the actual social status of women in the Middle Ages, and there has never been an agreement among scholars as to just how seriously the troubadours meant their conceits of woman-worship. For, throughout the Middle Ages, women were fundamentally the pawns of men. Depending on their class, they lived in varying degrees of comfort or misery. Only in the most exceptional cases did they have any say in their own destiny. Marriage was a creation of the aristocracy, an economic and political contract designed to solidify alliances and guarantee the holdings of the great land-owning families. The woman was a breeder of sons, and her success in this one function was the measure of her usefulness. She had no legal recourse, nor was she allowed to dangle husbandless for very long; remarriage to an appropriate suitor soon followed repudiation.

Therefore, perhaps the most fascinating aspect within the cult of courtly love is the presence of female troubadours. For their work reflects the voices, not of Dante's chaste Beatrice, or Arthur's perfect Guinevere, but of real flesh-and-blood medieval noblewomen who expressed their own minds, gave their hearts (and sometimes their bodies) to whoever they chose. "Some of the *trobairitz*, as they were called in Provençal, belong among the finest voices of the courtly lyric. They are also the first female witnesses we have – and perhaps the only ones whose testimony has survived – from a culture that has profoundly influenced our own and which has hitherto been represented only by its men... There are twenty known woman troubadours. Their very existence requires explanation. Women poets in the Middle Ages are practically unheard of, and to find twenty of them living in one small area and

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<sup>4</sup> Jean Markale, *Courtly Love: The Path of Sexual Initiation* (Rochester: Inner Traditions, 2000), 75-76.

within the brief span of a century is cause for some astonishment.”<sup>5</sup>

Eleanor of Aquitaine was instrumental in spreading the vogue of courtly love throughout Europe. But she was not alone. The popular twelfth century author Marie de France wielded her own influence through her stories or *lais*. She enjoyed considerable literary success in her own day and her works were translated into French, Latin, German, Old Norse, and English.<sup>6</sup> Surely, the romantic, exotic *lais*, or narrative poems, of Marie de France, as did the romantic, exotic life of Eleanor of Aquitaine, helped to inspire several generations of female troubadours to take up their pens. “Where some of the male troubadours might depict women as august and unobtainable figures, Marie de France, like the *trobairitz*, explores the emotional tenderness and susceptibility of women under the stresses of love. The voices of her female protagonists, though less polished, resemble those of the troubadour women.”<sup>7</sup> Consider Marie de France’s short story “Laüstic, or, The Nightingale.”

For a long time, they were in love, until summer came, when woods and fields grow green again and orchards bloom. Small birds sing sweetly from flowering tree tops. It’s not surprising that whoever longs for love can think of this and nothing else. I will speak to you candidly about this knight; he yielded entirely to his feelings, and the lady did, too, both on words and looks. At night, when the moon shone and her husband lay sleeping, she would often steal from his side; with her cloak wrapped about her she would go to the window, for she knew her friend would be at his.”<sup>8</sup>

“Laüstic” demonstrates the fleeting nature of fidelity, and the realities of adult sexuality. Love’s simplicity and power are allowed to guide Marie’s female characters who follow their hearts and bodies unhesitatingly. Individuals and relationships are what counts, not conventional behavior.<sup>9</sup>

As we shall see, the subject matter of the female troubadours is similar in tone and theme to Marie de France, and quite different to that of the male troubadours. “Although they wrote about love, the women’s language and the situations they describe are different from those of their male counterparts.”<sup>10</sup> In contrast to the lyric by male troubadour, Raimbaut d’Orange, the poem by *trobairitz* Beatriz de Dia, below, is not idealized or abstract. Instead, the sentiment of “Cruel Are the Pains I’ve Suffered” is direct, sensuous, emotional, and personal.

Cruel are the pains I’ve suffered  
 For a certain cavalier  
 Whom I have had. I declare  
 I love him -- let it be known forever.  
 But now I see that I was deceived:  
 When I’m dressed or when I languish

<sup>5</sup> Bogin, *The Women Troubadours*, 10-13.

<sup>6</sup> Marcelle Thiebault, *The Writings of Medieval Women: An Anthology* (New York: Garland Publishing, Inc., 1994), 278-279.

<sup>7</sup> Thiebault, *The Writings of Medieval Women*, 278.

<sup>8</sup> Thiebault, *The Writings of Medieval Women*, 285.

<sup>9</sup> Thiebault, *The Writings of Medieval Women*, 278-83.

<sup>10</sup> Bogin, *The Women Troubadours*, 13.

In bed, I suffer a great anguish --  
I should have given him my love.

One night I'd like to take my swain  
To bed and hug him, wearing no clothes --  
I'd give him reason to suppose  
He was in heaven, if I deigned  
To be his pillow! For I've been more  
In love with him than Floris was  
With Blanche fleur: my mind, my eyes  
I give to him; my life, mon cor.

When will I have you in my power,  
Dearest friend, charming and good?  
Lying with you one night I would  
Kiss you so you could feel my ardor.  
I want to have you in my husband's  
Place, of that you can rest assured--  
Provided you give your solemn word  
That you'll obey my every command.<sup>11</sup>

I was struck by Raimbaut d'Orange's use of a natural landscape, i.e. the weather, the temperature, the hills and vales as a metaphor for his emotions, while in contrast, Beatritz de Dia plunges the reader into the most intimate, internal landscapes of her life; we find ourselves in her mind, in her heart, and in her bed chamber. The Comtesse de Dia philosophized once, regarding her honest and potent emotional expression, that "a woman who desires to have a good reputation should give her love to *un preux et valliant chevalier* [a brave and valiant knight] and she should not conceal it, for honest passion only inspires sympathy in noble hearts."<sup>12</sup> Interestingly, Raimbaut d'Orange was the famous lover of the Comtesse Beatritz de Dia. They were, most likely, writing to and about each other in the examples I have provided.

The troubadours and *trobairitz* worked together; they wrote for and about each other, and also inspired each other, not only romantically but stylistically and creatively. They designed and played love games and created different poetic variations and nuances within the cult of courtly love. The *tenso*, a basic and popular form of poetry in courtly love, was written in a question and answer style and maintained a structure that was perfect for tantalizing, witty, and romantic conversations between a man and a woman. Some of them concealed hidden meanings. (We shall see several examples of the *tenso* later in this paper.) There were the poetry and songs concerning the *l'amor lointain* or the faraway/absent lover, so often missed and pined-for, and the *chansons de mal mariée* (poems and songs which compared one's husband to one's lover, in an unfavorable light.) The *alba*, or dawn song, was concerned with overnight visits and intrigue for the purpose of sexual consummation

<sup>11</sup> Robert Kehew, *Lark in the Morning: The Verses of the Troubadours* (Chicago: University of Chicago Press, 2005), 171.

<sup>12</sup> Warner, *Alone of All Her Sex*, 138.

with the beloved.<sup>13</sup>

But the beloved was by no means the only theme to be found within the poetry of the *trobaritzes*. The lyrics of the female troubadours intermingled a wide range of topics with that of romantic love; they discussed other aspects of their everyday lives, too; talk of politics, nature, religion, the benefits of unmarried life and chaste marriages, humor, sex, pride, sisterhood, the creative pleasures of writing, friendship, and the popular romantic fiction of the day – all can be found within their lyrics. “The *trobaritzes*’ language is direct, unambiguous and personal. Even where the technique is of the highest order, as in the poems of the Countess of Dia, the most striking aspect of the women’s verse is its revelation of experience and emotion. Unlike the men, the women wrote about their own intimate feelings.”<sup>14</sup> For instance, Iselda writes to her female friends, Alais and Carena, as she considers her future:

Lady Carena, having a husband would agree with me, but I think having babies is a great penance. Your breasts hang right down to the ground and your belly is burdensome and annoying.<sup>15</sup>

And in the thirteenth century Occitan romance *Flamenca* we see two women discussing love, and their craft of writing, together in the same breath. One can almost imagine them combing and braiding their hair as they giggle, swoon, and compose their poetry together:

Alas! –  
Why do you sigh? –  
I’m dying –  
Of *what?* Of *what?* –  
By God, my lady, that’s good isn’t it?

This intriguing repartee suggests that women consciously absorbed and transformed male texts for their own use, and that there was an element of play, community, and competition in the endeavor. *Flamenca* shows women composing for each other’s entertainment and approval, even though they may also have been writing for male friends and lovers.<sup>16</sup>

And in this romantic *tenso*, a form of troubadour poetry written by two people within an answer-and-respond structure, Garsenda de Forcalquier and her unknown lover remind us of the implications of desire, risk and reputation within their forbidden love. Garsenda was, as far as we know, the most powerful and prestigious of all the female troubadours. She belonged to one of the leading families of Provence. Her husband was Alphonse II, lord of Provence and brother of the King of Aragon. After his death she ruled Provence.<sup>17</sup>

<sup>13</sup> Kehew, *Lark in the Morning*, 6-8.

<sup>14</sup> Bogin, *The Women Troubadours*, 67-68.

<sup>15</sup> Thiebault, *The Writings of Medieval Women*, 260.

<sup>16</sup> Thiebault, *The Writings of Medieval Women*, 244.

<sup>17</sup> Bogin, *The Women Troubadours*, 109.

You're so well-suited as a lover,  
 I wish you wouldn't be so hesitant;  
 But I'm glad my love makes you the penitent,  
 Otherwise I'd be the one to suffer.  
 Still, in the long run it's you who stands to lose  
 If you're not brave enough to state your case,  
 And you'll do both of us great harm if you refuse.  
*For a lady doesn't dare uncover*  
 Her true will, lest those around her think her base.

Good lady, it's your rank that makes me shudder,  
 Your high birth that thwarts my good intent –  
 Because of that alone I'm reticent.  
 You know I'd rather serve you as a brother  
 Than do anything that would abuse you  
 (You see, I do know how to state my case.)  
 If only deeds were messengers to you,  
 And you accepted them in wooing's place:  
 For noble deeds, much as words, deserve your grace.<sup>18</sup>

The *tenso* below, “When a Lady Loves,” depicts Maria de Ventadorn coaxing her friend Gui d’Ussel, an apparently heart-sick troubadour, to ‘get back in the saddle’ and start writing songs again. Their dialogue, so full of friendship and personality, is a meditation on the nature of power and gender roles in the romantic love between twelfth century men and women.

Gui d’Ussel, I’ve been distraught  
 Since you gave up singing. In  
 Hopes that you’ll make a new beginning  
 At this, and since you know about  
 Such things, I ask you: when a lady freely  
 Falls in love with a gentleman, should she  
 Do as much for him as he does for her,  
 According to the tenants of amor?

Lady Maria, I thought I’d given  
 Up debates and all those other  
 Forms of songs, but when you order  
 It, how can I refuse your bidding?  
 Here is my opinion since you ask me:  
 A lady ought to treat her love exactly  
 As he treats her, with no regard to station -  
 In friendship rank is no consideration.

Gui, the lover should request  
 All that he desires, humbly;  
 And the lady should comply  
 Within the bounds of common sense;  
 And the lover should obey her commands,  
 Treating her as a lady and a friend  
 Equally; she, however, should regard  
 Him as a friend but never as her lord.

<sup>18</sup> Bogin, *The Women Troubadours*, 109.

Lady, here the people say  
 That when a lady wants to love,  
 She owes the man an equal share of  
 Honor, since they are equally  
 Smitten; and if it happens that she loves  
 To excess, then her words and deeds should prove  
 It; but if her heart is treacherous or fickle,  
 With a smooth face she should disassemble.

Gui d'Ussel, when they begin,  
 Lovers do not behave like that;  
 They join their hands together and get  
 Down on their knees to try and win  
 A lady's favor: they say, "Grant that I  
 May be your man and freely serve you, lady"  
 And she accepts; to say she should receive him  
 As a servant and an equal's treason!

It's truly a disgrace to argue  
 That a lady's greater than  
 The man who loves her, lady, when  
 She has fashioned one heart from two.  
 You must either say that the man exceeds  
 The lady in love (scant praise), or else concede  
 That with respect to honor they're the same:  
 The lover only owes what bears love's name.<sup>19</sup>

And in this very different mid-thirteenth-century *tenso* between Guillelma de Rosers and Lanfrancs Cigala, I discovered no tenderness, nor intrigue, but rather chastisement, tension, and conflict between two former lovers. Here we see the embittered dregs of *fin'amor* at the bottom of Guillelma and Lanfranc's metaphorical cups. I've included part of the poem, below. Lanfranc had just asked Guillelma if performing an unexpected but necessary and noble deed for someone in need was a suitable excuse to be late to a romantic assignment with his lady. Or should the knight have surpassed the noble deed, and abandoned those in need, and instead go straight to his lady, who was waiting for him? Lanfranc's opinion being that the former is correct, Guillelma's being that the latter is correct. The poem is of interest not only in its discussion of chivalry and the rules of courtly love, but also in its very personal exchange between these two people.

Lanfranc, you've never tried to justify  
 Such absurd behavior as this man's,  
 For you know well he acted badly;  
 If he was so moved as you say by chivalry,  
 Why didn't he first serve his lady?  
 Both she and they'd have thanked him equally,  
 And there's no lack of opportunity  
 To serve, in places where there's much less risk.

Forgive me, lady, for speaking foolishly.  
 Now I see that my suspicions all along were true,

<sup>19</sup> Kehew, *Lark in the Morning*, 176-179.

That you can't be content unless  
 All lovers' pilgrimages lead to you;  
 But if you want to teach a horse to joust,  
 You have to guide it with intelligence and care,  
 And since you urge them on so hard, the lovers  
 Lose their strength and you end up enraged...

(Lanfranc continues, ruefully...)

Lady, I have strength and pertinacity  
 (not for you whom I can beat supine –  
 And what a fool I was for loving you that time...)<sup>20</sup>

We see regret expressed more than once in *trobaritz* poetry, too, such as in this sad lyric by a troubadour known only as Castelloza.

Friend, if you had shown me consideration,  
 Meekness, candor, and humanity,  
 I'd have loved you without hesitation;  
 But you were mean and sly and villainous.  
 Still, I make this song to spread your praises  
 Wide, for I can't bear to let your name  
 Go on unsung and unrenowned,  
 No matter how much worse you treat me now.

I won't consider you a decent man  
 Nor love you fully nor with trust  
 Until I see if it would help me more  
 to make my heart turn mean or treacherous.  
 But I don't want to give you an excuse  
 For saying I was ever devious with you;  
 Something you could keep in store  
 In case I never did you wrong.

It greatly pleases me  
 When people say that it's unseemly  
 For a lady to approach a man she likes  
 And hold him deep in conversation;  
 But whoever says that isn't very bright,  
 And I want to prove before you let me die  
 That courting brings me great relief  
 When I court the man who's brought me grief.<sup>21</sup>

The *chanson* by Bieiris de Romans, written to a woman named Maria, is the only poem by a woman troubadour which is not concerned with heterosexual love. Some question whether it was really written by a woman. Others speculate that it was written by a woman to a woman, but merely in the spirit of friendship. Nothing certain has been determined thus far but, as Marcelle Thiebault pointed out, there is no reason not to believe it was written from one woman who loved another. If this was the case then it is probably unique in the literature of the Middle Ages.<sup>22</sup>

<sup>20</sup> Bogin, *The Women Troubadours*, 137.

<sup>21</sup> Bogin, *The Women Troubadours*, 119.

<sup>22</sup> Thiebault, *The Writings of Medieval Women*, 246.

Lady Maria, in you merit and distinction,  
Joy, intelligence and perfect beauty,  
Hospitality and honor and distinction,  
Your noble speech and pleasing company,  
Your sweet face and merry disposition,  
The sweet look and loving expression  
That exist in you without pretension  
Cause me to turn towards you with a pure heart.

Thus I pray you, if it please you that true love  
And celebration and sweet humility  
Should bring me such relief with you,  
If it please you, lovely woman, than give me  
That which most hope and joy promises  
For in you lie my desire and my heart  
And from you stems all my happiness,  
And because of you I'm often sighing.

Lovely woman, whom joy and noble speech uplift, and merit, to you my  
stanzas go,  
For in you are gaiety and happiness,  
And all good things one could ask of a woman.<sup>23</sup>

The women troubadours were doing something unique in medieval art. They were writing in true first person singular at a time when almost all artistic endeavor was collective. Although the male troubadours wrote in the voice of the knight, their singular was only nominal, in fact they were expressing a vast first person plural. The difference between the women and the men can partly be accounted for by the fact that the women, as far as is known, wrote for personal rather than professional reasons. This allowed them to break out, or ignore, the more ritualized aesthetic of the men and use their poems as a vehicle of self-expression. Their poems are less literary and less sophisticated than the men's but they have an immediacy and a charm that are particularly their own. Their voices are not idealized or abstract. They are direct, sensuous, emotional, and personal. And because their subject was themselves, the poems provide a valuable record of the feelings of historical women who lived and loved during the rise of *fin'amors*. They represent the first female voices we have from a culture that has hitherto been known only through its men.<sup>24</sup>

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<sup>23</sup> Bogin, *The Women Troubadours*, 133.

<sup>24</sup> Bogin, *The Women Troubadours*, 68-69.

# THE BATTLE AT HOME:

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## THE SPANISH INFLUENZA EPIDEMIC OF 1918-1920

By Kelley Vincent

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ABSTRACT: As World War I raged in Europe, a new menace appeared on American soil. The Spanish Influenza Epidemic originated in China, traveled to Kansas, and mutated on the battlefields of Europe, only to return to the United States with a vengeance. Using the current historiography, this paper profiles the steps taken by the American medical community towards their twin goals of containment and treatment, which ultimately could not find a cure for Spanish Influenza. It further argues that the lack of a revolutionary scientific discovery, in conjunction with the end of World War I, resulted in an era of forgetting, whereby national memory shifted its focus away from the losses of the influenza epidemic to the victories of the war.

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Brevig Mission, Alaska, an isolated settlement near Nome, had a population of eighty in November of 1918. By the end of the month, seventy-two residents succumbed to the deadliest strain of influenza in history, and the town's population plummeted to eight children and teenagers.<sup>1</sup> Epidemic influenza swept through the remote village in a span of five days, drastically altering the lives of those who lived to tell the tale. Flu, a virus that comes and goes every winter, is nothing out of the ordinary. However, a particular strain of the flu that occurred in 1918 forever transformed the world. Over the course of nine months, twenty-one million people died and one billion people were personally affected by the epidemic.<sup>2</sup> The Spanish Flu, as it became known, was a strain of the flu unlike any that the medical community had previously encountered. This particular strain demonstrated the full power of a flu virus through its abnormal mortality rates; the typical influenza virus is the deadliest in infants and the elderly, whereas this strain proved deadliest in young men under the age of thirty. As it spread from Kansas to the battlefields of Europe, the Spanish Flu Epidemic baffled doctors; many misdiagnosed the Spanish Flu as pneumonia due to its effects on the lungs. World War I placed heavy burdens on the medical profession; physicians and nurses could not keep up with the amount of patients coming into hospitals for care. Throughout 1918, the medical community frantically worked toward the twin goals of containment and treatment, but ultimately failed to find a cure for what was also known as the Plague of the Spanish Lady. The lack of a revolutionary scientific discovery, in conjunction with the end of World War I, resulted in an era of forgetting, whereby public and medical memory shifted its focus from the losses of the influenza epidemic

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<sup>1</sup> Andrew Carroll, "An Alaskan Village Holds the Key to Understanding the 1918 Spanish Flu," *American History* 48, no. 4 (October 2013): 29-30.

<sup>2</sup> Richard Collier, *The Plague of the Spanish Lady: The Influenza Pandemic of 1918-1919* (New York: Atheneum, 1974), 303.

to the victories of the war.

Since the 1970s, historiography concerning the Influenza Epidemic of 1918-1919 has progressed from a sociocultural focus to an emphasis on the scientific aspects of the flu virus and epidemic disease. Alfred W. Crosby, Jr., whose 1976 work, *Epidemic and Peace, 1918: America's Deadliest Influenza Epidemic*, is arguably the father of Spanish Flu historiography. He was the first historian to thoroughly examine the events surrounding the Spanish Flu, arguing that the influenza epidemic touched all aspects of society. Crosby presents his narrative primarily from the perspective of America's major metropolitan areas, including New York City, Philadelphia, and San Francisco.<sup>3</sup> The majority of historians and scientists, whose work also incorporate the Spanish Flu Epidemic, mention Crosby as a source, demonstrating his respectability in academia. Other more recent works reflect current historiographic trends. Nancy K. Bristow's 2012 book, *American Pandemic: The Lost Worlds of the 1918 Influenza Epidemic*, examines the Spanish Flu through the perspective of small towns. She also provides a broader historical discussion of the flu and race, class, and gender. Scientists utilize history in their works as background information for their research projects. *New York Times* science journalist Gina Kolata profiles the work of scientists on the hunt for the Spanish Flu virus in her 1999 work, *Flu: The Story of the Great Influenza Pandemic of 1918 and the Search for the Virus that Caused It*. She examines the science behind the flu, culminating in the exhuming of graves in Norway to search for frozen human tissue containing the flu virus, and weaves historical narrative throughout as context. Several articles depicting the Spanish Flu gained publication recent years, including Vanessa Northington Gamble's "There Wasn't a Lot of Comfort in Those Days': African Americans, Public Health, and the 1918 Influenza Epidemic." She argues that the African American community experienced medical care shortages more severely than white communities; however, African Americans contracted the flu at lower rates than white Americans, which is most likely due to the conditions in poorer areas.<sup>4</sup> Those living in working class and impoverished neighborhoods already had a greater immunity to influenza. When Spanish Influenza struck, many African Americans experienced less severe cases than middle and upper-class white individuals, who did not have the same immunity as those in working class and impoverished areas. Lastly, in his article, "The 1918 Influenza Epidemic in New York City: A Review of the Public Health Response," historian Francesco Aimone discusses New York City's public health response. He argues that New York City was more prepared than other large cities for epidemic disease because city health officials formed the framework for an overall public health response during an early 1910s

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<sup>3</sup> Alfred W. Crosby, Jr., *Epidemic and Peace 1918: America's Deadliest Influenza Epidemic* (Westport, CT: Greenwood Press, 1976).

<sup>4</sup> Vanessa Northington Gamble, "There Wasn't a Lot of Comfort in Those Days': African Americans, Public Health, and the 1918 Influenza Epidemic," *Public Health Reports* 123, S3 (April 2010): S114-122.

public health campaign against tuberculosis.<sup>5</sup> Historiography has evolved in the study of the Spanish Flu, going from a macrohistorical perspective and slowly becoming more focused on the microhistorical situations in cities and small towns throughout the nation.

The origins of the Spanish Flu are uncertain; historians, virologists, and bacteriologists cite China as the most likely culprit. Recent studies suggest that this particular strain of influenza originated in China in the winter of 1917-1918, and through World War I troop movement, advanced to the United States.<sup>6</sup> However, the Chinese influenza season from 1917-1918 did not experience the same amount of devastation that occurred in other nations, meaning that the disease could have mutated in transit to the United States.<sup>7</sup> One thing is for certain: the Spanish Flu did not originate in Spain. Mistakenly blaming Spanish troops for the influenza outbreak among soldiers, British physicians named the illness Spanish Flu; the name traveled with American troops back to North America, where it rapidly proliferated across the nation.<sup>8</sup>

The Spanish Flu presented in three stages. In the first, more mild stage, the flu appeared at Camp Funston, a Kansas military base, on March 4, 1918, and spread with troop movement to the eastern seaboard.<sup>9</sup> Physicians did not understand that this disease was influenza. From the east coast, the virus traveled to Europe, where the disease mutated and became much stronger and deadly. When the virus returned to the United States in August 1918, the second wave began. Starting in the east and working its way west, the flu infected thousands of people daily, of all classes and races. Nurses and doctors finally understood that this was indeed influenza. The second wave of the flu lasted through November 1918. Progressing across the United States and Canada, this stage of the flu resulted in the highest number of casualties, with the majority of the United States' 479,000 influenza deaths in 1918 occurring during this period.<sup>10</sup> Physicians worked to contain the flu, but could not keep up with the demand; the Spanish Flu Epidemic proved a losing battle. Almost as suddenly as it appeared, the flu began to die down in mid to late November. The third and final stage of the flu did not necessarily affect Americans, as the disease continued to spread through person-to-person contact worldwide until 1920.<sup>11</sup> Occurring alongside the end of the Great War on November 11, 1918, the forgetting of the American Spanish Flu Epidemic began. Americans spent more time and energy commemorating

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<sup>5</sup> Francesco Aimone, "The 1918 Influenza Epidemic in New York City: A Review of the Public Health Response," *Public Health Reports* 123, S3 (April 2010): S71-70.

<sup>6</sup> Mark Osborne Humphries, "Paths of Infection: The First World War and the Origins of the 1918 Influenza Pandemic," *War in History* 21, no. 1 (January 2014): 55.

<sup>7</sup> Humphries, "Paths of Infection," 55.

<sup>8</sup> Kristy Duncan, *Hunting the 1918 Flu: One Scientist's Search for a Killer Virus* (Toronto: University of Toronto Press, 2003), 7.

<sup>9</sup> Crosby, *Epidemic and Peace 1918*, 19.

<sup>10</sup> Crosby, *Epidemic and Peace 1918*, 206.

<sup>11</sup> Humphries, "Paths of Infection," 56.

the heroic efforts of World War I than the millions of lives lost to the flu.

Before the outbreak of influenza, the United States focused much of its attention and resources to the Great War, in which the Allies and the Central Powers battled for European supremacy. War consumed the vast majority of European resources and troops, leaving millions desperate for the most basic of necessities. Beginning in 1914, with no clear end in sight, the United States provided the Allies with aide through a wide variety of channels, including goods, financial assistance, and medical personnel. At home, President Woodrow Wilson increased the size of the armed forces in preparation for war. After formally entering World War I on April 6, 1917, American troops began the long journey to Europe.<sup>12</sup> Troop movement within the United States also increased, with young men joining the war and moving to military bases.

Even though there is some debate over the origin of this particular strain of influenza, historians, medical professionals, and scientists agree that the first cases of the Spanish Flu occurred on Camp Funston, Kansas, on March 4, 1918.<sup>13</sup> A few days prior, soldiers cleaned up horse manure and burned it. Shortly after the burning of manure, a great dust storm blew the ash from Camp Funston to other parts of Kansas and the surrounding areas. Unbeknownst to the soldiers, the horse manure contained the strains of influenza that would soon wreak havoc on the nation.<sup>14</sup> All of a sudden, what had been a young, healthy soldier population transformed into a disease-stricken, highly-infections one. On the morning of March 4, a private developed a fever, sore throat, and headache; by noon, over one hundred men crammed into the infirmary with similar symptoms.<sup>15</sup> Unlike a typical flu virus, some of the soldiers quickly deteriorated and succumbed to their illness. Due to the damaged lungs discovered in autopsies of the soldiers, physicians diagnosed most cases as death from pneumonia, a crucial mistake.<sup>16</sup>

The misdiagnosis of soldiers resulted in an apathetic reaction from surrounding communities. While flu symptoms vary in each strain, there are commonalities, including fever, sore throat, muscle aches, fatigue, vomiting, and diarrhea.<sup>17</sup> Patients did experience these and other symptoms of the 1918 influenza, but those with severe cases exhibited symptoms more closely related to pneumonia. The striking issue physicians quickly noticed related not to the symptoms of the illness, but to the abnormal age of those who succumbed. Typically, both influenza and pneumonia are deadly in those under the age of ten and those over the age of sixty, with those over sixty

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<sup>12</sup> Nancy K. Bristow, *American Pandemic: The Lost Worlds of the 1918 Influenza Epidemic* (New York: Oxford University Press, 2012), 33.

<sup>13</sup> Crosby, *Epidemic and Peace 1918*, 19.

<sup>14</sup> Lynette Iezzoni, *Influenza 1918: The Worst Epidemic in American History* (New York: TV Books, 1999), 21-25.

<sup>15</sup> PBS Home Video, "Influenza 1918: The Worst Epidemic in American History," *American Experience*, 1998.

<sup>16</sup> Bristow, *American Pandemic*, 44.

<sup>17</sup> Bristow, *American Pandemic*, 44-45.

constituting the vast majority of the victims.<sup>18</sup> With this powerful influenza strain, the young and healthy soldiers succumbed at alarming rates. Military physicians noticed pneumonic symptoms in the autopsies of the soldier's bodies, including fluid-filled lungs, that turned medical attention away from the hypothesis of a flu epidemic. Because of physician misdiagnosis, nurses received instruction to treat the patients' symptoms rather than the underlying disease, which resulted in the continued spread of influenza. Nurses did not always follow proper procedures for the infectious disease since it was still unknown what type of illness was at the root of the epidemic. This was not the fault of any physician or nurse, for no one understood the immensely dangerous flu was the cause of the pneumonia.

Remaining steadfast in the concept of an outbreak of pneumonia, locals in the surrounding areas did not express concern over the spread of illness; instead, they mourned the loss of the young men. Newspapers published articles, conveying their deepest sympathies in the passing of the men from pneumonia at a time when the United States needed soldiers to fight in Europe.<sup>19</sup> The diagnosis of pneumonia did not seem concerning to the locals, whose concerns lay mainly with the horrors of World War I, with images of blood and gore prominently featured in newspapers nationwide. People continued to gather in public places, participate in World War I parades and activities, and experience the same degree of interaction with friends and family. Even though local populations did not seem concerned over the potential epidemic, the widespread illness on military bases did not escape the eyes of President Woodrow Wilson.

From Kansas, the flu spread to other military bases through the transportation of troops to the east coast, ultimately making the jump to Europe via American troop movement to France and Great Britain. President Woodrow Wilson, who understood the potential severity of any epidemic disease among American troops, thought continuing troop deployments was worth the sacrifice of spreading this illness beyond the United States.<sup>20</sup> Wilson made the tough call to knowingly sacrifice men through epidemic disease to give the American troops already fighting in Europe some reprieve. However, his decision came with a greater price than Wilson could have known. Scientists and historians believe that the strain of influenza left the United States, mutated on the battlefields of Europe over the summer of 1918, and, through troop movement, returned to the United States in a much deadlier form.<sup>21</sup> The significance of troop movement amplified the spread of the flu through healthy carriers. Thousands experienced the flu without knowing that they had it, enabling them to spread the flu to others while developing personal immunity for both the first version of influenza as well as the mu-

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<sup>18</sup> Alfred W. Crosby, Jr., "The Pandemic of 1918," in *History, Science, and Politics: Influenza in America, 1918-1976*, ed. June Osborn (New York: Prodist, 1977), 6.

<sup>19</sup> PBS Home Video, "Influenza 1918."

<sup>20</sup> PBS Home Video, "Influenza 1918."

<sup>21</sup> Bristow, *American Pandemic*, 44.

tated strain that came from Europe. The return of influenza from Europe officially marked the end of the first stage of the Spanish Flu Epidemic and the beginning of the second, more intense, stage of the epidemic.

As scientists struggled to find answers for this strange disease, some began making the connection between the symptoms and the flu. This resulted in an intense race for a flu vaccine, a feat that scientists had yet to master. However, the science contained faults from the beginning. In 1892, German scientist Dr. Friedrich Johann Pfeiffer of Berlin's Institute for Infectious Diseases announced that he had discovered the bacterium responsible for influenza, which he called *Hemophilus influenzae*.<sup>22</sup> Based on Pfeiffer's research, the scientific community supported his theory, and, once scientists made the connection between the sudden outbreak of illness and the 1918 flu, they rushed to find *Hemophilus influenzae* in the respiratory tracts of first-stage patients.<sup>23</sup> To their surprise, most patients in the first wave of the flu did not have any trace of *Hemophilus influenzae* bacteria. During the second stage, scientists did find *Hemophilus influenzae* in the majority of the patients.<sup>24</sup> This proved contradictory to the concept of the flu bacterium: if *Hemophilus influenzae* did indeed cause the flu, then it should be found in all patients. Researchers developed vaccines.<sup>25</sup> Even though bacteria and viruses both cause infectious disease, viruses tend to be more harmful due to the way viruses reprogram a normal cell into ones that produce duplicates of the virus, resulting in the disease.<sup>26</sup> Additionally, viruses are much smaller than bacteria, making it necessary to use a powerful microscope. While bacteria can be seen under a microscope, only an electron microscope can enable the human eye to see a virus. Until the invention of the electron microscope in 1931, scientists were unable to discover viruses.<sup>27</sup> It was not until the isolation of the swine influenza virus by Dr. Richard Shope in 1932 that the scientific community understood the true nature of influenza as a virus, not a bacterium.<sup>28</sup> Even though this discovery came over a decade too late for the victims of the Spanish Flu Epidemic, the immense loss of life during this nine-month fight pushed scientists to examine the causation of influenza more deeply, leading to the eventual discovery of the influenza virus.

In August of 1918, influenza returned to the United States via troop movement from Europe back to the east coast, and quickly spread across the northeastern states with a ferocity not experienced in the spring. The metropolitan areas of New York City, Philadelphia, and Boston saw a drastic

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<sup>22</sup> Heather L. Van Epps, "Influenza: Exposing the True Killer," *Journal of Experimental Medicine* 203, no. 4 (April 2006): 803.

<sup>23</sup> PBS Home Video, "Influenza 1918."

<sup>24</sup> Gina Kolata, *Flu: The Story of the Great Influenza Pandemic of 1918 and the Search for the Virus that Caused It* (New York: Farrar, Straus and Giroux, 1999), 64.

<sup>25</sup> Crosby, *Epidemic and Peace*, 100-101.

<sup>26</sup> Kolata, *Flu*, 27-28.

<sup>27</sup> Kolata, *Flu*, 27.

<sup>28</sup> R. Edgar Hope-Simpson, *The Transmission of Epidemic Influenza* (New York: Plenum Press, 1992), 34.

increase in flu patients overnight, causing physicians and nurses to sound the alarm that this was no ordinary flu.<sup>29</sup> Physicians recommended quarantining those with influenza, which proved difficult for working-class and lower-class families. Poverty amplified the spread of epidemic influenza within cities, with entire tenements becoming infected. One African-American woman, who experienced the influenza epidemic as a child, recalled how her family divided themselves in their two-bedroom apartment, with the seven ill patients living in the bedrooms, and healthy mother taking care of everyone.<sup>30</sup> This story demonstrates the issues surrounding poverty and care. Healthy family members routinely exposed themselves to influenza to take care of ill loved ones. Hospitals and doctors were costly luxuries, and families did not necessarily turn to professionals at the first signs of influenza. In immigrant cultures, taking care of one's sick was the responsibility of the women in the home, and mothers were reluctant to give up their familial duty to strangers.

Over the course of the next three months, influenza ravaged North America, with hundreds of new cases reported daily. Because of the need for medical personnel in Europe, the flu epidemic occurred alongside a domestic shortage of doctors and nurses.<sup>31</sup> As new cases developed, hospital wards reached capacity, resulting in nurses caring for a high volume of patients. Nursing student Dorothy Deming described the tragic scene at New York's Presbyterian Hospital, where "a night without a death became an exception... and our heart-breaking report one morning was seven in eight hours."<sup>32</sup> This tragic scene became commonplace in American hospitals nationwide. Some areas, including Chicago, became so overwhelmed by new influenza cases that local nursing schools offered free at-home nursing courses, that once completed, qualified women to work as nurses in area hospitals.<sup>33</sup> The minimal training at-home courses provided, in conjunction with the shortage of physicians to guide the new nurses, led to nursing mistakes, including placing toe tags on live patients, and not following proper hygiene procedures to prevent the spread of the flu.<sup>34</sup> Physicians understood the dangers of developing pneumonia from the flu and worked vigilantly to prevent the spread of the flu through quarantining known cases. However, the shortage of physicians resulted in an overworked and frustrated group of physicians. Since containment proved impossible and most hospital patients were nearing death, physicians fought a losing battle.

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<sup>29</sup> Sandra Opdycke, *The Flu Epidemic of 1918: America's Experience in the Global Health Crisis* (New York: Routledge, 2014), 63-65.

<sup>30</sup> PBS Home Video, "Influenza 1918."

<sup>31</sup> Opdycke, *The Flu Epidemic of 1918*, 73.

<sup>32</sup> Opdycke, *The Flu Epidemic of 1918*, 63.

<sup>33</sup> "Chicago," *The American Influenza Epidemic of 1918-1919: A Digital Encyclopedia*, The University of Michigan Center for the History of Medicine and Michigan Publishing, accessed December 5, 2015, <http://www.influenza.archive.org/cities/city-chicago.html>.

<sup>34</sup> PBS Home Video, "Influenza 1918."

Stories abound of tragedy and loss. One man recalled playing outside as a young boy with two other friends. They were having fun climbing up and down stacks of boxes on their neighbor's lawn. When the boy's mother saw her son and his friends playing, she immediately called the boy inside and sent the other children home. She explained to her son that he was never to play on those types of boxes, for they were coffins filled with influenza victims. A few days later, all three boys came down with the flu, and the boy's two friends did not survive.<sup>35</sup> In addition to the United States, the influenza virus spread quickly all over Canada as well. In Quebec, one school reported that "nearly all students...were reported to be sick on 8 September," demonstrating the suddenness of the Spanish Flu Epidemic; a community could be fine one day, and have a massive outbreak of the flu the next.<sup>36</sup> In Sherman, Texas, a town-wide gathering to celebrate the October 3 arrival of the Liberty Loan Train brought more than patriotism. Healthy carriers attended the event, and within days, physicians identified the first flu victim in Sherman<sup>37</sup>

Overwhelmed physicians and nurses struggled to maintain standards of care during the Spanish Flu Epidemic. As historian Alfred W. Crosby fittingly states, "No other influenza before or since has had such a propensity for pneumonic complications. And pneumonia kills."<sup>38</sup> This left physicians struggling emotionally and physically, for doctors did not have the time or resources available to help all of their patients. For more remote areas of the country, maintaining an adequate hospital staff proved difficult. One hospital representative in El Paso, Texas, describes his situation, bluntly stating, "nurses are impossible to get and doctors are scarce and overworked."<sup>39</sup> To keep up with the ever-increasing number of casualties, doctors advised family members of the ill to place their loved ones' names on coffin waiting lists.<sup>40</sup> It was as if physicians lost hope for containment; even with strict quarantines in place, those that were taken to a hospital usually did not leave. Coffins became such a necessity that the obtainment of a proper coffin for a loved one demonstrated wealth. Mortuaries began charging a premium for the basic wooden box, leading many of the working class and poor unable to afford coffins.<sup>41</sup> Morgues quickly reached capacity and, to make room for new bodies, resulted to mass graves.<sup>42</sup> The families of the poor and working classes did not have the luxury of paying for both medical expenses and funeral costs, leaving them without a sense of closure for their loved ones.

<sup>35</sup> PBS Home Video, "Influenza 1918."

<sup>36</sup> Craig T. Palmer, Lisa Sattenspiel, and Chis Cassidy, "Boats, Trains, and Immunity: The Spread of the Spanish Flu on the Island of Newfoundland," *Newfoundland Studies* 22, no. 2 (October 2007): 476.

<sup>37</sup> Peggy A. Redshaw, "Sherman, Texas, and the 1918 Pandemic Flu," *East Texas Historical Journal* 51, no. 1 (Spring 2013): 69-70.

<sup>38</sup> Crosby, *Epidemic and Peace 1918*, 5.

<sup>39</sup> Bradford Luckingham, *Epidemic in the Southwest, 1918-1919* (El Paso, TX: Texas Western Press, 1984), 7.

<sup>40</sup> PBS Home Video, "Influenza 1918."

<sup>41</sup> PBS Home Video, "Influenza 1918."

<sup>42</sup> Bristow, *American Pandemic*, 61-63.

Government officials tried desperately to keep the flu out of their jurisdictions through quarantine laws, often influenced by the popularization of the new public health movement. On October 3, 1918, Dr. W. C. Fowler, the public health officer for Washington D. C., banned all public events, even closing schools, churches, and movie theaters, as a way to prevent further spread of influenza.<sup>43</sup> This demonstrates a basic understanding of germ theory, which is the idea that microscopic particles can cause disease.<sup>44</sup> Since its popularization in the late nineteenth century, germ theory played a key role in governmental decisions during the influenza epidemic. The new public health movement represented the germ theory notion that healthy carriers could unknowingly infect others in public places.<sup>45</sup> During the early 1910s, New York City received a unique opportunity through a tuberculosis epidemic to establish policies and procedures for handling contagious disease.<sup>46</sup> These measures included emergency health clinics, staggered business hours that greatly reduced the number of people in confined spaces, and a poster campaign that encouraged proper hygiene.<sup>47</sup> When influenza struck the city, public health officials used the same techniques to spread public awareness of the flu as employed with tuberculosis. This resulted in one of the lowest death rates in a city nationwide. Quickly, average Americans began to fear public places, including public transportation, community gatherings, and shops. With this fear in place, government officials experienced little resistance to quarantines or other public health measures, such as wearing paper masks on public transportation.<sup>48</sup> For the one of the first times in American history, people understood that the flu could be transferred from healthy carriers, who exhibited no flu symptoms, resulting in the fear of contact. When one person brought the flu into an area, it rapidly spread. In November of 1918, health officials in Tucson, Arizona, tried to contain the flu by providing “placards for display...to houses where influenza patients are located.”<sup>49</sup> More than any flu in the past, fear of contagion consumed Americans.

Women bore the brunt of the burden during the Spanish Flu Epidemic, serving as caretakers and nurses. Mothers cared for entire families, putting themselves at risk to provide the best environment for their loved ones during their time of need. When mothers became ill with the flu, their daughters would take over the family’s care. Even with a basic understanding of germ theory, quarantine proved difficult within the home. Children understood the

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<sup>43</sup> “Washington D. C.,” *The American Influenza Epidemic of 1918-1919: A Digital Encyclopedia*, The University of Michigan Center for the History of Medicine and Michigan Publishing, accessed November 24, 2015, <http://www.influenzaarchive.org/cities/city-washingtondc.html>.

<sup>44</sup> Nancy Tomes, *The Gospel of Germs: Men, Women, and the Microbe in American Life* (Cambridge, MA: Harvard University Press, 1998), 2.

<sup>45</sup> Tomes, *The Gospel of Germs*, 237.

<sup>46</sup> Aimone, “The 1918 Influenza Epidemic in New York City,” S72.

<sup>47</sup> Aimone, “The 1918 Influenza Epidemic in New York City,” S72.

<sup>48</sup> Tomes, *The Gospel of Germs*, 246.

<sup>49</sup> Luckingham, *Epidemic in the Southwest*, 31.

significance of the flu, resulting in a new rhyme:

I had a little bird  
And its name was Enza.  
I opened the window  
And in-flew-Enza.<sup>50</sup>

Through simple, everyday activities, influenza could enter a home, and even young children grasped the basics of this concept.

As suddenly as the Spanish Flu Epidemic appeared, the influenza epidemic began to subside in November 1918. Those who were most susceptible to the flu had already fought the disease, leaving a population that already had a greater immunity to this particular strain of influenza. The number of new cases in major cities, including Philadelphia, Boston, and Chicago, decreased substantially during the first weeks of November. Western areas of the United States, including California and Alaska, continued experiencing high rates of influenza until the second and third weeks in November, only because the flu did not reach the west until September. Society reacted not by their words, but through actions. Instead of remaining vigilant about the potential spread of influenza, communities resumed public activities almost immediately. Across the nation, celebratory parades for the armistice were held, where thousands of people joyously gathered to commemorate the end of the Great War.<sup>51</sup> Just weeks prior, these same communities feared public spaces. The shift from fear to festivity occurred rapidly in part because of the end of the War. The healing of society depended on the collective memories formed during the influenza epidemic. Because American society experienced only negative events associated with the flu, the people consciously chose to focus on the victories of war rather than the defeat that was the influenza epidemic.<sup>52</sup> Other socially relevant diseases of the twentieth century, including polio and rubella, brought with them social change in the form of vaccine development. The Spanish Flu came with no such scientific breakthrough; science failed the American public. The vaccine trials that did occur failed miserably, with scientists learning only that there was still a yet to be determined missing link to the influenza narrative.

Death tolls from this influenza epidemic are staggering. Worldwide statistics vary, but scientists and historians agree that at least twenty million people died of the Spanish Flu Epidemic between 1918-1920. Of the patients that developed influenza, twenty percent developed pneumonia, and half of those patients died.<sup>53</sup> In the United States, surveys conducted by the Public Health Service indicate that 280 of every 1,000 people contracted the flu during the epidemic.<sup>54</sup> No influenza before or since has caused the same amount of death and devastation as the Spanish Flu Epidemic.

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<sup>50</sup> Luckingham, *Epidemic in the Southwest*, 3.

<sup>51</sup> PBS Home Video, "Influenza 1918."

<sup>52</sup> Crosby, *Epidemic and Peace 1918*, 314.

<sup>53</sup> Duncan, *Hunting the 1918 Flu*, 9.

<sup>54</sup> Crosby, *Epidemic and Peace 1918*, 205.

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Overall, the Spanish Influenza epidemic challenged people from all corners of the world. Due to a lack of resources, American physicians and nurses attempted to contain the flu but were unsuccessful. Instead, the much-needed medical supplies had already been sent to Europe, where the fighting ravaged much of the continent. Because of false information, scientists were unable to develop a successful vaccine, leaving millions vulnerable to the horror of epidemic influenza. All races and classes experienced the flu; however, the financial burden of hospital expenses and funeral costs weighed heavily on the poor and working classes. With the victory of World War I came the end of an epidemic. The average citizen spent what little resources and energy that remained in celebration of the armistice rather than the remembrance of millions of flu victims while scientists remained determined to find an influenza vaccine. Across the United States, remnants of the flu remained, even if the public memory of these tragic events quickly faded. After losing the majority of their population to the flu, the people of Brevig Mission, Alaska, rebuilt. Today, two white crosses mark the cemetery where the flu victims of this remote village were laid to rest.<sup>55</sup> Even though the memory of the Spanish Flu epidemic has continued to wane, historians and scientists work vigilantly to keep the events of the past alive through their research.

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<sup>55</sup> Carroll, "An Alaskan Village Holds the Key," 30.

## REVIEW OF BOOKS

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Guy Chet. *The Ocean Is a Wilderness: Atlantic Piracy and the Limits of State Authority, 1688-1856*. Amherst: University of Massachusetts Press, 2014. Pp. xvii, 157. \$80.00 (cloth). ISBN 9781625340849.

Romanticized tales of Atlantic piracy have seized readers' imaginations since at least the early-eighteenth century. Pirates still feature in popular books, television series, and movies, many of which depict the swashbuckling outlaw archetype that still strikes a chord with modern audiences, but few of these depictions accurately show the pirates' world as it was. Recent scholarly approaches to the Atlantic world tend to focus on one of two directions: the study of empires and nations, or the study of transnational forces. Guy Chet's work in *The Ocean Is a Wilderness* examines a little of both, providing insight into the limits of early-modern state power in combatting piracy and examining the Atlantic world's frontier context, which made piracy possible. Chet lays out a convincing argument for the limited capability of early-modern states to enforce the law on the maritime frontier, and he successfully demonstrates that Atlantic piracy was more complex and nuanced than its portrayals in the popular stories, encouraging his readers to further explore a worthy and entertaining subject.

Guy Chet is a graduate of Yale and professor of early American and military history, where he points out trends of cultural continuity between the Old World and the New. Indeed, themes of cultural cohesion feature strongly in *The Ocean Is a Wilderness*. Chet rightly points out that historians naturally tend to focus on instances of change, but they do so at the expense of persistent factors, which can result in a skewed perspective of historical events. He argues that British state policy and naval policing had relatively little effect on Atlantic piracy and that its decline had more to do with economic developments than with anti-piracy efforts (7).

Chet describes the Atlantic world as a frontier zone, similar in many regards to the Wild West. The British Empire and the early United States certainly established laws and policy to regulate maritime trade and prevent crimes, but the resources through which these states could enforce these laws were in many ways lacking, creating an environment where anything goes, provided it turned a profit. According to Chet, merchant marines had to be ready to take advantage of every opportunity, including smuggling, raiding, and outright piracy (38). Chet structured his book to concisely examine four aspects of the Atlantic frontier. Chapter 1 focuses on the chronic violence and general lawlessness of transatlantic commercial life as Chet saw it, noting that "armed commerce—defensive and offensive—was the norm at sea, not the exception" (23). Chapter 2 examines the difficulties of the state in convincing coastal communities of the criminality of piracy in what essen-

tially amounts to a conflict between the central and local authority. “While Parliamentary statutes and royal edicts articulated the criminality... of piracy, wrecking, smuggling, and illicit trade, British communities continued to practice these trades and did not consider them to be illegal or disreputable” (32). Chet argued in the third chapter that the maritime insurance industry was both the primary victim and an ironic enabler of piracy. By insuring cargoes stolen by pirates, insurers prevented piracy from cutting too deeply into merchants’ profits, leaving the insurers as a lonely voice lobbying for government intervention against pirates (52). In the final chapter, Chet examines the vast Atlantic black market system that enabled pirates to turn a profit, sustained the incomes of local communities, and bought the cooperation of local authorities, all through the “social crime” of smuggling (88).

Chet’s book certainly underscores the difficulties early-modern states faced regarding the enforcement of maritime law, and his call to consider the persistent effects of local traditions in resisting centralized change serves as a reminder to maintain a level of skepticism regarding the efficacy of state policy in shaping history. Chet reinforced his argument with an impressive array of sources. Readers interested in learning more about Atlantic piracy and smuggling will be pleased to discover his rich bibliography and notes, which provide a great deal of detailed information. However, readers looking for an exciting narrative will have better luck elsewhere. Chet’s work mentions individual people only insofar as they serve to advance his argument. Nevertheless, *The Ocean Is a Wilderness* effectively demonstrates that Atlantic piracy was not confined to pirates alone; to survive for nearly two centuries, piracy in the Atlantic required imperial economic networks, national competition, and local support in addition to swashbuckling outlaws.

Aaron J. Jackson

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George Ciccariello-Maher. *We Created Chavez: A Peoples History of the Venezuelan Revolution*. Durham, NC: Duke University Press, 2013. Pp. 320. \$25.95 (paper). ISBN 0822354527.

The landscape of Venezuelan Socialist Revolution is synonymous with Hugo Chavez and the development of the Bolivarian Revolution. George Ciccariello-Maher examines the political and social developments of the msasses in his book, *We Created Chavez*. Ciccariello focuses on the Bolivarian Revolution, placing Chavez at its periphery, and examines the influence of these events in shaping later Venezuelan politics. The book begins by detailing the developments the Bolivarian social movements after 1958 to the *coup d'état* in 1992 and continues to analyze the social developments emerging in the streets and the barrios of Venezuela after that. Ciccariello exercises the notion that the political process towards the *Chavista* state was rooted long

before Chavez's election in 1998. The author emphasizes the transition from the Rural Guerilla campaign to the consolidation of an Urban front that took years to establish.

Ciccariello's analysis recognizes the support of the 1960s guerilla movements as diluting from the people. "Recognizing that it was largely Romulo Betancourt himself who sparked the armed struggle, implemented a successful policy of 'pacifying' former fighters, which within a short period had divided the PCV, and divided the MIR... thereby allowing the repression to continue unchecked" (45). The Venezuelan people had a difficult time developing a mass urban coalition that consolidated its support with the revolutionary forces. The importance of the *pueblo* stressed by Ciccariello is a pathway for historians and researchers alike to understand the social dynamics of Venezuelan politics, which lead to the *Caracazo* in 1989 and future developments. In this aspect, the book succeeds in bringing to the front the essential vanguardism that took place in the country.

The ruling-class oligarchy is not fully examined in this text, but Ciccariello established it as the opposition:

Although this would lead some community members to sit out the street battles of the late 1960's thereby dooming Venezuela's experiment urban guerrilla warfare, the specter of barrio conflict inevitably reared its head again with the rise of a double violence, the structural violence of economic scarcity and the "socially repressive" violence of the neoliberal state (72).

Ciccariello seeks to examine the social class response to the corrupt government without highlighting the state or the leadership of Chavez; rather, he emphasizes an early Bolivarian Revolution that established Chavez as the socialist champion of a movement already in action.

Ciccariello's *We Created Chavez* is written stylistically as a condensed academic piece, which reduces the book's prospective purpose and the importance of its particular social analysis, diminishing its path towards a more public Venezuelan historical setting. For the academic historian, this book is worthy of praise and is successful in achieving the authors main goal: to emphasize the horizontal landscape of the social sector of Venezuelan politics that leads to the election of Chavez in 1998. The importance of the people and social developments achieved in the years after 1958 could be well suited for a popular study that has potential in analyzing contemporary Venezuelan history. The academic analysis is critical, of course, but an effort to simplify the opaque analysis more with more fluidity would appeal to a wider audience and ensure its place in the realm of Latin American socialist justice. Catalyzing the social developments in Venezuela can be an accomplishment in a popular historical analysis, but the denseness of the material in *We Created Chavez* creates barriers for non-academic historians who wish to educate themselves on the true Venezuelan revolution, which did not center on the personality of Hugo Chavez.

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Gregory Daddis. *Westmoreland's War: Reassessing American Strategy in Vietnam*. Oxford University Press, 2014. Pp 280. \$9.74 (ebook). ISBN 9780199316502.

Since the end of the Vietnam War, much of the historical analysis of the infamous Cold War quagmire has focused primarily on the ineptitudes of the civilian leadership and with the U.S military command in Vietnam MACV (Military Assistance Command Vietnam), specifically its commander from 1964-1968, General William Childs Westmoreland. Dr. Gregory Daddis, a professor at the United States Military Academy, disagrees with the popular historical narrative that is highly critical of Westmoreland. In his book *Westmoreland's War: Reassessing American Strategy in Vietnam*, Dr. Daddis offers a highly-researched and systematic reassessment of how Westmoreland conducted the war. Daddis engages point by point how Westmoreland was not the man many viewed as obsessed with enemy body counts and conventional operations, who outright neglected the political and economic needs of the people of South Vietnam. Gregory Daddis provides a well-organized rebuttal to these common judgments of General Westmoreland by describing the intense political complexities in the thousands of village hamlets spread across South Vietnam. In addition to providing historical evidence for what the military and civilian components of MACV did do to improve civic trust and support among the populace for South Vietnam's government in Saigon. Dr. Daddis argues that General Westmoreland was a good general who understood the complex dynamics of counterinsurgency and the importance of civic development; Westmoreland did not just rely on firepower and body counts, but understood that he was fighting a bad war, which was beyond the ability of military power to win.

Over the decades, many historical works have been published regarding Westmoreland's failure to implement a winning strategy in South Vietnam. In *Westmoreland's War*, Gregory Daddis at times directly engages and provides evidence opposing arguments made by other works on the MACV commander, such as Lewis Sorley's *Westmoreland: The General Who Lost Vietnam*. In these rebuttals, Daddis argues that Sorley and other historians who are highly critical of Westmoreland oversimplify the situation in South Vietnam and what the general was capable of impacting given the massive tasks at hand. Dr. Daddis's central point is that Westmoreland did, in fact, construct a "sound military strategy," but because of overarching political concerns, American military power could only do so much to help the South Vietnamese government in Saigon stand on its own. Therefore, Daddis argues that Vietnam was an example of a conflict wherein generals could create and execute a good strategy but still lose the war due to factors beyond their control as a foreign power. Daddis points out that this resistance to foreign influence and occupation was especially strong in a country such as Vietnam, which had resisted foreign occupation for hundreds of years from the Chinese, and had been occupied by the French and briefly by the Japanese during World War II

(32). Gregory Daddis faults General Westmoreland's faith in the capability of American military power to solve political problems in South Vietnam, but he notes that this was a common belief shared by most military and civilian leaders at the time, especially in a post-World War II environment.

In *Westmoreland's War*, Daddis skillfully exhibits a point by point rebuttal by engaging complex topics that oppose the popular narrative about the MACV commander and his role in the conflict. With a massive section of notes, Daddis provides an interesting and important reassessment of Westmoreland, supported with ample primary source evidence. This book benefits the field of Vietnam War history by widening the academic argument and providing an opposing view to the popular notions of General Westmoreland. Dr. Daddis's arguments effectively supports Westmoreland as a man, although not faultless, as someone who did the best he could given the high-level national strategy and the overall political situation in Southeast Asia. Also, Gregory Daddis makes the highly important point that when discussing the shortcomings of Westmoreland's ability to secure South Vietnam, it is important to give proper credit to the North Vietnamese's ability to adapt and overcome the dynamic strategies and counter strategies conducted by the MACV and the South Vietnamese military.

*Westmoreland's War* provides a large quantity of complex analysis that may not be as interesting for readers who seek a more narrative-driven historical work or even an operational military history of the Vietnam War. This book, however, would appeal to readers seeking an in-depth historical reassessment of the American strategy in Vietnam between 1964 and 1968, when Westmoreland was head of MACV. This book could also appeal to readers oriented towards topics in international relations, because of the amount of information on American experiences with counterinsurgency, pacification, and other topics of nation-building in Vietnam under Westmoreland during his time as commander of MACV. In *Westmoreland's War: Reassessing American Strategy in Vietnam*, Dr. Gregory Daddis is successful at providing a new look into American Strategy during Vietnam War and General William Westmoreland's actions during the brutal conflict.

Michael McKenney

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Matthew W. Dunne. *A Cold War State of Mind: Brainwashing and Postwar American Society*. Amherst: University of Massachusetts Press, 2013. Pp. xii, 235. \$28.95 (paper). ISBN 9781625340412.

The Cold War dramatically shaped American Culture over the course of four decades and continues to impact American society even today. Cold War anxieties permeate throughout 1950s American culture. Loss of individualism in the postwar years represents one of the major anxieties of the time. Matthew W. Dunne's study of culture in *A Cold War State of Mind* examines

the sizeable impact fears of brainwashing had on the American public during the Cold War. Dunne presents a clear argument that paranoia surrounding brainwashing had a strong influence during the 1950s and leading into the present. He divides the monograph into two sections: the origins of brainwashing in relation to fears of Communist psychological warfare and the evolution of paranoia as it pervaded American consumer culture.

Dunne starts part one by introducing the origins of brainwashing as a concept and term. After the Korean War, some American prisoners of war refused to return to the United States, and even more unthinkable, denounced the American way of life. Dunne explains the American government and citizens could not understand how American soldiers could, in their right mind, turn to communism. Journalist Edward Hunter coined the term “brainwashing” to explain this inexplicable phenomenon. Dunne explains that the rise of paranoia during the Cold War connects to the lack of specialists on Communism, which gave way to so-called experts like Hunter and Senator Joseph McCarthy. The first chapter of *A Cold War State of Mind* successfully explains that the concept of brainwashing was “no laughing matter” and was perhaps more threatening than atomic war. Brainwashing became pervasive in American culture, providing an easy explanation for the spread of Communism.

Communism represented the antithesis of what many Americans believed to be the proper American lifestyle. Public perceptions of communist threats evolved rapidly throughout the 1950s. Dunne illustrated the influence Hunter had perpetuating American paranoia; Hunter would make assertions on how Soviet brainwashing worked, claiming “the conception of the individual I... replaced by the *we* of collectivity.” This example strongly supports Dunne’s argument that the American people believed their very individualism to be under Soviet threat. This fear of subversion influenced the development of popular culture as highlighted by films such as *It Came from Outer Space* (1954) and *Invasion of the Body Snatchers* (1956), which highlighted collectivization at the expense of the individual. Dunne argued that the concept of brainwashing could not be separated from American perceptions of Communism. The American public believed that there had to be some fundamental difference between the Korean War POWs those of the Second World War, with depictions of WWII prisoners highlighting resistance, highlighting the strength of American values. This response segues to the second half of Dunne’s monograph and the US development of American-style brainwashing as a response to perceived threats of Soviet subversion. Dunne argues that American corporations used the concept of brainwashing to influence the American people, and he states that conceptions lost individualism was a common problem of modernity. Popular culture’s focus on individualism created an environment where individuals recognize a “dehumanizing aspect” of American culture. In his final chapter, titled “The Legacy of Brain Warfare,” Dunne asserts that the paranoia of the Cold War left a mark on current American Culture, with the focus of American brainwashing shifting

from Communism to the modern War on Terror.

Dunne's monograph argues that brainwashing strongly contributed to American paranoia during the Cold War and beyond. This book would be very useful to those interested in American cultural history and the development of contemporary Islamophobia, among other issues. *A Cold War State of Mind* effectively explores the history of anti-communist paranoia in the United States that originated during the 1950s; it also demonstrates that such paranoia stemmed from many fears, not just the fear of atomic war.

Rick Westberry

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Jill Lepore. *The Secret History of Wonder Woman*. New York: Penguin Random House, 2014. Pp 436. \$12.99 (paper). ISBN 9780804173407.

Feminism, fringe social movements, and censorship; who would have believed that these concepts would be hidden within the history of Wonder Woman, one of the most beloved female icons of the twentieth century? In *The Secret History of Wonder Woman*, Jill Lepore introduces Wonder Woman through her creator, William Moulton Marston, and demonstrates how his development of her character was rooted in far more than children's entertainment. Marston embedded the most private aspects of his personal life within the narratives of his comics. Wonder Woman was Marston's secret in plain sight, his autobiography in knee-high, red boots. She saved the day and occasionally got spanked, representing both Marston's feminist ideologies and his affinity for BDSM. By thoroughly exploring the depths of his personal history, Lepore demonstrates how Wonder Woman's iconography equally represented both Marston's private life and feminism. Simply put, his writing deliberately and intimately entangled the two. As Lepore states, "Wonder Woman was no ordinary comic-book character because Marston was no ordinary man."

As a distinguished academic and professor at Harvard, Lepore has a history of exploring various forms of historical methodology, which is clearly showcased in *The Secret History of Wonder Woman*. Using a biographical approach, Lepore frames her research within Marston's life relying heavily on personal documents and oral histories taken from Marston's family. Issues of clarity arise in delicate areas of Marston's history—like the nature of the relationship between his wife and mistress in the years following his death—where Lepore appears to have deliberately left out critical details for unknown reasons. However, like any good historian (and writer) Lepore leaves just enough subtle inferences which would lead the reader to their own conclusions.

Lepore's research reads much like a novel, chronicling Marston's early years through his untimely death in 1944. As an individual, Marston was an

extremist, swinging from one emotional tether to another, never resolving to be balanced and composed. He sought greatness at any expense, in part because of the familial influence that shaped his early years. He was the last of the Marston heirs, the only boy in a generation, and was endlessly doted on by his aunts and mothers. This family dynamic instilled a deep appreciation for women in Marston, leading him towards feminism when the movement expanded in his early college years. Additionally, the lavish praise he received from these women caused Marston to develop a craving for public recognition and adoration, motivating him to pursue fields which placed him squarely in the spotlight. His psychological research was subjective at best, which only served to discredit his standing in the academic world. Eventually, his grandiose persona and sensationalist style of teaching rendered him nearly unemployable as an instructor. However, Marston was a jack-of-all-trades; he dabbled in law, business, finance, any and every profession he could exploit for his own gains. Through these personal narratives, Lepore effortlessly integrates her argument advancing that the stranger aspects of Marston—his need for self-aggrandizement, his broad understanding of many industries, his interest in dominant and submissive relationships—are all reflected in different aspects of Wonder Woman's persona.

Though Marston is ultimately credited with the creation of Wonder Woman, Lepore's research also reveals that two women were just as significant to the development of her story and iconography: Elizabeth Holloway and Olive Byrne. Marston married Holloway following his graduation at Harvard. She was a well-educated, ambitious, and accomplished woman, who mirrored Marston's own academic credentials (though she was much more professionally successful than he ever was.) Olive Byrne was a student of Marston's while attending Tufts University. She was the niece of Margaret Sanger and the daughter of Ethel Byrne, two of the most influential women of the early twentieth-century feminist movement. Once Byrne graduated, she moved in with Holloway and Marston and together they formed a peculiar, yet seemingly happy family unit. The influence of Holloway and Byrne, as well as the nature of their relationship with Marston, is found within Wonder Woman herself: the bondage scenarios in her comics represented Marston's sexual expression and belief in sexual freedom, and Wonder Woman's gauntlets were symbolic of the wedding bracelets gifted to Byrne in their secret nuptials. Additionally, Marston developed Wonder Woman's character around Holloway's strong, tenacious personality.

Finally, Lepore successfully asserts that these parts of Marston's life, though peculiar and controversial, were the basis for the most feminist aspects of Wonder Woman's character; because of this, Wonder Woman could not continue as a feminist icon in the aftermath of Marston's death.

Mark Katz. *Capturing Sound: How Technology Has Changed Music*. 2nd ed. Berkeley, CA: University of California Press, 2010. Pp. 320. \$34.95 (cloth). ISBN 978520261051.

Musicology and the field of music history date back to the mid-eighteenth century, but modern advancements in sound-recording technology have allowed these subjects to prosper in recent years. In *Capturing Sound: How Technology has Changed Music*, Mark Katz traces the evolution of recording technology to show the interdependency between man and machine in the digital era. He argues that technological innovation in sound recording revolutionized the ways in which people composed, performed and listened to music because it drastically changed music's "tangibility", "portability", "(in)visibility", "repeatability", "temporality", "receptivity", and "manipulability" as time went on. Katz identifies these abilities as the unique characteristics of sound recording that ultimately forced society to re-think music conceptually. Readers are warned not to assume technological determinism and are reminded that human agency constantly tested the limitations of technology's abilities. To generally describe any development or consequence of recording technology, he often uses the term "phonograph effect." Katz is not technically considered a historian, but his work deserves the historian's critique because of the rate at which recording technology evolved.

"Causes," the first chapter in Katz's book, highlights a variety of fundamental changes that came with the commodification of music. He attempts to show that once music became a physical object, the personal relationships between composer, performer, and listener inevitably changed. Second, he applies these themes to the phonograph era when acoustical recording methods forced many classical musicians to adjust their style of play to meet certain recording needs. In the chapter "Capturing Jazz," Katz describes how early musicians in that genre utilized the portability and repeatability of records as a practice tool; which in turn allowed the genre's early development to be traced historically. Katz's chapter claiming the increased use of vibrato amongst early nineteenth century violinists as a "phonograph effect" is his bold attempt to show how performers used vibrato to compensate for the lack of human expression in audio recordings. The chapter on *grammophonmusik* describes how a few German musicians in the 1930s attempted to compose music using a collection of recordings. It transitions nicely into the chapter "The Turntable as Weapon," where Katz shows how DJs created their own genre by turning a music listening device into a playable instrument. Once the digital age of music began in the mid-1970s, digital sampling and file sharing shocked the music industry because its new "invisibility" allowed music to be borrowed and shared for free. In his closing chapters, Katz shows how record labels are desperately trying to keep financial control over the industry by referencing Supreme Court cases like *MGM vs. Grokster* and organizations such as the Recording Industry Association of America (RIAA).

The impact of pop music cannot be ignored in the discourse of recording technology and musicology. Katz uses arguably one of the biggest pop/rock music icons, The Beatles, to show how the genre helped test the limits of that period's recording technology. Through manipulation and experimentation with the song "Strawberry Fields Forever," the sound editing method of tape splicing was used to combine two separate recordings into one. Katz argues that the splice, which can be faintly heard one minute into the song on the word "going," was successfully executed because the shift changed the mood of the song while maintaining a tempo and pitch that matched each other. He also uses popular songs by DJs such as Norman Cook's (Fatboy Slim) song "Praise You" to show the effect of pop music.

Mark Katz earned his MA and PhD in Musicology from the University of Michigan and is a distinguished Professor of Humanities at the University of North Carolina. He wrote two other books based on topics featured in *Capturing Sound* and he is the co-editor of the documentary history collection *Music, Sound, and Technology in America*. *Capturing Sound* was first published in 2004 and includes a CD containing specific songs he periodically references. The newest edition directs readers to a website ([www.ucpress.edu/go/capturingsound](http://www.ucpress.edu/go/capturingsound)) with that same playlist where he also includes additional audio files, images, and videos to offer readers a multi-platform reference tool. The closing chapters, "Music in 1s and 0s: The Art and Politics of Digital Sampling" and "Listening in Cyberspace" are entirely new in this edition and they highlight the current legal and ethical issues in music such as file sharing and sampling. In many aspects, the transition from disc to "cyberspace" could be seen as another testament to Katz's thesis and desire to modernize his research.

*Luke Hubenet*

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Jennifer Scanlon. *Bad Girls Go Everywhere: The Life of Helen Gurley Brown*. New York: Oxford University Press, 2009. Pp. ix, 270. \$13.03 (paper). ISBN 9780195342055.

Helen Gurley Brown wrote *Sex and the Single Girl* (1962) and it launched her writing career. Brown's success as an author and media personality catapulted her to a thirty-year career as editor of *Cosmopolitan* magazine. Scanlon presents Brown's voice as one that represented millions of American women. She argues that Brown was a pioneer of the second wave feminist movement and a clear antecedent to the third wave. Scanlon depicted Brown as a financially-motivated woman who sought to live a single life of work, play, sex, and non-conformity to conventional social values. According to Scanlon Gurley Brown was a feminist due to these lived ideals. While not an authorized biography, *Bad Girls Go Everywhere* is well researched using Brown's archives, published, and unpublished writings to explain her particular brand of feminism.

Chapter one begins with Brown's mother's experiences of dissatisfaction with life. She was unable to finish college or marry the man of her choice. This is important because Brown clearly links domesticity as a trap for women. She was determined to leave rural poverty behind from a very young age. Brown became a job-hopping employee, constantly seeking higher pay and not averse to sleeping with co-workers or bosses; sex was a powerful weapon to be used in the advancement of her career. Chapter two details Brown's intense desire for money and willingness to sleep with men to have it, even if they were married. She rejected motherhood and marriage in favor of dating men who could financially provide for her pleasures. According to Scanlon, "[Brown] made up a new set of rules as she went along." She worked within the system of male authority rather than seeking to change it. In chapter three, Brown decided to marry David Brown because he was wealthy, had an upper-class background and was willing to support her in her professional endeavors.

Chapters four through six explain *Sex and the Single Girl* and how it related to the world that Brown inhabited. Publishers hesitated to accept her book. Many believed her instructions for female sexual and economic independence were too extreme, but they underestimated the broad appeal of this book. It was a hit and launched a year before Betty Friedan's *The Feminine Mystique*. Between the two works, women were encouraged to explore their individual life paths independent from conventional social mores. Though they both advocated female independence, Friedan and Brown disagreed on many issues. Scanlon skillfully contrasts Brown's self-help approach and Friedan's interpretation of females as victims of domestic imprisonment.

Subsequent chapters establish that Brown had a wide audience and appeal, which she used to make a great deal of money. She pursued book and movie deals before she became the editor of *Cosmopolitan* magazine in 1965, where she remained for thirty years. She shifted the magazine's audience towards modern, young, and single women. She marketed the 'Cosmo girl,' her vision of sexy, career-focused singlehood. Sex and money influenced her thoughts towards feminism. Brown's free-market capitalist values and accommodation of male privilege primarily excluded her from the public eye of the feminist movement. However, Scanlon remains true to her position that Brown was a feminist with her own particular viewpoint on how women could live life on their own terms.

Brown's approach to feminism is playful, sexually-charged, and geared towards being a role model rather than a leader of a movement. She sought to help women learn how to have their economic, social, sexual and emotional needs met within the constraints of a male-dominated world. She lived against the tide of social mores, celebrated a hedonistic lifestyle, and had a very strong work ethic, and she also encountered the glass ceiling before it had a name. While Scanlon views Brown as a feminist, she also portrays Brown as greedy, opportunistic, willing to be deceitful, disrespectful of married women, and attempting to remain forever young. It is difficult to place

these actions among feminists who sought equality of life experience for women. Just because Brown supported equal sexual rights and abortion does not qualify her as a feminist and her willingness to “play the game” by male rules cannot be discounted. She had broad popular appeal but that did not necessarily mean that she spoke for the masses and while this work paints Brown as an exciting figure; she was also someone who sought to package and monetize her brand of feminism. Was she selling a lifestyle or a fantasy? Living one’s life as one chooses does not make someone a feminist no matter how many times they state that they believe in the cause. The feminism that Brown’s magazine sold is superficial and immature, the product of a brand that invokes immature sexuality.

*Sherri Carson*

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Gi-Wook Shin. *Ethnic Nationalism in Korea: Genealogy, Politics, and Legacy*. Stanford: Stanford University Press. Pp. 328. \$27.95. (cloth). ISBN 9780804754071.

Professor Gi-Wook Shin wrote a book detailing the path of nationalism that has shaped the modern face of the Korean peninsula. His book, *Ethnic Nationalism*, is very informative and thorough, almost to a fault. Professor Shin attempts to explain the concept of nationalism in general and the Korean experience in particular. Rather than use any sort of analogy, Shin decided to deliver even the most distantly-related examples to illustrate his various points, providing highly effective context on Korea's particular development of national identity and providing insight into the wider nationalist context. Shin points out that the challenge in understanding nationalism is that each nation has its own path, its own identity, and Korea in particular is one of those nations whose identity has roots in adversity.

The specific path of nationalism in Korea was one of deliberate choice by specific actors, not the result of unfolding events as in other places. As Korea entered the global stage, many intellectuals mused over the multiple aspects of nationalism. At about the time that Korea began to ponder its own future, in the early-twentieth century, Japanese imperialism reared its head under the guise of a pan-Asian cooperative empire. While some Koreans found the idea of such a cooperative to be appealing, others came to understand the "cooperative" as simply a way for Japan to extend its colonial ideals to the peninsula. Korean thinkers who rejected both Western encroachment and oversight from their Japanese neighbors wanted to pursue a strictly Korean sense of nationalism; that is to say, a nation following the territory instead of the entire region, and the Korean ethnicity instead of the entire Asian race.

This conscious objection to these outside intrusions helped lead Korea

into debates on how it wanted to present itself to the rest of the world. Korean socialists wanted to unit its workers with the wider proletariat, claiming that it was best to have a working-class identity and stating that Korean workers had more in common with their own class than with Korean elites. Ironically, the socialist argument helped Korean ethnic nationalists achieve primacy by claiming that the socialists were selling out their countrymen.

Scholars interested in the study of nationalism, of modern Asian politics, and of Korea in particular will find this book quite useful. As the Director of the Asia-Pacific Research Center at Stanford, Gi-Wook Shin is a leading authority in the field and his book provides a comprehensive exploration of the subject, providing readers with insight as well as a wealth of research leads.

Matthew Landavazo

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Diana Wood. *Clement VI: The Pontificate and Ideas of an Avignon Pope*. Cambridge Studies in Medieval Life and Thought. New York: Cambridge University Press. Pp. 276. \$49.99 (paper). ISBN 0521894115.

Diana Wood's *Clement VI: The Pontificate and Ideas of an Avignon Pope* focuses on Pope Clement VI (Pierre Rodger), who was either viewed as a humanist, Renaissance pope or as a normal medieval pope. Wood provides a nuanced argument in which the two images of the pope fuse into one man. Wood argues that there were moments when Clement VI let his own bias affect his papal decisions as other Renaissance popes had and Pope Clement VI had even provided patronage to artists and scholars like other Renaissance popes. Despite these moments, Wood argues that Clement also concerned himself preserving papal authority, similar to other medieval popes. The image shows a man determined to assert papal authority over secular rulers. Pope Clement VI's sermons as one of the main sources in this book to reconstruct him. These sermons provide a rich source which provide an insight to Pope Clement VI's role of the Catholic church as well as his own personal beliefs. The sermons provide a reliable source. One reason why the sermons are a good source is to consider how much Pope Clement VI plagiarized the works of others.

Wood primarily focuses on Pope Clement VI. Wood notes that the pope never claimed to be godlike himself, but rather viewed himself as the vicar of Jesus Christ, the representative of Christ on Earth. Wood, as she admits herself, focuses less on heretics, Jews, and others groups. While these minorities are occasionally mentioned, Wood primarily keeps the focus of the book on the pope's relationship with the cardinals, what the pope thought of his own papal authority, how he justified keeping the papacy in Avignon, instead of Rome, and more. The book is fairly focused and concise on the topic at hand, which is reconciling Pope Clement VI's occasional humanistic,

Renaissance papacy with his more conservative assertion of papal authority and infallibility. Wood's book provides an overall easily understood, reasonable book explaining a complicated history. Wood clearly demonstrates Pope Clement VI's personal bias and affection for France, such as lacking impartiality during the One Hundred Years war between the English and the French. Moments like this does Pope Clement VI a more humanistic look, but it does not thoroughly change his assertion of papal authority. Pope Clement VI asserted papal authority, one such example is how Pope Clement VI asserted his ability to excommunicate individuals from heaven, in essence, banning an individual from heaven.

The book, overall, provide a clear, concise understanding of Pope Clement VI through mostly the use of his sermons. While the book is written simply enough for a broad audience to understand, the book does provide an overall nuance to Pope Clement VI's character. While having some humanistic aspects, Wood effectively argues that the pope was not a humanist, Renaissance pope. He was pope who was clearly focused on preserving papal authority over secular rulers, such as using excommunication to ensure the power of the Catholic church. The book is overall clear and concise with its message.

*K. Alexandria Knox*



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Phi Alpha Theta (ΦΑΘ) is an American honor society for undergraduate and graduate students and professors of history. The society has over 350,000 members, with about 9,500 new members joining each year through 860 local chapters.

Phi Alpha Theta was established on March 17, 1921 at the University of Arkansas by Professor Nels Cleven. Cleven had become convinced in his time at the university that a fraternity of scholars (which would accept men or women) was important for the study of history. He invited students to a meeting to form the society (then called the "University Historical Society") on March 14, and the society was officially recognized on the 17th. In April, the decision was made for the society to be known by the Greek letters Phi Alpha Theta.

We are a professional society whose mission is to promote the study of history through the encouragement of research, good teaching, publication, and the exchange of learning and ideas among historians. We seek to bring students and teachers together for intellectual and social exchanges, which promote and assist historical research and publication by our members in a variety of ways.

Phi Alpha Theta provides outstanding history students with an opportunity to take part in various society-sponsored activities related to the field of History. Phi Alpha Theta members are given the chance to discuss historical issues with their fellow peers, participate in a variety of research opportunities, and aid in the publication process of the Clio journal.

Undergraduate and graduate students interested in joining the national Phi Alpha Theta Honor Society should visit the department for more information and look into the national website.

ΦΑΘ - ΡΕ

<http://PhiAlphaTheta.org>



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# 2016 SCHOLARSHIPS, AWARDS, & PRIZES

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The History Department at California State University, Sacramento is happy to take this moment to recognize the achievements of some of our students in securing scholarships, awards, and prizes for the 2015-16 academic year. Congratulations, everyone!

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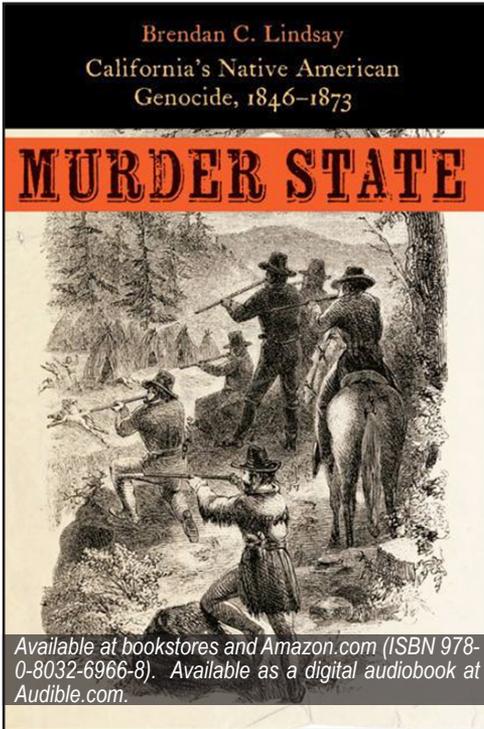
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Margo Lentz-Meyer . . . . .	\$250
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### About the Book

In the second half of the nineteenth century, the Euro-American citizenry of California carried out mass genocide against the Native population of their state, using the processes and mechanisms of democracy to secure land and resources for themselves and their private interests. The murder, rape, and enslavement of thousands of Native people were legitimized by notions of democracy—in this case mob rule—through a discreetly organized and brutally effective series of petitions, referenda, town hall meetings, and votes at every level of California government. Employing numerous primary sources and the latest interdisciplinary scholarship on genocide, Brendan Lindsay examines the darker side of California history, one rarely studied in detail, and the motives of both Native Americans and Euro-Americans at the time. *Murder State* calls attention to the misuse of democracy to justify and commit genocide.

### About the Author

Brendan Lindsay is an assistant professor of history at California State University, Sacramento, specializing in California history. He holds a PhD from the University of California, Riverside.

### Awards

Western Social Science Association 2014 Presidents' Award Best Book of 2013

### Select Praise

"Lindsay... highlight[s] important questions for scholars to ask of frontier societies, their legal systems, and their citizens."—Brenden Rensink, *Western Historical Quarterly*

"The book's foremost contribution lies in the shift of responsibility for perpetrating and allowing genocide on the shoulders of 'regular' people, while showing the uses made of supposed democratic state institutions and the compliance of federal agencies. Genocide is an act perpetrated not just by state actors, such as governments and their armed forces, but through the acts of those who feel themselves to be more human than their victims, or even the permission granted by silent bystanders."—Barbara Bonnekessen, *Social Science Journal*

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SACRAMENTO  
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To everyone who has helped us to celebrate our successes, supported us as we learn from our failures, and



inspired us to make the world a better place ... Thank you.



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