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Letter from the editors

The process of publishing an academic journal is considerably taxing, and yet beautiful at the same time. Hidden narratives are exhumed by eager researchers, dust that's settled over records from centuries is cleared for fresh eyes, swirling thoughts are roughed out on the page, countless revisions and amendments hone in the block, and eventually, with the help of many hands, a new piece of polished literature gets added to the historical record.

In this year's edition of *Clio*, you'll find essays ranging from multicultural histories of our state's past to explorations of eastern European depictions of death. What is also read in these pages is the countless hours our editorial staff have spent bringing us to print, and the individual scholarship of our contributors that is the backbone of our profession.

You may also detect a tangible excitement in the binding, as this year we were finally reunited with our cohort on campus. Together, our *Clio* staff, under the guidance of Dr. Cohen, shared the pleasure of learning all aspects of academic publishing in person. Whether it was drafting calls for submissions, corresponding with contributors, copyediting, or deciding on cover design, we were all grateful for the chance to just be in the same room. We recognize all the work done by Sacramento State University staff to keep us safe and continue our education through the pandemic. Being back in person would not have been possible without the careful precautions taken over the past two years, thank you for supporting us through it all.

We want to express our deepest gratitude to everyone who took the time to submit to our journal this year. We want to especially thank the final contributors for their never-ending hard work and for trusting us with publishing the culmination of their efforts. We're thankful for Stacie Tillman and their gracious support in all things logistical in this year's journal. We'd like to thank the university print shop for working with us through countless revisions and style edits. Finally, we're forever grateful to Dr. Cohen for guiding us through this year's edition, and for giving us the confidence to create something we're all so proud of.

Thank you,
Editors in Chief
Amber Verdugo, Andrew Shimizu

Manifestations of Fear: Hollywood, Zombies, and the Other

Jose Miranda Campbell

Abstract: This paper explores the history of zombies in the twentieth century in the United States as they came to represent the evolving fears of American audiences. The purpose of this paper is to uncover the weaponization of film, and the horror genre specifically as it has been employed by Hollywood to shape the public's perception of people of color and soothe white men's fears of black men. The microcosm of cathartic indulgence following the outbreak of COVID-19 as people congested the digital highways of the internet to stream disease disaster films such as Stephen Soderbergh's *Contagion* was neither new nor unexpected. Since the advent of the medium, filmmakers have utilized the horror genre to make sense of the world, at times their cinematic creations actively bolstered the marginalization of people of color and occasionally criticize the state of the nation. This essay explores the subgenre of horror overrun by zombies, their cinematic genesis, and how filmmakers have used the undead to push social taboos using the living dead as the nation's social anxieties changed throughout the twentieth century. Beginning with the global changes in immigration following the first World War and the United States' seventeen-year occupation of Haiti, the zombie was an appropriated monster that has provided a malleable means of catharsis and criticism for American audiences.

Whether real or imagined, fear has remained a consistent fixture of Hollywood's reflection of the nation's anxieties. These manifestations of fear emerge on the screen in a variety of forms, from the overt post-atomic horrors of *Godzilla* and *Them!* (1954) to metaphorical terrors such as *Invasion of the Body Snatchers* (1956) and *The Thing* (1951). The aftershocks of major traumatic events became palpable as they moved from the mind of Hollywood creatives to the screens of movie palaces, drive-throughs, and eventually, people's living rooms. While many of Hollywood's haunts can be interpreted in a variety of ways, despite a director's occasional resistance to capitulate, many deal with common factors adjacent to ongoing issues in the United States. Race, gender, religion, and war, all can be gleaned from horror and non-horror films alike but one monster manifests in a unique manner and consistently represents one fear: Zombies and the fear of the 'Other'.

Zombies were ushered into the collective consciousness in the wake of the United States' nineteen-year occupation of Haiti and have remained a staple of Hollywood horror since their cinematic debut in *White Zombie*

(1932). Paradoxically, the fear induced by the visage of the zombie predates the monster's unearthing. Kyle Bishop argues that unlike the commercially successful *Frankenstein* and *Dracula* (1931), zombies were purely creations of and for film. Unlike Mary Shelly and Bram Stoker's literary masterpieces, zombies reaped no benefit, nor were they hindered by, a legacy of phenomenal literature. Zombies did enjoy one unique aspect; despite being inspired by African diaspora religious and cultural beliefs, the zombie was unbound by legal etiquette. Unlike *Frankenstein* and *Dracula*, each with a controlling estate and a vested interest behind them, zombies were a blank canvas for filmmakers to exploit, entice, and engross American popular culture. As such, unlike their undead forefathers, zombies, at least in their cinematic form, are widely considered a uniquely American creation.¹ Shambling out from *The Magic Island*, William Seabrook's immersion in Haitian culture, zombies occupy a unique space in American film history.² Released in 1929, the book brought zombies into public consciousness and filmmakers were quick to capitalize on the growing popularity of the undead. However, before exploring how the zombie came to be and the impact of their emergence onto film, it is vital to understand the seed of fear reaped by the undead and the insidiously growing influence of film. Popular culture in the United States was becoming less dependent on European influences, and as a result of the consistent mass migration from rural to urban communities, social stratification saw a reciprocal decline in the world of popular entertainment.

At the dawn of the twentieth century, a novel medium emerged as a vessel for both artistic expression and social commentary. Beginning with the first full-length narrative feature, *The Story of the Kelly Gang* (1906), film has only improved in its degree of sophistication and unique ability to influence public opinion and politics.³ As film's reach expanded, audiences were able to engage with the budding art form regardless of socioeconomic status. The relationship between film and its audience represents a unique, more egalitarian form of artistic expression. While the public has enjoyed countless other forms of art, film rapidly became a common denominator of popular culture. After World War II and the proliferation of televisions in the home, American culture began to take a unique shape that relied less on European trends, and instead a uniquely American scene came to life on the screen. The United States stepped onto the global stage following World War II not only as a militaristic and economic superpower but as a cultural one as well.

1. Kyle William Bishop, "Raising the Dead," *Journal of Popular Film and Television* 33, no. 4 (August 2006), 197.

2. *The Magic Island* undoubtedly played a significant role in the creation of the cinematic zombie, but many of the claims he makes about his experiences in the Caribbean are doubted by some historians and many of his contemporaries. The 2016 edition contains a Foreword by Joe Ollmann which provides a more sympathetic interpretation of Seabrook's experiences. Regardless, his book brought the zombie into popularity in the United States.

3. Lary May, *The Big Tomorrow: Hollywood and the Politics of the American Way* (Chicago, IL: University of Chicago Press, 2002), 1-3.

The image of America was now being projected across the globe through film and it was unbound by the hurdles of literacy; artistic interpretative ability allowed artists to express themselves to a diverse audience beyond a nation's borders or the limits of language.

What is more, unlike creations of a single artist, films are an amalgamation of visions. Filmmakers, producers, distributors, actors, and writers contribute to the final product. As such, no traditionally produced film manifests from one person's perspective. Commercial, political, and personal considerations are made with every theatrical release. Combined with technological improvements and audience engagement, film has become the most prolific medium for disseminating thought and social expression.⁴ Popular culture has thus been a creative outlet for people to explore fears through artistic works, literary epics, and creative writing. For nearly a century, film has evolved as an influential force capable of portraying many aspects of the human experience. Prominent among these portrayals: fear.

This essay seeks to explore the manifestation of zombies in film and how their cinematic debut ushered in a unique exploration of fear of the Other. White men's fear of black violence has been ingrained in the American consciousness since the country's inception. Alan Taylor describes how the crisis of 1812 materialized the possibility of a slave-led revolution and how fear of this "internal enemy" came to permeate American rhetoric.⁵ The war of 1812 exacerbated the fear of a slave uprising as Southern slaveowners grappled with the outcome of the Haitian Revolution and the success of the slave revolt on that island. Jane Dailey explores the role of fear in American rhetoric and proposes that white men's fears of miscegenation have been paramount in the formation of legislation in the United States. This essay expands on these ideas by demonstrating how fear reached beyond legislative jurisdiction, infested popular culture, and influenced audience perspectives on people of color—specifically, white men's fear of black violence, black culture, and black sexuality. Fear, I argue, more than any other emotion, has been an effective motivator of violence, oppression, and legislation.⁶ Through film, fear is explored in a unique and safe method that invites people to face their nightmares and engage in the critical discourse of an ever-changing nation with unending fears. Hollywood has historically catered to these anxieties, and, as such, people of color are consistently Othered to soothe white fright. However, despite these trends, some filmmakers push social taboos by allowing the zombie to criticize American popular culture.

4. Robert A. Rosenstone, *Visions of the Past: The Challenge of Film to Our Idea of History*, 5th ed. (Cambridge, MA: Harvard Univ. Pr., 2003), 54-57.

5. Alan Taylor, *The Internal Enemy: Slavery and War in Virginia, 1772-1832* (New York: W.W. Norton & Company, 2013).

6. Jane Dailey, *White Fright: The Sexual Panic at the Heart of America's Racist History* (New York, NY: Basic Books, 2020), 3-5.

Zombie films serve as the subject through which this essay analyzes the production of fear of the Other. In a chronological approach, this essay will explore the trajectory of zombie films and how they adapted to the evolving fears of white male audiences as their primary target audience. The zombies of this study will reflect two significant eras of white fear. The first era of zombie films in this essay corresponds with global changes in immigration following the First World War and the occupation of Haiti. Following the assassination of Haitian president Vilbrun Guillaume Sam in 1915, the United States ordered military intervention on the island. Fearing the possibility of foreign influence on unstable Haiti, the occupation did not end until 1934 after significant local resistance and the implementation of the Good Neighbor Policy under Franklin D. Roosevelt's administration. This policy facilitated the evacuation of Haiti by formalizing and simplifying the United States' relationship with most Latin American nations thus rendering the necessity of overt occupation in Haiti unnecessary. This long-term exposure to Haitian culture influenced various works, William Seabrook's *The Magic Island* was the first popular text to depict the idea of zombies and is also accredited with introducing the term "zombie" to American audiences. Seabrook described his encounters with the Vodou religion and Haitian culture, and his descriptions formed the early image of the zombie as being deeply fused with mysticism and blackness.⁷ Following the success of *Frankenstein* (1931) and *Dracula* (1931), the environment was ripe for a new cinematic monster to embody this new exotic fear.

Zombies underwent their first significant evolution during the Cold War, and Civil Rights Movement era as geopolitical atomic anxieties and racial tensions reached a national zenith. George A. Romero's *Night of the Living Dead* (1968) was released the same year Dr. Martin Luther King Jr. was assassinated and the passing of the Civil Rights Act of 1968. Romero challenged white masculinity when he cast the first-ever black protagonist in a horror film: Duane Jones. As the sole survivor of the zombie horde, Jones embodied what many white men feared the most: black agency. Romero is widely considered the forefather of the modern zombie; his motifs and tradition of social commentary continue to thrive within the genre and his long-standing franchise has consistently showcased protagonists from marginalized groups defying gender roles and racial stereotypes.⁸ While Romero denies any deliberate intent behind these early casting decisions, their significance to representations of the Other remains valuable, nonetheless.⁹

7. William Seabrook, *The Magic Island* (Mineola, NY: Dover Publications, 2016).

8. Christopher Paul Wagenheim, "From Night to Dawn: The Cultural Criticism of George A. Romero" (master's thesis, University of South Florida, 2010).

9. Joe Kane, "How Casting a Black Actor Changed 'Night of the Living Dead,'" *The Wrap*, last modified August 31, 2010. <https://www.thewrap.com/night-living-dead-casting-cult-classic-20545/>.

A continuous aspect present in most eras of zombie films is social commentary. While the earliest zombie films read more like warnings of the influence of foreign culture, zombies came to frame social criticism. Most prominent among zombie films during the George Romero era, several aspects of American culture and capitalism became central to the themes of social criticism. Zombies, simultaneously a metaphor for race relations and the fear of the Other, now came to also embody a metaphorical zombie as a criticism of consumer culture. Insatiable in their desire to consume, zombies represent the ravenousness of capitalistic consumer culture. The second Romero film *Dawn of the Dead* (1978), by no coincidence, takes place in the biggest shopping mall in America and draws parallels to the zombification of the audience as it is consumed by its own ravenousness within consumer capitalism.¹⁰

The implementation of ‘white’ as a hierarchical aspect of society predates the United States’ formation, but the selection of groups that fit such definitions has remained a mobile barometer. Early in the country’s formation, German and Irish Americans did not enjoy the full privileges of whiteness.¹¹ Indeed, as the demographic makeup of the country changed, so too did the definition of whiteness. In film, whiteness is simultaneously invisible and the expected default.¹² Whiteness does not require definition on-screen, and, as such, people of color bear the burden of specificity to distinguish themselves from whiteness. Since its inception, this trend has plagued film and continues well into the twenty-first century. Racist depictions of people of color date back to some of the earliest productions of film as early as 1896.¹³ Zombie films were not immune to the formation of cinematic stereotypes as shortcuts for representing the other. Indeed, the fictional zombie began as a uniquely American creation born from appropriated Haitian beliefs. Although early films like *White Zombie* (1932) do not have black zombies, they are nonetheless aesthetically inspired by Haitian culture, which marks them as Other.

While not the first film with racist depictions, *The Birth of a Nation* (1915) holds the unique distinction of being one of the few films lauded by an American president. D.W. Griffith’s alternative history fantasy establishes one of the most prevalent tropes of white fear: the sexual purity of white women. Griffith makes it clear that miscegenation — simply even the perceived threat of it — compromises the whiteness of Americans and establishes that white men must protect white women from black aggression. Grounded in overarching ideas of American Exceptionalism and bolstered by post-reconstruction anxieties, white filmmakers were motivated to perpetuate black stereotypes

10. *Dawn of the Dead*, directed by George A. Romero, United Film Distribution Company, 1978.

11. Daniel Bernardi, *The Birth of Whiteness: Race and the Emergence of U.S. Cinema* (New Brunswick, N.J.: Rutgers University Press, 1996), 105-106.

12. Richard Dyer, as paraphrased in *The Birth*, 106.

13. Bernardi, *The Birth*.

to indoctrinate young whites with values based on racial purity and support of the continuance of Jim Crow laws like those of anti-miscegenation. *The Birth of a Nation* and other contemporary films solidified three significant aspects of white fear: the importance of ownership of women's bodies, the masculinity of the men that control them, and the importance of racial purity to maintain racial hierarchy and stratification.¹⁴

In *The Second Coming of the KKK*, Linda Gordon establishes the motivations, process, and subsequent success of the second rise of the Ku Klux Klan. Moreover, Gordon interrogates how a group often considered one of the most secretive in American history could openly elevate members to public office and influence politics for decades beyond the peak of their movement. Intended to stymie the threat of immigrants, specifically Jews and Catholics, the revival of the KKK in the early nineteenth century was intended to soothe prevalent anxieties among white men. The movement was partially fueled by the theatrical release of *The Birth of a Nation*. It was utilized as a recruitment tool by Joseph Simmons. It was further vindicated as legitimate history by President Woodrow Wilson, who claimed, "It's like writing history with lightning. My only regret is that it is all so terribly true."¹⁵

While not all receptions of the film were positive across the country— some cities protested its release and boycotted the film¹⁶— it nonetheless served its purpose as propaganda, reaffirming to white people, in vivid black and white, the sad conclusion of Reconstruction and "The Lost Cause." From the perspective of southerners who believed in the negationist mythology following the defeat of the Confederacy in the Civil War, the inclusion of black people in popular culture and allowing blacks unfettered access to white women could only spell tragedy. The Lost Cause myth seeks to preserve southern honor by reframing the South's motivations for secession and minimizing the role of slavery as a cause for the war.¹⁷ Parallel to the release of *The Birth of a Nation*, the pseudoscience of eugenics was reaching its peak in public acceptance. Gordon's work serves as a primer for a critical engagement of the modern white nationalist movement that abandoned any attempts at secrecy in the wake of Donald Trump's successful 2016 presidential campaign and as an indicator of the far-reaching influence of fear and its manifestation in film.

While the first zombie film would come nearly two decades after *The Birth of a Nation*, Griffith, Simmons, and countless other white supremacists of

14. Bernardi, *The Birth*, 240.

15. Linda Gordon, *The Second Coming of the KKK: The Klu Klux Klan of the 1920s and the American Political Tradition* (New York: W. W. Norton), 11.

16. Clyde Taylor, "The Re-Birth of the Aesthetic in Cinema," in *The Birth of Whiteness: Race and the Emergence of U.S. Cinema*, ed. Daniel Bernardi (New Brunswick, NJ: Rutgers University Press, 1996), 15-16.

17. Gary W. Gallagher and Alan T. Nolan, *The Myth of the Lost Cause and Civil War History* (Bloomington, IN: Indiana University Press, 2000), 1-10.

the time could look to this film for its technical excellence and its enduring warning of the dangerous consequences of black agency. Linda Gordon provides additional valuable insight when discussing the shifting perspective of white men's masculinity in the wake of a rapidly modernizing world. The 1930s brought about profound changes in the geographic and demographic distribution of the American labor force. Many people moved into urban spaces from rural areas for work, generally from the south to the north. With this migration came a shift in labor, how said labor was performed, and how white men displayed masculinity. White men's sense of masculinity diminished as labor moved from performing primarily physical exertive labor to more sedentary white-collar jobs that demanded less physical exertion, strength, or stamina.¹⁸ This increasingly sedentary lifestyle, as well as the increase in immigrant and black labor, was part of the attraction that led to the growing ranks of the Ku Klux Klan. As part of a fraternity that lauded racial superiority, the Klan gave white men a place to express their anxieties in (often) destructive ways.¹⁹

The final aspect present in this essay is the role of gender. The contrasting societal expectations of masculine and feminine roles are present in many horror films and become prominent in zombie films since many filmmakers, especially ones like George Romero, stray from traditional conventions. In *Night of the Living Dead*, Ben, portrayed by Duane Jones, challenged racial hierarchy and white masculinity by asserting himself over the white patriarch. In the film's remake in 1990 directed by Tom Savini, Patricia Tallman portrayed an updated version of her character, Barbara, that departed from her original role as a damsel in distress to that of a woman of action. Not capable of surviving the night, her update is indicative of Romero's awareness of the significance of the representation of women in film. The remake follows most plot points faithfully: Ben's modern reincarnation still dies at the end, but he is now killed as an act of mercy by Barbara. The dynamic is more than an update to appease audiences; it recognizes the original's shortcomings and speaks to the evolution of the recognizing of the importance of a protagonist's agency. Tallman's version of Barbara was so influential, in fact, that her depiction of the character continued her zombie-slaying heroics in a non-canonical comic books series following the release of the film.

A discussion about zombies cannot begin in earnest without first establishing the importance of their birthplace: the effects of the African diaspora following the legacy of the Transatlantic Slave Trade and, more specifically, Haiti. Once a colonial possession of France, Haiti became the manifestation of what slave owners across the Atlantic feared the most: revolution. Under the leadership of Toussaint Louverture in 1791, Haiti became the first successful slave-led revolution in the Atlantic. As the first black republic, arguably more

18. Gordon, *The Second Coming of the KKK*, 94.

19. Gordon, *The Second Coming of the KKK*, 30.

democratic than the United States, Haiti, and the ideas Enlightenment ideas of equality that it embodied fueled the nightmares of white slave owners. The United States has had a complicated relationship with Haiti since its inception. The United States did not officially recognize Haiti's sovereignty until 1862 when President Abraham Lincoln sent a diplomatic representative.

The United States invaded the island of Haiti in 1915 and occupied it until 1934. During this time, hundreds, if not thousands, of marines served and spent time on the island. Arguably, Haiti has continued to suffer the tremors of colonialism through its financial and political entanglements with France and the United States. These colonial scars became apparent in 1915 when the United States began its nineteen-year invasion and occupation of the country.²⁰ As the second-oldest republic in the western hemisphere, Haiti holds a particularly complicated space in the historical memory of the United States. While both the Haitian and American Revolutions claimed to be movements of the oppressed against their oppressors, only Haiti would fully liberate its people. In the United States, full citizenship was denied to most Americans.

As an exotic destination, Haiti, like many foreign lands, inspired a degree of fascination for many white people. Kyle Bishop presents the historical zombie and its much more mundane zombification process. The specifics of the 'zombie powder' are a carefully guarded secret among real-world Vodoun priests, but what is known is that the powder consists of a careful mixture of neurotoxins, sedatives, and a powerful poison from a specific pufferfish called tetrodotoxin. The mixture, called *coup de poudre* in Haitian Creole, induces a near-catatonic state in which the imbiber runs a significant risk of paralysis, brain damage, and even death. Local superstition surrounding Vodoun coupled with the human aversion to being near corpses fosters a unique atmosphere in which the zombie can embody the fears consistent with the human experience.²¹ Freud provides a concise interpretation of the trauma of facing something that is simultaneously familiar yet unknown: *unheimlich*. Literally translating to "un-homely," it is most commonly translated to "the uncanny" in order to better explain the phenomenon.²² Early zombie films successfully represent the fear induced by "the uncanny" by focusing on how the existence of zombies is a disruption to the natural order.

The early zombie films discussed in this essay did not receive much critical acclaim upon release. Nonetheless, as the influence of *White Zombie* and *I Walked with a Zombie* on the film industry and the horror genre becomes evident, film critics have revisited these films and analyzed them in a much kinder light. The first cinematic zombie manifested with the 1932 film *White*

20. Alyssa Goldstein Sepinwall, *Slave Revolt on Screen: The Haitian Revolution in Film and Video Games* (Jackson: University Press of Mississippi: 2021).

21. Bishop, *Raising the Dead*, 198.

22. Bishop, *Raising the Dead*, 198.

Zombie. While in this film zombies were not portrayed by people of color, the message was clear: beware of the influence of the Other. The young white woman, Madeline Short (Madge Bellamy), was zombified by the evil *bokor*, Murder Legendre (Bela Lugosi), and, as such, corrupted by the Other. Originating in white interpretations of Haitian voodoo culture, the zombie in its original form was explicitly a reference to the other. Describing early films such as *White Zombie* (1932) and *I Walked with a Zombie* (1943), Kyle Allkins frames zombie films as arguably not intentionally racist endeavors, but instead, he claims they are little more than products of their time.²³ While his view is arguably too dismissive of the insidiousness of racism at the time, he does present a concise argument for the similarities between the films. The victim in both films was a white woman whom a white man ultimately rescued. The zombies of both films, and the process that creates them, originated from the practice of Haitian Voodoo, albeit in *White Zombie*, the magic-user was a fair-skinned man that does not fit contemporary images of white. Indeed, the bokor— male practitioner of Vodou— is portrayed by Bela Lugosi, a Hungarian American actor whose appearance is not consistent with contemporary whiteness. He is ‘dark white,’ and his foreign portrayal successfully marks him as Other. In *I Walked with a Zombie*, the primary antagonist is a white woman who seeks to punish her daughter-in-law for adultery.

Each villain’s portrayal is indicative of the fears common among white men between the 1930s and 1940s. As the personification of a dark, mysterious, foreign other, Lugosi is familiar as a white person but remains unworthy of trust as he violates social morals by appropriating indigenous rituals to create zombies. With his dark beard and vaguely Eastern European aesthetic, he was coded as non-white, or at the very least, not American. In *I Walked with a Zombie*, not only are young white women the primary victims of zombification, but a woman is behind these acts of zombification. This taboo manifests the perceived dangers of non-white culture while also being a social comment on the manipulation of the natives of the island and their culture the bokors of each film betray their whiteness by adopting Haitian magic.

The most intriguing aspect of Allkins’s interpretation of these early films is that the driving motivation in each was the same; the urgency to cure the white women afflicted with zombification superseded all other responsibilities. Despite their being zombified locals that might welcome liberation, they were utterly denied any such mercy. Helping them was never a consideration for the protagonists, or seemingly, the filmmakers.²⁴ This perspective indicates the apathy toward people of color intrinsic within zombie films and their filmmakers. In these early zombie films, fear of the Other manifests through the bodies of zombies and the transgressions of the white bokor. Although the

23. Kyle Allkins, “‘Those Things’ and ‘You People’: Issues of Racism in Zombie Cinema,” *Michigan Academician* 40, no. 3 (Fall 2012): 112-114.

24. Allkins, “‘Those Things’ and ‘You People.’”

undead is not represented by people of color, they are nonetheless important as an aspect of the negative consequences of foreign, non-white influence on white American culture.

At the time of the release of *White Zombie* and *I Walked with a Zombie* (1932 & 1943), anxieties across white America rose as increasing waves of immigration brought about a rapid change in demography. These changes made white men fear miscegenation and non-white cultural influence. Indeed, during the 1930s, in a post-depression and pre-World War II environment, white men felt a significant reduction in their ability to be masculine. Immigration during the first quarter of the twentieth century to the United States was seen as a threat to white American culture. The increase in Jewish, Catholic, and Eastern European immigration brought with it a fear of both communism and anarchy. Coupled with the domestic changes in youth culture following the Roaring Twenties and the ratification of the nineteenth amendment to the United States Constitution, women were perceived as transgressing their prescribed gender roles. This anxiety is palpable in *White Zombie*, and *I Walked with a Zombie* as the white women in each film need a white savior, and when they are rescued, they return to the expected status quo of servility to their white patriarch.

Romero revolutionized the zombie genre. His work is by far the most recognizable regarding the aesthetics of the zombie genre. Romero's style and approach to social criticism have been imitated by nearly all forms of zombies regardless of medium. Many film critics and zombie aficionados credit Romero with reviving the zombie from its early heyday and acknowledge the impact his work has had on countless movies, television shows, video games, and comics. As discussed in the introduction, Romero denied having any specific agenda when he cast Duane Jones for the role of Ben as the protagonist for *Night of the Living Dead*. However, despite his claims, his subsequent films in the franchise continued his approach to social commentary. What is clear is that the film was released in the United States at a time of high racial tension and geopolitical anxieties brought about by the Cold War. Kyle Bishop suggests that while there was an absence of significant studios producing zombie movies between most of the 1940s, 50s, and 60s, several themes remained consistent through those decades that paved the way for Romero's reanimation of the undead. While few horror films had the magnitude of influence of Romero's, several films embodied Cold War anxieties that were inherent in zombie films, such as *Atomic City* (1952), *Invasion of the Body Snatchers* (1956), and *The Blob* (1958). Namely, many horror films in post-World War II America dealt with the fears of the other in the forms of foreign invaders, both Earthly and extraterrestrial. The overall paranoia of the possibility of evil, betrayal, or communism coming from a loved one was a deeply held anxiety in America. The zombie adapted once again in the wake of the Civil Rights Movement to represent the fear of being overrun

by mindless, human-like creatures representing white fear of black equality. Films like Romero's *Night of the Living Dead* were explorations of white fears of black people with power and even ended with the black protagonist killed at the hands of a white gunman. The message is clear over fifty years later; black lives do not matter to white supremacists. As Jane Dailey explores in *White Fright*, there has been a sexual panic at the heart of American legislation, mainly as it deals with miscegenation. White supremacists have historically been quick to assume that political equality would inevitably lead to interracial relationships despite overwhelming evidence that many black leaders sought equity in the ability to access the same financial and political opportunities as white people. Few advocated for the dismantling of anti-miscegenation laws.²⁵

Whether intentionally or not, Romero represented a form of miscegenation on screen in *Night of the Living Dead*. A black protagonist shares the spotlight with a white woman asserts himself as 'the boss,' and establishes his agency throughout the night's events. A black actor had never before portrayed the lead role in a horror film. His power and heroism were also asserted as he inflicted violence upon the white zombies. Romero's initial vision for the character of Ben was of an average truck driver. Romero asserts that he was only concerned with telling a story of survival from the perspective of everyday people. When Romero cast Duane Jones for the role of Ben, it was, he claims, because he was the best one to audition. What is vital to note, however, is Jones's personal agency in shaping the character. The initial draft called for an outfit typical of a truck driver. Jones, however, insisted that his character should not only dress well but also speak well. These acts of agency speak to the racial tensions of the late 1960s, and while Ben ultimately fails to protect the white damsel in distress and is himself unceremoniously executed after surviving the night, he nonetheless took over the role usually reserved for white men. He protected women and children against the onslaught of the Other. In an interview regarding his commercially successful film *Get Out*, Jordan Peele commented on the aspect of a lead black man surviving a horror movie situation. He claimed that a life filled with racial tension better prepared the leads of *Night of the Living Dead* and *Get Out*, to survive the onslaught.²⁶

25. Dailey, *White Fright*, 7.

26. Alissa Wilkinson, "George Romero didn't mean to tackle race in *Night of the Living Dead*, but he did anyway," *Vox*, Last modified July 22, 2017. <https://www.vox.com/culture/2017/7/22/15985492/night-of-living-dead-movie-week-george-romero-zombies-get-out-jordan-peele>.

Before his death in 2017, George Romero created a prolific undead and social commentary legacy. While he denies any intentionality of social commentary in the first film, the same cannot be said for his sophomoric zombie film *Dawn of the Dead*. Taking place in the biggest shopping mall in America at the time, the film interrogates what it means to consume. Part of what Romero added to the mythology of zombies was their cannibalism. Predominant portrayals of zombies, such as those in *White Zombie* and *I Walked with a Zombie*, focused on the loss of agency and domination. No longer a tool of the bokor, zombies became the threat. Still mindless husks, these zombies were driven by the singular desire to consume human flesh. The endless ranks of the dead fueled by their insatiable hunger were reflective of the proliferation of consumerism in America. Like the zombies on screen, America wanted to consume endlessly. The country reached a stage of global hegemony in which the Baby Boomer generation had reached adulthood and had so far enjoyed materialist prosperity, and people began to be defined by what they bought and less for who they were. This tone carries throughout all of Romero's...of the Dead franchise but is the most prominent in his 1978 production.

Part of what fuels the uncanny fear unique in the rotting flesh of a zombie is the unspoken aspect that it represents. In both the tetrodotoxin-induced catatonic zombie and the cinematic mystical/atomic zombie, the zombie represents a loss of control. Despite no longer being a tool for the bokor, the zombie is still denied agency. In traditional Haitian lore, zombification was reserved for the worst of society and represented the traumatic fears of slavers. The possibility of becoming a zombie denied the enslaved the only hope of the release of bondage. Death could no longer be an escape, and becoming a zombie was considered a fate worse than death. The 2018 production of *Black Panther* stars the late Chadwick Boseman and Michael B. Jordan. In the final scene between the two adversaries, Killmonger (Jordan) states, "Bury me in the ocean, with my ancestors that jumped from the ships, because they knew that death was better than bondage."²⁷ The zombified enslaved no longer had that escape.

Fears from the white hegemony, foreign influence, and Othering remained a consistent aspect of zombie films throughout the twentieth century. The twenty-first-century renaissance of the undead did not change these trends but instead refocused them. The attacks on the World Trade Center in 2001, the subsequent military intervention in the middle east still ongoing twenty years later, and a series of economic depressions have directly influenced the production of horror on screen. Zombies briefly fell out of favor in the 1990s but saw an unprecedented resurgence with the release of the film *28 Days Later*. While George Romero credits the improvements in video games and franchises like *Resident Evil* for the renaissance, the focus of this paper is film but the significance of the *Resident Evil* franchise merits mentioning

27. *Black Panther*, directed by Ryan Coogler, Marvel Studios, 2018.

due to its successful cinematic adaptations. The attacks on the World Trade Center resurfaced a fear latent in the American consciousness. With the Cold War primarily absent from the public's mind, the fears of mass destruction were resurrected, and with it brought the undead to the forefront of horror once again. This final evolution embodies fears of complete annihilation that had previously only been thought possible on foreign soil. While the atomic bombing of Japan at the hands of the United States left lasting cultural tremors in Japanese culture, after the direct threat of total nuclear annihilation dissipated with the tearing down of the Berlin Wall, American audiences let that possibility fade into distant memory. Faced with the possibility of the destruction of civilian life at apocalyptic proportions, cinematic zombies continued their nearly century-long tradition of helping Americans cope with fear yet again.

The modern zombie of the twenty-first century defies simple definition. Their rotting visage has become ubiquitous in American popular culture. Prevalent throughout all facets of mediums, there is a zombie for everyone. Robert Kirkman's *The Walking Dead* began as a comic book series and, as an homage to his primary muse, the comics are produced in stark black and white. The *Walking Dead* franchise now spans television, novels, video games, and even has films in production. The Romero era undead directly inspires the zombies in the *Walking Dead* franchise, and the production of their media is focused on everyday people surviving a post-apocalyptic world.

Video games, toys, trading cards, children's books, and even chew toys for dogs have succumbed to the undead. Zombies are now shifting from something to be feared into something to be understood and at times even wholesome. Despite their newfound universality, zombies still fulfill their cinematic role of embodying fear. Roxane Gay wrote an opinion piece for the *New York Times* in which she states, "increasingly, as a black woman in America, I do not feel alive. I feel like I am not yet dead." She wrote this in the wake of the killing of Sandra Bland while in the custody of the police after being arrested on false charges.

One of the pandemics made clear by COVID-19 has been the degree to which racism is institutionalized in the United States and how normalized racist rhetoric has been since the country's inception. Race has been, and continues to be, central to the politics present in every aspect of American life. The people most affected by the COVID-19 pandemic have, disproportionately, been people of color. The continuance of systemic violence against people of color highlights the importance of acknowledging the racist history within the body of a zombie. More importantly, the history of the zombie as one emerging from the collective trauma of slavery and the adaptive ability of the zombie to embody the changing fears of white Americans is reflective of the persistence of racist philosophy that would otherwise be easy to dismiss.

“When Mexico sends its people, they’re not sending their best. They’re not sending you. They’re not sending you. They’re sending people that have lots of problems, and they’re bringing those problem with us. They’re bringing drugs. They’re bringing crime. They’re rapists. And some, I assume, are good people.”-Donald J. Trump. June 16, 2015.²⁸

President Trump’s campaign and subsequent presidency brought to light ugly aspects of American society that people of color, along with their allies, were aware existed. Trump spoke to a base of white supporters that, like him, saw the continuing trend of demographic change in the United States as a threat to whiteness. Not unlike the racists resistant to non-white immigration in the first few decades of the twentieth century, Trump validated the fears of white supremacists across the country and encouraged them to indulge in their fears openly. His rhetoric fueled and likely will continue to fuel, academics across the political spectrum to further research the effects of his administration. Several aspects of his leadership speak to the ongoing issues of white supremacy in the United States. The Trump administration continued the legacy set forth by racist politicians like Strom Thurmond by appealing to the most visceral of emotions: fear.

Not all is bleak however, while this essay has been focused on tracing the trajectory of the zombie and its embodiment of race, gender, and fear, the genre is undergoing another wave of change. Phenomenal filmmakers and actors are reappropriating many of the motifs once used to denigrate and oppress. Jordan Peele is one of the best-known leaders in this changing landscape. His 2018 directorial debut *Get Out* implemented many of the same strategies of fear and atmospheric terror that made the zombie films successful. What is more, his work on *Get Out* earned him over two hundred award nominations, of which the film one hundred forty-nine. Peele became the first black filmmaker to win the Academy Award for best original screenplay and has continued to establish himself as one of the modern era’s most gifted directors of the horror genre. This does not, of course, mean the deep-seated fear of the Other in film is solved, much like the election of President Obama was not indicative of the elimination of racism in America. Hollywood still has plenty of room to improve and must make space for diverse voices to tell their own stories, even the scary ones.

28. “Presidential Campaign Announcement.” Performed by Donald J. Trump. Trump Tower, New York City. June 16, 2015.

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The Perpetual Stranger: Leprosy and the Social Construction of Disease

Mallory Potter

Abstract: This paper uses leprosy to examine how the social construction of disease perpetuated the “othering” of marginalized identities in medieval Europe. The onslaught of widespread disease creates waves of fear and aggression towards marginalized groups and those on the fringes of society. Leprosy is one of the notable examples of this phenomenon through the extreme measures taken to ensure the permanent ostracism of the infected. Pronounced legally and spiritually dead, shunned from their community, and reidentified as a leper, the diseased individuals faced religious, political, and social rejection in every facet of their existence. The residual associations to leprosy, which remain endemic in modern society, continue to portray the disease based on its enduring societal constructions rather than its biological elements, which no longer threaten society with the help of modern medicinal innovation. Leprosy was a metaphor for more than just a deteriorating and debilitating bacterial affliction, it embodied a threat to societal values and heightened fears in a time of crisis. Recent studies on diseases and their social constructions have flooded the market since the instigation of COVID-19. The realities of these diseases compared to the impact society plays in perpetuating disinformation at the cost of human lives remains a prevalent issue, and deserves contemporary recognition in order to address pervasive systemic issues including classism, racism, and sexism.

Outbreaks of disease remind mankind of the fragility of life. History shows the onslaught of widespread infectious disease often sparks fear and aggression, overwhelmingly aimed at those on the fringes of society. The poor and disenfranchised consistently suffer most in the wake of societal upheavals. Not only are they impoverished and more generally exposed, but they also become the target of suspicion and blame when social anxieties overwhelm logic. Societies have a habit of distinguishing norms and persecuting anything outside that realm of acceptability. Persecuting societies function best by distinguishing outsiders in order to form unity among the rest, this process is often referred to as ‘othering.’¹ Disease has proven to be a definitive catalyst to some of the most atrocious treatments of human beings, based loosely on constructed ideas of othering rather than scientific reasoning.

1. R.I. Moore, *The Formation of a Persecuting Society* (Oxford: Basil Blackwell Inc., 1987), 107.

Disease has been used to construct social stigmatization and remains a prevalent study as it has remained a constant trend for centuries. Smallpox was used by Europeans to fabricate justifications for their proclaimed racial superiority over Native Americans.² Malaria and Yellow Fever were used to construct negative associations of cleanliness to Africans.³ AIDS was referred to as the ‘gay cancer’ to blame and ostracize the LGBT community.⁴ The issue of closely associating unscientific constructions with the idea of a disease has created a culture of persecution and alienation that does nothing but further divide people. To contribute to this field, this paper seeks to dissect the idea of disease and analyze the different constructions and metaphors used to make disease more than just a biological condition. Leprosy is a prime example of the prevalence of a social construction over the biological construct of a disease.

Leprosy in western Europe during the Middle Ages represented the extremes medieval society went through to ensure the continued ostracism of diseased individuals. The physical manifestations of leprosy and the impacts it has on the body form the biological construction of the disease. Leprosy has a wide range of symptoms including disfiguring and mutilating effects on the skin, hands, and feet.⁵ It leaves the infected covered in sores, mangled in appearance, and often without the use or feeling of some limbs. Lepers are said to have “suffered a long debilitating state between life and death.”⁶ These attributes, grotesque and impossible to conceal, evoked disgust and evasion by the general populace. Lepers were considered “the most dangerous and most desolate of creatures, representing the last degree of human degradation.”⁷ One of the most prominent and early assessments of leprosy was by Gregory of Nazianzus, who, in the fourth century, referred to lepers as, “the pitiful wreckage of what had once been human beings.”⁸ Poor medicinal practices of the medieval era did little to curb rumors that leprosy was something beyond the world of science.

Although no longer a common disease today, leprosy once conjured fear and suspicion within religious, secular, and societal realms. Together these interpretations form the different social constructions of the disease. Contradictory religious projections posed lepers as both the condemned and the elect of God. The disease also prompted state legislations in the

2. Mitchell L. Hammond, *Epidemics and the Modern World*, (Toronto, Canada: University of Toronto Press, 2020), 106.

3. Hammond, *Epidemics and the Modern World*, 148 and 348.

4. Hammond, *Epidemics and the Modern World*, 427.

5. Peter Richards, *The Medieval Leper: and his Northern Heirs*, Reprint, (UK, Cambridge: D. S. Brewer, 2000), xv.

6. Timothy S. Miller, and Rachel Smith-Savage, “Medieval Leprosy Reconsidered,” *International Social Science Review* 81, no. 1/2 (2006): 20.

7. Moore, *The Formation of a Persecuting Society*, 60.

8. Gregory of Nazianzus, “Oration 14,” in *Plague, Pestilence and Pandemic: Voices from History*, ed. by Peter Furtado, 48-50 (New York: Thames & Hudson Inc., 2021), 49.

secular realm to ensure avenues for segregation and revocation of human rights. Society responded to lepers in varying ways, most often through social exclusion and avoidance of the afflicted individuals, however, reactions varied depending on gender and class. Leprosy re-entered western European consciousness around the eleventh century by way of the Crusades. As it spread, leprosy prompted negative reactions due to its association as a foreign and unclean manifestation from the East. During the height of the leprosy scare between the eleventh and thirteenth centuries, western Europeans actively constructed an image of the leper that impacted the lives of the diseased and continually fluctuated to meet the needs of a society undergoing massive structural changes. Pronounced legally and spiritually dead, shunned from their community, and re-identified as a leper, the diseased individuals faced religious, political, and social rejection in every facet of their existence.

Recent historiographical efforts have sought to undo some of the damage inflicted by the social construction of leprosy. In an attempt to return agency and humanity to the individuals afflicted, terms such as 'leprosy sufferers' and 'leprosy patients' replace the traditional term 'leper.' I mention these advancements to shed light on the progress of the field, and to ensure my readers I am aware of these advancements. For the sake of this paper, I use the term 'leper' with intention, so readers might better understand the destructive metaphors attached to this term.⁹ The enduring legacy of leprosy is both hurtful and destructive and stands to embody a metaphor encapsulating much more than just the biological disease.¹⁰

The legacy of leprosy is the residual unease people continue to feel when they hear the word 'leprosy' or 'leper'. Most people are unfamiliar with what the disease actually is, but instinctively react with associations such as 'gross,' 'dangerous,' or 'seclusion.' How did these connotations come to be? Did they have anything to do with the disease itself? If not, where did they come from? These are just a few of the questions this paper seeks to answer. The social constructions of leprosy perpetuated the othering of marginalized identities and instead of addressing the disease itself, formed a stigmatizing idea of leprosy which remains prominent today.

Background and the Biological Construction of Leprosy

To understand how the social constructions of leprosy differ from the scientific reality of the disease, it is crucial to understand how the disease biologically affects the body. Leprosy is a skin ailment caused by a bacterium called *mycobacterium leprae*. This disease is reminiscent of tuberculosis and shares similar symptoms in its earlier stages. It often remains dormant within

9. Elma Brenner, and François-Olivier Touati, *Leprosy and Identity in the Middle Ages: From England to the Mediterranean*, (UK, Manchester: Manchester University Press, 2021), 7.

10. Susan Sontag, *Illness as a Metaphor and Aids and Its Metaphors*, (New York, NY: Anchor Books, 1979), 3-4.

the host for prolonged periods of time and has the longest incubation period of any infectious disease.¹¹ The initial incubation period can take anywhere from two to seven years, even reaching as long as twenty years before physical signs of the disease surface after the initial exposure.¹² The disease is infectious in its early stages but loses its contagion once physical symptoms appear. Most humans possess a natural immunity to the disease; at its height, leprosy only affected 5-10% of the population.¹³ Even within that small margin of contraction, nine out of ten people with leprosy do not show obvious signs of infection.¹⁴ Because of this, leprosy does not spread as rapidly or virulently as many other diseases; it does not create devastating pandemics, but instead remains endemic for centuries.¹⁵

There are ranges in the levels of infection a person might endure. Classifications of high- and low-resistance are based on the individual's level of natural immunity. Lower resistance individuals comprise most cases and show no obvious signs of infection. They instead suffer a slower rate of deterioration. High resistance cases are reserved for the extremes of the disease which incurs nasal congestion, swelling of the limbs, nerve damage, lesions and nodules, alopecia, bodily bleeding, putrefaction of the nose and penis, loss of teeth, and permanent interior damage.¹⁶ Many cases fall somewhere in between these ranges.

As leprosy progresses, it causes disfiguring and incurable mutations. Once reaching the most detrimental stage, *lepromatous leprosy*, the disease begins to attack an individual's skeletal and nervous system as well as bodily extremities. The skull corrodes in areas around the nasal and oral cavities creating depressions in the face. Many individuals who reach this stage lose their voice as the bacterium attacks their respiratory system and damages their vocal cords. Blindness can also occur as the disease further invades the skull's interior to disintegrate the optic nerves. Furthermore, "nerves responsible for enabling a person to sense things such as pain (sensory nerves); those that convey messages from the central nervous system to stimulate muscles to contract (motor nerves); and those that serve internal organs, including blood

11. Richards, *The Medieval Leper*, xv; and, Christina Welch, and Rohan Brown, "From Villainous Letch and Sinful Outcast, to 'Especially Beloved of God': Complicating the Medieval Leper through Gender and Social Status," *Historical Reflections / Réflexions Historiques* 42, no. 1 (2016): 49.

12. Moore, *The Formation of a Persecuting Society*, 73.

13. Miller and Smith-Savage, "Medieval Leprosy Reconsidered," 17.

14. Richards, *The Medieval Leper*, xvi.

15. Peter Furtado, ed. *Plague, Pestilence and Pandemic: Voices from History* (New York: Thames & Hudson Inc., 2021), 48.

16. Welch and Brown, "From Villainous Letch," 50; Richards, *The Medieval Leper*, xvi.

vessels (autonomic nerves), are all potentially affected.”¹⁷ Both the hands and the feet incur debilitating damage, becoming completely dysfunctional and permanently bent or warped. The loss of motor function and the mutation of the feet affected one’s ability to move; records of these individuals depict lepers who “walk with a staggering gait.”¹⁸

Lepers became visions from nightmares and faced stigmatization in every aspect of their lives. They were commonly referred to in medieval literature as “the living dead” and as “walking corpses.”¹⁹ Although this imagery portrayed the final and most extreme stages of the disease, efforts to detect leprosy before it reached this stage became of the utmost importance. The later stages and highly resistant cases offered an unquestionable determination in leprosy, but what of the lower resistance cases? How was leprosy determined in individuals during the preliminary stages of the disease, or determined not as leprosy, but as a disease that marginally resembled leprosy? The process of diagnosis proved a crucial factor in the life of a leper. The process either allowed lepers access to a normal life or condemned them to one of segregation and ostracism.

Although straightforward in its later stages, leprosy proved generally difficult to diagnose. Medical knowledge during the Middle Ages proved less than reliable. Often medical study focused on the comfort of the sick rather than the prevention or cure of diseases and ailments. Because of this, the leper’s spiritual care was prioritized over scientific diagnosis. Specialization of medical fields had yet to occur, and those who practiced medicine were few and far between. Leprosy was not initially considered contagious because it was deemed a physical imbalance of the humors, which was nontransmissible.²⁰ Early medical practice was based on Byzantine belief in the study of the four humors, which involved the different types of bodily fluids: blood, phlegm, yellow bile, and black bile. Any imbalance of these humors was considered an illness of some sort; leprosy was deemed an excess of black bile in the humors.²¹ The idea of microorganisms and germs would not surface until much later, only taking minor roots in the medical field after the Black Death in the fourteenth century. Because of this, the diagnosis of leprosy did not follow a stringent scientific regiment to determine who was or was not a leper.

Upon suspicions of leprosy, individuals were interviewed or interrogated by either a medically trained individual, or more often than not, a panel

17. Charlotte Roberts, “Reflections on the bioarcheology of leprosy and identity, past and present,” in *Leprosy and Identity in the Middle Ages: From England to the Mediterranean*, by Elma Brenner, and François-Olivier Touati (UK, Manchester: Manchester University Press, 2021), 28.

18. Timothy S. Miller, and John W. Nesbitt, *Walking Corpses: Leprosy in Byzantium and the Medieval West*, (New York: Cornell University Press, 2014), 2.

19. Miller and Nesbitt, *Walking Corpses*, 1-2.

20. Miller and Nesbitt, *Walking Corpses*, 20.

21. Miller and Nesbitt, *Walking Corpses*, 7.

of locals to determine a diagnosis. In many cases, reputable men “of a good moral standing” or “responsible and worthy citizens” conducted the examinations if a proper healer was not available.²² Before the publication of medical texts explaining the proper diagnosis, many accused of leprosy relied on their ability to convince their neighbors they were not lepers, rather than on any sort of medical proof.²³ This reliance on seemingly upstanding men of the community provided, not surprisingly, less than effective measures for ensuring proper diagnosis. However, the process of determining leprosy became more proactive with the publication of medical findings.

Jordan of Turre (c. 1313-30?), a studier of Islamic ideas on the symptoms of leprosy, wrote *The Symptoms of Lepers*, which monumentally impacted the recognition and diagnosis process.²⁴ He described a number of different tests that could be conducted to determine the presence of leprosy. Some of these included urine color, pulse weakness, vocal strength, and blood tests. Beyond an examination of bodily excretions, an analysis of the scalp and face for bone deterioration or depressions also signaled the corrosive stages of leprosy.²⁵ Abnormalities from any of these tests alerted to the presence of leprosy and served as evidence for a proper diagnosis. Later, a more comprehensive text was published to identify distinct stages of the known forms of leprosy. Guy de Chauliac’s medical textbook, *La Grande Chirurgie* in 1369 further helped lay people more accurately recognize the proper symptoms and distinctions of leprosy.²⁶ Despite the lack of available medical practitioners, the determination of lepers became more refined and the number of diagnosed lepers decreased dramatically after its publication.

Despite this, wrongful diagnoses of leprosy continued to occur and required the accused to apply for a certificate of freedom from the disease.²⁷ Joanna Nightingale was wrongfully diagnosed with leprosy in 1486. She refused to be isolated and continued to live amongst the healthy, causing a bit of an uproar. Eventually, upon a warrant from King Edward of England, Nightingale was reexamined and determined non-leprous through a long and strenuous legal undertaking.²⁸ Nicholas Harris underwent a similar process in 1620 to obtain the proper paperwork, “by good testimony certifie that I

22. Richards, *The Medieval Leper*, 41; S. J. Watts, *Epidemics and History: Disease, Power, and Imperialism* (New Haven: Yale University Press, 1997), 49.

23. Richards, *The Medieval Leper*, 44.

24. Furtado, ed. *Plague, Pestilence and Pandemic*, 53.

25. Jordan of Turre, “The Symptoms of Lepers,” in *Plague, Pestilence and Pandemic*, ed by Furtado, 53-54.

26. Moore, *The Formation of a Persecuting Society*, 78; and, Watts, *Epidemics and History*, 49.

27. Richards, *The Medieval Leper*, 40.

28. “Chancery warrant for proper medical examination of Joanna Nightingale of Brentwood, who refused to be isolated on suspicion of leprosy, 1468,” in Richards, *The Medieval Leper*, 145-146.

am not so infected and polluted.”²⁹ These cases for reexamination were the luxury of later medical advancements and proper understanding of available legal avenues and connections.

Upon diagnosis, an array of questionable treatments were available. Although leprosy arose earlier and more prominently in the East, medical cures for the disease remained insignificant. As the East and West became more enmeshed around the eleventh century, ‘treatments’ for leprosy filtered into western Europe. The most common ‘treatments’ for leprosy ranged from bee stings and snake bites to drinking or bathing in the blood of virgins, children, and/or sacrificed animals.³⁰ Overall, treatments for diseases focused on placebos, bathing rituals, bleedings, and dietary recommendations. Most healers knew they could not actually cure diseases; the shift towards addressing living microorganisms did not occur until the late 1880s with cholera and tuberculosis outbreaks.³¹ Successful medical treatments and cures for diseases were generally unavailable during this time so alternative methods for addressing disease were constructed. The consensus became that lepers would be secluded for religious and secular reasons.

Leprosy appeared on record around 600 BCE and was recognized in antiquity by a number of different names including Phoenician disease, *elephantiasis*, elephant disease, and leprosy.³² Alexander the Great supposedly brought leprosy to the West around 335 BCE after his expeditions in the East. In the fourth century, Saint Gregory of Nyssa commented on the mainstream exclusion and rejection of lepers from markets, public baths, and other centers of normal Greek life.³³ In the eighth century, the Frankish king Pepin III and Pope Stephen II decreed that “it is certain that the race of lepers took their origins” from the Lombards, an invading Germanic people from the northeast.³⁴ In Western Europe, leprosy was consistently treated as a religious and secular threat connected to heresy, pollution, and the foreign East. Residual hostilities and enduring measures for dealing with lepers played a part in the continual treatment and assessment of lepers as exclusionary entities meant to reside on the fringes of society.

Documentation of lepers faded out in the eighth century in Western Europe. It is unclear whether the disease was virtually nonexistent or merely not worthy of mention. What is apparent, is upon the beginning of the eleventh century, a surge of documents noted a rise in cases in the aftermath of the First Crusade (c. 1099). This event may have been a legitimate avenue for the

29. “Petition of Nicholas Harris, footpostmen of Totnes, to the Royal College of Physicians of London for a certificate that he was not a leper, 1620,” in Richards, *The Medieval Leper*, 147.

30. Furtado, ed. *Plague, Pestilence and Pandemic*, 47.

31. Watts, *Epidemics and History*, xii.

32. Watts, *Epidemics and History*, 44.

33. Miller and Smith-Savage, “Medieval Leprosy Reconsidered,” 20.

34. Watts, *Epidemics and History*, 45.

reintroduction of leprosy to Europe, as cases from the Byzantine Empire had consistently been recorded during the lull in Western Europe. Leprosy may have remained endemic to Western Europe but not noteworthy, or there may have actually been no increase in cases after the First Crusade. Unclear as to the reality of the situation, it remains that leprosy “was universally believed to be rampant” in the Middle Ages.³⁵

Eighteenth-century historian Louis Jaucourt popularized the idea that “an epidemic of leprosy accompanied the returning Crusaders and subsequently spread throughout the lands of Western Europe as a just punishment for such unprovoked violence.”³⁶ It was not until the late nineteenth century that archeological excavations revealed the presence of leprosy in Europe, predating the crusades by centuries, that Jaucourt’s claim was challenged.³⁷ These excavations proved leprosy did not initially enter Western Europe by way of the crusades, however, it does spark another question: why did leprosy suddenly appear more frequently and with more concern after the first crusade? The common narrative ascribed to leprosy depicts its origin as a manifestation from the East, but earlier explorations of medieval and ancient life depict its presence much earlier.

Unfortunately, because of the variation of skin ailments, often universally diagnosed as leprosy, it is difficult to assess how many cases of leprosy existed in the Middle Ages. This issue has undergone scrutiny by many historians who generally determined not enough skeletal remains have been excavated to determine the exact number of lepers present in Western Europe during the twelfth and thirteenth centuries, during the height of the leprosy panic. Although it never affected more than 10% of the population, the physical effects of leprosy were enough to instigate a societal advertence toward all lepers. Beyond the already confusing and varied results of testing the presence of leprosy in individuals, documentation of cases proved unreliable as the term ‘leprosy’ was sometimes used as a metaphor for other contaminating agents or as an umbrella term for a number of different ailments. The presence of true leprosy proves difficult to determine because of these varying confictions.³⁸

The spike in reported cases during the eleventh and twelfth centuries could be the result of a number of different situations. It may have been due to a rising fear of contagion. However, as discussed previously, germs and the spread of disease had not been realized by this time, making this assumption less plausible. The sudden and unprecedented rise in diagnosed cases may have originated from a fear of Muslims and Jews and the popular theory of their threat to

35. Moore, *The Formation of a Persecuting Society*, 47.

36. Miller and Nesbitt, *Walking Corpses*, 119.

37. Miller and Nesbitt, *Walking Corpses*, 120.

38. Damien Jeanne, “The disease and the sacred: the leper as a scapegoat in England and Normandy (eleventh-twelfth centuries),” in *Leprosy and Identity*, by Brenner, and Touati, 84.

interfere in the Christian agenda, but this remains a provocative assumption at best. Historian R.I. Moore suggests an additional theory. Moore argues the rise in persecutions against lepers was not from a scientifically derived rise in the statistical cases, concern of contagion, or threat from external enemies, but instead from the mindsets and attitudes of the persecutors; “their distinctiveness was not the cause but the result of persecution.”³⁹ A rise in inclinations towards persecution and a new fixation on Christian piety changed the nature of society, not the virility of the disease.⁴⁰

Although the biology behind the disease produced disturbing physical ailments, the many conflicting perceptions of leprosy blossomed in the realms of religious and secular authority, both of which heavily influenced society’s impression of leprosy. To determine the ways in which society conceptualized those afflicted with leprosy, the next three sections of this paper will delve into the religious, secular, and other social constructions of leprosy which formed a realm of acceptability for the existence of lepers and shaped the ways in which leprosy was imagined and, in some instances, vilified.

Religious Constructions

Leprosy was more than just a disease. Its unnaturally grotesque effects on the body and its often-undetected contagion prompted suspicions of its ties to religion and the individual’s standing with God. Conflicting ideas of leprosy in relation to religion depict a dichotomy of sin and favor. Because of its slow decay of human life, leprosy was thought to be a sign of God’s disfavor and punishment. Alternatively, it was seen as evidence of one’s worthiness to endure worldly purgatory and thus enter heaven immediately upon death. The religious constructions of leprosy reflect conflicting beliefs that formed a shaky foundation from which other interpretations of the disease branched.

The physical effects of leprosy played a part in the negative relationship between the disease and religion. The slow deterioration of the body was an excruciating way to die. Because of this, lepers were often referred to as ‘walking corpses’ or ‘the living dead.’ This experience does not conjure romantic ideas of individuals chosen by God. Many believed leprosy was in fact, the “manner in which sin could quite literally rot the soul.”⁴¹ Leprosy was thought to reflect the moral sins of the individual, and the ability of that sin to physically rot the body and soul. Those sins were affiliated most commonly with adultery, lust, desire, greed, paganism, heresy, and Judaism.⁴² At times lepers were deemed threats to the social order: “they had the same

39. Moore, *The Formation of a Persecuting Society*, 67.

40. Miller and Nesbitt, *Walking Corpses*, 120.

41. Welch and Brown, “From Villainous Letch,” 56.

42. Jeanne, “The disease and the sacred,” in *Leprosy and Identity in the Middle Ages*, by Brenner, and Touati, 68.

qualities, from the same source, and they presented the same threat: through them the Devil was at work to subvert the Christian order and bring the world to chaos.”⁴³

In order to contain this pervasive threat to social morality, lepers were subdued to the fringes of society. Leper “separation from the community, [was] modelled on the rite for the dead.”⁴⁴ Legally dead, and spiritually corrupted, lepers faced limited avenues for living a full life. These sinful associations did not apply strictly to adults either. Medieval Christianity promoted the concept of original sin. Children inherited sins and were deemed sinners at birth. As such, they were not exempt from God’s disfavor. It was therefore considered acceptable to condemn children with leprosy to a lifetime of confinement within a leper hospital. Children afflicted with leprosy were deemed equally as shameful in their contraction as adults were. A ten-year-old boy from Saint-Valery, France named Gilbert was defined as “a combination of distress, shame, and sadness” in the eyes of his parents and neighbors.⁴⁵

The confinement of lepers was crucial for containing the sin they embodied, and it was considered a Christian duty to care for them. Biblical passages in the Old and New Testaments portrayed leprosy in association with uncleanness, segregation, and disfigurement but also as deserving of charity because of their pitiful existence and suffering which was reminiscent of the suffering of Jesus. Jesus himself was often associated with lepers; he performed miracles that deemed them worthy of healing.⁴⁶ Many historians agree that medieval society perceived leprosy as “God’s punishment for dark, hidden thoughts, words and deeds, usually involving disgusting forms of sex. . . . [and] lepers needed moral uplift even more than they needed medical attention.”⁴⁷ The religious undertones of leprosy determined the warrant for confinement. Medical knowledge of the time did not envision theories of contagion or transmission, and in that absence, Church authority dictated the circumstances of societal response. Confinement within the faith-based leprosarium institutions sought to care for and encourage Christ-like behavior. Leprosy was also used as a tool for teaching proper Christian morals. Many records contain instances of leprosy connecting to biblical lessons. Pope Gregory I (c. 600) popularized tales by travelers who encountered Jesus disguised as a leper to test people on their Christian charity.⁴⁸ In this instance, leprosy was used as a tool for teaching people about the importance of exemplifying Christian piety. Lepers

43. Moore, *The Formation of a Persecuting Society*, 65.

44. Moore, *The Formation of a Persecuting Society*, 58.

45. Damien Jeanne, “Leprosy, Lepers and Leper-houses: between Human Law and God’s Law (6th-15th Centuries),” in *Social Dimensions of Medieval Disease and Disability*, ed. by Sally Crawford, and Christina Lee (UK, Oxford: Archaeopress, 2014): 73-4.

46. Welch and Brown, “From Villainous Letch,” 54.

47. Watts, *Epidemics and History*, 43.

48. Miller and Nesbitt, *Walking Corpse*, 105.

were seen by many religious authorities as the elects of God rather than the embodiment of moral corruption. As noted in the official process of leper seclusion, “If in weakness of body by means of suffering thou art made like unto Christ.”⁴⁹ A likeness was formed between the suffering lepers and the suffering of Jesus, and the disease was used to construct a lesson on Christian morality. Although these stories appeared early, they did not represent the most prominent mindset of religious associations to leprosy.

The two overarching and contradicting perceptions of lepers in the religious realm, which contemplated the embodiment of sin and a soul gone foul or one that portrayed an individual worthy as the elect of God, clashed. These constructions went through fluctuating trends of popularity. Historian Courtney A. Krolikoski claims there was a transition that occurred from the sinful perception to around the twelfth century.⁵⁰ This transition occurred in part due to the efforts of Saint Francis and his order dedicated to the care of the leprous.

Growing divisions in the Christian faith marked by religious dissent gave rise to new factions that embodied varying aspects of Christendom. Saint Francis of Assisi (b. 1181) formed his faction, the Franciscan order, around the determination to live life according to Jesus.⁵¹ They rejected mainstream Catholic efforts to consolidate secular power and instead focused on emulating the life of Christ as portrayed in the Gospels. To prove his radical platform, Saint Francis embarked on a mission and “by overcoming repulsion and embracing the ‘bitterness’ of the lepers, he finally severed his ties with the secular world and would be able to enjoy the ‘sweetness’ of knowing God.”⁵² Saint Francis, embracing and kissing lepers, transcended the physical boundary society deemed necessary. His act “ushered in a new understanding of the disease—one that encouraged compassion towards and care of the leprous.”⁵³

Franciscan depictions of leprosy connected the suffering of lepers and the suffering of Christ. Franciscan followers, including Jacques de Vitry (c. 1160-1240), devoutly preached “lepers will be certain of their celestial rewards, having endured suffering on earth rather than purgatory, provided they devote their life to their spiritual health.”⁵⁴ Other religious orders like that of the Benedictine Order followed suit. The Benedictine Rule “brought together ‘such a complete program of treatment for the sick’” wherein that

49. “Office at the seclusion of a leper,” in *The Medieval Leper*, by Richards, 123.

50. Courtney A. Krolikoski, “Kissing lepers: Saint Francis and the treatment of lepers in the central Middle Ages,” in *Leprosy and Identity*, by Brenner, and Touati, 270.

51. Krolikoski, “Kissing lepers,” 273.

52. Krolikoski, “Kissing lepers,” 275.

53. Krolikoski, “Kissing lepers,” 285.

54. Welch and Brown, “From Villainous Letch,” 55.

model became the most utilized within leper hospitals.⁵⁵ They constructed formal care as a response to sickness and disease and, although not medical professionals, those of the Benedictine Order cared for, fed, and housed lepers.

Lepers were “squeezed between being condemned by a disease contracted as punishment for their sins and being redeemed by their sufferings, medieval lepers were humiliated yet glorious.”⁵⁶ A perfect semblance of this dichotomy can be explained in a centuries-old myth. In Rome (c. 400), Emperor Constantine of Rome was suggested to have become a leper in the aftermath of his widespread persecution of Christians. As punishment for his deeds, God gave him leprosy, which could only be cured in one of two ways: bathing in the blood of slaughtered infants or a formal baptism. Upon choosing baptism, Constantine was cured and inaugurated an era of peace for Christians. Leprosy was thus associated with both a divine punishment and a religious opportunity for redemption and blessing.⁵⁷ This legend differed slightly throughout Eastern and Western Europe but consistently tied leprosy to religion.

The religious constructions of leprosy have sparked expansive studies by historians, most of which embody one of the two major points of view. Both sides prove convincing, but the more likely situation was that lepers were deemed unholy sinners and creatures in need of Christian charity. The nature of these theories further promotes the idea that leprosy was very much seen as more than a biological disease. Lepers were the embodiment of sin, the recipient of Christian piety, and most importantly, individuals beyond normal society. Lepers received charity through the compassion of Christians as well as the legal segregation instigated by secular legislation. The following sections further deconstruct the ways in which religious and secular realms of medieval Europe further complicated the construct of leprosy through designated spaces for these individuals including *leprosaria* and informal communities.

Leper Communities

Leprosy proved to embody more than just the biological and religious constructs and was also reimagined by a secular construct. Once diagnosed, lepers were led through a religious ceremony to transition them from the world of the living to the world of the leprous, “death was the central theme of the church service which formally removed him from the medieval world;” lepers were from then on considered “a living death.”⁵⁸ A priest led the procession, guiding the infected from their home and to the church where they were sprinkled in holy water and then returned to their (previous) home

55. Simon Roffey, “Saint Mary Magdalen, Winchester: the archeology and history of an English *leprosarium* and alms house,” in *Leprosy and Identity*, by Brenner, and Touati, 133.

56. Jeanne, “Leprosy, Lepers and Leper-houses,” 69.

57. Miller and Nesbitt, *Walking Corpses*, 100.

58. Richards, *The Medieval Leper*, 68.

as a dead man; this process was accompanied by the priest's continual haunting chants, "*libera me, domine*"⁵⁹ Now legally and spiritually dead, lepers were expected to reenter society through the select legal avenues available to them. From death onward, they were expected to live out their remaining days within the confines of one of the provided leper communities, separate from healthy society. The state sanctioned options for leper habitation included Church ordained leper hospitals or informal leper communities which were monitored by local authorities.

Church ordained leper colonies, also called leper hospitals, *leprosaria*, and sometimes *lazar* (leper) houses (in honor of St. Lazarus, who devoted his life to the welfare of lepers), functioned as charitable institutions dedicated to the care of individuals afflicted with leprosy.⁶⁰ Although traditionally identified by historians as houses of confinement meant to contain leprosy and keep lepers away from the rest of society, more recent studies have found that was not the case. *Leprosaria* were established before people feared the biological contagion of leprosy and provided care for lepers before evolving into formalized institutions of medical attention in the thirteenth and fourteenth centuries. The excavation of the St. Mary Magdalen's leper hospital in Winchester, England from 2008 to 2015 gives clues to the original intention of some of the oldest and longest enduring leper hospitals in England. The original timber construction in the twelfth century was much smaller and closer to town, established originally as a location of charitable health. Adjustments made in the thirteenth through the seventeenth century replaced this with a stone structure based on monastic architecture, later to become an almshouse.⁶¹ Many of the original institutions were erected in the early eleventh century but their establishment escalated in scale and number into the twelfth and thirteenth centuries alongside a growing fear of the spreading the moral pollution associated with leprosy.

Before this fear gripped Europe, lepers were sent to *leprosaria* to be cared for in a traditionally Christian manner with charity and compassion. Lepers relied on these institutions for food, lodgings, clothing, and spiritual cleansing. However, these amenities did not come free. Upon entrance to a hospital, lepers were required to make sacrifices which expressed dedication to their new status and their new life. Leper vows were similar to other religious vows in the sorts of restrictions they implemented in everyday life.⁶² These vows focused on the same three virtues as monastic vows: personal

59. "Office at the seclusion of a leper," in Richards, *The Medieval Leper*, 123.

60. Richards, *The Medieval Leper*, 8.

61. Simon Roffey, "Saint Mary Magdalen, Winchester: the archeology and history of an English *leprosarium* and alms house," in Brenner and Touati, *Leprosy and Identity*, 146, and 155.

62. Abbot Michael, "Regulations of the leper hospital of St. Julian near St. Albans," in Richards, *The Medieval Leper*, 131.

poverty, obedience to one's superiors and to God, and chastity.⁶³ Because of these similarities, leprosy has often been referred to as a quasi-religious order. Lepers lived as if they resided in almshouses or monastic establishments, free of all of the temptations of the normal world. For these reasons, these institutions were state sanctioned because the members of *leprosaria* were closely monitored and posed little threat to the healthy general population

Beyond the taking of vows, lepers were obligated to contribute to the institution that took them in. Upon arrival at the *leprosaria*, individuals were asked to give up all of their worldly possessions beyond what they were asked to bring including clothes, tools, and a few other necessities. In addition to these necessities, lepers were asked to bring "wood and nails for their own coffins."⁶⁴ It was also expected of them to leave a sizeable 'donation' of their wealth to the Church. This system of induction formally absolved the individual of any remanence of their previous civil liberties. It forced lepers into a life of complete reliance on the leprosarium. Upon entering a *leprosarium*, a structured process dictated the lives of the leprous, which varied by location. According to Richard Kellawe, Bishop of Durham, the regulations at Sherburn leper hospital in England allotted specific amounts of cloth for clothing, rationed a specific diet, had strict bathing rituals, and demanded a chaste life of its occupants in gendered housing.⁶⁵ Lepers were punished for disobedience with beatings, the revocation of food rations, or the threat of eviction.⁶⁶ Life in these leper hospitals was viewed as a privilege, not a right.

According to the ordinances at Enköping leper hospital in Sweden, lepers were expected to "ardently and freely devote themselves to vigils, fasting, prayers . . . and to the praises of God."⁶⁷ This regiment was also reflected in the statutes implemented at St. Julian's in England, which demanded loyalty to God; lepers were forbidden from complaining or criticizing God for the misfortune and suffering caused by leprosy.⁶⁸ Liberties were often the cost of misdeeds such as venturing outside the agreed upon hospital boundaries or sowing contempt among brothers.⁶⁹ At the leper hospital of St. Mary Magdalene in England, defiance of these borders was punishable by restricted rations in addition to time in the stockade.⁷⁰ Leper hospitals constructed a

63. Miller and Nesbitt, *Walking Corpses*, 127.

64. Richards, *The Medieval Leper*, 69.

65. Richard Kellawe, Bishop of Durham, "Regulations of Sherburn leper hospital," in *The Medieval Leper*, by Richards, 126-7.

66. Kellawe, Bishop of Durham, "Regulations of Sherburn leper hospital," 128.

67. Archbishop Birger of Uppsala, "Regulations of the Enköping leper hospital, Sweden," in Ricahrds, *The Medieval Leper*, 137.

68. Michael, "Regulations of the leper hospital of St. Julian near St. Albans," 131.

69. Michael, "Regulations of the leper hospital of St. Julian near St. Albans," 135.

70. "Regulations of the leper hospital of St. Mary Magdalene, Exeter, as restated in the fifteenth century," in Richards, *The Medieval Leper*, 140.

physical and legal realm in which lepers were allowed to exist. Those within leper hospitals were expected to live out the rest of their days amongst fellow lepers. This obligation posed a problem concerning the legal and spiritual bond of marriage. Vows of chastity were required of all who joined the *leprosarium*. In some regions, it was expected that the spouse of the diagnosed leper would be required to also take a vow of chastity, whereas in other places would qualify as grounds for divorce.⁷¹ At St. George's leper hospital in Norway, "if a husband or wife of one of the sick should happen to die the one spouse should not marry again but should devote himself or herself to the sick."⁷² At this location, it was also customary for the hospital to inherit any and all possessions of the deceased.⁷³ This decree permanently linked the spouse to the hospital as well, ensuring a financial inheritance for the institution. In some cases, the legal rules for lepers differed from those of normal society, but the flexibility on topics such as divorce remained geographically inconsistent. Leprosy was viewed with various levels of severity everywhere.

Beyond the initial donations provided by the lepers themselves, these institutions also survived off donations from benefactors who sought to fulfill their Christian obligations of charity. Some of these benefactors sought merely to help those less fortunate than themselves, but others donated on a guilty conscience, hoping to redeem their sins.⁷⁴ Lepers played a crucial religious role in their communities by offering services of prayer through their respective *leprosaria*; "the sale of spiritual services . . . became a major source of revenue for those *leprosaria*."⁷⁵ Larger donations led to extra prayers for generous benefactors.

Monetary collections for the upkeep of *leprosaria* also differed by location. Some locations, like Gammelstads hospital in Helsingfors in modern day Finland, demanded, "their family shall, as long as they live, provide the requisite clothes and shoes" as well as payment upfront for the first few month's food rations.⁷⁶ Although families lost their kin, they were held fiscally responsible for the continual upkeep and care of those individuals. A household tax called "leprosy money" was established in Abo, Finland, to ensure community funding for the local leper hospital.⁷⁷ The logistics of self-sufficient funding through donations and local charity proved complicated.

71. Richards, *The Medieval Leper*, 63-4, and 67.

72. "Regulations for St. George's hospital, Svenborg, Denmark, in 1486," in Richards, *The Medieval Leper*, 142.

73. "Regulations for St. George's hospital," 143.

74. Richards, *The Medieval Leper*, 35.

75. Carole Rawcliffe, "A mighty force in the ranks of Christ's army': intercession and integration in the medieval English leper hospital," in Brenner and Touati, *Leprosy and Identity in the Middle Ages*, 102.

76. "Proposal for the budget of Gammelstads hospital, Helsingfors, 1651," in Richards, *The Medieval Leper*, 152.

77. Richards, *The Medieval Leper*, 38.

In reality, the creation of a completely reliant population proved deadly when faced with environmental and economic devastation. Because of their religious and secular reliance, lepers were blamed as communal burdens, especially in times of food shortages.⁷⁸

In some instances, the provision of food and shelter proved beneficial to lepers, however, that charity relied almost entirely on the socioeconomic stability of local towns. A leper hospital, established in 1653 off the coast of Finland, on the island of Gloskar, theoretically offered an ideal location for the seclusion of lepers, void of outside interference.⁷⁹ However, the freezing climate hindered the importation of food and other supplies. The island was completely cut off from receiving any and all necessities. Furthermore, the closest town underwent economic turmoil in the years following the hospital's establishment and proved too poor to fund any of the hospital's needs.⁸⁰ Although a common practice elsewhere, "at Gloskar, fasting was dictated by shortage, not by the church calendar."⁸¹ Many lepers starved to death or fell victim to other diseases. In 1672, the twenty-three remaining lepers were evacuated, they were noted as being "just-living people."⁸² The graveyard at Gloskar was "packed so full that they could not bury anymore corpses there."⁸³ This incident highlights one of the major downfalls of a system that built a completely reliant population faced with the predicament of resource insecurity; "the hardships endured by lepers only mirrored the circumstances of the general population."⁸⁴ Although intending to provide adequate care and support to its housed lepers, Gloskar proved to be a toll on the local population and a frozen tomb for many of the lepers subjected to live out their days there. Instances like this fueled rumors that *leprosarum* were "the 'graveyard of the living.'"⁸⁵

Other issues that arose in these establishments occurred when the European economy improved. Embezzlement and maladministration of leper hospitals became a common problem in the thirteenth century as financial charity and sizable donations increased. At times of excess wealth, hospital finances were targeted by corrupt management. According to Abbot Michael at St. Julian's hospital in England, these issues occurred because management decided "how and by whom their wealth should be controlled, for they themselves cannot control these things because of their bodily infection."⁸⁶ This statement exposes

78. Jeanne, "The disease and the sacred," 70.

79. Richards, *The Medieval Leper*, 16.

80. Richards, *The Medieval Leper*, 17.

81. Richards, *The Medieval Leper*, 29.

82. Richards, *The Medieval Leper*, 22.

83. Richards, *The Medieval Leper*, 22.

84. Richards, *The Medieval Leper*, 24.

85. Richards, *The Medieval Leper*, 92.

86. Michael, "Regulations of the leper hospital of St. Julian near St. Albans," 129.

the mentality that lepers were unfit and actively barred from managing their personal finances because, legally, they were considered dead.

With widespread mismanagement, some leper hospitals enacted measures to ensure a more efficient way to run the institutions. In 1492, King Han demanded a representative visit his leper hospital in Næstved, Denmark every month to monitor the institution for any shortcomings.⁸⁷ In another attempt to institute more thorough regulation of leprosarium management, some lepers were granted a level of agency within the hospitals to curb embezzlement. Lepers were given the ability to hold positions of influence to accommodate the needs of the majority. Lepers voted on representatives and participated in meetings regarding their care.⁸⁸ They were given a level of influence within their designated realms, possibly to allot enough liberty to sway any individuals who might consider leaving these institutions.

Leper hospitals, although intended as havens of Christian charity and care, often contributed to the image of the leper as helpless and unworthy of human agency. As outlined by Archbishop Birger of Uppsala, Sweden, ideally, lepers should be sought out and brought to the *leprosarium* wherein they would willingly give up their worldly possessions and happily receive punishment for veering from the path of monk-like prescriptions thrust upon them at the time of their spiritual death.⁸⁹ Not all institutions functioned to this level of severity, but the basic system implemented created an orderly space where lepers could exist. Often, the option to enter leper hospitals was not much of a choice at all; it was the expected route of lepers to properly atone for their sins. Canon law condoned segregation of leper communities, churches, and cemeteries, and presented this as a favorable option that granted lepers exclusive access to their own private churches and lodgings.⁹⁰

The self-sufficient nature of leprosariums created a speculative market that could be downright profitable. The creation of leper houses proved valuable to both religious and secular institutions which might have otherwise dealt with lepers in a more aggressive manner. Instead, leper hospitals offered a safe and secluded designated realm. This space was carefully crafted to isolate but not harsh enough to spark ambitions to venture beyond the established boundaries. In this way, religious and secular authorities worked together to construct a realm of acceptability for lepers. However, there were some lepers who chose to exist outside the confines of these *leprosaria* and instead lived within informal leper communities.

87. "King Hans' decree concerning the quarrel between the warden and lepers in St. George's hospital, Næstved, Denmark, in 1492," in Richards, *The Medieval Leper*, 144.

88. Miller and Nesbitt, *Walking Corpses*, 132-5.

89. Archbishop Birger of Uppsala, "How to run a leper hospital," in *Plague, Pestilence and Pandemic*, ed by Furtado, 55.

90. Miller and Smith-Savage, "Medieval Leprosy Reconsidered," 24.

Lepers who existed outside leper hospitals or were expelled from leper houses often became vagrant wanderers and were seen as cause for suspicion by the rest of the population. Leper houses were meant to feed and shelter lepers for religious reasons while simultaneously creating a solution to vagrancy and begging.⁹¹ Informal leper communities served as an alternative lifestyle, exempt from the religious benefits of the leper hospitals, but also free of the restrictions. Little documentation of these types of societies remains, and thus, the structure and organization of these communities remains difficult to ascertain. According to some medieval legislation and literature, a distinction was made between lepers in formal communities and lepers who chose to exist in informal communities. Lepers in *leprosaria* were called “*guden leuden*,’ good people, [while] lepers in more transient communities are almost always described as ‘*armen kinden*,’ poor children; the implication is that they are the poor children of God.”⁹² Lepers who lived in *leprosaria* were considered monitored and safe, and deserving of both charity and sympathy for their plight. Lepers who begged at street corners or wandered aimlessly in search of alms were unpredictable, wild, and dangerous. They were regarded as the likely spreaders of disease and largely considered untrustworthy. Often located near crossroads to attract attention and money, transient lepers were typically viewed as homeless beggars.⁹³

When lepers chose to journey outside of their secluded domains to enter normal society, they were obligated to wear specific garb and carry objects of identification. St. Julian’s dictated that “those who are struck down with such a disease ought to show themselves only at special times and places, and in their manner and dress more contemptible and humble than other men.”⁹⁴ Lepers often wore simplistic robes reminiscent of monastic cloth and were typically portrayed carrying symbolic accessories such as a walking aid, a vessel for drink, and/or a beggar bowl for alms. R. I. Moore described, “the image of the wandering leper with his bell or clapper to warn of his approach and the begging bowl which none but he would touch.”⁹⁵ In addition, lepers were obligated to carry an item to audibly “attract merciful attention” such as a horn, a bell, or a clapper.⁹⁶ Although outside of the vigilance of leper houses, a level of control was still exercised over the transient community of lepers through visual identifiers and audible warnings. This construction of

91. Jeanne, “Leprosy, Lepers and Leper-houses,” in *Social Dimensions of Medieval Disease and Disability*, ed. by Crawford and Lee, 70.

92. Lucy Barnhouse, “Good people, poor sick: the social identities of lepers in the late medieval Rhineland,” in *Leprosy and Identity*, by Brenner and Touati, 190.

93. Demaitre, “The clapper as ‘vox miselli’: new perspectives on iconography,” 235.

94. Michael, “Regulations of the leper hospital of St. Julian near St. Albans,” 131.

95. Moore, *The Formation of a Persecuting Society*, 54.

96. Demaitre, “The clapper,” 214-15 and 218.

what a leper was expected to be, and the image of the clapper⁹⁷ itself, exists prominently in medieval art depictions.

The clapper was a traditional symbol of the leper; its iconography in medieval art sometimes marked the only distinguishing feature of lepers. Controversies over the clapper highlight the conflicting constructions of lepers themselves.⁹⁸ The clapper is traditionally seen as a tool of exclusion, one meant to warn others of the leper's presence, signaling people to actively avoid the leper. However, some distinguishing pieces of art portray the use of the clapper differently.

To exemplify this claim, in 1321, King Philip V of France ordered his inquisitors to hunt down and torture local lepers on the rumors of a leprous plot to poison the wells with reptile parts, human excrement, and a leprous plague to intentionally contaminate the healthy population. Not only did this solution seek to end conspiracies of secular dissidence but, also suspecting of Jews and Muslims, this order took care of any outlying individuals or rogue lepers. All potential conspirators were hunted down, tortured, banished, and burned at the stake. Hundreds were persecuted by the inquisitorial staff.⁹⁹ To visualize this event, Bernard Guidonis (c. 1262-1331) illustrated, in his text *Fleurs des Chroniques*, a group of lepers burnt to death as indifferent crowds watch on.¹⁰⁰ In this depiction, three lepers have their hands raised, clappers grasped in their fists, as they fervently clack. In this instance, the use of the clapper was obviously not for a warning to others of their presence, but instead invited sympathy and compassion as they were unjustly burned for a crime they did not commit.¹⁰¹ The clapper was both a symbol of exclusion, and a tool for inclusion.

Beyond this artistic display, few portrayals of lepers depict chronic acts of violence against lepers. They are more typically represented as poor wretches, with their walking aid, audible signal, and disheveled clothing which hid at least some of their vile spots. The physical markers of the disease proved less important than the social markers, especially in art. This may be due to the unpredictability of the early signs of leprosy, or it could be that the image and the idea of the leper was more important than the reality of leprosy.¹⁰² Society and the state constructed its own ideas of what a leper looked like

97. A clapper is a wooden, hand-held device which makes a clacking noise when waved about.

98. Demaitre, "The clapper," 208.

99. Moore, *The Formation of a Persecuting Society*, 60; Demaitre, "The clapper," in Brenner and Touati, *Leprosy and Identity*, 241; Watts, *Epidemics and History*, 61-2; Miller and Nesbitt, *Walking Corpses*, 96-7.

100. Demaitre, "The clapper," 241.

101. Demaitre, "The clapper," 242.

102. Demaitre, "The clapper," 214.

and the markers of leper status ensured their identification as a leper without necessarily reflecting the biological signs of infection.

Recent analysis suggests, “the clapper provided leprosy sufferers, whose own vocal capacity was often diminished, with a voice with which to solicit alms and communicate more broadly.”¹⁰³ As noted by historian Luke Demaitre, regional differences sometimes fixated on monitoring the transient leper communities, often using the clapper as a tool of control. In Toulouse, France, “begging- and, inferentially, soliciting with the clapper- was a privilege that could be obtained and lost.”¹⁰⁴ Count Willem VI of Holland created a certification system in 1413 called “the dirty letter” which allotted permission for the leprous to beg at the price of social control and abstinence from misbehavior.¹⁰⁵ Secular leadership took advantage of these wandering lepers to offer a regulated system in which they retained a measure of freedom as well as receiving pity and compassion from the general public.

The restrictions on leper mobility within cities and towns differed by location. In some towns, lepers were limited to remaining in the vicinity for fifteen total days before being cast out once again. In Exeter, England lepers enjoyed free range of the city until 1244 when they were forced out. In Scotland, lepers had the right to roam towns from 10 to 12 o'clock on Mondays, Wednesdays and Fridays. It seemed that despite these limited time frames, lepers generally subscribed to a specific behavioral expectation, “if he stopped to talk to someone on the road he must stand to the leeward, and he must avoid narrow lanes which might bring him into close contact with others. Apart from the companionship of his wife, the only company he now may keep in life, or in death, was that of other lepers.”¹⁰⁶

Initially, the state was more concerned with the possible detriment to public morality and crime rates related to leprosy than aiding the health of these individuals. Legislation reflected this concern as it constantly enacted regulations to monitor and control the roaming population of lepers associated with crime and homelessness. These secular concerns further bolstered attempts to sequester lepers away from the general population, for both the sake of misconduct and only later for public health. As the disease became more widespread the systems in place, which already condoned the casting off of lepers from society, only solidified this action as the best way to deal with lepers.¹⁰⁷

In Western Europe, one of the major elements of the Middle Ages was the transformation of society in the eleventh century to establish systematic

103. Brenner and Touati, *Leprosy and Identity*, 12.

104. Demaitre, “The clapper,” 248.

105. Demaitre, “The clapper,” 254-5.

106. Richards, *The Medieval Leper*, 50-1.

107. Moore, *The Formation of a Persecuting Society*, 48-9.

persecution as a way of defining legal realms of acceptability. According to R.I. Moore, “deliberate and socially sanctioned violence began to be directed, through established governmental, judicial and social institutions, against groups of people defined by general characteristics such as race, religion, or way of life.”¹⁰⁸ Heretics, lepers, Jews, and other people deemed beyond normal society became fixations of suspicion and fear by the religious and secular realms, especially into the early twelfth century. The Third Lateran Council of 1179 dictated, “lepers were to be segregated from the rest of the community by expulsion or confinement and deprived of legal rights and protection. . . the leper was treated thenceforth as being effectively dead, with all the cruelty and all the ambivalence that implies.”¹⁰⁹

Some historians, with regards to leprosy, determine “one cannot claim that religious impulses were responsible for the mistrust and isolation of lepers because the same religious impulses influenced orthodox Christians in Byzantium and Catholics in the West.”¹¹⁰ There were few signs of persecution in the East. Some scholars believe it was secular legislation that prompted persecution of leprosy which shaped lay people’s perceptions of lepers as outsiders with subhuman qualities. Recent analysis suggests, “the hard legal sanctions that separated lepers from healthy society . . . had their origin in Germanic legal codes, not in the Roman legal tradition.”¹¹¹ Leprosy in the East was interpreted differently, despite its similar origin of Western European identity stemming from classical Rome. In the East it was almost exclusively viewed as a “holy disease” and “as a mark of God’s favor on those chosen for heaven.”¹¹² Although this perception did appear in western Europe, it faced a contradictory theory and was not at all reflected in legal doctrine. Timothy Miller and John Nesbitt argue the persecution of lepers in western society came from the influence of Germanic customary laws.¹¹³

Early secular legislation laid out a designated realm for lepers, which was built up over time. The Lombard rule, *Rothari’s Edict*, punished lepers by enforcing abandonment of their homes and possessions, and ostracizing them from their town or city of residence. This early encouragement of exclusion and dehumanizing set the precedent for subsequent secular regulations. Carolingian legislation, dictated by Charlemagne (c. 789), “decreed that lepers ‘should not mix with other people.’”¹¹⁴ This determination enforced the othering of lepers from normal society. A later northern German Code, *Sachsenspiegel*, stated that lepers could no longer inherit property, but could keep the possessions

108. Moore, *The Formation of a Persecuting Society*, 5.

109. Moore, *The Formation of a Persecuting Society*, 11.

110. Miller and Nesbitt, *Walking Corpses*, 116.

111. Miller and Nesbitt, *Walking Corpses*, 108.

112. Miller and Nesbitt, *Walking Corpses*, 5.

113. Miller and Nesbitt, *Walking Corpses*.

114. Miller and Smith-Savage, “Medieval Leprosy Reconsidered,” 24.

they had before they became ill. This law revoked the basic human right of property ownership and excluded them from legal protection on that front. English Common Law set the harshest standards by implementing rules that exempted lepers from *any* form of legal rights as well as any and all property beyond what was accepted at *leprosaria*.¹¹⁵ The *Royal Edicts* (1346 and 1472) further ostracized and incriminated lepers by fully ousting them from any and all cities in England, and punishing non-compliance with “the crime of insidiously spreading the disease among the community.”¹¹⁶ These instances offer insight into the secular legality of othering lepers. In some situations, it was the legal measures taken against lepers that prompted suspicion and avoidance as opposed to the efforts of the church.

Ecclesiastic and secular views on leprosy agreed on the separation of lepers from the rest of the healthy population, but for different reasons. The church was concerned with the religious implications of the disease, improving the souls, and preventing moral pollution.¹¹⁷ The state was more concerned with preventing corruption, creating an othering identity of lepers, and later curbing the spread of the disease. In many ways, the secular construction of leprosy gave legal grounds for persecution and ostracism, while the religious construction gave moral justification and atonement options to secure a place for these ‘others.’ Together, the efforts of these two influential institutions created a dynamic construct of the leper whose legacy transcended the biological boundaries of the disease. Because of their prominent role in dictating the lives of the general public, the constructions formed by the secular and religious realms impacted society’s perception of lepers as a whole and were further complicated by factors of gender, class, and evolving scientific knowledge.

Social Constructions

The diverse social constructions of leprosy present a multifaceted entity wrought with contradiction and regional differences. Religious interpretations of the affliction perpetuated a dynamic individual tied to God’s favor or to sin. Secular elucidations took religious intentions for seclusion and formed legal realms of existence for lepers, which ensured their close monitoring and restrictive lifestyle. The image of the leper has undergone nuanced interpretations, but the enduring legacy remains that lepers were identified through numerous distinctions unrelated to the disease itself. Perceptions of the ‘ideal leper’ envision a lecherous and impoverished man “who, due to theological interpretations of the body as essentially the mirror of the soul, wore his own moral sins as a physical deformity.”¹¹⁸ To further complicate the

115. Miller and Smith-Savage, “Medieval Leprosy Reconsidered,” 24.

116. Welch and Brown, “From Villainous Letch,” 48.

117. Richards, *The Medieval Leper*, 53.

118. Welch and Brown, “From Villainous Letch,” 53.

constructions surrounding leprosy, it is important to acknowledge the role gender, class, and advancing scientific practices played in further refining the image of the leper. This disease went beyond scientific understanding and captured the imagination to construct an image of a specific type of person intended to become the perpetual stranger and the permanent exile.

Leprosy was a gendered construction, bent on contradiction. Although lepers were traditionally envisioned as men and the disease more prominently affected men, it was women who received the brunt of the blame for the transmission of the disease. Although this complicates the image of the leper, it emphasizes some of the broader gendered tensions prominent in medieval Europe. One of the overwhelming issues pervading the sexes was an endemic suspicion of women and specifically women's sexuality. Lepers in general embodied suspiciously stigmatized feminine qualities and were deemed lusty and carnal beings. The alleged vehicle for transmission of leprosy was sex, especially sex with infected women.¹¹⁹

Sex was a central issue when discussing leprosy. For example, the degeneration of the nasal cavity (a natural development of the disease) was closely associated with the punishment for adultery (cutting off one's nose) and thus, "leprosy and lechery became interchangeable terms."¹²⁰ Women's gendered role in leprosy framed them as the instigators of transmission through sexual acts despite their overwhelmingly lower recorded cases. A fundamental misunderstanding of women's bodies combined with religious portrayals of women as sexual and morally polluted individuals, as well as society's attempts to control them all contributed to the mistrust of women and their role in medieval society as entities of suspicion and deviance.

Bernard de Gordon (c. 1303), a French doctor and scholar, published directories on how to avoid contracting leprosy but geared his study around stigmatizing women as the agents of leprosy transmission. He deduced that leprosy could be contracted either within the womb or after birth, "if within the uterus, it is either because the baby was conceived during menstruation, or because the mother is a leper, or because a leper ha[d] intercourse with a pregnant woman."¹²¹ According to Bernard, if not contracted in the womb, the disease could be acquired after birth through the consumption of bad or melancholic foods. Other possibilities of infection included sex with a leprosy woman, spending too much time with the leprosy, or inhaling too much bad air. Bernard concluded that any of the aforementioned interactions may result in leprosy wherein "one should be prepared for the beggar's cup,

119. Welch and Brown, "From Villainous Letch," 51.

120. Welch and Brown, "From Villainous Letch," 52.

121. Bernard De Gordon, "Lilium Medicinae," in *Plague, Pestilence and Pandemic*, ed by Furtado, 52.

life under the stars and everlasting disgrace.”¹²² The use of gender to assign a level of blame to women adds to the suspicious nature of the disease itself. Women did not contract the disease more often or more virulently, but their incorporations in the disease’s mythology factors in a place for them which reflected medieval society’s perception of women. Constructions of Leprosy reinforced gender tensions in the Middle Ages.

Beyond gendered characteristics attributed to leprosy, class played a role in distinguishing an idealized image of the leper. According to historian Sheldon Watts, “very often the elite would claim that the disease targeted one particular set of people while leaving others alone.”¹²³ Historians Christina Welch and Rohan Brown reinforced this claim by reiterating the medieval mindset that “the nobility did not possess the qualities that predisposed them to leprosy, whereas the lewd, male, destitute poor were more liable to become infected.”¹²⁴ These instances clearly assert that the social construct around the biological reality of leprosy proved both malleable and inherently elitist. One of the greatest examples of this can be seen in the story of King Baldwin IV.

William of Tyre, the tutor and confidant of King Baldwin IV (1174-1185), recorded the steady degeneration of the young king of Jerusalem who, during the Crusades, led his forces against the famously strong Muslim army led by Saladin.¹²⁵ Crowned at age thirteen, Baldwin first showed signs of his affliction around 1180 just after a truce was established with the Islamic enemy.¹²⁶ William of Tyre noted, “although physically weak an impotent, mentally he was vigorous, and, far beyond his strength, he strove to hide his illness and to support the cares of the kingdom.”¹²⁷ When his illness overwhelmed him, Baldwin appointed a regent to take charge of the kingdom. The regent proved unpopular and noticeably weaker in conviction when Saladin once again threatened Jerusalem’s borders. King Baldwin then decisively retook his place as king, “mustered his army, he ordered that he be placed on a litter slung between two horses and in this manner lead the Christians into battle once again.”¹²⁸ Although the disease hindered his ability to properly ride a horse and eventually caused his premature death at the age of twenty-three, Baldwin proved himself a legendary leader who overcame the stigmatization often associated with lepers.

The story of King Baldwin exemplifies the traditional narrative of the leper which applied exclusively to non-elites. The image of the ideal leper clearly

122. Gordon, “Lilium Medicinae,” 53.

123. Watts, *Epidemics and History*, xv.

124. Welch and Brown, “From Villainous Letch,” 56.

125. Peter Furtado, ed *Plague, Pestilence, and Pandemic*, 50.

126. Kim Stubbs, “Baldwin IV: The Life of the Leper King,” *Medieval Warfare* 6, no. 1 (2016): 36.

127. William of Tyre, “A History of Deeds Done Beyond the Sea,” in *Plague, Pestilence, and Pandemic*, ed by Furtado 51.

128. Stubbs, “Baldwin IV: The Life of the Leper King,” 37.

belonged within a specific class definition. R. I. Moore states “the powerful were both more vulnerable to political hostility and more able to secure exemption from the laws that governed others.”¹²⁹ Privileged lepers lived very different lives than those discussed previously. Even within secularly condoned living situations, a measure of control was exercised by those who could afford it. In some leper hospitals, individuals with the funds demonstrated agency by influencing their own diets and by appealing to management officials for more comfortable living amenities.¹³⁰ Money and power offered a measure of luxury, even in the world of the leprous.

Some historians believe elites actively promoted constructions of leprosy to suit their own agendas, and because they benefited in some ways to the marginalization and vilification of the less fortunate leprous. In order to promote their own exceptionalism, elites helped construct an image of the leper based on fear, more specifically, “the fear that the privileged feel of those at whose expense their privilege is enjoyed.”¹³¹ Their portrayal of the leper was an individual worthy of ostracism, a poor man who endangered society by his existence.

The fear of leprosy increased significantly in the fourteenth century with advances in scientific understandings of contagion. However, in some regions, lepers were not feared by the poorer members of society, “fear of the disease was not sufficiently great to prevent some who were not lepers seeking food and shelter for their old age or infirmity in a leper hospital.”¹³² Contagion was a secondary concern and a luxury for those who could afford not to rely on charitable food and shelter, “ordinary people found that the policies put in force during an epidemic[. . .] posed far greater threats to their world of lived experience and expectation than the disease itself.”¹³³ Those with money and power such as Baldwin IV could afford to escape the life demanded of the most destitute. Those unfortunate enough to remain within the traditionally strict boundaries of this quasi-monastic system were subject to a cycle wherein they faced fear from normal society, which condoned their segregation, and left them the most exposed to contagion. This continued the envisioning of lepers as beggars.

It was not until the fourteenth and fifteenth centuries that infection became the main concern with leprosy. This concern was met with a stricter continuation of seclusion.¹³⁴ This shift in disease response may have something

129. Moore, *The Formation of a Persecuting Society*, 55.

130. Elma Brenner, “Diet as a marker of identity in the leprosy hospitals of medieval northern France,” in Brenner and Touati, *Leprosy and Identity in the Middle*, 170.

131. Moore, *The Formation of a Persecuting Society*, 101.

132. Richards, *The Medieval Leper*, 33.

133. Watts, *Epidemics and History*, xv.

134. Richards, *The Medieval Leper*, 59.

to do with advancements concerning disease transmission in the medical field following the widespread outbreak of bubonic plague in Western Europe in the fourteenth century. The death toll of this epidemic sparked concern about diseases and how they spread.¹³⁵ It was then that attempts began to be made addressing the epidemiological aspect of disease. In the 1340s, sanitation became the main justification for segregation, and public works programs offered state funding for these efforts, overturning previous reliance on private donations.¹³⁶ Although previously a collaborative effort of church and state to institute seclusion, in the fourteenth century the state took full control over the realm of lepers, deeming it a public health concern.

The many constructions of leprosy serve as a lesson in the dangers of othering in society. Segregation of people from normal society allows rumors and fear to overpower logic. Religious, legal, gendered, and class distinctions created “a wall of mistrust between society at large and those with leprosy.”¹³⁷ As noted by Timothy Miller and John Nesbit, “perceptions of leprosy as a ‘disease of the soul’ have been slow to change.”¹³⁸ Medieval literature often portrayed lepers as villains.¹³⁹ Nineteenth century French historian Jules Michelet promoted the idea that “leprosy was the dirty residue of the crusades.”¹⁴⁰ Famed theorist Michael Foucault (c. 1960s) referred to “*leprosariums* as ‘cities of the damned’” and promoted a stigmatized perception of leprosy that endured until recently.¹⁴¹ More recent works have sought to demystify the stigmatizing elements of disease by dissecting these fabricated elements which complicated the scientific reality of affliction.

The malleable concerns over leprosy are reflected in the varying constructions of the disease. Some constructions of leprosy fixated on morality and pollution, some on vagrancy and social control, others on gender and class. Each facet of leprosy served as another layer complicating the understanding of the biological condition that was leprosy. The leper was a multifaceted entity that was constructed as posing a wide array of threats to society at large. The fear, suspicion, concern and disgust for lepers all created an additional image attached to what leprosy was, which contributed to its enduring legacy. Together, these elements enmeshed to create the social construction of leprosy and perpetuated an image of an individual capable of social destruction rather

135. Miller and Nesbitt, *Walking Corpses*, 110-14.

136. Carole Rawcliffe, “A mighty force in the ranks of Christ’s army’: intercession and integration in the medieval English leper hospital,” in *Leprosy and Identity*, by Brenner and Touati, 97.

137. Miller and Nesbitt, *Walking Corpses*, 98.

138. Miller and Nesbitt, *Walking Corpses*, 3.

139. Jeanne, “The disease and the sacred,” 68.

140. Francois-Oliver Touati, “Lepers and Leprosy: connections between the East and West in the Middle Ages,” in Brenner, and Touati, *Leprosy and Identity*, 45.

141. Miller and Nesbitt, *Walking Corpses*, 4.

than a sick human in need of healing and subjected to discrimination. As the biological reality of the disease poses, leprosy was not as detrimental of a disease as medieval concern warranted, as Sheldon Watts argues “leprosy was a mindset rather than a physical disease.”¹⁴²

Conclusion

Leprosy was almost completely eradicated in Western Europe between the fifteenth and seventeenth centuries. Some historians believe this may have been due to the rise in tuberculosis cases, which offered immunity to both tuberculosis and leprosy.¹⁴³ Resistance to leprosy also occurred with a rise in general exposure to bubonic plague, syphilis, and cancer.¹⁴⁴ Overall, “morbidity removed people with leprosy from the population, thus preventing them from transmitting the disease to others.”¹⁴⁵ By the seventeenth century, knowledge of disease evolved to the point that burning buildings that previously housed lepers became common practice, and people instead feared the biological infection of leprosy over religious and moral pollution.¹⁴⁶ These practices reflect the transition from ecclesiastical to secular dominance in European society.

Leprosy as a societal threat was replaced when scientific advancements superseded previous religious, legal, and social constructions of the disease. The concept of leprosy affliction due to humor imbalance was not replaced until the Norwegian scientist Gerhard Armaner Hansen discovered the *mycobacterium leprae* and renamed the disease Hansen’s Disease in 1873.¹⁴⁷ Despite medical and scientific innovation, and a change to the name of the disease, the stigmatizations of the previous constructions remain firmly attached, preserving an innately negative connotation to the disease. To be referred to as a ‘leper’ is still considered a slight and evokes a negative interpretation. The legacy of leprosy remains a negative construction and a metaphor for otherness, despite modern medicine’s ability to easily cure the disease with antibiotics.

Leprosy was more than a disease. It was a way to encourage religious morality, legally monitor those less favored by society, reinforce gender roles, and legitimize continual disenfranchisement of the poor. Scientific developments prove the low-level threat this disease posed as a potential and

142. Watts, *Epidemics and History*, 51.

143. Moore, *The Formation of a Persecuting Society*, 74.

144. Moore, *The Formation of a Persecuting Society*, 113; Brenner and Touati, *Leprosy and Identity*, 5.

145. Brenner and Touati, *Leprosy and Identity*, 5.

146. Richards, *The Medieval Leper*, 61.

147. Richards, *The Medieval Leper*, 92; Timothy S. Miller and Miller and Nesbitt, *Walking Corpses*, 7.

virulent pandemic outbreak, however, it was not treated as such in the Middle Ages. The constructions of leprosy did not match the biological reality of the disease and, much as disease has the potential to do today, served as a tool to manipulate the masses. The current and continual advertence of leprosy is based merely on an idea of the disease, constructed in medieval times.

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The Art of Death: A Look into the Lost Seventeenth-Century Baroque Polish Art of the *Portret Trumienny* – Coffin Portraits.

Anastasia Thompson

Abstract: Over the past decade, scholarship on coffin portraits from the early modern period of the Polish Lithuanian Commonwealth has flourished, with much of the attention being paid to the identity of the portrait's subjects, the patronage of the portraits, and the cultural importance the portraits played in society. Scholars such as Mariola Flis and Aleksandra Koutny-Jones have focused their research on *szlachta* noblemen and the importance of coffin portraits in funeral practices. However, while their research is thorough and groundbreaking, it is extremely limited to only the *szlachta* noblemen. Using previous scholarship on coffin portraits as well as scholarship about women in Polish society, such as Lynn Lubamersky's *The 'Wild Woman' in the Culture of the Polish-Lithuanian Commonwealth*, I will show that women played a more significant role in Polish society, a role that can be seen symbolically through Coffin Portraits. First, I show how the important role of women in Polish society is shown using the Wild Woman archetype, which can be seen symbolically through material adornments of the female portrait subjects. Second, I prove that the idolization of biblical female figures and Marian cults can be seen symbolically through the use of head coverings. Lastly, I explain how the rights of women in Polish society can be seen in the posture and stare of the subjects.

As the ultimate conclusion to our human life cycle, every culture honors death in their own distinct ways: from mummification and Fayum portraits in Roman Egypt to entombing the deceased in a marble tomb, like Catholic Popes such as the Tomb of Pope Clement XIII.¹ One of the more obscure Christian funerary practices belongs to the seventeenth- and eighteenth-century Polish-Lithuanian Commonwealth and their tradition of the *Portret trumienny* – coffin portraits.² A visual manifestation of grief, Coffin Portraits were a way for the Polish *szlachta* nobility, the ruling class in the Polish Lithuanian Commonwealth at the time, to cope with their death and the

1. For more on Catholic Papal Funerary rights: <https://www.atlasobscura.com/articles/celebrating-the-lives-and-deaths-of-the-popes>. Jan Blonski, "Between this World and the Hereafter: A Ritual of Transition," *Historie – Otázky – Problémy*, no. 1 (2019): 47, <https://www.ceool.com/search/article-detail?id=808666>.

2. The tradition of Coffin Portraits is based more on social class than religious identity in the Polish-Lithuanian Commonwealth.

death of their loved ones.³ These portraits, influenced heavily by the Italian Baroque art in Western Europe, depicted the deceased as if they were still alive, watching their own funerary ceremony from the comfort of their portrait, fastened physically to the coffin.⁴ What is most interesting, aside from the macabre environment surrounding these portraits, is the depictions of men, women, and children, are all held in the same high regard in funerary rights no matter the age or, more importantly, gender.⁵

Coffin Portraits

The *Portret trumienny*, in its most basic form, was a miniature portrait of a recently deceased member of the *szlachta* nobility class during the seventeenth and eighteenth centuries in the Polish-Lithuanian Commonwealth.⁶ The most recognizable element of the Coffin Portrait is its polygonal shapes seen in figure 1. Portraits were painted on tin, zinc, lead, or copper panels in shapes ranging from polygonal, octagonal, hexagonal, and a few examples of oval shapes.⁷ Ranging from 40 x 45 cm to 70 x 75 cm in size, seen in figure 1, the physical portrait itself was painted using oil paints. The brightness of the oil color would be illuminated by the metal panels underneath, a technique utilized by Northern European artists such as Rembrandt.⁸ Portraits, like those prevalent during the Italian Baroque, had an emphasis on the naturalism of the subject, with most portraits being painted *ad vivum*,⁹ in the period between death and the funeral rights or created from perimortem depictions of the deceased.¹⁰

The physical portrait was usually in three-quarter view and cut off right underneath the sitter's shoulders. Behind the sitter, the background remained unfinished, traditionally remaining one light color such as white, tan, or light grey.¹¹ Pictorially, the faces of the sitter are staring straight ahead at the viewer showing no hint of emotion on the face, with the portrait meant to act as an extreme likeness to the deceased so that they may be seen as alive and "active"

3. Blonski, "Between this World," 46.

4. Mariola Flis, "The Coffin Portrait as a Symbol of the Rite of Passage," *The Polish Sociological Bulletin*, iss.102 (1993): 234-235, <http://www.jstor.org.proxy.lib.csus.edu/stable/45275295>.

5. Aleksandra Koutny-Jones, *Visual Cultures of Death in Europe: Contemplation and Commemoration in Early Modern Poland-Lithuania*, vol. 73 (Boston: Brill, 2015), 150-151.

6. Blonski, "Between this World," 46.

7. For coffin portrait shapes see Koutny-Jones, *Visual Cultures of Death*, 153.

8. Koutny-Jones, *Visual Cultures of Death*, 150. See an example of Oil on Copper: Rembrandt, *Self Portrait*, 1630, Oil on Copper, National Museum in Stockholm, Sweden.

9. Latin. "To life; from life."

10. Flis, "The Coffin Portrait as a Symbol of the Rite of Passage," 239.

11. Coffin Portrait backgrounds can include coats of arms of *szlachta* families but are very rare: see Flis, "The Coffin Portrait as a Symbol of the Rite of Passage," 238.

in the funerary ceremonies held in their honor (figure 2).¹² While traditional Italian Baroque techniques of verisimilitude of the subject and naturalistic use of oil paint were utilized, the lack of idealization, noted by Jan Blonski as running “contrary to Baroque poetry, literature, or sermons, which tend to idealize and exaggerate the subject’s virtues.”¹³

State of the Field

While the *Portret trumienny* phenomenon is thoroughly documented, with research tracing back to the late 19th century and early 20th century, scholarship has focused mostly on the depictions of men such as *Portrait of Stephen Báthory* (figure 2) and *The Coffin Portrait of Jan Gnięwosz* (figure 8).¹⁴ Coffin portraits of *szlachta* noblewomen such as *Coffin Portrait of a Woman in a White Cap* (figure 1) have been included in museum collections and researched, but that scholarship has been limited to only a few portraits – nowhere near as extensive as the research about noblewomen in the early-modern period of the Polish-Lithuanian commonwealth. Moreover, no published scholarship has addressed how the role of gender in Polish-Lithuanian Commonwealth society factored into the depictions of women, specifically noblewomen, in Coffin Portraits.¹⁵ The Coffin Portraits are unique not only because of their morbidity but also because of the stories that the portraits tell of the people during that time. Historians generally focus on three main ideologies when researching gender in Early-Modern Polish Lithuanian Commonwealth society – the Wild Woman ideology, the idolatry of motherhood, and the equality of *szlachta* noblewomen. In this paper, I will examine the coffin portraits of two noblewomen, *Portrait of Barbara Lubomirska* (figure 6), and *Coffin Portrait of a Noblewoman from Chlastawa* (figure 5), – coffin portraits mentioned in museum catalogs but rarely used as points of research, to show the evidence of the Wild Woman ideology, idolatry of motherhood, and equality of *szlachta* noblewomen that was acknowledged and active during the creation of these coffin portraits. To support my visual analysis of the coffin portraits, I will be using previous research on the status of women in the seventeenth- and eighteenth Polish-Lithuanian Commonwealth, the ideology of Sarmatism and the resulting *szlachta* nobility in Poland, fashion history of seventeenth- and eighteenth-century Polish-Lithuanian Commonwealth, the Marian cults popular during the period in Eastern Europe orthodox religions, and the traditions of child-

12. Blonski, “Between this World,” 47.

13. Blonski, “Between this World,” 47.

14. For earlier scholarship on Coffin Portraits, *Polish Portrait Painting: from studies in the Art of the Sarmatian Era* by Tadeusz Dobrowolski (1948).

15. For more scholarship on women during the Early-Modern period in the Polish Lithuanian Commonwealth, *Death of the Magnate: Life Expectancy of the Magnaterly in the Polish-Lithuanian Commonwealth Versus Demography of the Western European Elites in the Early Modern Age* by Marzena Liedke (2019).

rearing in the Polish-Lithuanian Commonwealth. With previous scholarship on various subjects of the seventeenth and eighteenth-century Polish-Lithuanian Commonwealth as well as visual analysis of under-analyzed coffin portraits, I will show that gender played a larger role in the visual history of the Polish-Lithuanian Commonwealth than previously established, as seen in portraits of *szlachta* noblewomen of the Polish-Lithuanian Commonwealth during the Early Modern Period.

The Wild Woman Ideology

The Wild Woman is a woman of nature: uncivilized and unencumbered by the societal rules other women are held to. Essentially, they are a call back to the instinctual and natural living before the birth of society. While harkening to ancient times, the archetype in Poland was developed between the sixteenth to eighteenth century.¹⁶ The purpose of the archetype is twofold; according to Lynn Lubamersky, its purpose is “to provide a model of heroic womanhood that would help perpetuate the power of the nobility to control the social, cultural, and economic life of the Commonwealth.”¹⁷ Specifically, women were held to the model of the Amazon to produce noblewomen who promoted nationalism in the Sarmatist identity and be a “projection of civilized men’s imaginations.”¹⁸

Sarmatism is defined as a political ideology that believed in the humanity and superiority of the noble class.¹⁹ The ideology is based on the belief of being descendants from the Sarmatians, a warrior civilization from the fifth century BCE in the region of Sarmatia near the Baltic Sea and the Dnieper in modern-day Iran.²⁰ The Polish-Lithuanian Commonwealth dated the origin of their gentry back to the Sarmatians to justify the structure of their government, in which the few (the nobility) ruled over the majority of the population, a unique phenomenon in early modern Europe.²¹ The gentry of the Polish-Lithuanian Commonwealth legitimized their rule through the geographic connection to the Sarmatians and a large part of retaining the legitimacy was evoking the power of the ancient warriors.²² The warriors being Sarmatian for the whole of nobility, but Amazon for the noblewomen.

16. Lynn Lubamersky, “The ‘Wild Woman’ in the Culture of the Polish-Lithuanian Commonwealth,” in *Women as Sites of Culture*, ed. Susan Shifrin, (London: Rutledge, 2002) Ch 13.

17. Lubamersky, “The ‘Wild Woman,’” 183.

18. Sharon W. Tiffany and Kathleen J. Adams, *The Wild Woman: An Inquiry into the Anthropology of an Idea* (Rochester, Vermont: Schenkman Books, 1985), xi.

19. David Frick, “Sarmatism,” in *Europe 1450 to 1789: Encyclopedia of the Early Modern World*, (New York: Gale, Cengage Learning, 2004) 313.

20. Emilia Kloda and Adam Szelag, “‘Ribald Man with a Cranky Look’ The Sarmatian Portrait as the Pop-Cultural Symbol of Baroque Art in Poland,” *Journal of Art Histiography*, no. 15 (December 2016,) 1-27.

21. Lubamersky, “The ‘Wild Woman,’” 184.

22. Lubamersky, “The ‘Wild Woman,’” 184.

In *Coffin Portrait of Barbara Lubomirska (1676)* (figure 6), the female subject is shown in usual coffin portrait fashion – oil painted on a geometric panel (in this case the shape of a hexagonal coffin) with an extremely detailed portrait, cut off at the shoulders, against a light grey background.²³ The female subject, Barbara Lubomirska, is a documented noblewoman known to have died in or around 1676. When first looking at the portrait, one of the defining features is her youthful appearance containing characteristics of ideal beauty. The soft pink blush of her cheeks and luminous skin helps show the viewer her young age when she died. The tendrils of hair framing her face is a way to denote innocence, as well as her pearl necklace, a symbol of purity and social standing.²⁴ The visibility of some of her hair is also possibly a signal that she was unmarried, as in Renaissance Europe young, unmarried women sometimes were depicted with hair only partially covered by a cap, while married women were more likely to have their entire scalp covered to “fully indicate submission to a husband’s authority and assert family honor.”²⁵

The archetype of the Wild Woman not only functioned to legitimize the nobility’s power, as it was deemed “exceptional,” but the archetype also set a standard of exceptionalism that women should live up to in order to keep feeding the noble narrative.²⁶ Noblewomen were expected to live up to many ideals but the most prominent being the “virago” and the “Amazon.” The “virago” refers to the Renaissance description of an Amazon of extreme beauty, capable of exuding the qualities of a huntress, making her equal to or even superior to men – a descriptor exclusively used for noblewomen of Europe.²⁷ This archetype was further perpetrated the Sarmatian lineage of the Polish-Lithuanian Commonwealth as recent excavations have uncovered Sarmatian burial mounds of female warriors and warrior priestesses. The Sarmatian use of female warriors in their society was a model for noblewomen to emulate their purported ancestors, a call back to their culture and power.²⁸ The idealization of this archetype was empowering to women and raise their stature in society, so would this categorize the Polish-Lithuanian Commonwealth as an early example of having modern-day feminist ideals?

The archetype of the Wild Woman is based on empowered women of antiquity and the women that were held to this ideal were powerful in their own rights, “the model supported patriarchal authority, rather than undermining it.”²⁹ The male nobility purported the ideal insofar as it meant

23. *Coffin Portrait of Barbara Lubomirska (1676)*, currently housed in the National Museum in Warsaw – Portrait Gallery in Wilanów.

24. Koutny-Jones, *Visual Cultures of Death in Europe*, 150.

25. *A Cultural History of Hair in the Renaissance*, The Cultural Histories Series, 1st ed. Edited by Edith Snook, (New York: Bloomsbury, 2021.) 13.

26. Lubamersky, “The ‘Wild Woman,’” 184.

27. Lubamersky, “The ‘Wild Woman,’” 185.

28. Lubamersky, “The ‘Wild Woman,’” 187.

29. Lubamersky, “The ‘Wild Woman,’” 185.

that they still controlled noblewomen who emulated this archetype. In fact, there are multiple examples of anti-feminist literature such as Marcin Belski's *Sejm niewiesci* - a misogynistic satire, but none of these published works are centered around the Wild Woman archetype.³⁰ However, while the archetype might not be misogynistic, it is extremely limiting as to the freedoms of women in society. Over time, the Wild Woman archetype evolved to hold women to other standards, morphing from "Amazon" to include "spartan mother" and "warrior princess."³¹ These ideals grew to include specific noblewomen like noble mothers and daughters of noblemen, especially those that fought for their nation in battle.³² This is prevalent in folk songs of the period such as the *The Warrior Princess of Poland*, a Polish/Slavic folk song that recounted a King's daughter taking up the challenge to fight for her father to take on the enemy of the Turks. Exhibiting both bravery and military prowess, the "warrior princess" was the ideal example for noble daughters to look to such as being brave and fearless was seen as "overcoming the liabilities. Of physical weakness and youth, should they be called upon to protect their homeland."³³

In the *Coffin Portrait of Barbara Lubomirska (1676)*, while she is depicted as youthful and innocent, her portrait also denotes that she is formidable and powerful. For example, she is enrobed in necklaces of gold and jewels, earrings, and broaches – showing her wealth, i.e., her "power" in Polish-Lithuanian society as a noblewoman. The youthful innocence in her face contrasted by her powerful stance and inclusion of her societal power suggests that her portrait is fitting with the Wild Woman archetype, specifically that of the "warrior princess" or the "Amazon." She is seen to be beautiful and worldly in her education due to her noble stature, as well as her family letters surrounding her in the portrait, while also looking formidable and strong, not shying away from the viewer. These are direct characteristics that we see in the Wild Woman Ideology of the Warrior Princess, and hence, the *Coffin Portrait of Barbara Lubomirska (1676)*.³⁴

30. Lubamersky, "The 'Wild Woman,'" 185.

31. Lubamersky, "The 'Wild Woman,'" 188.

32. Lubamersky, "The 'Wild Woman,'" 187.

33. Lubamersky, "The 'Wild Woman,'" 188-89.

34. Another major aspect of power is the headdress shown, but there is little to no research about female fashion from the Early Modern Period in the Polish-Lithuanian Commonwealth. For a comparable example to men's fashion, look at the *kalpak* headdress. For more on the *kalpak*, "A Savage Magnificence: Ottomanizing Fashion and the Politics of Display in Early Modern East-Central Europe" by Adam Jasienski.

The Idolatry of Motherhood

While the Wild Women archetype was a way to hold women to a Polish noble standard that promoted patriotism, another ideal standard was situated around the mother. Motherhood was used as an ideal for three main reasons, the first being that it reinforced the standard of patriotism needed by the *szlachta* nobility to maintain their legitimacy on power. Thus, women were expected to become mothers and create the next generation of not only Sarmatian descendants, but also a new crop of nobility.³⁵ The second reason is that motherhood was seen as divine and reflective of Protestant and Catholic reverence for the Virgin Mary, particularly seen with the popularity of Marian cults in the Polish-Lithuanian Commonwealth.³⁶ Lastly, motherhood was essential to the function of Polish society, with noble mothers being responsible for not only the child-rearing but also the running of the household, including its protection.³⁷ To simplify, a noblewoman should be “steadfast in the holy Catholic faith, diligent and religious in the upbringing of her children, she was a woman of great piety, modesty, kindness, exceptional love for everybody,” or in other words, an ideal from the European patriarchal framework.³⁸

Motherhood as patriotism draws back to the family structure of the Polish-Lithuanian Commonwealth, specifically the emphasis of childbearing. As the Sarmatian ideology meant to keep the *szlachta* nobility in power by referencing the lineage to the Sarmatian tribe of warriors, lineage and family is arguably the most important quality of Polish society, and thus, children in the family line are held in high regard.³⁹ This is evident in the inclusion of children in the Coffin Portrait tradition, seen most notably with *Coffin Portrait of Two-Year-Old Barbara Bronikowska* (figure 3). Including young children in mourning ceremonies is largely unique to the Polish-Lithuanian Commonwealth as family structure demanded mothers to be more hands-on in raising their children rather than letting wetnurses or nannies care for them.⁴⁰ This close relationship between mothers and their children was unique to Poland as high infant mortality rates discouraged emotional attachment to children in most of Europe. However, in Poland, due to the unique Sarmatian ideology, the *szlachta* nobility included noblewomen and noble children to preserve and

35. Jeannie J. Łabno, “The Polish Putto & Skull on Renaissance Funeral Monuments to Children: Rudiments of Laughter, Grotesque Bodies & Mythic Boundaries,” *Renaissance Studies* 23, no. 3 (2009): 354-76, <http://www.jstor.org.proxy.lib.csus.edu/stable/24417218>.

36. Ausrā Baniulytė, “The Cult of the Virgin Mary and Its Images in Lithuania from the Middle Ages until the Seventeenth Century,” *Acta Academiaeartium* 25 (2002): 157-93, <https://doczz.net/doc/1986170/the-cult-of-the-virgin-mary-and-its-images-in-lithuania>.

37. Nancy Shields Kollmann, “Self, Society, and Gender in Early Modern Russia and Eastern Europe,” in *A Companion to Gender History*, edited by Merry E. Weisner-Hanks Tersea A. Meade, Blackwell Companions to History (Malden, MA: Blackwell Publishing, 2004), 360.

38. Kollmann, “Self, Society, and Gender,” 360

39. Łabno, “The Polish Putto,” 356.

40. Bogna Lorence-Kot, *Child-Rearing and Reform: A Study of the Nobility in Eighteenth-Century Poland / Bogna Lorence-Kot*, (Westport, Conn: Greenwood Press, 1985).

“reinforce the group identity.”⁴¹ It was recognized in the nobility that the future was reliant on children, and hence, the mothers raising the children, shown through famous examples such as the Virgin Mary and Jesus.

As motherhood was an ideal for noblewomen to live up to and accomplish as part of their Sarmatian identity, an ideal figure for women to aspire to was essential and the most obvious choice for a Catholic and Protestant nation is the ideal mother, the Virgin Mary. Lithuania, of the Polish-Lithuanian Commonwealth, was one of the last regions in Europe to be Christianized in 1387 and geographically located between Livonia⁴² and Prussia, two countries that have a long history of Christian worship, more specifically of the Virgin Mary herself.⁴³ From 1387 to the early sixteenth century, the cult of the Virgin Mary (Marian cults) flourished in the Polish-Lithuanian Commonwealth, mainly due to the veneration of her image as altarpieces or icons. *The Virgin and Child, Queen of the Rosary* (figure 7) is only one of hundreds of artistic depictions of the Virgin Mary, but the characteristics that laud Mary as an ideal mother and therefore woman are visible in the *Coffin Portrait of a Noblewoman from Chlastawa* (1701) (figure 5).⁴⁴

Visually, the *Coffin Portrait of a Noblewoman from Chlastawa* (1701) (figure 5) is a portrait of a *szlachta* noblewoman, dressed in luxurious furs and delicate lace, watching her funeral procession. Symbolically, the fur, jewels, and finery may have a deeper meaning and convey subliminal messages to the viewer, specifically about her piety, marital status, and motherhood. Moreover, if we compare the coffin portrait to *The Virgin and Child, Queen of the Rosary*, we see similarities. As previously stated, pearl jewelry, particularly necklaces, was a symbol of purity and social standing.⁴⁵ A simple pearl strand necklace is visible on figure 5 as well as two teardrop-shaped pearls hanging on the sides of her headdress, pictorially mimicking earrings. With the popularity of the Marian cults, especially among the nobility, the visibility of Byzantine altarpieces, such as *The Virgin and Child, Queen of the Rosary* would have been well-known amongst the Polish-Lithuanian Commonwealth. In this Byzantine icon, we see multiple strands of pearl-shaped beads around the neck of the Virgin Mary as well as jeweled motifs hanging on the headdress near her ears, similar to figure 5.⁴⁶ The Virgin Mary, according to Catholic tradition, was a virgin until her death as well as being a mother – the ideal combination of traits that women have been held to despite the contradiction of being a

41. Łabno, “The Polish Putto,” 356.

42. Livonia is a historical Baltic region. The region now makes up modern-day Latvia and Estonia. Prussia is the ancestral empire of modern-day Germany.

43. Baniulyté, “The Cult of the Virgin Mary,” 160.

44. Currently located in Troškūnai, Lithuania. For more Polish-Lithuanian Veneration Images, see Baniulyté, Ausra. “The Cult of the Virgin Mary and It’s Images in Lithuania from the Middle Ages until the Seventeenth Century,” 172-182.

45. Koutny-Jones, *Visual Cultures of Death in Europe*, 150.

46. Baniulyté, “The Cult of the Virgin Mary,” 175.

virgin mother.⁴⁷ The inclusion of pearls in byzantine icons around the neck of the Virgin Mary seem to represent, similarly and perhaps precursory, the purity and the social standing of the person wearing it, in Mary's case being a pure, divine figure.⁴⁸

While pearls are shown as a symbol that connects back to the purity of the Virgin Mary in *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure 5), there are more symbols from this portrait connecting to the Virgin Mary iconography from Marian cults in the Polish-Lithuanian Commonwealth. Looking at the headdress worn by the *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure 5), her hair is not visible at all, covered by a fur cap and long veil that lays behind her in the portrait. The covering of hair in this period was a signal to society of not only marriage but also submission to her husband.⁴⁹ We also see the covering of hair with a headdress and veil in Virgin Mary iconography, depicted here in *The Virgin and Child, Queen of the Rosary*. While the headdress in the Byzantine icon is traditional Russian Orthodox, similar to a modern *klobuk*, the meaning of the headdress looks to represent the same concept as the headdress in the coffin portrait, as the Virgin Mary was not only married to Joseph, her husband and Jesus' earthly father, but is also referred to as the "spouse of God."⁵⁰ So not only does Mary's covered hair represent her marital status on earth, but also spiritually as the headdress is symbolic of her submission to the will of God, being the womb for Jesus, the son of God.⁵¹

We can surmise that the noblewoman in the *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure 5) was a mother herself as she is not only embodying iconographic imagery of the Virgin Mary from byzantine icons disseminated around the Polish-Lithuanian Commonwealth, but she is showing contemporary signals that she is married and a mother.⁵² Looking at the portrait, in addition to her head covering signaling marriage status, her depiction suggests that she is a mature woman who has more than likely given birth. The average life expectancy for the nobility during this

47. Kathleen Carey Ford, "Portrait of Our Lady: Mary, Piero, and the Great Mother Archetype." *Journal of Religion and Health* 43, no. 2 (2004): 93–113. <http://www.jstor.org/stable/27512780>, 94.

48. M. Huang, "Pearls, Unicorns, and Lilies: Symbols of Feminine Purity in the Renaissance."

49. *A Cultural History of Hair in the Renaissance*, The Cultural Histories Series. 1st ed. Edited by Edith Snook (New York: Bloomsbury, 2021), 13.

50. "7 Types of Orthodox Clergy and Monastic Headgear." *The Catalog of Good Deeds*.

51. Allison Maddock, "Marriage the Marian Way: Mary as Spouse of the Holy Spirit" (2020), Celebrating Scholarship and Creativity Day, 122, https://digitalcommons.csbsju.edu/ur_csday/122.

52. Maddock, "Marriage the Marian Way: Mary as Spouse of the Holy Spirit," 5.

period was 50.1 years⁵³ with the maximum age being around 69 years old. Visually looking at the facial and age depiction of the noblewoman in the portrait, we can see that while she has a youthful blush in her cheeks and porcelain-esque skin, her cheeks are sunken and she has bags under her eyes, indicating an age older than the *Coffin Portrait of Barbara Lubomirska (1676)* (figure 6). Childless marriage was an extremely rare phenomenon due to the importance of carrying on the lineage of a family name in the Sarmatian tradition, and a childless family magnate would result in the family line going extinct and their property being transferred to other powerful families.⁵⁴ With the noblewoman's perspective age being old enough to be married and the extremely rare occurrence of childless noble unions in the Polish-Lithuanian Commonwealth, we can say with relative certainty that this woman was a mother herself.

The *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure 5) is a visual example of the pious mother ideal women were held to, particularly to the image of the ideal mother, the Virgin Mary herself, but if we look at the policies and laws relating to married women during this period, we can see that women were simultaneously held to this pious mother ideology and being punished for following it. Women in the confines of marriage were relatively well off, with a fortune secured for their children and a comfortable life provided by a noble husband. This marriage period, however, was very short, with an average marriage length being sixteen years, a period too short for children to grow into maturity, and hence, their fortune.⁵⁵ Noblemen usually entered marriages in their late, making the average time of marriage in addition to their age equal to the average life expectancy for a Polish-Lithuanian nobleman. Widowhood was extremely common, and it left women and their children in very vulnerable positions. Without a noble husband, a widow's financial situation was put in danger and the only option to prevent destitution was to remarry. However, doing so would cause her to lose custody of her deceased husband's children and therefore, her emotional bond with them as a mother.⁵⁶ Women's lives and happiness were not only contingent on being the "ideal" mother, but also contingent on the life of her husband, as with his death, the cycle must repeat itself for the woman's survival.

53. Marena Liedke, "Death of the Magnate: Life Expectancy of the Magnaterly in the Polish-Lithuanian Commonwealth Versus the Demography of the Western European Elites in the Early Modern Age," *Poland's Demographic Past*, no. 41 (2019): 57-79. <https://doi.org/10.18276/pdp.2019.41-03.>, 59.

54. Liedke, "Death of the Magnate," 74.

55. Liedke, "Death of the Magnate," 74.

56. Liedke, "Death of the Magnate," 74.

The Equality of Noblewomen

Another subcategory of the Wild Woman archetype is the *Strong Woman*, the political powerhouses lauded for their complete rejection of the gender ideals placed on them through the *Warrior Princess* and *Virgin Mother* archetypes.⁵⁷ While this sounds extremely contradictory to the overarching patriarchal system in the Polish-Lithuanian Commonwealth and their view of women as tools of reinforcing patriotism, the *Strong Woman* archetype actually is one of the strongest ways to shape the “ideal woman.” The *Strong Woman* at its core is the idealization of politically powerful noblewomen emulating strength. To understand how this was achieved, we have to look at the rights and freedoms of noblewomen in the Polish – Lithuanian Commonwealth. Women’s rights in the Polish Lithuanian Commonwealth were unique compared to most of Europe during the Early Modern period. For example, *Lithuanian Statutes* had a quarter or *czwarcizna* policy that dictated that one-fourth of the father’s property would go towards his daughter’s dowry, no matter the number of daughters.⁵⁸ In addition to the bride’s family’s contribution to the dowry, the prospective husband was required to provide property double the value of the dowry to secure the match.⁵⁹

One major deviation in the culture of marriage among European Nobles is the option of divorce and separation in the Polish-Lithuanian Commonwealth, an exceedingly rare phenomenon in Europe. The *Statutes* of 1566 and 1588 allow for the dissolution of marriage with each part, the husband and the wife, being able to retain half of the marital property.⁶⁰ In terms of inheritance, daughters were considered more financially secure than male heirs. In addition to dowries being paid by the bride’s family, the bride was also gifted with a trousseau of fine clothing, furniture, and jewelry for women to take into their marriage.⁶¹ Therefore, daughters and married women were financially secure, even in the case of divorce or separation. However, as previously mentioned, that stability is shattered with the death of the husband. As *szlachta* daughters and noblewomen were property owners in their own right, they were able to wield considerable power. However, that power was strictly at the hands of the noblemen who wrote the laws and statutes, just as the noblemen decided the characteristics of the “ideal woman.”

In coffin portraits, we not only see the wealth and power of the nobility shown off but also the elevated position women had in comparison to gender norms in other European countries. In both the *Coffin Portrait of Barbara Lubomirska (1676)* (figure 6) and *Coffin Portrait of a Noblewoman from*

57. Lubamersky, “The ‘Wild Woman,’” 191.

58. Teresa Zielińska, “Noblewomen’s Property Rights in 16th-18th C. Polish-Lithuanian Commonwealth,” *Acta Polonae Historica*, no. 81 (2000): 79-89.

59. Zielińska, “Noblewomen’s Property Rights,” 84.

60. Zielińska, “Noblewomen’s Property Rights,” 86.

61. Zielińska, “Noblewomen’s Property Rights,” 87.

Chlastawa (1701) (figure 5), the women are shown front and center, in three-quarter view. If we compare their portraits to *szlachta* nobleman portraits such as the *Coffin Portrait of Stephen Báthory* (1589) (figure 2) we see visual similarities between the male and female coffin portraits. *Portret trumienny*, as a tradition, uses the three-quarter view of the sitter, whether male, female, or child. Each coffin portrait was painted in the same visual style, heavily realistic of the *ad vivum* and post-mortem subject.⁶² For example, in *Coffin Portrait of a Noblewoman from Chlastawa* (1701) (figure. 5), the noblewoman has a slightly blue pallor in her sunken cheeks, suggesting her deceased status as a painting subject.⁶³ A similar depiction in sunken skin and sickening pallor can be seen in *Coffin Portrait of Stephen Báthory* (1589) (figure 2). The same reverence for realistic depiction is taken in both subjects, regardless of gender and possibly emulative of the somewhat equal importance placed on noblewomen and children in comparison to noblemen.

As a subcategory of the “wild woman” archetype, patriotism is the central reasoning behind idolizing politically and physically powerful women. The *Virgin Mother* diverges from the *Strong Woman* as “Polish women would keep the national fires burning by instilling in their children a sense of national consciousness and national mission.”⁶⁴ Noblewomen were politically active by not only engaging in their own politics, such as taking up arms to defend Poland as an independent nation but also by raising their children to carry on their patriotism. Motherhood and patriotism go hand in hand in the Polish-Lithuanian Commonwealth and the *Strong Woman* archetype, with women who didn’t fit the motherhood aspect still being shamed for emulating the *Strong Woman* archetype. The most famous example of this societal dichotomy of shame and praise can be seen in Anna Jagiellon, the daughter of King Sigismund the Old.⁶⁵ Seen in Polish-Lithuanian Commonwealth legend, Anna Jagiellon was a Jagiellonian princess who became Queen after her brother and father’s death through sheer willpower and political maneuvering. Although she was elected on her own merits as queen by the *szlachta* nobility, she is remembered in history as a “maritally unfulfilled woman rather the only modern woman to be a candidate in royal elections.”⁶⁶

Another visual aspect that is seen in coffin portraits regardless of portrait subject is the intense eye contact of the subjects. Normal for European men to show their power, direct eye contact with the viewer is a common occurrence in male portraiture. However, the almost exclusive use of eye contact with

62. Koutny-Jones, *Visual Cultures of Death in Europe*, 146.

63. Koutny-Jones, *Visual Cultures of Death in Europe*, 146.

64. Lubamersky, “The ‘Wild Woman,’” 192.

65. Katarzyna Kosior, “Anna Jagiellon: A Female Political Figure in the Early Modern Polish-Lithuanian Commonwealth,” In *A Companion to Global Queenship*, edited by Elena Woodacre, 67–78. Arc Humanities Press, 2018, <https://doi.org/10.2307/j.ctvmd8390.11>.

66. Kosior, “Anna Jagiellon,” 6

the viewer in portraits of noblewomen in coffin portraits is very rare in the European lexicon of portraiture. Renaissance portraiture of women is defined for its lack of direct eye contact, as “the averted eyes and lack of genital region allowed male viewers to avoid the fear of rejection or seduction while viewing her features unchallenged.”⁶⁷ When we look at all three coffin portraits, *Coffin Portrait of Barbara Lubomirska (1676)* (figure. 6), *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure. 5), and *Coffin Portrait of Stephen Báthory (1589)* (figure 2), we see the same direct eye contact consistently, regardless of the gender or age. This suggests that the *szlachta* patriotism that made the Polish nobility so unique also promoted a gender equality beyond European norms at that time.

In Conclusion

While the unique and morbid phenomenon of coffin portraits in the Polish Lithuanian Commonwealth during the Early modern period is well documented, not all facets of research surrounding the portraits have been investigated. One of these facets is gender, particularly how iconography in the noblewoman’s coffin portraits reflected the gender ideals held for women by sarmatian belief. We can see three archetypes of these ideal women throughout coffin portraits of noblewomen such as the *Warrior Princess*, the *Virgin Mother*, and the *Strong Woman*— all archetypes that merge under the Wild Woman ideology. According to Lynn Lubamersky, there is a direct tie between the Wild Woman ideology and the “unifying myth of the ‘Sarmatian’ origin of nobility.”⁶⁸ Specifically, we can see visual cues such as headdresses, pearls, and strong eye contact as evidence of these numerous archetypes being not only used in the paintings but also engrained in the Polish-Lithuanian culture. The *Coffin Portrait of Barbara Lubomirska (1676)* (figure 6) and *Coffin Portrait of a Noblewoman from Chlastawa (1701)* (figure 5) give us a glimpse into the gender politics of the *szlachta* nobility.

Death is the ultimate conclusion, another obstacle that humans have attempted to overcome, to no avail. The tradition of the Coffin portrait lets us have a glimpse into the ways that the Polish-Lithuanian Commonwealth coped with their mortality, unified as a nation yet separate in gender distinctions. While women were depicted equally in portraits and afforded the same distinction as men, the deeper you look into the portraits, the visual and contextual differences are resounding. Despite these attempts to find immortality in art, “Whether we like it or not, in the end, we are bound to die.”⁶⁹

67. Rachel D. Masters, “The Portraiture of Women During the Italian Renaissance.” Bachelor of Art Honors Thesis, University of Southern Mississippi, 2013.

68. Lubamersky, “The ‘Wild Woman,’” 183.

69. Polish proverb. Original quote: “Czy nam się to podoba, czy nie, w końcu umrzemy.”

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Appendix



Fig. 1: Anonymous, *Coffin Portrait of a Woman in a White Cap*, 1670-1680, Oil Paint on Zinc Panel, 41 x 42 inches, National Museum in Warsaw, Poland.



Fig. 2: Martin Kober, *Portrait of Stephen Báthory*, 1589, Oil on Panel, Wawel Castle, Kraków, Poland.



Fig. 3: Anonymous Artist, *Coffin Portrait of Two-Year-Old Barbara Bronikowska, a Protestant*, c. 1671, Muzeum Miedzyrzecz.



Fig. 4: Anonymous Artist, *Coffin Portrait of Elzbieta Unrug* c. 1659, Muzeum Miedzyrzecz.



Fig. 5: Anonymous Artist, *Coffin Portrait of a Noblewoman from Chlastawa*, c. 1701-1725, Muzuem Miedzyrzecz.



Fig. 6: Anonymous Artist, *Coffin Portrait of Barbara Lubomirska* c. 1667-1676, National Museum of Warsaw, Poland.



Fig. 7: Anonymous, *Virgin and Child, Queen of the Rosary*, Troškūnai.



Fig. 8: Anonymous, *the Coffin Portrait of Jan Gniewosz*, c. 1708/1709, 48 x 55 inches, Oil on Zinc, National Museum in Warsaw, Poland.

“Without noise or panic”: An Examination of the Deportations from Latvia in 1941 and from 1945 to 1950

Kerida Moates

Abstract: From 1940 to 1950 the Soviet Union deported approximately 200,000 people from the Baltic nations, 60,000 of those from Latvia. These deportations occurred during two periods of Soviet occupation: the first from June 17, 1940 to June 30, 1941 and second from May 9, 1945 to 1989. Deportations were not unique to the Baltic region of the Soviet Union nor the Soviet Union itself. There is significant literature on the Latvian collective memory of these deportations and the impacts deportations had on Latvian society. To my knowledge, however, there are no studies that question why the Soviet Union chose to implement deportation policies on the Latvian population. My research aims to deepen our understanding of these deportations. I argue that in both 1941 and from 1945 to 1950, Soviet authorities deported Latvians because they were deemed anti-Soviet. During these two periods Soviet authorities did not explicitly identify labor needs as a reason to deport Latvians. In the post-WWII period Soviet authorities deported Latvians who collaborated with Germany during WWII because they were deemed anti-Soviet. Beginning in 1948 deportations also became a tool to enforce collectivization policies. My sources include digitized documents from the Soviet government such as orders, memos, and internal reports from the NKVD, KGB, MVD, and MGB. I also used US CIA documents from the post-1945 period. In addition to government documents, I used articles and magazines published in Latvia and written in both Russian and Latvian. This is important because the language of the publication often reflects an underlying political bias. Many of the primary sources are supplemented with secondary sources in order to explore the accuracy of each primary source.

From 1940 to 1950, the Soviet Union deported approximately 200,000 people from the Baltic nations. About 60,000 of those deported were from Latvia. These deportations occurred during two periods of Soviet occupation: the first from June 17, 1940 to June 30, 1941 and the second from May 9, 1945 to 1989. During the interim period from 1941 until early 1945, Nazi Germany occupied Latvia. Deportations were not unique to the Baltic region of the Soviet Union nor the Soviet Union itself. The USSR deported millions of minority ethnic groups between 1917 and 1953, including Germans, Iranians, Koreans, Poles, Romanians, Finns, Chechens, and Tatars. In other parts of the world bilateral agreements

dictated “population transfers,” where ethnically based populations were deported to create ethnically homogenous states. The most notable example is the Treaty of Lausanne in 1923, which provided for the exchange of Turkish and Greek people from Greece and Turkey, respectively.

The Baltic littoral comprises three distinct nations fastened between the historically great powers of Germany and Russia. While the Baltic states are often grouped together, there are differences among them that stem from their unique histories. In the sixteenth and seventeenth centuries the Kingdom of Poland and the Grand Duchy of Lithuania included most of modern Lithuania, Belarus, Poland, and Ukraine. Estonia was part of Sweden until 1700, at which point the territory was ceded to Russia. Latvia was comprised of several smaller regions: Latgale, Vidzeme, Selija, Zemgale, Courland, and Livonia. Latgale had a higher population of ethnic Russians than the other regions, and while most of the state was Lutheran, Latgale was Roman Catholic. Livonia, which included the modern capital of Riga, was part of Sweden until 1721. Latvia was also home to significant minority populations of Poles and Baltic Germans, ethnic Germans who resided in Latvia since the twelfth century. When the Russian empire annexed Latvia, much of the territory became part of Russia’s pale of settlement. Unfortunately, most of Latvia’s historic Jewish population perished during WWII.

During the nineteenth century, Russian tsars pursued russification efforts in each of the three nations. Hostility toward Russian oppression manifested during the 1905 revolution, during which social unrest and state violence encompassed much of the empire, including the Baltic region. The 1905 revolution resulted in the creation of the Russian Duma, a legislative body designed to provide a check on the power of the Tsar. The creation of the Duma was a compromise to help the Tsar maintain power, though quickly after its creation Tsar Nicholas II stripped the Duma of all real authority. Latvia, Lithuania, and Estonia each sent representatives to the Duma until the Bolsheviks seized power in 1917. Amidst the chaos of the Russian Revolution, Latvia, Lithuania, and Estonia declared independence and were admitted to the League of Nations between 1921 and 1922. Latvia held parliamentary elections between 1922 and 1934. During the 1920s Latvia focused heavily on agricultural reforms. Previously large landowners, who were mostly Baltic Germans, owned 40-50% of all land in Latvia. The state redistributed 3.4 million hectares of land by 1930, which predominantly benefited ethnic Latvians.

Through a bloodless coup, Karlis Ulmanis acquired power in 1934. He disbanded parliament and outlawed political parties. The Ulmanis period marked a rise in nationalist sentiment. Latvians replaced German and Polish-speaking clergy and popularized the phrase “Latvia for the Latvians.” In August of 1939, as tensions rose between Germany and other western

powers, the Soviet Union and Germany signed the Molotov-Ribbentrop Pact. While the primary purpose of the pact was to promise non-aggressive policies toward one another, the pact also secretly divided spheres of influence between Germany and the Soviet Union. Half of Poland, Latvia, Estonia, Finland, and Bessarabia resided in the Soviet sphere. In October of 1939, the Soviet Union coerced the independent Baltic states into signing mutual assistance pacts. In May of 1940 the Soviet Union accused the Baltic states of violating the terms of the mutual assistance pacts and conspiring to create anti-Soviet coalitions, and as a result, invaded the Baltic states.

There is significant literature on the Latvian collective memory of these deportations and the impacts deportations had on Latvian society. However, there appear to be no studies that question why the Soviet Union chose to implement deportation policies on the Latvian population. This research aims to deepen our understanding of the deportations from Latvia in 1941 and from 1945 to 1950. I argue that in both 1941 and from 1945 to 1950, Soviet authorities deported Latvians because they were deemed anti-Soviet. During these two periods, Soviet authorities did not explicitly identify labor needs as a reason to deport Latvians. In the post-WWII period, Soviet authorities deported Latvians who collaborated with Germany because they were deemed anti-Soviet. Beginning in 1948, deportations also became a tool to enforce collectivization policies. While I refer to those deported from Latvia as Latvians, it should be noted that the primary sources examined did not denote the ethnicity of the people deported. In 1940, ethnic Latvians accounted for approximately 75% of the population.

To examine the motives for these deportations I used digitized documents produced by the Soviet government. These included orders, memos, and internal reports from the NKVD, KGB, MVD, and MGB. I also used US CIA documents from the post-1945 period. In addition to government documents, I used articles and magazines published in Latvia and written in both Russian and Latvian. This is important in that the language of the publication often reflects an underlying political bias, so I incorporated both perspectives. Many of the primary sources are supplemented with secondary sources in order to explore the accuracy of each primary source.

This paper divides the analysis of Latvian deportations into two primary sections: those that occurred in 1941 and those that occurred between 1945 and 1950. Within each section, I discuss motivations for deportation by Soviet authorities, examine secondary source literature on Latvia, and discuss other deportations within the Soviet Union. The synthesis of my research with secondary literature will reveal commonalities between the Latvian deportations and deportations from other regions. This comparativist approach will provide an understanding of more general motives of the Soviet state and will reveal unique qualities of the Latvian deportations.

Deportations of 1939-1941 in Latvia

Less than two months after the Molotov-Ribbentrop Pact was signed, Soviet Order 001223 detailed plans for mass deportations from the Baltic Republics. The resulting deportations in June of 1941 included 15,400 Latvians, of which 5,300 went to labor camps and prisons, and 10,200 were exiled to special settlements. Because the conditions in the prisons were much more difficult than in the special settlements, 80% of those imprisoned died while only 20% of those exiled died.¹ The June 1941 deportation of Latvians was couched with other deportations along the Soviet Union's newly expanded western border, including deportations from western Ukraine, Moldova, and western Belarus.² During the pre-war occupation, the CIA reported that approximately 34,000 Latvians were deported in total.³

Forced deportations were characteristic of the Soviet Union since its inception. In other regions of the Soviet Union in the 1920s and 1930s, groups of people were deported for many reasons such as Soviet goals to increase population densities in other regions, collectivization, Soviet border security, suppression of opposition groups, forced labor, being perceived as possessing anti-Soviet opinions, and collaboration with Germany during WWII.

Anti-Soviet Elements in 1941

The Soviet Union had a unique relationship with its border and when Latvia was re-occupied the nation became part of the Soviet border zone. In 1920 during his tenure as Commissar of Nationalities, Stalin expressed concern over security at the Soviet border. In reference to geopolitical concerns, he stated that the border regions should “go along with Russia” to “be freed from imperialist oppression.”⁴ Stalin specified his territorial ambitions, stating that the “supposed independence of supposedly independent Georgia, Armenia, Poland, Finland, etc., is only an illusion and conceals the utter dependence of these apologies for States on one or another group of imperialists.”⁵ It is clear that Stalin did not respect the sovereignty of the bordering states.

Both David Shearer and Terry Martin recount how the fear of foreign interference resulted in the persecution of minority nationalities residing in the borderlands of the Soviet state. Due to their nationality, minority peoples

1. Tomas Balkelis and Violeta Davoliūtė, “Introduction,” in *Narratives of Exile and Identity: Soviet Deportation Memoirs from the Baltic States*, ed. Tomas Balkelis and Violeta Davoliūtė (Budapest: Central European University Press, 2018), 6.

2. Blum and Koustova, 20.

3. “Estimates of the Present Population of Latvia,” August 26, 1952, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia.

4. Robert Conquest, *The Nation Killers: The Soviet Deportations of Nationalities* (London: Macmillan and Co Ltd, 1970), 119.

5. Conquest, *The Nation Killers*, 119.

were deemed inherently anti-Soviet. Shearer argues that Stalin's foreboding concern of war resulted in mass repression internally and at the borderlands. For example, when Soviet envoy Petr Voikov was murdered in Warsaw in 1927, Stalin believed the murder was part of a plot for Poland to attack the Soviet Union. Stalin responded with a mass purge focused on the border of Poland and the Ukrainian Socialist Soviet Republic (SSR). Shearer quotes Stalin, who said the mass purge was needed to "strengthen our own rear areas."⁶ He further links the persecution of diaspora nationalities in the late 1930s to the fear of foreign interference.⁷ Similarly, Due Enstad draws attention to how the deported diaspora nationalities were accused of espionage and labeled anti-Soviet.⁸ He examines the Nazi occupation of the northwest region of the Russian SSR and shows how NKVD orders instructed the purge of the Soviet Union's border regions to buttress national security.

Order 001223 revealed that the presence of "anti-Soviet elements" motivated the NKVD to deport Latvians in 1941.⁹ Individuals were added to deportation lists because the NKVD perceived them to be hostile to Soviet authority. In directions issued on May 16, 1941, authorities stated that the deportees were enemies of the Soviet people because of their inclination toward western or otherwise oppositional beliefs. The directive warned that if these people were not removed, then they may incite an armed attack.¹⁰ This language shows that Soviet authorities felt threatened by Latvians they perceived as unsupportive of their occupation.

Like other parts of the Soviet Union in the 1920s and 1930s, in 1941 the NKVD perceived members of the Latvian intelligentsia and other professionals as possessing anti-Soviet perspectives, and thus became targets for deportation. In a 1944 article in the German-sponsored, Latvian language newspaper *Tālaviētis*, an elderly woman recounted a death march in June of 1941. Women, children, and other family members of the intelligentsia were brought from the Daugavpils region of Latvia to the woman's village near Ulla, Belarus. The deportees starved and many collapsed in the heat. Those who did not die from the reprehensible conditions were shot by NKVD units. The NKVD left the bodies of the victims in the open, so after two

6. David Shearer, "Stalin at War, 1918-1953: Patterns of Violence and Foreign Threat," *Jahrbücher für Geschichte Osteuropas* 66, no. 2 (2018): 192.

7. Shearer, "Stalin at War," 203.

8. Johannes Due Enstad, *Soviet Russians Under Nazi Occupation: Fragile Loyalties in World War II* (Cambridge, UK: Cambridge University Press, 2018), 30.

9. Order 001223 is found in *Via dolorosa* (Riga: Latvian Writers' Association, 1990), 32.

10. Yu. N. Afanasiev, A. O. Chubar'ian, R. Conquest, E. Danielson, T. Emmons, P. Gregory, O. V. Khlevniuk, V.S. Khristoforov, V.A. Kozlov, S. V. Mironenko, A. I. Solzhenitsyn, A. K. Sorokin, and A. N. Yakovlev, eds, *Istoriia stalinskogo Gulaga. Konets 1920-x – pervaiia polovina 1950-x godov. Sobranie dokumentov v 7 tomakh. Tom 5* (Moscow: Gosudarstvennyi arkhiv Rossiiskoi Federatsii, 2004), 396.

days, residents of the village worked to bury the victims in a mass grave.¹¹ This account is evidence of the targeting of the intelligentsia, who were deemed anti-Soviet because of their social status. Many deportation efforts before and after WWII separated men from women, children, and the elderly, and sent men to areas with harsher conditions and forced labor requirements. Since this account did not include men of working age, we can assume they were already deported, murdered, or otherwise dispensed with by the NKVD. For the purposes of my argument however, there is no clear motivation for the elderly woman to identify the victims as family of the intelligentsia.

When considering the preceding article, it is important to underscore that the newspaper *Tālavietis* was financed by the Nazi government. There is bias against the Soviet government and it is reasonable to expect that such nuance could manifest in an account of a massacre. That said, there are a small handful of secondary sources that mention NKVD prison massacres as a part of a panicked Soviet response to the German invasion.¹² In his discussion of Ukrainian nationalist cooperation with Nazi troops, historian John-Paul Himka cites an NKVD prison massacre that occurred in Lviv, Ukraine. In three prisons in Lviv, the NKVD murdered almost all of the prisoners when NKVD officials realized they did not have time to evacuate the prisons before the advancing German troops reached the city. NKVD officials attempted to burn the bodies and then laid them out next to one another in a uniform fashion. Himka identifies most of these prisoners as political prisoners.¹³

With evidence that the NKVD murdered prisoners because of approaching German troops, it is possible that the NKVD also murdered deportees mid-deportation, as documented by the woman from Ulla. NKVD officials likely believed that they would be unable to move the deportees fast enough to outpace the German army. Further, a plethora of scholarship establishes that Hitler's invasion of the Soviet Union surprised Stalin.¹⁴ Operation Barbarossa's multi-path approach targeted the entire Soviet border zone, including Latvia and western Ukraine. Stalin's lack of foresight accounts for why he ordered the deportations of Latvians just ten days before the beginning of Operation Barbarossa.¹⁵

11. "Atklāti jauni masu kapi ar 2000 boļševiku noslepkavotiem latviešiem," *Tālavietis*, May 18, 1944, Latvian Institute of History.

12. The NKVD prison massacres are an area lacking detailed scholarship. There are a handful of articles that focus on these massacres specifically, but they are written in German or Polish. These articles appear constrained to Ukraine and Poland.

13. John-Paul Himka, "The Lviv Pogrom of 1941: The Germans, Ukrainian Nationalists, and the Carnival Crowd," *Canadian Slavonic Papers* 53, no. 2 (2011): 210, 211, 217.

14. While Shearer does not specifically opine on WWII, the surprise invasion would likely conflict with his argument that Stalin was constantly concerned about war.

15. On June 22, 1941 approximately 3.5 million German troops invaded the Soviet Union in what became Operation Barbarossa. German troops were tasked with following three primary pathways from Poland to Leningrad (St. Petersburg), Moscow, or Stalingrad (Volgograd). Operation Barbarossa officially opened the eastern front in WWII.

A 1943 article in the Latvian education magazine *Izglītības Mēnešraksts* further demonstrated that the Soviet Union targeted professionals for deportation. The article described how at least 6,000 teachers in Latvia were forced to change professions and about 500 teachers were either deported or murdered after the Soviet invasion in 1940. The loss of teachers forced many students to prematurely abandon their studies.¹⁶ Education historian Iveta Kestere argues that teachers “were not trusted by the Soviets.”¹⁷ As with other professionals, Bolshevik ideology purported that these individuals belonged to the “old bourgeois.”¹⁸ Their professional status caused Soviet authorities to view them as anti-Soviet, making them targets for deportation.¹⁹

Other professionals such as medical workers also faced deportation. A 1944 article in the Latvian newspaper *Laika Bals* recounted how hundreds of doctors, paramedics, and nurses were deported in 1941. The article used these deportations as evidence of poor medical care by the Red Army during WWII, since many Soviet doctors were deported and unable to be mobilized in the war effort. Further, the article’s author compared the low quality of Red Army care to supposed higher quality care in the German military.²⁰ Embellished comparisons with other countries were common tools of propaganda for both the USSR and Germany during this period. Given the evidence of other deportations, however, it is unlikely that the *Laika Bals* article fabricated these deportations. Since this article contains an underlying anti-Soviet perspective it is possible that the article exaggerated when it cited “hundreds” of medical professionals who were deported. Further, the deportation of medical professionals refutes Shearer’s argument that Stalin constantly perceived war would commence quickly since the state would need medical professionals to serve the wounded.

Latvian scientists were also either deported or fled the country in 1941 because like medical professionals, Soviet authorities labeled many of them as anti-Soviet. Within a compilation of accounts of deportees gathered in 1954, Dr. Br Jirgensons, a chemistry professor, provided information on the number of scientific articles published by Latvians in exile. While he was unable to give an exact number, he estimated that sixty-four Latvian academics wrote

16. Jānis Kronlins, “Latvijas skolu attīstība divdesmit piecos gados,” *Izglītības Mēnešraksts*, November 1, 1943, 11.

17. Iveta Kestere, “The classroom as an arena for political propaganda: Communism and Nazism in Latvian classrooms (1940 – 1956),” *Annali online della Didattica e della Formazione Docente* 8, no. 12 (2016): 39, <http://annali.unife.it/adfd/article/viewFile/1346/1100>.

18. Blum and Koustova, 23.

19. Peter Gatrell, “Population Displacement in the Baltic Region in the Twentieth Century: From ‘Refugee Studies’ to Refugee History,” *Journal of Baltic Studies* 38, no. 1 (March 2007): 47.

20. M.Z., “Padomju lazaretēs,” *Laika Bals*, April 19, 1944, Latvian Institute of History.

455 individual works.²¹ Jirgensons detailed these accomplishments because he wanted to raise awareness of the achievements of Latvian scientists, especially those from the natural sciences. He believed that heightened awareness would contribute to a sense of Latvian nationalism that could transcend state borders.

Forced Labor in 1941

To understand the phenomena of forced migration it is necessary to examine the relationship between labor, the Soviet state, and deportation. Stalin's first Five Year Plan in 1929 marked the beginning of massive industrialization efforts. The labor force was precarious in the 1930s; peasants migrated to urban areas to flee forced collectivization in the countryside. From 1926 to 1939 the urban population increased by 30 million people while the non-urban population decreased by 6 million.²² In an attempt to control rapid employee turnover, the Soviet government implemented various restrictions on the movement of employees, some of which lasted until the beginning of the Khrushchev years. As of November 1932, employers were required to terminate an employee for a single unauthorized absence. Termination additionally resulted in eviction from employee housing and the loss of ration cards.²³

The first Five Year Plan also marked the introduction of the gulag system. Steve Barnes, an historian of the gulag system, attributes three predominant purposes to the gulag: "economic production, political education, and the battle with the 'especially dangerous' inmates."²⁴ The gulag system included prisons, labor camps, and special settlements. Each segment and even each camp within the gulag system had varying levels of security. Labor camps were much more restrictive than special settlements, as those exiled in the special settlements were mostly permitted to move about the immediate region. Labor camps ranged in restrictiveness. Some were similar to special settlements while others had tight restrictions on any movement or communication with people outside the camp.²⁵ The gulag population increased throughout the 1930s until WWII, which Barnes attributed to a drive "to cleanse their new society of potentially contaminating elements."²⁶ The increased prisoner population was intrinsically connected to Stalin's stalwart persistence in erasing anti-Soviet ideals.

21. Br. Jirgensons, "Mūsu Zinātnieku Panākumi Trimdas Desmit Gados," in *Latviešu Trimdas Desmit Gadi*, ed. H. Tichovska (New York: Astra Publishing Co., 1954), 76. Latvian National Library.

22. Sheila Fitzpatrick, "War and Society in Soviet Context: Soviet Labor before, during, and after World War II," *International Labor and Working-Class History*, no. 35 (Spring 1989): 40.

23. Fitzpatrick, "War and Society," 39.

24. Steven Barnes, "All for the Front! All for Victory! The Mobilization of Forced Labor in the Soviet Union during World War Two," *International Labor and Working-Class History*, no. 58 (Fall 2000): 240.

25. Barnes, "All for the Front," 241.

26. Barnes, "All for the Front," 234.

Soviet government documents do not describe the demand for forced labor as a motivation for deporting Latvians in 1941. As part of the 1941 deportations, an NKVD report stated that 1,180 Latvian “criminals” were sent to Belbaltlag.²⁷ The Soviet government ordered the creation of the Belbaltlag camp to build the White Sea – Baltic Canal (BBK) in 1930. While the canal was completed in 1933, the NKVD kept laborers at the site to perform maintenance. An additional 1,000 Latvian “criminals” were sent to a camp in Onezhsky near Arkhangelsk.²⁸ There were several camps in the Onezhsky area around Lake Onega for workers to mine quarries. The two aforementioned primary sources described the deportees as “criminals.” The criminal classification shows that these deportees were thought of as anti-Soviet. While it is possible that Soviet authorities were motivated to label more individuals as criminals to meet labor demands, this reasoning does not appear in government documentation.

Oleg Khlevnyuk argues that the “development of the OGPU economy was strongly influenced by the decision to build the White Sea-Baltic Canal.”²⁹ Projects such as the BBK suggest that the Soviet government needed extensive manpower to execute these projects. There appears to be an ebb and flow to the Soviet government’s demand for forced labor however. Just a few years before the 1941 deportations, the Great Terror led to dramatic increases in prisoner death sentences.³⁰ Khlevnyuk links the executions to “crowded camps and the impossibility of putting hundreds of thousands of new prisoners to work.” He aptly points out that many of these men were skilled workers who could have been utilized on these infrastructure projects.³¹ Thus during the Great Terror, Soviet authorities continued to send people to gulags, even though they were unable to make productive use of them. In fact, approximately 500,000 inmates were released early in 1941 and 1942 because the gulag system could not sustain the continued influx of new prisoners.³²

In a similar fashion to the previously mentioned strict labor rules enacted in 1932, in December of 1941 it became illegal for an employee to leave their employer without government permission. Enacted six months after the German invasion of the Soviet Union, this policy tried to address the acute labor shortage and high worker turnover rates.³³ Due to the 1941 Latvian deportations being conducted before Germany invaded, and with

27. *Istoriia stalinskogo Gulaga*, volume 5, 402.

28. *Istoriia stalinskogo Gulaga*, volume 5, 402.

29. Oleg Khlevnyuk, “The Economy of the OGPU, NKVD, and MVD of the USSR, 1930-1953: The Scale, Structure, and Trends of Development,” in *The Economics of Forced Labor: The Soviet Gulag*, ed. Paul R. Gregory and Valery Lazarev (Stanford: Hoover Institute Press, 2003), 46.

30. The Great Terror, from 1936-1938, was a period of heightened repression in the USSR.

31. Khlevnyuk, 48-49.

32. Khlevnyuk, 51.

33. Barnes, 244.

the knowledge that 500,000 prisoners were released early in 1941 and 1942, it is possible that labor demands on major gulag projects and in urban areas impacted the arrest and subsequent release of citizens. However, labor was not a stated reason for documentation in government documentation.

Deportations from 1945-1950

The Soviet Union reoccupied Latvia in the Baltic offensive in the fall of 1944 and deportations from Latvia renewed in May of 1945. From 1945 through 1950, an estimated 136,000 Latvians were either deported or murdered.³⁴ Within the period from 1945 to 1950 I argue that concerns of anti-Soviet elements again motivated authorities to deport Latvians. Like the 1941 deportations, government documents do not cite labor needs as a motivation for Latvian deportations. Evidence shows we can further divide the 1945 to 1950 deportation period. Immediately after WWII through 1947, deportation efforts focused on those who collaborated with the Germans during the war, while after 1948 deportations were used to enforce collectivization efforts.

Involvement with German Authorities

Like other regions outside of Latvia, Soviet authorities deported individuals based on their involvement with German authorities during the previous years of German occupation. From official MVD documents, it appears that the Soviet government intended to deport those who assisted the German military in an official capacity, such as serving in the military. These deportation orders did not appear to include ordinary citizens who remained in their homes during the German occupation. A 1946 MVD order specifies that these deportations applied to those who did not need to participate in anti-Soviet activities,³⁵ thus targeting individuals perceived as having an active choice.

A CIA information report cited that these deportations included “all police officials, home guardsmen, and people who were suspected of having cooperated with the German troops or occupation forces.”³⁶ The CIA was likely describing one of the following three types of officers. The police officials could have been part of the *Ordnungspolizei*, a German police force that was gradually militarized and later unofficially merged with the SS throughout the mid-1930s and WWII.³⁷ In a 1946 MVD directive, these police officers

34. “Estimates of the Present Population of Latvia,” August 26, 1952, CIA.

35. *Istoriia stalinskogo Gulaga*, volume 5, 485.

36. “Partisan Activity and Deportations in Latvia.” *Economic Conditions in Latvia*, May 19, 1953, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia, <https://www.cia.gov/readingroom/docs/CIA-RDP80-00810A000900390005-5.pdf>.

37. Edward Westermann, “Himmler’s Uniformed Police on the Eastern Front: The Reich’s Secret Soldiers. 1941-1942,” *War in History* 3, no. 3 (July 1996): 310.

were described as those who did not retreat with the German army, which further points to their status as *Ordnungspolizei*.³⁸ These police officials may also have been a local police force that was aligned with the German occupiers. Due Enstad discusses how auxiliary policemen were murdered in 1943, just across the Latvian border in the Pskov region of the Russian Soviet Socialist Republic (SSR) SSR. These police forces were comprised of local men, many of whom joined German forces to help secure food for their families.³⁹ Thus the police officials described by the CIA in the 1953 memo may have been a locally recruited force similar to that of the Pskov oblast. Finally, Due Enstad describes a group of 7,000 Baltic volunteers that were mobilized in the German *Einsatzkommandos* as part of the Army Group North. This force was largely comprised of Estonians and Latvians, but some Lithuanians were included as well. Germany sent the Army Group North northeast into the Leningrad Oblast of the Russian SSR. This group was apparently so violent that local citizens tried to request protection from them.⁴⁰ From the CIA report and the aforementioned options, it is clear that Soviet authorities eagerly deported anyone who assisted German troops during the German occupation.

Additionally, among those captured and deported or imprisoned were Latvian Legionnaires, who were Latvians mobilized into the Nazi SS. Many of these Legionnaires were specifically part of the Vlasov Legionnaires, a term used to describe the Russian Liberation Army led by Andrey Vlasov. A 1951 CIA report recounted that some Legionnaires were captured in 1945. The NKVD placed some Legionnaires in a camp near Riga while others were sent to a camp near Moscow.⁴¹ Deportations from Latvia in 1946 had similar makeup to those conducted in 1945. Those deported the following year included additional Legionnaires, police officers, and others who cooperated with the German army. In outlining directives for these deportations, the MVD designated police officers and Legionnaires as special settlers, who were to be exiled for six years.⁴² Individuals who assisted Germany were clearly, to some degree, anti-Soviet. Thus, it is worth pointing out that farmers and other citizens who were labeled as anti-Soviet because of their profession often received harsher sentences than those who collaborated with Germany during WWII; they were sentenced to the often restrictive and grueling labor camps.

To contextualize these deportations and garner knowledge about the deportees, it is worth briefly examining the reasons why Latvians or other Soviet citizens chose to assist the Nazis or join a partisan movement. In Due Enstad's

38. *Istoriia stalinskogo Gulaga*, volume 4, 293.

39. Due Enstad, 214.

40. Due Enstad, 170-171.

41. "Transportation Facilities, Roads, and Bridges in Latvia," October 15, 1951, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia, <https://www.cia.gov/readingroom/docs/CIA-RDP83-00415R009200080013-7.pdf>.

42. *Istoriia stalinskogo Gulaga*, volume 4, 293.

examination of the northwest region of the Russian Republic he cites a peasant from Pskov. This peasant served for the Red Army in WWI, during which he learned about German farming methods. According to Due Enstad he “openly voiced his hopes that the Germans would come and dissolve the collective farms so that the economy could flourish again.” The NKVD ultimately arrested the peasant because of these comments.⁴³ Lack of food and other necessities created varying levels of resentment in the Soviet people. The peasant’s arrest further reiterates Soviet lack of tolerance for dissenting views.

Swain provides insight on how Latvians debated their allegiance during and immediately after WWII. In his introductory paragraph he quotes a former member of the Latvian Legion⁴⁴ who joined the Red Army. The individual stated in 1944, “if the German Army could not stand up to the Red Army, you with your rifles in the forests never will.”⁴⁵ This example represents a logical outlook on the political future of Latvia and the greater region. Swain argues that divisions in 1945 depended upon “whether they [Latvians] had resisted both fascism and communism, or just communism alone.”⁴⁶ The quoted ideologies pertained to Germany and the Soviet Union, two strong states that influenced Latvians and vied for greater power at Latvia’s borders.

Files of individuals kept by the Latvian KGB provide further insight into those who joined German forces. A native of Daugavpils, Z was detained in February of 1948 and accused of listening to and translating communications from anti-aircraft units.⁴⁷ He was identified as a part of the German army and seen wearing their uniform.⁴⁸ On March 25 1947, Z was deported to the Kemerovo Oblast in Siberia. He was ordered to remain in that region as a special settler for a period of six years.⁴⁹ It appears that there was a degree of required work at this camp for special settlers, but generally, special settlers retained more autonomy than forced laborers. The document states that Z did not receive any formal hearing to prove guilt or innocence because of the “circumstances.”⁵⁰ Active support of the German occupying authorities was a clear reason to deport Latvians immediately after WWII.

43. Due Enstad, 50.

44. The Latvian Legion was a military force formed in early 1943 to assist the Nazis.

45. Geoffrey Swain, “Divided We Fall: Division Within the National Partisans of Vidzeme and Latgale.” *Journal of Baltic Studies* 38, no. 2 (June 2007): 195.

46. Swain “Divided We Fall,” 198.

47. Archival agreements prevent me from using the names of the individuals in these files, so for this example I will refer to the man as “Z.”

48. “Latvijas Republikas Ieslietu Ministrija,” August 20, 1992, Latvijas PSR Valsts Drošības Komiteja [Latvian KGB] selected records, fond 1994, filename 1994_001_269_r, Personal files of German nationality citizens, stateless people, religious sect participants and antisocial elements, who were deported from Latvia, Hoover Institution, Stanford, CA.

49. “Latvijas PSR Valsts Drošības Komiteja,” October 20, 1947, [Latvian KGB] selected records, fond 1994, filename 1994_001_269_r, Hoover Institution, Stanford, CA.

50. “Latvijas PSR Valsts Drošības Komiteja,” October 20, 1947 [Latvian KGB] selected records, fond 1994 .

Deportations after 1948

Historians previously asserted that the deportations after 1948 were solely characterized by Soviet dekulakization efforts. Like how Strods and Kott argue in their 2002 examination of the 1949 deportations, I also argue that while deportations after 1948 were largely characterized by dekulakization,⁵¹ these deportations were not solely limited to farmers.⁵² The goal of Soviet authorities was to deport any Latvian they viewed as anti-Soviet. I argue that those labeled as anti-Soviet included partisans, remaining German collaborators, and ordinary citizens.

Collectivization after 1948

Alain Blum and Emilia Koustova tie the beginning of deportations to remote areas to the enforcement of collectivization⁵³ policies in 1929. They cite that in 1930 and 1931, approximately two million peasants were deported to the aforementioned regions.⁵⁴ The enormous movement of people ignored physical difficulties and health risks to the deportees, even when mortality rates increased during WWII.⁵⁵ Yet gulags were constructed in sparsely populated areas, often in the far east or Siberia.

Deportation and the threat of deportation were powerful tools employed by the Soviet Union to force rural farmers to collectivize their agriculture. Dekulakization campaigns of the 1930s “eliminated” substantial percentages of ethnic minorities residing in the Soviet Union, including 15% of ethnic Latvians, 7% of ethnic Estonians, and 21% of ethnic Lithuanians.⁵⁶ The Soviet Union’s aptitude for targeting populations for deportation on the basis of ethnicity led a community of scholars to contemplate labeling these deportations as ethnic cleansing, genocide, or other crimes against humanity. In *The Affirmative Action Empire*, Terry Martin describes the 1930-1931 deportations of the Kuban Cossacks⁵⁷ in the Poltava region in

51. A kulak was a peasant who was perceived as wealthier or having more land than the average peasant, dekulakization was the term used to describe large operations to deport, execute, or otherwise remove kulaks.

52. Matthew Kott and Heinrihs Strods, “The file on operation ‘Priboi’: A re-assessment of the mass deportations of 1949.” *Journal of Baltic Studies* 33, no. 1 (2002): 29.

53. Collectivization was the Soviet policy that forced agricultural landowners to consolidate their land with other agricultural landowners. Soviet authorities believed that collectivization would increase agricultural yields.

54. Alain Blum and Emilia Koustova, “A Soviet Story: Mass Deportation, Isolation, and Return,” In *Narratives of Exile and Identity: Soviet Deportation Memoirs from the Baltic States*, ed. Tomas Balkelis and Violeta Davoliūtė (Budapest: Central European University Press, 2018), 24.

55. Blum and Koustova, “A Soviet Story,” 26.

56. Kott and Strods, 1-36.

57. Kuban Cossacks are Cossacks who migrated to the northwest region of the Caucasus in the eighteenth century. Cossacks are a minority group who historically have resided in the region between the Black and Caspian Seas.

eastern Ukraine. In this case, he finds that *kulaks* were identified by “his class status or the possession of ‘kulak’ political views as demonstrated by resisting collectivization.”⁵⁸ Kuban Cossack males of working age were exiled en masse and forced to settle in parts of northern Russian Soviet Socialist Republic (SSR), Siberia, and the Kazakh Autonomous Socialist Soviet Republic (ASSR). Martin cites that although every Kuban Cossack male was not a farmer, the ethnic community faced “collective responsibility” for farmers who refused to collectivize.⁵⁹

In 1948, deportations of German collaborators mostly ceased and the Soviet government began to deport Latvians due to their unwillingness to cooperate with collectivization efforts. In a May 1953 CIA internal memo, they cited the summer of 1948 as the first “intensive” effort to collectivize Latvian farmland.⁶⁰ Though this document is from the US government, the CIA stated that deportation “was part” of the collectivization effort. Thus they asserted a causal relationship between the deportations and the policy of collectivization. A CIA report regarding the deportations in the spring of 1949 reinforced this link, stating that deportations “were carried out in order to force the farmers to join the kolkhozy.”⁶¹ The CIA further noted that after Soviet authorities deported those who refused to join the collective farms, their land was absorbed into the kolkhozy. Soviet officers even made sure to look after the cattle left on these formerly individual farms so the cattle could be used on the collective farms. Farmers who were not deported, joined the kolkhozy, as the CIA wrote in quotes, “voluntarily.”⁶² The threat of deportation was clearly a coercive but effective tool to force farmers to surrender their individual plots to the system of collectivized agriculture.

The Ministry of State Security (MGB) labeled Latvians against collectivization as bandits and gang members, and asserted that those who opposed collectivization supported fascism and were allied with Germany.⁶³ In a 1948 summarizing document, MGB officials noted that in Latvia there

58. Terry Martin, *The Affirmative Action Empire: Nations and Nationalism in the Soviet Union, 1923-1939* (Ithaca, NY: Cornell University Press, 2001), 326.

59. Martin, *The Affirmative Action Empire*, 327.

60. “Partisan Activity and Deportations in Latvia.” *Economic Conditions in Latvia*, May 19, 1953, CIA.

61. Kolkhozes were collective farms that were not owned by the state (those would be sovkhoses).

62. “Deportations from Latvia,” September 2, 1953, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia. <https://www.cia.gov/readingroom/docs/CIA-RDP80-00810A002000530008-3.pdf>.

63. This document can be found in *Latvijas Vēsturnieku komisijas raksti [Latvian Commission on history]*, volume 22. ed. Daina Bleiere, Andris Caune, Inesis Feldmanis, Heinrihs Strods, Irene Šneidere Sastādītāji, Karlis Kangeris, Rudite Viksne, and Antonijs Zunda (Riga: Latvian Institute of History, 2008), 209.

were 366 bandits, all of whom comprised 46 gangs.⁶⁴ One of the gangs informed its members that the strict collectivization efforts were an attempt to further oppress peasants. The group leader encouraged members to use collectivization to recruit new members and noted that a group in Talsi, Latvia, increased its membership from nine to sixteen men.⁶⁵ This document charted decreases in opposition groups due to their removal. It stated that 40 bandits were removed from Latvia, which left a total of 51 bandits remaining.⁶⁶ It should be noted that the chart technically referred to these 40 bandits as “liquidated.” I have found no evidence of Soviet authorities executing opposition group members, and thus I am reasonably concluding that these bandits were deported.

Deportations in 1949 furthered the Soviet focus on agricultural laborers.⁶⁷ A CIA document briefly described deportations in April of 1949, stating that about 20,000 Latvians were deported during that month alone.⁶⁸ Documents pertaining to 1949 mostly cited kulaks, but bandits were also cited as groups of deportees. The term bandit possessed a few meanings, including as a synonym for kulaks, individuals against collectivization, individuals with anti-Soviet ideals, or as a synonym for partisans. In October of 1949 MVD operatives ordered the deportation of kulaks and their families as well as the families of bandits.⁶⁹ From these details we can assume that the bandits were deported previously while their families were originally left behind. It is noteworthy that in this case entire families were deported together since it was common for men of working age to be separated from women, children, and the elderly. The nature of farm work may be a reason why Soviet authorities chose to deport entire family units. Generally these farms had varying levels of participation from every family member able to work. If the farm was perceived as depicting kulak behaviors, such as producing ample harvests, many of those who participated in farm labor were implicated by the Soviet government.

The 1949 deportations marked important behavioral changes in the NKVD. During these deportations, the CIA cited in internal memos that “no one has a sense of personal security.”⁷⁰ In Soviet internal orders before WWII, NKVD operatives were repeatedly instructed to carry out deportations

64. This document can be found in *Latvijas Vēsturnieku komisijas raksti [Latvian Commission on history], volume 22* (Riga: Latvian Institute of History, 2008), 204.

65. This document can be found in *Latvijas Vēsturnieku komisijas raksti [Latvian Commission on history], volume 22* (Riga: Latvian Institute of History, 2008), 205.

66. *Latvijas Vēsturnieku komisijas raksti*, 206.

67. “Partisan Activity and Deportations in Latvia.” *Economic Conditions in Latvia*, May 19, 1953, CIA.

68. “Deportations from Latvia,” September 26, 1949, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia, <https://www.cia.gov/readingroom/docs/CIA-RDP82-00457R003300630002-1.pdf>.

69. *Istoriia stalinskogo Gulaga*, volume 5, 624.

70. “Transportation Facilities, Roads, and Bridges in Latvia,” October 15, 1951, CIA.

without creating a disturbance or unrest. Order 001223, which authorized the deportation of Latvians beginning in 1941, specifically stated that NKVD operatives should conduct deportation procedures “smoothly and without panic.”⁷¹ In a 1941 memo the NKVD instructed operatives to complete orders without causing unnecessary “noise and panic.”⁷² Yet in 1949 a CIA internal memo cited that “it is often possible to see MGB trucks guarded by armed personnel leaving the city and returning in full daylight with a load of farmers who have been arrested and who subsequently disappear without trial.”⁷³ The fact that the CIA agent thought it was worth citing that these farmers were arrested during the day supports the notion that their blatant and uncovered actions were a change in the general procedure. The contrast provided between NKVD orders in 1941 and reports from 1949 show a marked change as well. A CIA memo from September of 1953 states that deportees were loaded onto trucks throughout the night, though “shouts and cries of people could be heard.”⁷⁴ It is possible that the deportations in daylight were a breach of procedure, but that thought must be rectified with the CIA agent’s description of the daylight deportations as “often.” It appears that in 1949, there was a mixture of daytime and nighttime deportations and in general. NKVD operatives were significantly less conspicuous in moving these peoples. Between 1941 and 1949, Soviet authorities became less concerned with concealing the deportations from the general population.

Soviet desire to harness greater control of the populace resulted in the persistence of collectivization efforts in Latvia. In a CIA memo from September of 1951, they noted that due to significant backlash, the Soviet government was going to ease collectivization requirements. In Latvia, however, the Soviets continued to enforce collectivization rapidly and scrupulously. This difference in enforcement led the CIA agent to speculate that collectivization was a tool for “a thorough overhaul of the Latvian country.” He further concluded that such restructuring was designed to strengthen Soviet control of the countryside.⁷⁵ To buttress the perspective of the CIA agent, it is worth noting that through the late-1940s there were significant efforts not only to collectivize but also to quell armed opposition from Latvian partisans. Affirming control of the Latvian countryside was important to the Soviet Union because as Gatrell argues, “Latvian identity was associated with sedentary rural life.” Conservative leaders strongly purported farming as a core part of Latvian identity during the previous

71. Order 001223 is found in *Via dolorosa* (Riga: Latvian Writers’ Association, 1990), 32.

72. *Istoriia stalinskogo Gulaga*, volume 5, 233.

73. “Transportation Facilities, Roads, and Bridges in Latvia,” October 15, 1951, CIA.

74. “Deportations from Latvia,” September 2, 1953, CIA.

75. “Political – Party Control, Economy – Collectivization of Agriculture,” September 7, 1951, CIA Freedom of Information Act Electronic Reading Room, Fairfax, Virginia, <https://www.cia.gov/readingroom/docs/CIA-RDP80-00809A000700010249-3.pdf>.

years of independent Latvia.⁷⁶ Given the importance of farming in rural Latvia, the force and coercion used to implement collectivization was clearly part of a larger attack on Latvian national identity.

Suppression of Opposition after 1945

As previously mentioned, those possessing anti-Soviet points of view were frequently labeled “bandits.” Besides those who resisted collectivization, bandits could also signify partisans who continued to hide in the forests and arm themselves against the Soviet troops after 1945. The Soviet Union also employed deportations as a tool to silence opposition groups. Blum and Koustova describe how “deportations became a powerful tool in the fight against guerrillas” in the western regions of the Soviet Union in 1944. It should be noted that after 1944 many opposition groups were concentrated in the border regions. According to the authors, these conditions led Soviet authorities to concentrate deportation efforts in western Ukraine as opposed to the entirety of Ukraine. Armed opposition groups formed during WWII to oppose Soviet territorial annexations, support various nationalist agendas, flee conscription, or avoid accountability after cooperating with Nazis in the murders of Jews.⁷⁷

For further context, in Soviet-occupied Lithuania, Anusauskas describes intense NKVD efforts to suppress opposition groups. Between 1944 and 1945 over 200,000 people in Lithuania experienced conflict with Soviet authorities, 32,661 of which were deported to gulags. Anusauskas argues that attempted “annihilation” of opposition groups was paired with “Sovietization,” or “establishing Soviet control over all areas of life and reconstruction of society according to the communist ideological postulates.”⁷⁸ Opposition groups were removed entirely or forced to abide by new societal standards.

Swain cites a 1945 report from Abrene, Russian SSR, where he describes banditism as “so developed that ‘a threatening situation’ had been created in which ‘no day passed’ without some incident on country roads... ‘bandits’ were clearly preparing for an uprising.”⁷⁹ Soviet reports cited the continued arrest or liquidation of bandits and gangs by military officials and Soviet special forces.⁸⁰ CIA reports of this period described the aforementioned special forces as a “destroyer squad” and “extermination battalion” posted in troublesome, lesser

76. Gatrell, 51.

77. Blum and Koustova, 24-25.

78. Arvydas Anusauskas, “Soviet Genocide and Its Consequences,” *Lithuanian Historical Studies* 4, no. 1 (1999): 125, <https://doi.org/10.30965/25386565-00401008>.

79. Swain, 196.

80. This document can be found in *Latvijas Vēsturnieku komisijas raksti [Latvian Commission on history], volume 22* (Riga: Latvian Institute of History, 2008), 229.

populated areas such as the north-eastern village of Smiltene.⁸¹ It is clear that partisan groups caused great difficulty in controlling the countryside.

Forced Labor after 1945

During the period from 1945 through 1950 many Latvian deportees were sent to forced labor camps - many of the same camps as 1941. However, the need for labor for industrialization projects was not a clear motivating factor in the deportation of Latvians during this period. A CIA memo cited that in 1945, a group was deported due to their involvement with the German army. These deportees were sent to work on the White Sea – Baltic Canal (BBK) and according to the memo, many of these deportees returning to Latvia only to be deported again.⁸² The same memo noted that in 1948 “families” were deported and sent to Irkutsk and “put to work in forests.” The memo’s use of the term “families” is highlighted because, in many reports, men of working age were separated from their families and sent to forced labor camps. While the memo did not mention men or heads of household, we can assume that the family units included men.⁸³

A short CIA memo from September 1949 recounted that approximately 20,000 Latvians were deported in freight cars from the coastal region around Ventspils in April 1949. The memo stated that some of the individuals were between 60 and 70 years of age. These elderly individuals were permanently settled along the Tura River near Yekaterinburg and forced to work in a sawmill.⁸⁴ The use of elderly people for forced labor diverges from the idea that only men of working age performed forced labor.

An article in the Latvian newspaper *Latvija* described deportations to the area around the Tura River. The article stated that these individuals were men between the ages of 60 and 70 and women irrespective of age. Men who were capable of significant labor were deported earlier. Unlike the CIA memo, the *Latvija* article stated that most of these elderly men died before arriving to the camp near the Tura River. The article confirmed that once at the camp, individuals were tasked with carrying logs and working in the sawmill more generally. Additionally at the camp, deportees reported not receiving any food from Soviet authorities during the first week.⁸⁵

During the deportations in May and June of 1949, individuals resisting collectivization were deported by train to the Omsk region in central Siberia,

81. “Anti-Regime Activity in Latvia and the Ukraine,” June 26, 1958, CIA.

82. “Partisan Activity and Deportations in Latvia.” *Economic Conditions in Latvia*, May 19, 1953, CIA.

83. “Partisan Activity and Deportations in Latvia,” CIA.

84. “Deportations from Latvia,” September 26, 1949, CIA.

85. “Trīs tanku divīzijas palīdz deportēt latviešus,” *Latvija*, May 31, 1949, Latvian Institute of History.

above the border of Kazakhstan. These deportees were forced to work in coal mines or on sovkhozes, which were state-owned collective farms.⁸⁶ An internal report from Soviet military personnel corroborates the aforementioned CIA memos. This report, dated October 1949, recounts the results of deportation order 00225 from March 12, 1949. *Kulaks*, bandits, and their families were deported to Siberian or far eastern settlements of Yakutsk, Krasnoyarsk, Khabarovsk, Omsk, Tomsk, Novosibirsk, and Irkutsk. The document specified in several instances that these deportees were compelled to forced labor.⁸⁷ None of these primary source documents mentioned the labor shortage or a scarcity of resources such as coal from Omsk or timber from Irkutsk. Besides logistics, the focus of these documents was the category of the deportee; bandit, kulak, anti-Soviet, or family member.

In the years immediately after WWII, it was clear to high-level Soviet leadership that gulag labor was inefficient. At the grassroots, lower-level authorities repeatedly chose to work with workers who had fewer government-imposed movement restrictions, rather than with the most confined, as extraordinary control over prisoners did not supplant higher productivities of freer citizens. During the 1940s, MVD and gulag leadership internally pushed for a policy to give workers credit toward their sentences for labor.⁸⁸ Advocacy for this policy is evidence of the frustration gulag leadership felt toward the inefficiencies of forced labor and further demonstrates that forced labor was not a motivator for mass deportations.

Conclusion

In 1941 and from 1945 to 1950, Soviet authorities deported Latvians to internal parts of the Soviet Union because authorities labeled them as anti-Soviet. Immediately after WWII Soviet authorities deported Latvians who collaborated with German troops. Beginning in 1948, Soviet authorities used deportations to coerce the rural Latvian population to collectivize their agriculture. In both 1941 and from 1945 to 1950, forced labor is not explicitly stated as a motivating factor in the deportation of Latvians.

There is significant room for further studies on Soviet deportations. In what ways were Soviet deportations after the Great Terror a continuation of policies from the 1930s, the 1920s, and even the deportations after the 1905 Revolution? Why were some deportees sent to forced labor camps and others sent to camps with less security, such as exile, and to what extent were these decisions gendered? While many of the primary sources in this paper listed men as being separated from their families and sent to forced labor camps, others described the deportation and forced labor of families. These

86. "Trīs tanku divīzijas palīdz deportēt latviešus."

87. *Istoriia stalinskogo Gulaga*, volume 5, 622.

88. Khlevnyuk, 55-56.

inconsistencies are supported by pertinent secondary source literature and are worthy of further exploration. Were there other massacres of deportees besides the one I discussed in Ulla, and to what extent did this massacre differ from the prison massacres? The literature on this subject is also very limited.

There is some literature on whether the forced deportations of Latvians meet the criteria for ethnic cleansing or other human rights abuses. Authors that implore these terms or write specifically on this issue include Terry Martin, Pavel Polian, Arvydas Anusauskas, Heinrihs Strods, and Matthew Kott. While this paper does not categorize the deportations according to international relations terminology, understanding the motives behind these deportations and the types of people who were deported can provide additional insight into questions of terminology. It is significant that due to the lives lost during these deportations, commemorations supported by the Latvian government refer to the deportations as genocide.

There is contemporary importance to furthering our understanding of these deportations. While the Soviet Union formally dissolved in 1991, it is plausible that techniques refined during these deportations were adopted by the Russian Federation. Filtration camps, for example, were used to congregate deportees in the Stalinist era and were also used in the early-2000s to congregate Chechens in the Russian Caucasus. Further, Latvia, Lithuania, and Estonia each observe national days of remembrance and host monuments dedicated to the deportees. After the Baltic littoral reclaimed its independence in 1991, the National Awakening movement, as it was referred to, allowed former victims of political and religious oppression to converse in a nascent civil society. As of the present day, Latvian society and scholars alike continue to reckon with the collective memory of these deportations.

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Twisting a Treaty: The Dispossession of Californio Land after the Mexican-American War

Ettienne LeFebvre

Abstract: By the late nineteenth century, the majority of Californios, or Hispanic residents of formally Mexican-controlled California, were dispossessed of land granted to them by Spanish and Mexican authorities. After acquiring the territory in the Mexican-American War, the 1848 Treaty of Guadalupe Hidalgo bounded American federal legislators to protect the land rights of these land grantees. However, Anglo-American settlers clashed with the Californios and their culturally distinct conceptions of land law and usage and prompted federal legislators to pass the main vehicle of dispossession, the California Land Act of 1851, to determine the validity of these grants. Through the examination of Congressional debates before the passage of the Land Act, the Land Act itself, as well as the reactions of the Californios and Anglo settlers to it, it is clear that federal legislators knowingly disadvantaged the Californios in this legislation to dispossess them of their land and live up to the national ideologies of Manifest Destiny and Agrarian Republicanism. This paper seeks to rectify past narratives of Westward Expansion in traditional historical scholarship that undermine the role that the dispossession of Mexican American and other marginalized groups land played in establishing American power in the West. Additionally, it seeks to bring light to the historic ramifications of dispossession and racial discrimination in these communities in the American Southwest, who continue to feel the aftereffects of the betrayal of the promises in the Treaty of Guadalupe Hidalgo over 150 years later.

Westward expansion is often regarded as a defining feature of American history, credited with spreading democracy and “civilization” across the North American wilderness in the mid-nineteenth century. It was brave eastern-born settlers who incredibly tamed the West, and their ingenuity and optimism in the face of hardship developed the character of the American citizen and transformed the American political and economic institutions forever. Twentieth-century historian Fredrick Jackson Turner popularized this notion in his famed 1893 “Frontier Thesis,” and stated that these settlers transformed “wilderness” into society.¹ Despite its enduring popularity in American history, Turner’s thesis ignores the historical reality that settlers

1. Fredrick Jackson Turner, “The Significance of the Frontier in American History,” (speech, Chicago, Illinois, July 12, 1893), National Humanities Center, <http://nationalhumanitiescenter.org/pds/gilded/empire/text1/turner.pdf>.

did not just settle the West with their grit, but did so with the help of the federal government. While many Borderlands historians focused on Mexican and Native American histories acknowledge this, broader narratives of American history still fail to do so. Active dispossession of Mexican land facilitated by the United States government made way for the incursion of white settlers. Land law and property dispossession in California after the Mexican-American War profoundly influenced the regional understanding of the West as it exists today. This paper highlights that by passing the Land Act of 1851, congressional lawmakers intentionally disadvantaged Californios to dispossess them of their land in favor of Anglo Americans.

The two main social and political philosophies that fueled the push westward, and influenced Turner's thesis, were Manifest Destiny and Republican Agrarianism. The former held that it was the United States' God-given destiny to dominate the North American continent, and the latter emphasized equality for all through land ownership and small-scale subsistence farming. Through examining these philosophies, it is clear that Turner and his peers viewed American expansionism through an Anglo-centric lens only. Even though academic critics of Turner in the mid-twentieth century acknowledged this deficiency in his scholarship, his Anglo-centric framing of the history of the American West has endured in textbooks and lecture halls across the country.² This is problematic, as it has led to a great lack of understanding about the history of the region and the peoples in it.

The United States did not bring civilization to the West. Both indigenous peoples and Mexicans, those of mixed Indigenous, Spanish, and African descent, inhabited the West long before Anglos arrived. When one considers westward expansion with these people's history in mind, the legacy of the West becomes not simply one of enthused settlement, but of constant clashes between multiple ethnic groups with distinct cultural, religious, language, and land customs after the end of the Mexican-American War.³ Anglo Americans did not simply settle on vacant land, but often squatted on Spanish and Mexican land grants that established ownership to Hispanic people in the West. There is now a broad consensus from Chicano, Borderlands, and regional Western historians that Anglo American citizens gained vast amounts of land in the West not by conquering the wilderness, but through the dispossession of not only indigenous people's land but also of former Mexican American land.⁴

2. William Cronon, "Revisiting the Vanishing Frontier: The Legacy of Fredrick Jackson Turner," *Western Historical Quarterly* 18 (April 1987), 160.

3. David Weber, "John Francis Bannon and the Historiography of the Spanish Borderlands: Retrospect and Prospect," in *Myth and the History of the Hispanic Southwest*, ed. David Weber (Albuquerque: University of New Mexico Press, 198), 71.

4. Robert Urias, "The Tierra Amarilla Grant, Reies Tijerina, and the Courthouse Raid," *Chicano/Latino Law Review* 16 (1995), 141.

The first case of widespread dispossession of Mexican Americans can be found against the Californios, the residents of formerly Mexican-controlled California. Through the examination of the California Land Act of 1851, one can understand how Californio's land and social standing were lost, and how Mexicans became a deprived, second-class citizenry in the American West.⁵ Their society, a hierarchical one based upon the relationships between the land-owning elite and the laborers who lived on their rancheros, depended on the recognition of their land grants, something that the federal government did not afford to them.⁶ 600 out of 813 land grants were eventually confirmed under the Board of Land Commissioners acting under the mandate of the land act. The majority of these grants were Californio grants. Because of this, some historians have defended the California Land Act of 1851 as a fair piece of legislation enacted "not with any intention of defeating land claims or of aiding squatters in California."⁷ Historian of federal land policy Paul W. Gates stated that the land commissioners were lenient on the Californios and their oftentimes incomplete deeds or inaccurate boundary lines. If one simply looks at the number of grants confirmed versus those denied, one might accept Gates' view on the matter. Yet the loss of Californio land during the late nineteenth century is undeniable, and Californio accounts of the Land Act of 1851 only describe embitterment over the betrayal of the American government's promises to protect their land.

How did the Californios become deprived of the majority of their land by the board? Historians in the twenty-first century agree that the Land Act of 1851 was indeed the primary catalyst for dispossession despite dissenters like Gates. However, if one examines the issue through the perspective of both Californios and the American settlers, and interprets the different laws, acts, and debates in Congress in the mid-nineteenth century, it becomes clear that the mechanisms that prompted land dispossession were complex, yet not unexplainable.

Dispossession of Californio land was executed because of congressionally passed land legislation that was legal, yet neglected the "inviolably respected" promises towards land grants that the United States promised in the Treaty of Guadalupe Hidalgo.⁸ Land dispossession fulfilled the federal governments' already strong economic and ideological interest in California and westward expansion, and it was in their best interests to violate the spirit of the treaty to

5. Leonard Pitt, *The Decline of the Californios: A Social History of Spanish-Speaking Californians, 1846-1890* (Berkeley: University of California Press, 1966), 85.

6. Douglas Monroy, *Thrown Among Strangers: The Making of Mexican Culture in Frontier California* (Berkeley: University of California Press, 1990), 100.

7. Paul Gates, "Adjudication of Spanish-Mexican Land Claims in California," in *Land and Law in California: Essays on Land Politics*, ed. Richard Kirkendall (Ames: Iowa State University Press, 1991), 11.

8. Pitt, *Decline of the Californios*, 282.

fully embrace the commonly held American ideologies of Manifest Destiny and Agrarian Republicanism. I argue that there is abundant evidence that congressional lawmakers knowingly disadvantaged the Californios by passing the Land Act of 1851, and intentionally failed to protect land rights in order to legally dispossess Mexican Americans of profitable, desirable land. The federal government may not have sent troops to drive Californios off their property, but it is clear that they passed unfair legislation and allowed violence to occur because these actions benefited their goals and constituents' wishes. Without a clear understanding of the dispossession of Mexican American land in the West, one cannot fully understand the history of the region and all its inhabitants.

Before the Mexican-American War, there were already governmental figures who eyed California as a potential new American territory, such as President James K. Polk. President Polk knew how beneficial California's lands and ports would be for the economic growth of the United States, and stated in his diary on October 24, 1845, that "...I had California and the fine bay of San Francisco as much in view as Oregon."⁹ Polk also records in the same entry that Colonel John Frémont assured him that Americans would settle the Sacramento River if given the opportunity and would hold the land for the United States. However, he also writes of Mexico's refusal to negotiate for the sale of California to the United States, and this perceived slight angered Polk and influenced his decision to go to war with Mexico. Once the war began Polk immediately saw it as a means to make good on his expansionist promises during his political campaign. Throughout every stage of deliberations with his cabinet over what territory to acquire once the war was won, California and New Mexico were always named as the imperative acquisitions.¹⁰

The desire for California was not just contained to the political elite with expansionist campaign promises, but also to regular Americans who dreamed of owning land out West to farm on and fulfill the promises of Republican Agrarianism.¹¹ In 1845 Lansford W. Hastings published his widely read *The Emigrant's Guide to Oregon and California in 1845*, which inspired many Americans to make the westward trek to enjoy Californian land that was promised to provide prosperity and fulfill the dreams of those who settled there.¹² Additionally, Hastings contributed greatly to extremely racialized and anti-Mexican rhetoric that was disseminated to American citizens before and during the Mexican-American War. He stated that "ignorance and its

9. James K. Polk, *Polk: The Diary of a President, 1845-1849*, ed. Allan Nevins (New York: Longmans, 1952), 19.

10. Nevins, ed., *Polk*, 183.

11. Tamara Venit Shelton, *A Squatter's Republic: Land and the Politics of Monopoly in California, 1850-1900* (Berkeley: University of California Press, 2013), 6.

12. Lansford Hastings, *The Emigrants Guide to Oregon and California in 1845* (Santa Barbara: Narrative Press, 2001), 195.

concomitant, superstition, together with suspicion and superciliousness, constitute the chief ingredients, of the Mexican character.”¹³ Hastings also emphasized the mixed-race characteristics of the Californios and attributes this as part of the reason they were inferior to eastern Anglos.

Hastings’ attitudes towards Mexicans were not fringe beliefs at the time; they were commonplace. General Robert F. Stockton, a prominent figure in the acquisition of California, perpetuated the notion that Mexico’s governance of its territories was archaic and barbaric. This fallacy was used by many to justify the Mexican-American War.¹⁴ As a soldier in the Mexican-American War, William P. Rogers experienced firsthand the land practices of Mexico and would reiterate in his diary the inherent inability of the inferior Mexicans to use the land well. Rogers stated specifically that American victory would give “the most delightful countries on earth to an intelligent people, who will cultivate and improve its soil.”¹⁵ Despite being so precious, some in Congress did not even want to conquer California due to their prejudice toward Mexicans themselves. Prominent South Carolinian Senator John C. Calhoun stated in an 1848 Congressional debate that “we have never dreamt of incorporating into our Union any but the Caucasian race - the free white race...Ours, sir, is the Government of a white race.”¹⁶ Even Congressmen sympathetic to Mexicans and their land troubles reiterated these notions. Congressional debate included observations by American colonel Frémont that the Mexicans were jealous by nature, “that sort of suspicion which is incapable of comprehending any broad or elevated purpose or object in life.”¹⁷ The common opinion among leadership and the public was that Mexicans were racially inferior to the Anglos, and this perception proved a disadvantage when Congressional Debates on California’s Land Grants were held. It was the consensus that the Californios and their land system were inferior to the American system.

Despite this, once Mexico was defeated in July of 1848, the United States promised full equality to Mexicans under the law and guaranteed them classification as members of the white race in the Treaty of Guadalupe Hidalgo. Classification as white guaranteed these former Mexican nationals

13. Hastings, *The Emigrants Guide to Oregon and California in 1845*, 196.

14. Robert Stockton, “Speech in Philadelphia” (1847), in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 133.

15. William Rogers, “The Diary and Letters of William P. Rogers, 1846-1862,” in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 133.

16. “U.S. Congress, Senate, *The Congressional Globe*, 30th Cong., 1st sess., 1848,” in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 135.

17. U.S., Congress, Senate, *The Congressional Globe*, 30th Cong., 1st sess., 1848, <https://memory.loc.gov/llcg/020/0500/05740564.tif>.

the right to citizenship.¹⁸ Many prominent figures in the war promised that the United States would care for the Mexican people much better than their own government did.¹⁹ The issue of land was one of the most debated aspects of the treaty by the Polk administration, the Mexican government, and Congress. The original form of the treaty included article X, which specifically stated that “All grants of land made by the Mexican government...shall be respected as valid, to the same extent that the same grants would be valid, if the said territories had remained within the limits of Mexico.”²⁰ This article was stricken by Congress, who worked to hide evidence of its removal. The Senate debate around article X was not recorded due to a custom that allowed Congress to conduct treaty debates in secret. A letter from Secretary of State James Buchanan reveals it was removed due to disapproval around how the article dealt with land grants in Texas.²¹ The American government affirmed that the treaty still stipulated in articles VIII and IX that property would be respected, but the Mexican government expressed disapproval of the article that specifically protected land being stricken.

Mexico feared that the removal of article X meant that the United States would dispossess their former citizens of their land. To ensure that Mexico respected the peace, US ambassadors Ambrose Sevier and Nathan Clifford met with the Mexican Foreign Affairs Minister Luis de la Rosa to reassure them that their former citizens’ land would be respected. The result was the Protocol of Queretaro, which stated “these grants...preserve the legal value which they may possess; and the grantees may cause their legitimate titles to be acknowledged before American tribunals.”²² However, this statement contradicted the treaty as it did not state that all land would be respected in general, it only allowed grantees to present their land to American tribunals. Despite this slight deviation in wording, Mexico accepted the removal of article X, and the Californios and other Mexicans in the ceded territory believed that their land would be legally protected under the law.

The discovery of gold in California increased the federal government’s rush to make the new territory a state.²³ Anglo settlers rushed in from the east to

18. “An Act to establish a uniform Rule to Naturalization,” March 26, 1790, Records of the US Senate, National Archives, and Records Administration. National Archives, Washington D.C., <https://www.visitthecapitol.gov/exhibitions/artifact/h-r-40-naturalization-bill-march-4-1790>.

19. Stockton, ed., *Foreigners in their Native Land*, 133.

20. “The Treaty of Guadalupe Hidalgo,” ed., *Foreigners in their Native Land*, 165.

21. “Letter from Secretary of State James Buchanan to the Mexican Minister of Foreign Relations,” 1848, in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 166.

22. “Protocol of Querétaro,” SouthwestBooks.org, May 26, 1848, Center for Land Grant Studies, accessed October, 27, 2021, <https://www.southwestbooks.org/treaty.htm#prototocol>.

23. Laura Gómez, *Manifest Destinies: The Making of the Mexican American Race*, 2nd ed. (New York: New York University Press, 2018), 129.

strike it rich and take advantage of the beautiful, vast tracts of land they had heard stories about. It is not hard to imagine their shock and anger when they found that about nine percent of the land they believed was “the most arable and well-situated territory,” was occupied by a people they had heard for years were undeserving of it.²⁴ Settlers quickly came to the opinion that the Californios were land monopolists wasting the land, and the ultimate threat to Anglo settlers in the state. This provided a motive for intentional dispossession for the congressmen who represented these settlers.

The notion that the Californios were wasting the land was due to the differences between Californio and Anglo-American land values and customs. First, the Californios’ land laws and customs were Hispanic in nature, whereas American laws were based on British customs. Californio society depended on the preservation of social standing and relationships with their neighboring communities and rancheros, therefore they valued holding land more than accumulating capital with it.²⁵ Meanwhile, Anglo settlers viewed land very much in line with the traditional Protestant work ethic and valued farming for its ability to accumulate capital to sustain a family. Quickly, the Californios and their hierarchical rancheros were seen as reminiscent of European feudal lords and estates, and as a detriment to the political body of the entire United States.²⁶ Anglos had also adopted many anti-Spanish and anti-Catholic views from their English ancestors, viewing them as the model of antiquated feudal society.²⁷ The negative perceptions of the Spanish and their form of governance being grafted onto the Californios and their land system is another case of Californio heritage being used as a weapon against their way of life.

Rather than the empty wilderness Turner espoused, the West contained an organized society of people that American settlers had to contend with. Squatting, or the act of unlawfully occupying land, was widespread in the early years of California’s statehood. The Preemption Act of 1841 allowed settlers to squat on unsurveyed land and claim it as their own as long as they developed it in some way.²⁸ All Californio land was considered unsurveyed until it was confirmed, therefore squatters could settle on any Californio’s land, and if the land grant was deemed unviable, could immediately claim

24. Shelton, *A Squatter’s Republic*, 14.

25. Douglas Monroy, “The Creation and Re-Creation of Californio Society,” in *Contested Eden: California Before the Gold Rush*, ed. by Ramón Gutiérrez and Richard Orsi (Berkeley: University of California Press, 1998), 183.

26. Shelton, *A Squatter’s Republic*, 7.

27. Weber, ed., *Myth and History of the Hispanic Southwest*, 159.

28. “An Act to appropriate the proceeds of the sales of public lands, and to grant pre-emption right,” September 4, 1841, US Government Legislation and Statutes, Digital Commons @ CSUMB. California State University, Monterey Bay, Monterey Bay, California, https://digitalcommons.csUMB.edu/cgi/viewcontent.cgi?article=1007&context=hornbeck_usa_2_d, 455.

preemption privileges. The simultaneous existence of the Preemption Act and land protections within the Treaty of Guadalupe Hidalgo created many conflicts between squatters and land grantees throughout the 1850s, many of which were violent.

In 1850 squatters rioted in Sacramento to oppose Anglo John Sutter's land grant, which they believed was protected under the Treaty of Guadalupe Hidalgo.²⁹ This, and other squatting issues that Hispanic Californians attributed to the Gold Rush, prompted quick action from Congress to decide how to adjudicate the land grants of California.³⁰ Congress had significant reason to take the land they had coveted in California and place it in the hands of settlers they believed would tend to it profitably and beneficially, yet they were legally bound to respect Spanish and Mexican land titles by the Treaty of Guadalupe Hidalgo. However, there was an immediate disparity between the level of protection guaranteed to Californio land between the treaty itself, and the federal statutes that followed.

Treaties in the United States have historically been divided between self-executing and non-self-executing. A self-executing is judicially enforceable upon ratification, whereas a non-self-executing treaty requires that separate federal legislation be enacted to enforce the treaty. Various courts within the United States have recognized and endorsed this practice, "recognizing generally the equality of treaty and federal statute and favoring the latter in time in cases of conflict."³¹ The Treaty of Guadalupe Hidalgo was regarded as a non-self-executing treaty; therefore, this gave Congress the ability to enact whatever legislation they saw fit to fulfill the promises within the treaty. This held true especially regarding land rights.

The precedent regarding treaties is a crucial reason Congress could legally enact legislation that worked against the pledges written into the Treaty of Guadalupe Hidalgo. In late 1850 and early 1851, Congress began debating legislation that would establish a system to confirm or deny Spanish and Mexican land grants. The Congressional Globe, a record of congressional debates from 1833 through 1873, reveals the two proposed plans. The men who proposed these plans were Senator William Gwin of California and Senator Thomas Benton of Missouri, and their plans could not have been more different.

Senator Gwin proposed his plan in 1851 which placed the burden of proof of validating land grants on the land claimants. The plan required that

29. Shelton, *A Squatter's Republic*, 32.

30. Antonio Maria Pico, et al., "Petition of Antonio Maria Pico *et al.* to the Senate and House of Representatives of the United States," February 21, 1859, in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 198.

31. Christine Klein, "Treaties of Conquest: Property Rights, Indian Treaties, and the Treaty of Guadalupe Hidalgo," *New Mexico Law Review* 26 (1996): 217.

all who had a Spanish or Mexican land grant, a Californio or a foreigner who had obtained one like John Sutter, present their case before a Board of Commissioners regardless of its status.³² Claimants had two years to present their claim, the Board of Commissioners would then judge it based on the documentation, titles, and witnesses the claimant provided. The language of the bill pits the claimant versus the United States, as the claimant and the United States are named as separate and opposing entities.³³ Once the board made a ruling, either the claimant or the District Attorney representing the United States could appeal to a District Court, and then finally to the Supreme Court. However, section thirteen of the act also said that a person not affiliated with the government may present their own petition against a grant claimant even after it has been confirmed by the Board of Commissioners. The act reads that it is “lawful for the district judge of the United States, upon hearing such petition, to grant an injunction to restrain that party at whose instance the claim to the said lands has been confirmed...”³⁴ Therefore, this proposal from Gwin allowed up to three opportunities for Spanish and Mexican land grants to be tried. The number of times a claimant may be expected to protect their grant was excessive, which is supposed to be “inviolably respected” under the Treaty of Guadalupe Hidalgo. Senator Benton of Missouri makes note of this while rebuking Gwin’s plan and proposing his own.

Senator Benton proposed that all land grants be accepted as valid immediately and that a recorder of land titles skilled in Spanish be appointed to archive all the titles of land grants in the state.³⁵ The proposal that all land grants be accepted until proven otherwise is based upon the legal concept Benton references called *prima facie*, in which something is accepted as valid unless a legal challenge proves otherwise. Benton stated that the recorder of land titles would examine all documents related to these land grants, and until a case of fraud was detected, land grants would be considered valid. If the recorder and district attorney believed that the land title was not valid, they would be required to submit a *scire facia*, or a written document entailing why the grant should be voided.³⁶ Then the case would go before a federal court where the grant would be judged by its validity in regard to the laws and customs of the Mexican government. Benton also declared the July 6, 1846 cut-off date to be

32. “9 Stat. 631, Act to Settle Private Land Claims in California,” March 3, 1851, US Government Legislation and Statutes, Digital Commons @ CSUMB. California State University, Monterey Bay, Monterey Bay, California, accessed November 17, 2021, https://digitalcommons.csumb.edu/hornbeck_usa_2_d/7, 631.

33. “9 Stat. 631, Act to Settle Private Land Claims in California,” Digital Commons @ CSUMB, 632.

34. “9 Stat. 631, Act to Settle Private Land Claims in California,” Digital Commons @ CSUMB, 633.

35. U.S., Congress, Senate, *The Congressional Globe*, 31st Cong., 2nd sess., 1851, accessed November 20, 2021, <https://memory.loc.gov/ll/lcg/026/0900/09300048.tif>.

36. U.S., Congress, Senate, *The Congressional Globe*, 31st Cong., 2nd sess., 1851, accessed November 20, 2021, <https://memory.loc.gov/ll/lcg/026/0900/09300048.tif>.

unfair considering California was not under American control until January of 1847. Upon the eventual passage of Gwin's bill, many land grants were immediately disqualified due to this questionable date.³⁷ Benton believed his proposed bill would fulfill the promises within the Treaty of Guadalupe Hidalgo, and when comparing it to Gwin's bill, it is obvious that Benton's plan protects and respects Spanish and Mexican Land Grant titles demonstrably more. It is also worth mentioning that John Frémont was Benton's son-in-law, and his family had a stake in the quick adjudication of land grants due to Frémont's acquisition of one such grant. Protecting Californio land rights meant also protecting his son-in-law, therefore Benton's advocacy of his bill was primarily motivated by this.³⁸

Benton criticized Gwin's bill viciously as he promoted his own, and decried Gwin's as breaking the promises within the Treaty of Guadalupe Hidalgo and betraying the trust of the Californios and other land grantees. However, Benton faced pushback due to the widespread belief that many, if not the majority, of land grants were fraudulent or failed to fulfill the requirements of Mexican colonization law. The latter issue became especially pronounced, as Spanish and Mexican land grants in the Southwest were rarely accurately surveyed and recorded due to there being little need in a society in which neighbors knew each other well, and therefore did not stress official boundary documentation. This was another key difference between the Hispanic and American customs regarding land that gave American settlers and lawmakers ammunition to challenge the validity of land grants. A grant that showcases this common informal practice is the Rancho Tajuata grant. A crudely drawn map of the grant, with no indicators of the size of its boundaries nor clear boundary markers other than trees and a mesa, demonstrates the average Californio's poor documentation of their grants.³⁹ Whereas Gwin and others in Congress claimed this type of record-keeping meant that a grant could be fraudulent or invalid, Benton believed that this common custom should be respected, and not all grants should not be called into question for the cultural differences in land surveys.

Benton argued in his rebuke to Gwin's bill that in trying all land claims the United States would be "trying the claims by an *ex post facto* law," punishing land claimants for conducting their land affairs within the bounds of their customs, years after the fact according to the United States's laws. He emphasized how unfair it would be to require claimants to defend their land in up to three different courts and stated that "laws should depend upon their own equity, and not upon the temper, or passions, or calculations of

37. Pitt, *Decline of the Californios*, 35.

38. Shelton, *Squatter's Republic*, 18.

39. "Diseño of Rancho Tajuata, Los Angeles County," in *Land in California: The Story of Mission Lands, Ranchos, Squatters, Mining Claims, Railroad Grants, Land Scrip, Homesteads*, ed. W.W. Robinson (Berkeley: University of California Press, 1948), 104.

commissioners, judges, and prosecuting attorneys.”⁴⁰ Benton also argued that it would be financially ruinous for the Californios to defend their titles in multiple court proceedings with no financial compensation.

Despite all of these sound arguments that marked Gwin’s bill as inequitable and a violation of the United States’ promise to *inviolably respect* Spanish and Mexican land grants, federal lawmakers voted to pass Gwin’s legislation on March 3, 1851. Lawmakers in Congress were well aware of the issues within Gwin’s bill, as Benton and a few others fought for over a year to defeat it. Therefore, it was well-known how it undermined the promised property protections within the Treaty of Guadalupe Hidalgo. However, these issues did not concern them as they passed *An Act to ascertain and settle private Land Claims in the State of California*. In truth, lawmakers had little desire to uphold treaty promises that were detrimental to their vision, and more importantly their constituents’ vision of what the United States should be.

The Board of Commissioners was established in San Francisco by eastern-born commissioners after the passage of Gwin’s act, none of whom knew Spanish or Mexican land law and customs.⁴¹ Eight hundred and four land claims were filed, a majority of them from Californio ranchers. Immediately there were inequities in the system as Benton predicted. Pitt states in *Decline of the Californios* that “The Land Law, preemption and occupancy rights, and the “jungle-tickets” of land litigation made [the Californio] not only violently angry, but also mystified him.”⁴² The Californios not only had an entirely different conception of land law and customs, but also of all Anglo-centric law. They struggled to learn an entirely new legal system with little to no ability to speak English. With no help from the federal government, Californios tended to rely heavily upon their attorneys, who were at times helpful, but often had little experience and only took up the job to demand land as payment. Despite Senator Gwin expressing frustration at Senator Benton for delaying the adjudication of California land claims in Congressional debate, his own bill delayed adjudication far longer.⁴³ The Board of Commissioners were slow in their deliberation, and since most decisions ended up being appealed anyways, the average wait time for a Californio to receive a patent for their land was seventeen years.⁴⁴ Additionally, the Board of Commissioners only met in San Francisco, meaning Californios from all across the state were required to take on the costs associated with bringing documents, attorneys,

40. U.S., Congress, Senate, *The Congressional Globe*, 31st Cong., 2nd sess., 1851, accessed November 20, 2021, <https://memory.loc.gov/ll/lcg/026/0900/09340052.tif>.

41. Pitt, *Decline of the Californios*, 94.

42. Pitt, 89.

43. U.S., Congress, Senate, *The Congressional Globe*, 31st Cong., 2nd sess., 1851, accessed November 20, 2021, <https://memory.loc.gov/ll/lcg/026/0900/09380056.tif>.

44. W.W. Robinson, *Land in California: The Story of Mission Lands, Ranchos, Squatters, Mining Claims, Railroad Grants, Land Scrip, Homesteads* (Berkeley: University of California Press, 1948), 106.

and witnesses to San Francisco for the duration of their litigation. On one occasion the board met in Los Angeles, and this was only after Californios from Southern California petitioned for an opportunity to lower their travel costs for this meeting.⁴⁵

These long and demanding legal battles forced many Californios to mortgage their properties, a choice which proved disastrous for a people whose wealth was entirely dependent on their land, not capital. This often resulted in their land being used as a form of payment for attorneys and banks which became one of the biggest mechanisms of dispossession. Congress knew this would happen, as Benton warned them multiple times of the financial ramifications that an act with three separate appeal processes would have. These long litigation periods perfectly executed legal dispossession, as the Land Act of 1851 was a valid piece of legislation passed to support the Treaty of Guadalupe Hidalgo. Lawmakers were aware it was not a fair piece due to Benton and the opposition's arguments against the bill, yet if they were concerned about the toll the Land Act of 1851 had on the supposedly protected Californios, they did absolutely nothing in the subsequent decades to relieve their hardships. Despite ownership of Spanish and Mexican land grants consisting of both Californios and Anglo-Americans, the Californios suffered the worst of the hardships. The Anglo-American owners of grants, such as John Frémont, were often wealthy and had the capital and knowledge of the American justice system to survive long litigation periods. The Californios on the other hand lacked these advantages.

Squatters, who were often Anglo settlers who lived on land already claimed under land grants, often formed institutionalized leagues to force rancho property into their own hands while land titles were being contested. A June 1853 article in the *LA Star* describes one such band of squatters on a rancho property, stating that "The squatters are an organized band, about eighty in number. When the Marshal appeared among them, he was at once told that he should not serve the summons, and if he attempted to do so they would kill him on the spot."⁴⁶ If squatters did not commit outright violence on ranchoes, they oftentimes would shoot the Californio's cattle to intimidate them.⁴⁷ Another *LA Star* article from April 1856 contains a message specifically directed to settlers, detailing the reasons for which a land grant could be denied and subsequently passed into the public domain for their benefit. One such reason for denial was the failure to fulfill the requirements of the grant under Mexican colonization law, such as improving the land. Improvements

45. U.S., Congress, Senate, *The Congressional Globe*, 31st Cong., 2nd sess., 1851, accessed November 20, 2021, <https://memory.loc.gov/llcg/026/0900/09380056.tif>.

46. *LA Star*, June 1, 1853, UCR Center for Bibliographic Studies and Research, <https://cdnc.ucr.edu/?a=d&d=LASTAR18530611.2.6&srpos=2&c=-----en--20-LASTAR1--txt-IN-squatters-----1>.

47. Pico, et al, ed., *Foreigners in their Native Land*, 197.

to the land are defined as cultivating crops, once again pitting Hispanic and American conceptions of land against each other.⁴⁸

The problems with squatters, and the inaction of the federal government to stop them, demonstrate yet again a lack of interest in protecting Californio land grant owners and upholding promises within the Treaty of Guadalupe Hidalgo. The federal government wanted active agricultural settlement from their Anglo citizens in California, so they did little when these settlers threatened rancho property that was seen as a waste of the land. The passage of the Homestead Act of 1862, which granted 160 acres of surveyed land to any citizen who occupied it for five years, only prompted more settlers to squat on unconfirmed Californio land grants despite the survey requirements. Even when grants were confirmed many squatters refused to leave, which angered the Californios who saw their society as under deliberate attack from federal lawmakers who did nothing to help defend Californio claims.

In an 1859 petition to Congress from Antonio Maria Pico and forty-nine other Hispanic landowners, the grievances of the Californios were made clear. In this petition Pico outlined the hardships the Californios suffered for almost a decade, detailing how high litigation costs, mortgages, conflicts with squatters, high property taxes, and protracted litigation times had forced many Californios to sell or lose their land. He stated that “more than 800 petitions were presented to the Land Commission, and already 10 years of delays have elapsed and only some 50 patents have been granted.”⁴⁹ Pico attempted to flatter the federal government at the beginning of his petition, where he sang praises of the Treaty of Guadalupe Hidalgo and how it gave the Californios hope that there would be peace between the two ethnic groups. In the petition’s conclusion Pico stated that he wished the federal government would accept all grants as valid and only challenge those which could be fraudulent on a case-by-case basis. He added that this would have “won the faith and respect of the conquered and contributed to the material prosperity of the nation at large.”⁵⁰ Despite most loyalties lying with Mexico before the Mexican-American War, most Californios accepted their defeat and did hope to become welcomed citizens of the United States. However, the Land Act of 1851 denied Californios this opportunity by severely disadvantaging them in order to procure their land for Anglo settlers. The Catholic faith and mixed race of the majority of Californios made them undeserving in the eyes of the government.

Another source that exemplifies Californio anger is the 1885 fictional, yet politically charged, novel *The Squatter and the Don* by María Ruiz de Burton

48. *LA Star*, April 5, 1856, UCR Center for Bibliographic Studies and Research, <https://cdnc.ucr.edu/?a=d&d=LASTAR18560405.2.8&srpos=11&e=-----en--20-LASTAR-1--txt-txIN-squatters-----1>.

49. Pico, et al., ed., *Foreigners in their Native Land*, 198.

50. Pico, et al., ed., *Foreigners in their Native Land*, 199.

under the pseudonym C. Loyal. Ruiz de Burton was a Californio woman and is credited as the first Mexican woman to publish a novel in English. The plot of *The Squatter and the Don* centers around two families in San Diego in the 1870s. The Alamars are a Californio family living on a land grant, while the Darrells are an Anglo family squatting on the Alamar's land. Ruiz de Burton emphasizes how the burden of proof fell upon the Californios, and how this was a grave violation of the Treaty of Guadalupe Hidalgo and a great injustice. She also addresses the government's lack of protection for the Californios and the common perspective that the government intentionally protected squatters to take Californio land. Don Mariano, the head of the Alamar household, states to a visitor that

By those laws any man can come to my land, for instance, plant ten acres of grain, without any fence, and then catch my cattle which, seeing the green grass without a fence, will go eat it. Then he puts them in a 'corral' and makes me pay damages and so much per head for keeping them, and costs of legal proceedings and many other trumped up expenses, until for such little fields of grain I may be obliged to pay thousands of dollars.⁵¹

The scenario that Ruiz de Burton describes was an actual law in California, in which Californios would be forced to pay damages to squatters if they repossessed their land and the squatters had "made improvements" to it. This law was passed by lawmakers to acquire the powerful settler vote and was praised in the *LA Star* in 1856 by settlers.⁵²

The Squatter and the Don enumerates many other complaints the Californios had during the late nineteenth century and showcases how the California Land Act of 1851 disadvantaged them as state and federal governments did nothing to protect their land rights. The effects of land dispossession in California rippled throughout the entire Southwest and provided the basis for further dispossession of Mexican American land. In New Mexico, the territory with the most former Mexican citizens, land grants were often not settled for decades longer than those in California. This led to many of the same issues the Californios faced due to protracted litigation periods. In 1880 the Public Land Commission reported to Congress that out of the 1000 claims submitted to the surveyor general in New Mexico, only seventy-one had been acted upon.⁵³ In 1889 the Court of Private Land Claims was

51. C. Loyal, *The Squatter and the Don: A Novel Descriptive of Contemporary Occurrences in California* (San Francisco: 1885), 18.

52. *LA Star*, April 5, 1856, UCR Center for Bibliographic Studies and Research, <https://cdnc.ucr.edu/?a=d&d=LASTAR18560405.2.8&srpos=11&e=-----en--20-LASTAR-1--txt-txIN-squatters-----1>.

53. Malcolm Ebright, *Land Grants and Lawsuits in Northern New Mexico* (Albuquerque: University of New Mexico Press, 1994), 45.

established and, like the California Board of Commissioners, was composed of five judges with little to no knowledge of the Spanish language or Hispanic land customs. In addition, the Court of Private Land Claims rejected claims due to the smallest of issues with documentation due to the communal nature of most of the grants.⁵⁴ Hispanic land customs were laxer and more informal, whereas Anglo ones were more stringent and individualistic. Like in California, differences in Hispanic and Anglo land customs allowed land dispossession to legally occur. One example is the San Miguel Del Bado Grant, which was awarded as a communal grant in 1794 to Lorenzo Marquis and fifty-two other petitioners.⁵⁵ Despite this explicitly communal language the Supreme Court decided in *United States v. Sandoval* to only approve the 5,000 acres of private parcels of land and dispossessed the grantees of 310,000 acres of communal land.⁵⁶ Like the Californio's ranching society, the Mexicans in New Mexico, or the Nuevomexicanos, were pastoral, so the loss of communal land was disastrous for this community. In New Mexico about twenty-four percent of land grants were confirmed, only about six percent of the total land claimed.⁵⁷ Similar cases occurred in Texas, Arizona, and Colorado. Overall, the majority of Mexicans in the Southwest were dispossessed of their land after the Mexican-American War. This paved the way for Anglo settlers to control the land and set up agricultural, mining, and railroad ventures that fulfilled American ideologies, like Manifest Destiny and Agrarian Republicanism, and benefitted the country's economy.

The struggle around land law and property shaped the earliest laws in California and the American West as a whole. The dispossession of Mexican land led to the transformation of California from a land of primarily cattle ranches to one of agriculture, an industry that is still a powerhouse today. Southern rancheros were decimated further in the 1870s upon the arrival of the railroad industry, and as the Californios lost their social standing, they lost their political influence and any semblance of power Mexicans once held.⁵⁸ Manuel Dominguez, one of the few Californios who signed the original Constitution of California in 1849, was denied entry to a San Francisco courthouse in 1857 due to his indigenous ancestry.⁵⁹ Former California governor Pío Pico and general Mariano Vallejo are both examples of once powerful men who spent the last years of their lives in extreme

54. Ebright, *Land Grants and Lawsuits* 45.

55. Jose Antonio Ortiz, "Original Decree for the San Miguel Del Bado Land Grant," November 26, 1994, in *Foreigners in their Native Land: Historical Roots of the Mexican Americans*, ed. David Weber (Albuquerque: University of New Mexico Press, 1973), 31.

56. Gómez, *Manifest Destinies*, 128.

57. Phillip Gonzalez, "Struggle for Survival: The Hispanic Land Grants of New Mexico, 1848-2001," *Agricultural History* 77 (2003), 308.

58. Pitt, *Decline of the Californios*, 249.

59. Pitt, 202.

poverty and disillusionment over their lost status and power.⁶⁰ Government documents ceased to be printed in Spanish as well, further alienating the Californios. Throughout the entirety of the Southwest, Mexican Americans were discriminated against and segregated in many areas. Mob violence resulted in the lynching of at least 597 people of Mexican origin or descent in the late nineteenth and early twentieth centuries.⁶¹ Overall, the loss of land and social power led to Mexicans becoming foreigners in a land in which they had deeper historical roots than anyone other than Native Americans. Even then, most Mexicans had some indigenous roots. As stated before, the lack of inclusion of Mexicans in the history of the American West has led to a lack of understanding of the history of the region and has perpetuated the notion of Mexicans as foreigners in the region to this day. Additionally, the Californios and other Hispanic residents of the region interacted extensively with Native American communities. Therefore the erasure of Mexican presence in the Southwest is also an erasure of the history of Native Americans and the dispossession of their land as well. The Mexican and regional histories of California must be included in the national narrative to gain a true understanding of the western United States.

The impact of mid-nineteenth-century land legislation is visible in the Southwest today. Reies Lopez Tijerina, a Chicano activist who reinvigorated land grant movements in New Mexico in the 1960s, was arrested for protesting on state park land that was the former Tierra Amarillo Land Grant. This arrest ended in a courthouse shootout and manhunt that prompted the National Guard to intervene and brought national media attention to the land grant movement, enough for it to influence the burgeoning Chicano movement.⁶² Professor Maria Montoya of NYU discusses in her 2002 book *Translating Property* a 1997 lawsuit from Colorado entitled *Espinoza v. Taylor* that dealt with the issue of land grantees being denied access to land that traditionally had been for common use. She notes her surprise that land grant lawsuits persist to this day, but the fact that they do speaks volumes about how the United States never translated the lingering remnants of Hispanic land laws and customs to its own.⁶³ A 2020 ABC Nightline news story about current land grant activities featured interviews from several land grantee heirs, who detailed how the loss of land has contributed to generational poverty in the region, as well as how deeply emotional it still is for these communities to grapple with the loss of their land. They expressed hope that several current bills in Congress would pass and allow them to reclaim land that was

60. Monroy, *Thrown Among Strangers*, 228; Pitt, *Decline of the Californios*, 280.

61. Matthew Wills, "The Untold History of Lynching in the American West," *JStor Daily*, March 26, 2019, <https://daily.jstor.org/the-untold-history-of-lynching-in-the-american-west/>.

62. Robert Urias, "The Tierra Amarilla Grant, Reies Tijerina, and the Courthouse Raid," 141.

63. Maria Montoya, *Translating Property: The Maxwell Land Grant and the Conflict over Land in the American West, 1840-1900* (Berkeley: University of California Press, 2002), 1.

traditionally for common use, as well as other measures meant to aid land grantees throughout the Southwest. They all view reclaiming their “ancestral land” as justice for what they believe, like the Californios and other former Mexican citizens of the nineteenth century, was a betrayal of the promises within the Treaty of Guadalupe Hidalgo.⁶⁴ These current issues stem from the passage of the California Land Act of 1851 and the dispossession of Californio land. Without knowing this history, one would have no idea why these land grant heirs continue their fight for their land.

Dispossession as an intentional act of the federal government must be highlighted in future histories of American expansionism. Lawmakers had other bills presented to them that would have fulfilled the promises in the Treaty of Guadalupe Hidalgo to protect Mexican land rights, yet they decided to adopt the California Land Act of 1851 with all of its predicted inequities. Senator Benton and other opponents of Senator Gwin’s act highlighted early on the negative ways in which the Land Act would impact the Californios, yet the federal government ignored these warnings and decided to pass an act that was legal, but in practice was dubious. Historian Paul Gates argues that this legality and the lack of perfect Hispanic records made land dispossession acceptable, yet the original language of the Treaty of Guadalupe Hidalgo and the Protocol of Queretaro make it clear that the Californios’ land was supposed to be protected by the federal government. Instead, the Land Act of 1851 made the Californios vulnerable to three separate judicial proceedings in which their land grants could be denied, as well as years worth of legal fees they could not pay. “Justice delayed is justice denied,” is a legal maxim that encapsulates the injustice the Californios faced. While the majority of their land grants might have eventually been approved, the amount of time it took proved ruinous for most.

Politicians did little to stop American squatters or defend the Californios, even when the Californios spoke out and cited the United States’ treaty promises. Dispossession should not be viewed as such only if the federal government is directly involved, but also if the intentional negligence of the federal government results in predictable problems. If the Californios knew that a plan similar to the one proposed in their 1859 petition had been rejected by Congress, this knowledge may have provided further ammunition against the American lawmakers they believed were intentionally destroying their society. However, federal lawmakers did not respond to these initial complaints, so it is doubtful that anything would have swayed lawmakers to fulfill the promises of the Treaty of Guadalupe Hidalgo.

In his “Frontier Thesis,” Fredrick Jackson Turner cites westward expansion and the taming of wild land as a key historical event in the formation of

64. ABC News, “Mexican Americans are still fighting for land they were promised generations ago | Nightline,” YouTube Video, October 1, 2020, <https://youtu.be/DfkrccrMvI0>.

the American identity. This is a correct assertion, yet Turner ignored the historical reality that American settlers expanded with the help of a federal government that conquered ethnic groups and dispossessed them of their lands to make way for white settlers. Historians of Spanish colonial, Mexican, Native American, and regional histories of the West acknowledge this, but broader narratives of American history still often fail to do so. Land law and property in California after the Mexican-American War shaped the West as it exists today. These histories must be acknowledged in the education system and broader historical scholarship of the United States for people today to fully understand how the “West was won.”

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Unsettled: An Analysis of *Tillie Hardwick v. United States*

Alese Ballard

Abstract: The *Tillie Hardwick v. United States* (1979) district court case is best known for restoring federal recognition to seventeen of thirty-four plaintiff Indian rancherias in Northern California. The following research was driven by the desire to contextualize the outcome of the seventeen plaintiff rancherias dismissed from the case, some of whom are still fighting for re-recognition. What follows is the first article-length study of *Tillie Hardwick v. United States*. Through analysis of court documents, federal and state committee reports, newspapers, and land records, this article contends that numerous errors and oversights within *Hardwick* resulted in the wrongful dismissal of at least two rancherias from the final settlement. Furthermore, this research suggests that the dismissals continue to negatively affect several tribal communities today.

The United States' termination of sixty-one California Indian rancherias in the 1960s left numerous Native communities impoverished and without access to federal services.¹ The 1983 settlement of the Northern California district court case *Tillie Hardwick et al v. United States et al* restored federal recognition to seventeen terminated rancherias, making it the most broadly successful "untermination" case in California Indian law. *Hardwick's* victory, however, forms part of a larger story that has yet to be told. While seventeen rancherias received re-recognition through the *Hardwick* settlement, the final order dismissed thirteen other plaintiff rancherias and excluded one rancheria altogether. Although *Hardwick* established a ground upon which subsequent cases for restoration and land reacquisition could be litigated, the case also contained key concessions and numerous clerical errors that instituted barriers to the restoration and successful reestablishment of multiple California Indian rancherias.

Due to California Indians' singular legal history, California Native sovereignty and land rights faced distinct challenges throughout the nineteenth and twentieth centuries. In the absence of ratified treaties between California Indians and the United States, tribes lacked important protection against federal policies aimed at acquiring Indian land. In the mid-nineteenth century, the federal government drew up eighteen treaties

1. Elisabeth Rose Middleton, "We Were Here, We Are Here, We Will Always Be Here": A Political Ecology of Healing in Mountain Maidu Country" (PhD diss., University of California, Berkeley, 2008), 131.

with California Indians, setting aside approximately 7.5-8.5 million acres as Indian Country.² Due to California's unwillingness to bar white access to such a large amount of resource-rich country, Congress left the treaties unratified and California Indians without any viable claim to their lands.³ In the early 1900s, the federal government decided to buy land, subsequently put in trust, for the now "homeless and landless" California Indians.⁴ These eighty-two small, government-purchased parcels formed the rancherias that the federal government would target for termination only decades later.⁵

Two pieces of congressional legislation, House Concurrent Resolution 108 and Public Law 280, laid the framework for the mass termination of California's Indian rancherias. In 1953, the Eighty-Third U.S. Congress passed H.C.R. 108, a piece of legislation that crowned a virtual mountain of previous pro-termination legislation introduced throughout the 1940s and 1950s.⁶ H.C.R. 108 marked for dissolution of the Native tribes within the states of "California, Florida, New York, and Texas," as well as six individually designated tribes.⁷ In his seminal work on the subject, *Termination and Relocation: Federal Indian Policy, 1945-1960*, Donald L. Fixico describes the termination program, officially inaugurated by H.C.R. 108, as one which "implied the ultimate destruction of tribal cultures and native life-styles" due to its emphasis on the full assimilation of Native peoples into mainstream Euro-American society and culture.⁸ Congress quickly followed H.C.R. 108 with the equally impactful Public Law 280, which transferred authority over tribal lands and affairs in designated states from federal to state jurisdiction.⁹ As the Advisory Council on American Indian Policy's 1997 *Final Reports and Recommendations to the Congress of the United States* notes, "California was the only state named in both [H.C.R. 108] and Public Law 280."¹⁰

2. Advisory Council on California Indian Policy, "The ACCIP Termination Report: The Continuing Destructive Effects of the Termination Policy on California Indians" in *Final Reports and Recommendations to the Congress of the United States: pursuant to Public Law 102-416* (United States: Advisory Council on California Indian Policy, 1997), 8; Middleton, "We Were Here," 118.

3. Middleton, "We Were Here." 119-120.

4. Advisory Council on California Indian Policy, 9; California State Advisory Commission on Indian Affairs, *Final Report to the Governor and the Legislature by the State Advisory Commission on Indian Affairs* (Sacramento: State Advisory Commission on Indian Affairs, 1969), 9, <https://www.reaganlibrary.gov/public/digitalibrary/gubernatorial/pressunit/p37/40-840-7408629-P37-007-2017.pdf>. Thank you to Dr. Khal Schneider for recommending this source.

5. Advisory Council on California Indian Policy, 9; California State Advisory Commission on Indian Affairs, 9.

6. Donald L. Fixico, *Termination and Relocation: Federal Indian Policy, 1945-1960* (Albuquerque: University of New Mexico Press, 1986), 91, 94.

7. House Concurrent Resolution 108, 83rd Cong., 2nd sess. (August 1, 1953).

8. Fixico, *Termination and Relocation*, 98.

9. Fixico, *Termination and Relocation*, 111-112.

10. Advisory Council on California Indian Policy, 11.

In 1958, Congress passed the act which would form the backbone of all future “untermination” cases in California. Public Law 85-671, titled the California Rancheria Act of 1958, called for the breakup and distribution of all rancheria assets to its members, outlined the process of distribution, and listed the obligations of the federal government to the rancherias prior to termination.¹¹ Section 2(b) of the law emphasized its permissive nature; after the development of an asset distribution plan, the rancheria members would vote on whether to accept their proposed termination.¹² Section 3(c), however, formed the section of the statute most readily important to future restoration litigation. Section 3 of the Act detailed the Secretary of the Interior’s obligations to the rancherias prior to their termination. Such obligations included the repairing or constructing of adequate roads, irrigation, and “domestic water systems,” with Section 3(c) containing the water provisions.¹³ Three successful, precedent-setting restoration cases brought against the federal government in 1977, 1978, and 1981, that of the Robinson, Hopland, and Table Bluff Rancherias, respectively, cited the Secretary of the Interior’s Section 3(c) violations as necessarily abrogating the termination agreement and rendering said termination invalid.¹⁴

Once enacted, the California Rancheria Act served to further impoverish California Indian communities and foster rapid land loss. A 1969 report released by the State Advisory Commission on Indian Affairs, a California state committee established in 1961 to ascertain the condition and needs of the state’s Native population, noted the deleterious effect of termination on California Indians. The report stated that “many rural Indian homes” lacked a sufficient, safe water supply, and revealed that the Bureau of Indian Affairs (BIA) coerced individuals into agreeing to termination by erroneously portraying termination as the most reliable method of obtaining an adequate water system.¹⁵ Testimonies of rancheria “distributees” contained within the *Hardwick* case elucidate the process of mass land loss as a direct consequence of termination. Plaintiffs of the Pinoleville, Redwood Valley, and Big Valley Rancherias detailed how each made forced sales of their land due to back taxes, property liens, and debt incurred in attempts to meet county health and

11. California Rancheria Act of 1958, Public Law 85-671, 85th Cong., 2nd Sess. (August 18, 1958), 72 Stat. 619.

12. Advisory Council on California Indian Policy, 12, 14; California League for American Indians, “Special Report on Public Law 85-671, August 18, 1958,” document no. 57-9 in *Tillie Hardwick, et al. v. United States, et al.*, no. C-79-1710-SW (N.D. Cal. 1983), PACER, (hereafter cited as *Hardwick*); California Rancheria Act of 1958.

13. California Rancheria Act of 1958.

14. *Table Bluff Band of Indians et al. v. Andrus et al.*, 532 F.Supp. 255 (N.D. Cal. 1981), Westlaw, (hereafter cited as *Table Bluff Band of Indians*); *Smith et al. v. U.S. et al.*, 515 F.Supp. 56 (N.D. Cal. 1978), Westlaw (hereafter cited as *Smith*); *Santa Rosa Press Democrat*, April 12, 1977, April 17, 1983.

15. California State Advisory Commission on Indian Affairs, 24-25.

safety standards.¹⁶ Furthermore, under Section 9(b), members of terminated rancherias lost their federal recognition as American Indians, making them ineligible for BIA services and Indian land protections.¹⁷ In her doctoral thesis, Native American Studies scholar and professor Elisabeth Middleton notes that the implementation of the Rancheria Act resulted in approximately 4377 acres of lost land.¹⁸

In this context of personal, financial, physical, and communal divestment, a Pomo woman, Tillie Hardwick, decided to fight back. Hardwick, a mother and resident of the Pinoleville Rancheria in Ukiah, California, was also a granddaughter of Bloody Island Massacre survivors.¹⁹ The Bloody Island Massacre refers to the slaughter of approximately sixty to eight hundred Pomo people, primarily women and children, at Clear Lake by the U.S. Army in 1850.²⁰ Hardwick, an active community member, argued for the protection and demarcation of the massacre site.²¹ Like many others residing on the forty-one rancherias terminated via the 1958 Act, Hardwick never received new plumbing and faced the possibility of losing her land due to debt and back taxes.²² Hardwick became inspired to take legal action against the federal government after her son, Joseph Myers, was denied entry to an educational program for Indian students due to Hardwick's terminated status.²³ Her lawsuit, *Tillie Hardwick et al v. United States et al*, expanded to include not only Hardwick's own Pinoleville Rancheria but also thirty-three other rancherias that the California Rancheria Act had terminated.²⁴ The California Indian Legal Services (CILS), established in 1967 to litigate challenges against termination, represented the Hardwick plaintiffs throughout the five-year lawsuit.²⁵

The argument basis of *Hardwick*, while still centering on the Section 3 provisions of the Rancheria Act, differed from previous restoration cases on the

16. "Complaint for Declaratory and Injunctive Relief, and Damages," document no. 1, in *Hardwick*.

17. *Santa Rosa Press Democrat*, January 7, 1977; California Rancheria Act of 1958; Advisory Council on California Indian Policy, 17.

18. Middleton, "We Were Here," 136.

19. *Ukiah Daily Journal*, August 3, 1989, *Santa Rosa Press Democrat*, July 17, 1999.

20. *Ukiah Daily Journal*, August 3, 1989; William Bauer, "Ghost Dances, Bears, and the Legacies of Genocide in California," *Journal of Genocide Research* 19, no. 1 (March 2017): 137, <https://doi.org/10.1080/14623528.2017.1265795>.

21. *Ukiah Daily Journal*, August 3, 1989.

22. "Complaint," document no. 1, in *Hardwick*.

23. *Santa Rosa Press Democrat*, June 23, 2013.

24. These rancherias include: Potter Valley, Redwood Valley, North Fork, Picayune, Graton, Scotts Valley, Guidiville, Strawberry Valley, Cache Creek, Buena Vista, Paskenta, Ruffeys, Mark West, Alexander Valley, Chicken Ranch, Lytton, Mooretown, Redding (Clear Creek), Indian Ranch, Nevada City, Wilton, Big Valley, Cloverdale, Elk Valley, Rohnerville, El Dorado, Greenville, Quartz Valley, Chico, Smith River, Auburn, Mission Creek, and Blue Lake Rancherias.

25. Advisory Council on California Indian Policy, 19.

basis of its claims against the Secretary of the Interior. Lead plaintiff attorney David J. Rapport noted in a letter to defendant attorney Paul E. Locke that:

unlike the other ‘untermination’ suits, the success of this lawsuit does not depend on whether the federal government...provided adequate water and sanitation services under section 3(c) to any particular rancheria prior to distributing the assets of the rancheria.²⁶

The plaintiffs of two prior termination cases, also litigated by CILS, *Smith v. U.S.* (1977) and *Table Bluff Band of Indians v. Andrus* (1981), argued and succeeded on the grounds that the federal government had not fulfilled 3(c) obligations.²⁷ While previous restoration cases argued on a 3(c) violation, whether or not the government fulfilled its Rancheria Act obligations, the Hardwick case claimed that the government’s failure to set standards and clear processes for the implementation of the Rancheria Act constituted a breach of trust.²⁸ Certified as a class in 1980, Hardwick plaintiffs contended that BIA employees presented termination impartially, framed it as mandatory, and failed to fulfill improvement promises.²⁹ This coercion and breach of trust resulted in financial and physical detriment to the plaintiffs, including forced land sales, land loss, liens, and debt due to tax requirements and imposition of county standards, inadequate living conditions, and disqualification from BIA service eligibility.³⁰

Several governmental positions, within both federal and county offices, formed the group of *Hardwick* defendants. The most notable defendant positions included the Secretary and Assistant Secretary of the Interior, the Secretary of Health and Human Services (HHS), the area director of the Sacramento BIA office, and county tax collectors.³¹ The Secretary of the Interior’s office oversaw the Rancheria Act implementation; similarly, the HHS Department took charge of numerous 3(c) improvements post-1964.³² The case included county tax collectors to “protect the tax immunity of rancheria property and...freedom from county land use regulations and controls.”³³ Each defendant contributed to the improper implementation of the Rancheria Act and the illegal taxation of rancheria land thereof.

26. “Complaint,” document no. 1, in *Hardwick*.

27. *Table Bluff Band of Indians; Smith*.

28. *Table Bluff Band of Indians; Smith*.

29. “Order Re: Class Certification,” document no. 32, in *Hardwick*.

30. “Complaint,” document no. 1, in *Hardwick*.

31. “Complaint,” document no. 1, in *Hardwick*.

32. “Answers to Plaintiffs’ First Set of Interrogatories to Defendants Schweiker, Bluespruce, Johnson, and McSwain,” document no. 59, in *Hardwick*.

33. “Declaration of David Rapport in Support of Motion to Add Parties and Amend Complaint,” document no. 75, in *Hardwick*.

From 1979 to the start of settlement discussions in 1982, Hardwick plaintiffs and defendants exchanged a series of interrogatories and answers that outlined the extent of the Department of the Interior's negligence. The interrogatories from the plaintiffs to the defendants, numbering fifty-two over two sets, included inquiries regarding BIA policy, specifics of Rancheria Act obligations as interpreted by the BIA, and questions regarding the BIA's knowledge of rancheria land and infrastructure status.³⁴ Those of the defendants to the plaintiffs, though, emphasized inquiries related to the rancherias' status before termination, information received regarding termination, individual data on the plaintiffs' personal history, employment, education, financial, and property records, their legitimacy as tribal entities before termination, and the distributees' opinion on the suit.³⁵

Tellingly, one of the plaintiff's attorney's clearest explications of the *Hardwick* legal argument came as an answer to a defendant's interrogatory. In defendant interrogatory twenty-one, the defense asked the plaintiffs to "identify each Rancheria . . . the Federal Defendants failed to supply the 3(c) requirements on the act relative to water and sanitation."³⁶ In his answer, attorney Rapport made clear that the *Hardwick* litigation depended not on the government's fulfillment of 3(c) requirements, but rather on the negligence, lack of clear standards, and shortage of necessary funds inherent within the BIA's implementation of the Act.³⁷

In their initial answer to the plaintiffs' complaints, the defendants overwhelmingly denied all specifically noted instances of BIA negligence; however, the case's sole deposition of a BIA employee overwhelmingly supported the plaintiff's allegations. The 1982 deposition of Maurice W. Babby, Sacramento BIA office area director and BIA employee throughout the tenure of the Rancheria Act terminations, forms the *Hardwick* case document that perhaps most seriously implicates the BIA in the California termination disaster.³⁸ Beyond the director's inability to recall almost any specifics about BIA policies, standards, or meetings with rancheria residents, Babby's deposition revealed a complete lack of set procedures for the Act's implementation, as well as a near-total reliance on unrecorded verbal communication to rancheria residents regarding the terms of the Act.³⁹

34. "Plaintiffs' Second Set of Interrogatories to Federal Defendants Watt, Smith, Finale and Burcell," document no. 56, in *Hardwick*.

35. "Federal Defendants' First Set of Interrogatories to Plaintiffs," document no. 62, in *Hardwick*.

36. "Plaintiffs' Answers to Federal Defendants' First Set of Interrogatories," document no. 64, in *Hardwick*.

37. "Plaintiffs' Answers to Federal Defendants' First Set of Interrogatories," document no. 64, in *Hardwick*.

38. "Stipulation to Continuance; and Order," document no. 65, in *Hardwick*.

39. "Deposition of Maurice W. Babby, January 18, 1982," document no. 67-1, in *Hardwick*.

Throughout the deposition, Rapport highlighted important legalities within the Rancheria Act and inquired whether, and to what detail, the BIA had informed the rancheria residents of these stipulations.⁴⁰ After repeatedly confirming that verbal communication comprised the delivery method of most all information given to Rancheria residents, Babby admitted that he could not recall the exact details of these unrecorded conversations.⁴¹ Later in the deposition, Babby revealed that the BIA used only the Act itself and corresponding regulations during the implementation of the Rancheria Act, rather than a clear set of procedures.⁴² Furthermore, Babby indicated the coercive nature of the Rancheria Act's implementation. When asked if BIA employees conveyed to rancheria residents that only those who opted to terminate would receive priority for much-needed services, he responded in the affirmative.⁴³ Four months after Babby's deposition, attorneys for the plaintiff and defendant met to draft a settlement negotiation.⁴⁴

The final *Hardwick* settlement restored recognition to seventeen of the thirty-four plaintiff rancherias. Although the final agreement left open the issue of land reacquisition and the delineation of restored rancherias' boundaries, it established the precedent for tribes to continue litigation via *Hardwick* concerning the settlement's unresolved issues. The seventeen rancherias restored within the *Hardwick* settlement included: Big Valley, Blue Lake, Buena Vista, Chicken Ranch, Cloverdale, Elk Valley, Greenville, Mooretown, North Fork, Picayune, Potter Valley, Quartz Valley, Redding, Redwood Valley, Rohnerville, Smith River, and Tillie Hardwick's own rancheria, Pinoleville.⁴⁵ Restoration for the seventeen rancherias re-established plaintiffs' status as Indians and eligibility for federal Indian services, re-recognized the groups' communities as "Indian entities," enabled plaintiffs with fee-patented allotments to return their land to trust status, and noted a similar provision for community landholdings, and made obsolete the BIA-created distribution plans.⁴⁶ In a 1983 report in the *Santa Rosa Press Democrat*, CILS attorney Les Marston claimed that rancheria conditions had seen demonstrable improvement after restoration. Furthermore, Marston suggested that restoration encouraged diasporic tribal members to return to live on rancheria land.⁴⁷

40. "Deposition of Maurice W. Babby, January 18, 1982," document no. 67-1, in *Hardwick*.

41. "Deposition of Maurice W. Babby, January 18, 1982," document no. 67-1, in *Hardwick*.

42. "Deposition of Maurice W. Babby, January 18, 1982," document no. 67-1, in *Hardwick*.

43. "Plaintiffs' Answers," document no. 64, in *Hardwick*.

44. "Joint Status Report," document no. 69, in *Hardwick*.

45. "Stipulation for Entry of Judgment," document no. 99, in *Hardwick*.

46. "Stipulation for Entry of Judgment," document no. 99, in *Hardwick*; *Santa Rosa Press Democrat*, February 5, 1984.

47. *Santa Rosa Press Democrat*, April 17, 1983.

The *Hardwick* settlement included two key concessions that undermined the effects of rancheria restoration. Namely, plaintiffs could not seek financial remuneration in the form of damages from the government nor would the settlement delineate rancheria boundaries and restore Indian Country status to all land within those original boundaries.⁴⁸ Most important to this analysis is the concession relating to land boundaries and restoration. Plaintiffs and plaintiff attorneys advocated for the return to tribal jurisdiction of all land within original rancheria boundaries.⁴⁹ Although the *Hardwick* “Request for Settlement Conference and Order” notes that the plaintiffs agreed to proceed with settlement negotiations despite a lack of consensus on jurisdictional issues, the document also contends that plaintiffs refused to concede their position on Indian Country designation and rancheria boundary establishment.⁵⁰

The issues of tribal jurisdiction within reservation boundaries and the status of lost rancheria lands continued to burden restored tribal communities both legally and financially. In the ACCIP report to Congress, the Advisory Council on California Indian Policy outlined the deleterious effects of the lack of land reacquisition on the successful reestablishment of restored rancherias. The report noted that further county tax jurisdiction conflicts and potential land loss arose from “untermination” cases that failed to place under tribal jurisdiction all former reservation land.⁵¹ Furthermore, the report specifically designated “the lack of a land base sufficient to support tribal housing and economic development” as one of four main obstacles to re-recognized rancheria communities.⁵² Accordingly, the committee included a legislative recommendation within its six recommendations to Congress that advocated for tribal land acquisition.⁵³

Despite *Hardwick’s* success in achieving the restoration of seventeen plaintiff rancherias, the combination of property-based settlement criteria, clerical errors, oversights, and lack of research cost multiple rancherias re-recognition and fair, timely closure of their involvement in the case. The final settlement stipulations of the *Hardwick* case explicitly dismissed twelve rancherias without prejudice based on the distributees’ lack of real property ownership within original rancheria boundaries at the time of the 1983 decision.⁵⁴ Further research reveals, however, that the final *Hardwick* settlement contained numerous errors pertaining to those rancherias that

48. “Stipulation,” document no. 99, in *Hardwick; Santa Rosa Press Democrat*, April 17, 1983.

49. “Request for Settlement Conference and Order,” document no. 83, in *Hardwick; Santa Rosa Press Democrat*, April 17, 1983.

50. “Request,” document no. 83, in *Hardwick*.

51. Advisory Council on California Indian Policy, 19.

52. Advisory Council on California Indian Policy, 22.

53. Advisory Council on California Indian Policy, 4.

54. David Rapport to Paul Locke, Letter, “Re: *Hardwick et al., v. U.S., et al.*, Civ. No. C-79-1710 SW,” document no. 96 and “Stipulation,” document no. 99, in *Hardwick*. The rancherias’ “without prejudice” dismissal qualified them to bring additional suits against the U.S. government despite their involvement in *Hardwick*.

did not receive re-recognition. The misinformation contained within the *Hardwick* settlement, most specifically the misclassification of at least two rancherías as landless, resulted in a demonstrable loss for the involved plaintiffs.

A few key documents within the *Hardwick* case reveal inconsistent assertions, factual oversights, and miscalculations regarding ranchería classification and distributee land ownership. A 1982 letter between plaintiff and defendant counsel included within the *Hardwick* case docket provides insight into settlement negotiations, specifically the process of deciding which rancherías were to be included in the final settlement.⁵⁵ In the letter, plaintiff attorney David Rapport entreated the defendant counsel, Paul Locke, to add rancherías to the final settlement list. Rapport made the following claim:

Sufficient legal and factual justification exists to unterminate all the rancherías represented in the action. At a minimum the BIA should include in addition to those listed in your letter the rancherías which *still support viable Indian communities*, such as Alexander Valley, Blue Lakes, *Indian Ranch*, Quartz Valley, and *Wilton Rancheria*.⁵⁶

Rapport's designation of Indian Ranch and Wilton Rancheria as "still support[ive] of viable Indian communities" strikes as odd, considering that the final settlement excluded both rancherías for lack of property ownership within original ranchería boundaries. The October 1983 class mailing list further complicates the designation of Wilton and Indian Ranch as both "viable Indian communities," but without Indian property. The mailing list divided the plaintiffs by ranchería, including their names, last known addresses, and the overall status of land ownership on the ranchería.⁵⁷ The document split the rancherías into three broad categories: rancherías with "no Indian-owned land," those with "no *known* Indian-owned land," and those with distributee land ownership, which did not receive a designation. Tellingly, neither the distributee lists of Wilton nor Indian Ranch contain a note indicating a lack of property ownership.⁵⁸

Further confusing plaintiff rancherías' status within the final settlement is the settlement itself. News reports and the plaintiff counsel's official approval of the settlement neatly separate the three categories of rancherías into the seventeen restored, twelve dismissed without prejudice, and four excluded for involvement in other concurrent lawsuits (*res judicata*). The ranchería designations within the final stipulation for entry of judgment, however,

55. Rapport to Locke, Letter, document no. 96, in *Hardwick*.

56. Rapport to Locke, Letter, document no. 96, in *Hardwick*. Emphasis added.

57. "Mailing List of Class Members and Interested Persons/Organizations, Newspaper List, and Posting List and Order Approving Same," document 93, in *Hardwick*.

57. "Mailing List," document 93, in *Hardwick*.

58. "Mailing List," document 93, in *Hardwick*. Emphasis added.

contradict clear categorization.⁵⁹ Three of the twelve rancherias that the settlement dismissed without prejudice – Graton, Guidiville, and Scotts Valley Rancherias — overlapped with three of the rancheria dismissed on *res judicata* grounds. This left four rancherias, the Alexander Valley Rancheria of Sonoma County (Mishewal Wappo), Nevada City Rancheria of Nevada County (Nisenan), Lytton Rancheria of Sonoma County (Pomo), and Indian Ranch Rancheria of Inyo County, unaccounted for in the final settlement stipulations.⁶⁰ These errors must be examined on an individual, case-by-case basis in order to understand their scope, both within the case itself and in the errors' ultimate effects on the misclassified rancherias.

The first, and most obvious, oversight within the *Hardwick* case is the omission of the Alexander Valley Rancheria from the first settlement stipulations. In the Certificate of Counsel in approval of the *Hardwick* settlement, attorney Rapport notes the error, stating that:

Alexander Valley would have been the thirteenth rancheria in this category [the twelve] rancherias without Indian-owned land but by oversight was omitted from the stipulation for entry of judgment and notice of settlement to the class.⁶¹

Despite appearing in Rapport's list of rancherias that hosted continuing and "viable" communities, Alexander Valley was dismissed without prejudice from the *Hardwick* case in 1985.⁶² In 1997, the ACCIP recommended to the United States Congress that the Mishewal Wappo Tribe of Alexander Valley be immediately restored because it met all required criteria for recognition as stipulated in the Office of Federal Acknowledgement's (OFA) "Procedure for Federal Acknowledgment of Indian Tribes."⁶³

Despite the endorsement from the ACCIP and numerous litigations, the Mishewal Wappo Tribe of Alexander Valley has yet to receive federal re-recognition. In his 2012 testimony to Congress, tribal Chairman Scott Gabaldon listed the Mishewal Wappo's numerous attempts at re-recognition. The Mishewal Wappo have pursued all three avenues of restoration: administratively through the OFA criteria in 1989, legislatively through their attachment to a 2000 restoration bill including both the Graton and Wilton communities, as well as judicially through a lawsuit brought against the

59. Rapport to Locke, document no. 96, in *Hardwick; Feather River Bulletin*, November 16, 1983.

60. "Stipulation," document no. 99 and "Legal Notice: Notice of Hearing on Approval of Proposed Class Action Settlement," document no. 94, in *Hardwick*.

61. "Certificate of Counsel Re: Hearing on Approval of Settlement of Class Actions," document no. 96, in *Hardwick*.

62. Rapport to Locke, document no. 96, in *Hardwick; Sonoma West Times and News*, Oct. 17, 1985.

63. Advisory Council on California Indian Policy, 5.

federal government in 2009.⁶⁴ With the passing of the 1988 Indian Gaming Regulatory Act (IGRA), which enabled California tribes to build casinos on Indian land, county backlash against the Mishewal Wappo's restoration attempts increased.⁶⁵ A 2012 article within the *Santa Rosa Press Democrat*, written by Steven Hart, noted the many opposition forces against Mishewal Wappo's recognition due to fears of the potential for a tribal casino. The report cites Sonoma County, Napa County, Senator Dianne Feinstein, and Representative Mike Thompson as key opponents to the judicial restoration of the Mishewal Wappo.⁶⁶ In 2017, the Ninth U.S. Circuit Court of Appeals dismissed the Mishewal Wappo's case for restoration on the grounds that the bringing of the suit did not fall within the statute of limitations.⁶⁷

The case of the Mishewal Wappo of the Alexander Rancheria illustrates the undue burden *Hardwick* errors and property-based denial of restoration placed on California Native communities. Although *Hardwick* stipulated that those rancherias dismissed without prejudice may legally bring another suit against the federal government, this on paper promise fails to account for shifting circumstances that have prevented said rancherias from achieving re-recognition promptly, or at all. As Native legal advocate and former CILS attorney Al Logan Slagle notes in his column within the magazine *News from Native California*, terminated tribes, due to their ineligibility for BIA services, "bear the entire administrative and financial burden" of restoration litigation.⁶⁸ Slagle's comment is exemplified in the case of the Mishewal Wappo, who accrued approximately 2 million dollars in legal fees over the eight years of their restoration lawsuit.⁶⁹

The passage of the 1988 IGRA and the ensuing fears regarding tribal gaming placed new and, in the case of Alexander Valley, insurmountable hurdles to re-recognition that did not exist at the time of the *Hardwick* settlement. Upon filing new suits, both the Lytton Rancheria, involved in separate litigation that restored the Guidiville, Chico, Scotts Valley, and Lytton Rancherias, and the Alexander Valley Rancheria received backlash from the surrounding non-native communities due to fear that the rancherias sought recognition for the

64. *Government Press Releases USA*, June 28, 2012.

65. *Santa Rosa Press Democrat*, February 19, 2012.

66. *Santa Rosa Press Democrat*, February 19, 2012.

67. *Santa Rosa Press Democrat*, May 12, 2017.

68. Al Logan Slagle, "Groundhog Day: The Advisory Council on California Indian Policy Report & Some Thoughts on State-Recognized Tribes," *News from Native California*, March 30, 1998; "Biography," Al Logan Slagle Collection, University of California, Davis, Archives and Special Collections, <https://www.library.ucdavis.edu/archives-and-special-collections/manuscript/slagle-al-logan-1950-2002-collection/>.

69. Al Logan Slagle, "Groundhog Day: The Advisory Council on California Indian Policy Report & Some Thoughts on State-Recognized Tribes,".

purpose of building casinos.⁷⁰ In the *Santa Rosa Press Democrat*, community residents expressed sentiments regarding casino fear, citing concerns about “drugs,” “prostitution,” and a general devaluing of the Sonoma and Napa county areas if the Lytton Rancheria were to be re-recognized.⁷¹ In the same paper nearly one year later, Representative Douglas Bosco affirmed the wider community’s dismay toward the Lytton Rancheria’s re-recognition effort through his characterization of the Lytton Band of Pomo Indians as “simply a disparate people that from time to time took advantage of this land.”⁷²

The case of the Nisenan of the Nevada City Rancheria reflects a similar clerical error and subsequent outcome to that of the Mishewal Wappo of Alexander Valley. Much like the Alexander Valley Rancheria, *Hardwick* excluded the Nevada City Rancheria from the final stipulation for entry of judgment; however, the Nevada City Rancheria was unable to correct the aforementioned error until the 2014 ruling of *Nisenan Maidu Tribe of the Nevada City Rancheria v. Salazar et al.*⁷³ Both the legal notices included within the *Hardwick* case, as well as the public notice of the settlement in local newspapers, attest to Nevada City Rancheria’s exclusion from the list of plaintiff rancherias.⁷⁴ The case docket for *Nisenan* also included admissions from both *Hardwick* plaintiff council Rapport and defense council Locke confirming Nevada City Rancheria’s wrongful omission from the stipulated judgment.⁷⁵ While a U.S. District Court granted the Nisenan of the Nevada City Rancheria’s request for proper closure of the *Hardwick* litigation, the case simultaneously dismissed the tribe’s request for re-recognition.⁷⁶ Both the Mishewal Wappo of the Alexander Valley Rancheria and the Nisenan of the Nevada City Rancheria continue to pursue federal recognition.

Time has eroded even the right of still-terminated *Hardwick* tribes to bring action against the government. In the final *Hardwick* settlement, the parties

70. “Status of California Rancherias Terminated Pursuant to the Rancheria Act,” document 1-5 in *Wilton Miwok Rancheria et al. v. Kempthorne et al.*, no. 5:07-cv-02681-JF (N.D. Cal 2009), PACER (hereafter cited as *Wilton*); *Scotts Valley Band of Pomo Indians of the Sugar Bowl Rancheria et al. v. U.S. et al.*, 921 F.2d 924 (9th Cir. 1990), Westlaw; *Santa Rosa Press Democrat*, September 1, 1989, August 14, 1990, September 21, 1990.

71. *Santa Rosa Press Democrat*, September 1, 1989.

72. *Santa Rosa Press Democrat*, August 14, 1990.

73. “Order Granting Plaintiffs’ Motion to Correct a Clerical Mistake in *Hardwick*; Granting Plaintiffs’ Motion to Augment the Administrative Record in *Nisenan*; Granting Defendants’ Motion for Judgement on the Pleadings in *Nisenan*; and Dismissing the *Nisenan* Action with Prejudice,” document no. 98 *Nisenan Maidu Tribe of the Nevada City Rancheria v. Salazar et al.*, no. 5:10-cv-00270-JF (N.D. Cal 2014), PACER, (hereafter cited as *Nisenan*).

74. “Legal Notice,” document no. 94, in *Hardwick; Feather River Bulletin*, November 16, 1983.

75. “Reply to Opposition to Motion to Proceed in the Matter of *Tillie Hardwick v. United States*; Points and Authorities in Support Thereof,” document no. 61 and “Order Granting Plaintiffs’ Motion to Correct a Clerical Mistake in *Hardwick*,” document no. 98, in *Nisenan*.

76. “Order Granting Plaintiffs’ Motion to Correct a Clerical Mistake in *Hardwick*,” document no. 98, in *Nisenan*.

stipulated that dismissal without prejudice meant, specifically, that rancherías could bring action against the government without a statute of limitations:

Rancherías are dismissed without prejudice to their being refiled in another action and defendants shall not assert any laches defense to any such subsequent action they could not have asserted prior to the date this action was filed.⁷⁷

Despite this clear prohibition on a laches defense, U.S. appeals courts dismissed both the Mishewal Wappo and Nisenan cases because neither had filed within the statute of limitations. For the Mishewal Wappo, this would have necessitated a 1967 filing.⁷⁸ In the *Nisenan* suit, the plaintiff council noted the varying precedent regarding the laches defense and specifically cited Wilton Ranchería's successful restoration litigation as an example of an inconsistent stance on the statute of limitations.⁷⁹

Wilton and Indian Ranch, two rancherías which the class mailing list indicated as landholding, faced similar misclassification in the *Hardwick* settlement. Ultimately, only Wilton Ranchería received re-recognition, albeit twenty-six years later. The Wilton Ranchería, restored via a lawsuit in 2009, received the 1997 ACCIP report's recommendation for immediate restoration, alongside Alexander Valley.⁸⁰ The ACCIP based this designation on Wilton's clear qualification according to the OFA criteria for federal recognition; however, one may argue that Wilton met the *Hardwick* settlement stipulations as well and was erroneously excluded from the list of seventeen restored rancherías.⁸¹

The misclassification of Wilton Ranchería as lacking Native land ownership within ranchería boundaries denied the Wilton Miwok community a timely re-recognition as a people and nation. As previously stated, Wilton Ranchería, as well as Alexander Valley and Indian Ranch, appear in Rapport's letter citing the rancherías as "viable Indian communities."⁸² Also previously mentioned is Wilton's lack of "no Indian-owned land" designation on the *Hardwick* class mailing list.⁸³ As documents included within the Wilton Ranchería's successful 2009 lawsuit *Wilton Miwok Ranchería et al. v. Kempthorne et al.* demonstrated, Wilton distributees did own ranchería land at the time of the *Hardwick* settlement. Within the case complaint, plaintiffs alleged that "at

77. "Stipulation," document no. 99, in *Hardwick*.

78. *Santa Rosa Press Democrat*, May 12, 2017.

79. "Reply to Opposition to Motion to Proceed in the Matter of *Tillie Hardwick v. United States*; Points and Authorities in Support Thereof," document no. 61, in *Nisenan*.

80. Advisory Council on California Indian Policy, 5.

81. Advisory Council on California Indian Policy, 5.

82. Rapport to Locke, document no. 96, in *Hardwick*.

83. "Mailing List," document 93, in *Hardwick*.

the time [of the *Hardwick* settlement] several members of the Wilton Miwok Rancheria owned and resided upon ten (10) of the twelve (12) residential parcels distributed within the boundaries of the Rancheria...⁸⁴ A document included within the *Wilton* case docket, entitled “Land Within The Original Boundaries Of The Wilton Rancheria Presently Owned By Distributees, Dependant [sic] Members, Their Heirs of Legatees,” documented the lot number and Indian ownership of the ten residential parcels, eight of which remained within Indian ownership at the time of the 2007 filing.⁸⁵

Indian Ranch Rancheria similarly faced misclassification as landless within the final *Hardwick* settlement stipulation. Although not explicitly mentioned among the twelve rancherias deemed propertyless in the final settlement, Indian Ranch may be assumed to fall under this category as it did not appear within the seventeen restored nor the four rancherias that were involved in separate cases.⁸⁶ Despite its inclusion in the landless category, anthropological and oral history records show that the sole living distributee, Dugan Hanson, owned the Indian Ranch land parcel through the *Hardwick* case and into the 1990s. A 1987 ethnographic resources study conducted by the School of Anthropology at the University of Arizona states that, at the time of the study, ancestors of Dugan Hanson’s great-grandfather, Indian George, retained ownership of the Indian Ranch.⁸⁷ Furthermore, Richard Potashin’s oral history of Dugan Hanson, included in Harlan D. Unrau’s *A History of the Lands Added to Death Valley National Monument*, states that Hanson owned the ranch at the time of the 1992 interview.⁸⁸ Although the Indigenous people of the Inyo county area, the Timbi-Sha Shoshone, received recognition in 1983 through the OFA process, those Indian Ranch individuals whose Indian status was terminated via the 1958 Rancheria Act were not included in the recognition of the Timbi-Sha Shoshone.⁸⁹

84. “Complaint,” document no. 1, in *Wilton*.

85. “Lands within the Original Boundaries of the Wilton Miwok Rancheria Presently Owned by Distributees, Dependant [sic] Members, Their Heirs of Legatees,” document no. 1-3, in *Wilton*.

86. “Stipulation,” document no. 99, in *Hardwick*.

87. Richard Stoffle, *California Low-Level Radioactive Waste Disposal Project Cultural Resources Surveying: Ethnographic Resources Candidate Site Selection Phase* (Cultural Systems Research, Inc., 1987), 36, Richard Stoffle Collection, University of Arizona Libraries, Special Collections, <https://repository.arizona.edu/handle/10150/271232>; Bruce Wertenberger, “Memories of Dugan Hanson,” *Historical Society of the Upper Mojave Desert* 34, no. 1 (January 2019): 6, <https://hsumd.org/files/archived-newsletters/2019jan.pdf>. Originally appeared in *Historical Society of the Upper Mojave Desert*, 1, no. 1 (May 1986).

88. Harlan D. Unrau, *History of the Lands Added to Death Valley National Monument by the California Desert Protection Act of 1994: Special History Study* (Denver: Denver Service Center, 1997), 135, https://www.nps.gov/parkhistory/online_books/deva1/unrau.pdf.

89. “Technical Reports Regarding the Death Valley Timbi-Sha Shoshone Band of Death Valley, California,” in document “Proposed Finding,” OFA Petitioner #051: Death Valley Timbi-Sha Shoshone Band, CA, https://www.bia.gov/sites/bia.gov/files/assets/as-ia/ofa/petition/051_dvtimb_CA/051_pf.pdf.

The conditions that resulted from termination highlight the importance of the *Hardwick* settlement and, similarly, the impact of its errors. The Final Report of the State Advisory Commission on Indian Affairs to the California state governor and legislature in 1969 detailed the dismal environment plaguing rural California Indian communities. The report highlighted severe deficiencies in community health, water access, adequate housing, and employment.⁹⁰ Local newspapers similarly illustrated the impact of poverty and dispossession on the rancherias. In 1987, the *Lompoc Record*, a Santa Barbara County newspaper claimed that rancheria unemployment levels rested at fifty to eighty percent, along with alcoholism and suicide rates at three to four times the national average.⁹¹ Within the poverty-stricken landscape of twentieth-century California Indian Country, lack of recognition worsened already unlivable reservation conditions.

The clerical errors and misinformation within the *Hardwick* case inhibited the Wilton and Indian Ranch Rancherias from receiving timely re-recognition, placed the Lytton Rancheria in an ambiguous position due to its omission from the settlement designations, and prevented the Alexander Valley Rancheria and Nevada City Rancheria from obtaining clear closures of their participation in the litigation. The improper omissions of Wilton and Indian Ranch from the seventeen restored rancherias on incorrect land title information forms a concerning trend in the case which demands further research. To gain a full understanding of the errors regarding Indian land designation and settlement classification within *Hardwick*, more research must be conducted regarding the land ownership status at the time of the settlement of the other ten excluded rancherias. Rancherias that raise the most acute questions are those designated by the class mailing list as possessing “no known Indian-owned land” as opposed to “no Indian-owned land,” and those that received no landless designation at all. These rancherias include the Cache Creek Rancheria, Chico Rancheria, El Dorado Rancheria, Graton Rancheria, Guidiville Rancheria, Lytton Rancheria, and Scotts Valley Rancheria.⁹²

Although *Tillie Hardwick v. United States* broadly represents a victory for California Indian sovereignty, the settlement, and its embedded opportunities for future litigation, failed to function to the benefit of nearly half of the represented rancherias. The *Hardwick* case arose from an environment of Indigenous poverty, land loss, and communal suffering made crushingly acute by termination. The suit continued in a legacy of California Indian Legal Services litigated restoration cases, but also distinguished itself as the most numerically successful “untermination” case to date. Despite its clear victories for seventeen of the thirty-four original

90. California State Advisory Commission on Indian Affairs, 12, 24-26.

91. *Lompoc Record*, September 30, 1987.

92. “Mailing List of Class Members,” document no. 93, in *Hardwick*. The Cache Creek Rancheria is the only rancheria of the seven listed which has not been restored.

plaintiffs, oversights, omissions, and lack of research obscured the status of numerous rancherias within the final settlement.

These errors impacted each rancheria differently. The Alexander Valley and Nevada City Rancherias faced exclusion and prolonged involvement with the case, while Indian Ranch and Wilton Rancherias were denied their rightful restoration under the *Hardwick* litigation. Although only seven *Hardwick* rancherias remain terminated, the financial and community costs of additional legal and judicial filings have burdened nearly all the wrongfully excluded or dismissed rancherias. The Miwok of the Wilton Rancheria faced an additional twenty-six years of legal and judicial battles due to the *Hardwick* omission. Concerning the Mishewal Wappo and Nisenan peoples, the restoration effort continues.

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Linnell and Woodville Camps: Success, Regression, and Restoration, 1938-1968

Isaiah Salazar

Abstract: The Farm Security Administration was an unprecedented New Deal agency that addressed migrant workers, initially Southwestern migrants, living conditions during the Great Depression. Much is known about the FSA's success in establishing housing units, communal living, and implementing principles of democracy, but many migratory labor camps have not been evaluated after the FSA ceased to operate them. Many migratory labor camps shut down, but the Linnell and Woodville Camps in Tulare County remained operational and managed by the Tulare County Housing Authority. During World War II, new migratory workers, Braceros, occupied the camp while the living conditions regressed. This article relies heavily on newspaper articles to connect the success of the FSA era and the living experiences at the Linnell and Woodville Camps to the failure of post-FSA management and the effects it had on its tenants, with lack of federal resources and oversight, migrant workers mobilized to address unlivable housing conditions and unethical rent prices. An evaluation of the Linnell and Woodville Camps traces the experiences of different migratory labor forces and positions housing as a crucial aspect of agricultural laborers' experience in California.

California's industrial agricultural system has continuously disregarded and exploited its labor force, and agricultural laborers have largely been designated to live in inadequate conditions. Workers lived in ditch camps or grower operated facilities, but it was not until the New Deal that the federal government addressed the housing issues of agricultural laborers. The Farm Security Administration (FSA) developed migratory labor camps throughout California, the Southwest, and the East Coast. Government operated camps primarily addressed the growing concern for internally displaced American citizens, often referred to as Southwestern migrants. Much focus is placed on how migratory labor camps reincorporated Southwestern migrants back into society, which is essential, but the complete impact and the understanding of these camps transcend this era.

In Tulare County, California, the Linnell and Woodville Camps continue to house agricultural workers. Over time, the FSA's control over the camps transitioned to the Tulare County Housing Administration (TCHA). As a result, the camps transformed from one of the most desired and

accommodating housing facilities to a neglected and substandard community. The fundamental changes within the camps demonstrate how California's growers, and the industrial agricultural system, benefited and regained power when the United States entered World War II and a foreign labor force replaced Southwestern migrants. The Linnell and Woodville Camps steadily declined in quality, no longer provided sufficient housing, and never improved. The period from 1938 to 1968 provides insight into how the FSA assisted agricultural laborers on an unprecedented but unsustainable scale. As the agency did not stand the test of time, agricultural laborers' housing and conditions, specifically within the Linnell and Woodville Camps, regressed until residents mobilized to regain their basic living rights.

The arrival of Southwestern migrants in California during the Great Depression illustrated the severity of the times. Southwestern migrants hoped to find work in California, but they entered a state with an established and already suppressed migratory labor force.¹ As the influx of workers lowered wages, Southwestern migrants lived in absolute poverty and experienced ridicule and discrimination from Californians. John Steinbeck, a prominent author who advocated for federal intervention and assistance, believed that "the future farm workers are to be white and American...and a rearrangement of the attitude toward and treatment of migrant labor must be achieved."² Steinbeck's literature, along with Dorothea Lang's photography, provided much-needed visibility on the plight of Southwestern migrants. Their efforts, along with the unprecedented social welfare programs of the New Deal, intended to support and reestablish Southwestern migrants into society.

FSA operated migratory labor camps and offered the foundation to uplift Southwestern migrants and agricultural laborers. In Tulare County, The FSA constructed two camps. In 1937, the Resettlement Administration (RA), which preceded the FSA, leased seventy-six acres of land in Visalia. The RA initially wanted to develop small farms, but in 1938 they declared that a migratory labor camp would be constructed on the property.³ The camp opened on December 17 of that same year. In 1939, the FSA announced a new migratory camp would be built in Woodville, California. A smaller mobile facility opened first while the remainder of the camp was finished the following year.⁴ The rapid development and expansion of migratory labor camps in Tulare County indicated that they were successful, efficient, and necessary.

1. Verónica Martínez-Matsuda, *Migrant Citizenship: Race, Rights, and Reform in the U.S. Farm Labor Camp Program*, (Philadelphia: University of Pennsylvania Press, 2020), 23.

2. John Steinbeck, *The Harvest Gypsies: On the Road to The Grapes of Wrath*, (Berkeley: Heyday, 1936), 57.

3. "Federal Land Near Visalia to be Leased," *Tulare (CA) Advanced-Register*, January 18, 1937.

4. "Mobile Migratory Camp Open at Woodville," *Tulare (CA) Advanced-Register*, November 13, 1940.

On the most simplistic level, migratory labor camps addressed housing shortages. The Linnell Camp had an initial capacity of 315 families. Families paid ten cents a day and had to “contribute one hour of work a week to the camp, in the nature of maintenance or improvement.” The Woodville Camp contained 260 shelters for migratory laborers and seventy-three houses for permanent residents. Both camps had a similar structure. Migratory shelters were described as “steel dwellings [having] wood floors, but are otherwise bare of furniture.” The camps also had designated concrete areas for migratory laborers to pitch their tents, a section of garden homes, and an



Figure 1. *Woodville Camp Aerial View, 002*. Photograph by Unknown, 1939. California Revealed, Tulare County Library, Anne R. Mitchell History Room, Visalia, CA. <https://californiarevealed.org>.

area for apartments. Both camps prioritized housing for migratory workers as they had more metal cabins than any other housing units. None of the cabins had running water, but the garden homes and apartments did.⁵ The basic structure of the cabins reflected the expectation that tenants would stay for a short period.

The camps' facilities also attended to the essential needs of Southwestern migrants outside of housing and in doing so, enabled a community to develop. Each camp had a community center, camp office, and school. The communities had a health center and isolation units, restrooms, water towers, facilities to shower and wash clothes, and a sewer system. Figure 1 demonstrates the structure of Woodville Camps. On the far left, the community center is

5. “Tenants Received at Migratory Camp Near City,” *Visalia (CA) Times-Delta*, December 17, 1938.

surrounded by metal shelters, and directly to the upper right are the isolation units. Garden homes are located on the bottom right, and six apartment structures are positioned directly above them. The community's school is the L-shaped building at the top right. Figure 2 highlights the Linnell Camp. The community center is directly in the middle and is also surrounded by metal shelters. The camp's school is the building at the bottom left, and Garden homes and apartments are aligned in a row and at the top of the image.⁶

Although the facilities of the camp established a community, the layout of the camps relegated migrant workers by deliberately separating them from different types of tenants and nearby areas. For instance, the metal shelters, which primarily housed migrant workers, were distanced from the garden homes and apartments to allow the FSA to manage “migrants’ movement and social interactions within the camps by positioning them in different locations depending on their class, gender, and race.”⁷ The camps were also isolated from other cities because the local populations loathed Southwestern



Figure 2. Aerial View of Linnell Camp, 002. Photograph by Unknown, 1939. California Revealed, Tulare County Library, Anne R. Mitchell History Room, Visalia, CA. <https://californiarevealed.org>

migrants. Specifically, the Linnell Camp is positioned between Farmersville and Visalia. The camp is near agricultural fields and dairy farms. The Linnell Camp is roughly two miles from Farmersville and six miles from Visalia. The Woodville Camp is also located in a similar area eight miles east of Porterville. The local communities agreed to the locations of the migratory

6. Martínez-Matsuda, 74.

7. Martínez-Matsuda, 72.

labor camps as they believed that Southwestern migrants “would no longer menace or burden surrounding towns ... [contaminate] surroundings with their unsanitary practices ... and [absorb] undue public resources.”⁸ Even though migratory camps uplifted Southwestern migrants and agricultural laborers, they also solidified their residents’ social and economic status within and outside of the camps.⁹

The Linnell and Woodville Camps’ location positioned migrant laborers near major highways to make transportation accessible and efficient.¹⁰ The Linnell Camp is located roughly a mile and a half from California’s Highway 198. The 198 provides east to west access to mid-Central Valley towns and cities such as Hanford, Woodlake, and Coalinga. The Woodville Camp is located near two highways, with California Route 99 to the west, and California Highway 65 to the east. The 99 connects northern and southern California, while the 65 provides access to Delano, Bakersfield, and Lindsay. Quick access to these routes helped migrant workers harvest Tulare County’s variety of agricultural produce.

Although FSA-operated camps served a variety of functions and purposes, many celebrated their ability to drastically uplift migrants’ living conditions and quality of life. On April 2, 1940, Eleanor Roosevelt toured the Linnell Camp and praised the FSA. In a newspaper report, Roosevelt argued that the federally operated camps were superior to the privately operated camps she visited. She explained, “The federal camps have better arrangement and are more intelligently planned. In one private camp we visited the water pipes were near the privy and I know of no worse place for a faucet.”¹¹ The newspaper also described the camp as containing “neat camp cottages equipped with modern conveniences.” Roosevelt believed that federally operated camps “point the way for all people who desire to improve conditions of migrants.”

Most importantly, Roosevelt’s commentary reflected the fundamental ideology of FSA-operated camps. The FSA’s migratory camp system “were spaces to realize a more substantive, participatory and inclusive sense of U.S. democracy than what existed.”¹² Roosevelt believed that democracy, government intervention, and reestablishing communities were critical in addressing Southwestern migrants’ predicament. Roosevelt stated, “You can’t just say you like democracy, you must work for it. If we care enough about democracy, we can make it meet the needs of the people.”¹³ Her solution involved federal and state projects that would “get people back on their

8. Martínez-Matsuda, 72.

9. Martínez-Matsuda, 77.

10. Martínez-Matsuda, 68.

11. “Migratory Camps Only Temporary Solution of ‘Grapes of Wrath’ Problem First Lady says During Inspection of Visalia Camp,” *Visalia Times-Delta*, April 3, 1940.

12. Martínez-Matsuda, 5.

13. “Migratory Camps Only Temporary Solution.”

own places.” During her visit to the Linnell Camp, she praised the camp’s community and cooperation which the FSA intentionally developed.



Figure 3. 14 men seated around a table—Camp Council Meeting, May 1939. Photographed by Dorothea Lange, May 1939. Charles L. Todd and Robert Sonkin Migrant Workers Collection (AFC 1985/001), American Folklife Center, Library of Congress. <https://www.loc.gov/item/toddbib000389/>.

Health and hygiene were other points of emphasis that the FSA utilized to address Southwestern migrants’ poor living conditions. One example stems from a loosely connected relationship between the FSA and the Birth Control Federation of America (BCFA).¹⁴ The BCFA attempted to spread birth control information and make it accessible to disadvantaged women. On January 11, 1939, Margaret Sanger attended the Linnell Camp and addressed this issue to 450 camp residents.¹⁵ Birth control and childcare were pertinent concerns because “Tulare County reported children dying at a rate of two a day, with 90 percent of the mortality occurring among migrant families.”¹⁶ Ruth Cole, Linnell Camp’s clinic supervisor, suggested that males should be sterilized if they wanted. She argued that sterilization would “keep down the high birth rate that is a contributing cause to the economic handicap under which some families suffer.”¹⁷ Ruth Cole continued to play an active role within the

14. Kelly R. O’Reilly, “A ‘Semiofficial’ Program: New Deal Politics and the Discourse of Birth Control in California, 1939-1942,” *Journal of Policy History* 30, no. 1 (2018): 62-82, doi: 10.1017/S0898030617000380.

15. “Margaret Sanger Speaks at Labor Camp Near Visalia,” *Tulare Advanced-Register*, January 11, 1939.

16. Martínez-Matsuda, 160.

17. “Sterilization at Farmersville Camp Suggested,” *Tulare Advanced-Register*. August 8, 1940.

camps. In 1941, she conducted health classes for children and adults at the Linnell and Woodville Camps.¹⁸

In addition, FSA-operated camps fostered democratic ideology and practices to reinforce communities within the camps because of the belief that Southwestern migrants lacked American principles. In one case, the Linnell Camp indicated a need for a judicial branch. The community paper, *The Hub*, reported that:

Every community, properly set up, has three branches of government... you all know how difficult it has been lately to enforce some of our rules regarding speeding, sanitation, and rowdiness...but unless the community has some means of taking care of offenders, the laws are just so much talk.¹⁹

The camps also replicated democratic elections. Residents voted for their camp council members who assisted the camp manager. Residents had the right to vote, and each council member could be removed or reelected.²⁰ Still, the camp manager served as the camp's executive leader and had the power to veto council decisions. Historian Kelly R. O'Reilly argued that the camp managers' duties reflected their authority and paternalistic approach to informing their tenants about democracy.²¹ The emphasis placed on the United States' democratic practices reveals the FSA's intent, but its success relied on residents' active participation and cooperation.

Camp councils influenced camp life and reflected community-wide participation. The council delegated how camp dues would be paid, and how these funds would be allocated, and addressed tenants' concerns. *The Hub*, the Linnell Camp's community paper, published the "Council Minutes," which revealed the council's discussions and how they voted on each matter. The youth gravitated toward the council system, and they established a junior council where they discussed activities like bingo and challenged other communities to baseball games or flag-raising contests.²² The commitment to camp councils, their decisions reported to the public, and the establishment of a junior council shows the various ways in which the entire community engaged in democratic practices.

18. "Health Course is Conducted in Farm Camps," *Visalia Times-Delta*, September 13, 1941.

19. *Hub* (Visalia), April 19, 1942.

20. "Migratory Workers Select Council to Govern Farm Camp," *Visalia Times-Delta*, January 7, 1939.

21. Kelly R. O'Reilly, "'Oklatopia': The Cultural Mission of California's Migratory Labor Camps, 1935-1941" (master's thesis, Columbia University, 2012), 25-26, 35.

22. *Hub*, June 14, 1942.

Democratic practices strengthened the community and connected the Linnell and Woodville communities together. The Woodville Camp hosted a “Camp meet together” for both communities, specifically their councils and junior councils, to actively discuss issues and camp life. Both camps also had friendly competitions. For instance, camp managers would visit each other’s camps and report on who had the cleanest facility.²³ These interactions between both camps reinforced a common and collective identity.

Both camps hosted a variety of events centered on community building through recreation. Literary programs were popular events that Sherman C. Loops, a recreation director from the Works Progress Administration, hosted. During each show, camp residents or outsiders performed for the communities. The *Visalia Times-Delta* reported that 600 people attended the first literary program. People sang, danced, performed comedy, and showcased other talents.²⁴ Baseball games were also popular in the camp, and the Woodville and Linnell teams played each other and other local teams. The camps also hosted fundraisers. On January 30, 1941, the Linnell Camp hosted a “Birthday Ball” to honor President Roosevelt. The Linnell community used this event to support and raise money for the March of Dimes campaign, Roosevelt’s organization that assisted young boys and girls who had contracted polio.²⁵

The Woodville Camp also arranged large events that involved appreciation of Southwestern migrants’ culture. Events like the Folk Festival and Victory Festival hosted residents from both camps. People danced, listened to music, and competed. The Folk Festival intended to “help perpetuate the rich folklore and native culture of the migrants,” while the Victory Festival focused on sports and competitions between the Linnell, Woodville, Arvin, and Shafter migratory camps.²⁶

Generally, camp residents appreciated their community and sense of belonging. Mrs. Ike Ramsey initially feared living in the camp, but that quickly changed after her family settled. She explained, “When we first moved into the camp, we thought we were getting into something terrible. I thought we’d really be pushed around. But we hadn’t been here long before we found nearly everyone here were migrants just like ourselves.” The communities of the camps were connected by shared experiences and hardships. Roblean Gann described her life at the camp as pleasant. She recalled how “you didn’t know you were poor. There was no class.... Everybody was so close, it seemed like.

23. *Hub*, April 25, 1942.

24. “New Weekly Entertainment Added to Recreation Program At Labor Camp: 600 Attend First Wednesday Literary,” *Visalia Times Delta*, January 26, 1939.

25. “Tulare County Public Invited to Birthday Ball for the President at Migratory Camp Thursday Night,” *Visalia Times-Delta*, January 28, 1941.

26. *Hub*, June 14, 1942; “Crowds Throng to State’s First Folk Festival Under Way Today at Woodville’s Migratory Camp,” *Visalia Times-Delta*, September 1, 1941.

That's one thing, it seemed like people were closer, being poor seemed to bond us together."²⁷ Wayne "Gene" Dinwiddie's song "Home in the Government Camp" highlighted the collective plight. He sang, "How often we traveled the long road/ With great big cars and heavy load/ How often we traveled alone." Dinwiddie's song expressed gratitude for a place to live: "Home give us a home/so we won't have to roam/A place to call our own.../ Home, home in a government camp/ So won't have to be called a tramp."²⁸

Many Tulare County residents outside the camps, however, did not support the migratory camp system or Southwestern migrants. As a response to the construction of the Woodville Camp and the expansion of Linnell, an editorial article expressed disdain toward the Southwestern migrants and FSA camps. The article regarded Southwestern migrants as "indigent burdens," and a "largely unassimilable population ... which adds immeasurably to the tax burden of the local property owners." The article portrayed the Linnell and Woodville Camps as "recreational resorts" that made Tulare and Kern Counties "the first ports of call for present-day nomadic caravans."²⁹

Inside the camps, residents themselves were also critical of the living conditions. For example, John C. Shellnut, a camp resident who addressed the local newspaper saying that the camps were filthy, was quoted, "Is it not a fact ... that we have a state law that people can't cook, eat, and sleep in the same room? Well, at least that is what takes place in our labor camp."³⁰ Jewell Martin Egbert also held critical views towards the Linnell Camp, stating "I don't think they were that great because they were too close to your neighbors and [people took advantage] ... and tore up property and there were fights. You had a lower class of people involved with some of the government camps." Nonetheless, Egbert noted how these camps were a "godsend" and they "really meant a lot to some of the people."³¹ While there were criticisms inside and outside the camps, typically, the Linnell and Woodville camps substantially changed the lives of their residents for the better.

Regardless of how residents and the outside community perceived the Woodville and Linnell Camps, the initial success of the migratory camp system was contingent on the oversight and control of the federal government. From 1938 to the early-1940s, the FSA managed to address agricultural

27. "The 'Okies' Make Good in California: Linnell Labor Camp Alumni Recall Hard Times," *Visalia Times-Delta*, July 14, 1981.

28. Wayne "Gene" Dinwiddie, "Home in Government Camp, by Wayne "Gene" recorded August 14, 1941, Charles L. Todd and Robert Sonkin Migrant Workers Collection, American Folklife Center, <https://www.loc.gov/item/toddbib000278/>.

29. "Supervisors Oppose Further Extension of Migrant Camp System," *Visalia Times Delta*, December 16, 1939.

30. John C. Shellnut, "Defends His Charge Migrant Camp Tin Houses Unhealthy," *Visalia Times-Delta*, April 6, 1940.

31. Jewel Martin Egbert Oral History, March 27, 1981, California Odyssey: Oral History Interviews, March 27, 1981, hrc.csu.edu/odyssey/dbinterviews/.

laborers and their living spaces to an extent never achieved before. Within the Linnell and Woodville Camps residents were provided the necessities to live, as well as networks for psychological uplift through socializing and recreation. Democracy, health, and the community were essential principles within both camps. This short period of success indicated migratory labor camps' potential and the rapid benefits of social welfare.

The early success and potential of the Linnell and Woodville camps halted as the impact of World War II restructured California's economy, agricultural labor force, and migratory labor camp system. In *American Exodus: Dust Bowl Migration and Okie Culture in California*, historian James N. Gregory explains how the War enabled Southwestern migrants to rise in society and gain respect. Many Southwestern migrants moved to large urban cities such as Oakland, San Francisco, Los Angeles, and San Diego to work in the defense industry.³² Others remained in agricultural occupations, but they received increased wages and assumed less arduous positions.³³ Many Southwestern migrants returned to the agricultural labor force after the war, but they were no longer treated as they were when they first arrived in California, and they "gradually [worked] themselves into better paid and more secure sectors of that industry."³⁴ Gregory argues that Southwestern migrants were "No longer separated from other whites by huge difference in wealth and status, [or] outside the occupational categories customarily reserved for whites, [but] they now filled in the low end of that spectrum."³⁵ As Southwestern migrants improved socially and economically, a new labor force began to fill their roles.

In 1942, The United States and Mexico agreed upon a bilateral agreement, the Bracero Program, where temporary guest workers, or braceros, were incorporated into the workforce to ease the United States' labor shortages. The United States still maintained a sufficient labor supply even with the departure of Southwestern laborers, but growers attempted to weaken domestic workers' bargaining power by introducing a foreign labor force.³⁶ Under the program, wages, working conditions, and housing for braceros only worsened.

The FSA gradually lost control over the camps during the mid-1940s. Historian Verónica Martínez-Matsuda describes how the FSA initially managed "recruitment, transportation, and housing of...braceros," but Public Law (PL) 45 granted the War Food Administration (WFA) control over the camps.³⁷ She points out that PL 45 shifted power to the growers, who drafted the law, and

32. James N. Gregory, *American Exodus*, (New York: Oxford University Press, 1989), 174-175.

33. Gregory, *American Exodus*, 188.

34. Gregory, 185.

35. Gregory, 189.

36. Martínez-Matsuda, 225; Don Mitchell, "La Casa De Esclavos Modernos," *Journal of the Society of Architectural Historians* 71, no. 4 (2012): 452.

37. Martínez-Matsuda, 223.

their interest undermined the FSA's protection of migratory workers and their camps. The names of the camps changed from migratory labor camps to farm labor supply centers, which demonstrated the camps' new function.³⁸ Martínez-Matsuda commented that "the camps themselves personified the disposability of the system."³⁹ Ultimately, the FSA continued to lose power and support. By 1946, the government terminated the agency.⁴⁰ County housing authorities obtained the remainder of the camps after PL 475, which centered on who could acquire unsold government labor camps, passed.⁴¹

These macro-level implications and policies presented a dilemma centered on who should operate the Linnell and Woodville camps. Tulare County initially averted responsibility and never intended to support or operate the camps. Not long after the Linnell camp opened, the *Visalia Times-Delta* reported that the Tulare County Board of Supervisors "never have had, do not now have, and do not desire, nor will they assume any responsibility for a federal migratory labor camp."⁴² By 1947, the county asked the Tulare County Housing Administration (TCHA) to take over the camps. Without knowing who would operate the camps when the federal government withdrew, Tulare County suggested that both camps would close by September which jeopardized the living arrangements of 2,500 tenants.⁴³

Tulare County growers knew they could operate the camps, but were unwilling to. Growers insisted that the TCHA should assume control instead of non-profit organizations or the growers themselves. At a meeting at the Farm Labor Office in Visalia, the Tulare County Farm Labor Committee, which was comprised of forty Tulare County growers, argued that the TCHA should operate the camps. They claimed that the authority was responsible for farm labor housing and argued that non-profit organizations were not well suited enough organizationally to operate the camps. The growers also accounted for the risk of "a loss owing to unforeseen developments in the housing demands, general economic conditions, and other factors" because they knew non-profits could not address them, and the growers preferred not to. All forty Tulare County growers who attended the meeting supported the idea that the TCHA should operate the camps.⁴⁴ By 1950, the TCHA fully operated both the Linnell and Woodville camps. The growers

38. Martínez-Matsuda, 230.

39. Martínez-Matsuda, 232.

40. Martínez-Matsuda, 236.

41. Martínez-Matsuda, 243.

42. "Members of Board of Supervisors Declare Non-Responsibility for Farmersville Migratory Labor Camp," *Visalia Times-Delta*, October 19, 1938.

43. "Linnell and Woodville Farm Labor Camps to Close September 30 Unless County Acts," *Visalia Times-Delta*, June 28, 1947.

44. "Farm Labor Group Ask Housing Authority to Take Over Linnell and Woodville Camps," *Visalia Times-Delta*, July 22, 1947.

positioned themselves in an ideal situation as they avoided responsibility, while both camps housed their labor force.⁴⁵

By the early-1940s, braceros entered Tulare County's agricultural labor force. On April 24, 1943, 100 braceros arrived at the Woodville camp.⁴⁶ These braceros first worked in Tulare County's citrus fields. On August 30, 110 braceros arrived at the Linnell Camp.⁴⁷ By December 1943, 3,000 braceros lived and worked in Tulare County. Only 1,800 remained at the end of the month, and many braceros migrated to other counties after the harvest season ended. C.R. Richmond, of the War Food Administration, stated that Tulare County "had one of the largest groups of [braceros] of any of the counties in California." Several other camps and facilities developed throughout Tulare County to house incoming braceros.⁴⁸

Braceros gradually became the desired agricultural labor force because of the concerns of a national labor shortage. Warren R. Schoonover, an official for the Bracero Program, believed that the United States would not receive enough braceros to alleviate the labor shortage. He believed that the 33,000 braceros contracted in California were only "one-tenth of the agricultural manpower needed."⁴⁹ Many Southwestern agricultural workers entered the war industry during World War II, while at the same time Japanese agricultural workers were interned and removed from the fields. Industrial growers needed a labor force to replace this gap but would not actively contest wages. As a response to the transforming labor force during World War II, industrial growers constantly voiced a need for more workers that were legal, would not be subversive, and would lower wages.⁵⁰

Braceros were praised for their arrival and work in Tulare County, but these workers were severely exploited by the governments of the United States and Mexico. The *Visalia Times-Delta* framed the braceros' experiences as profitable, equitable, and based on friendly relationships. The newspaper pointed out that braceros were hardworking and willing to work as much as possible because they were paid high wages, though many of these claims were exaggerated. Newspapers portrayed braceros as property owners who greatly benefited from working in the United States because their wages would be worth more when they returned to Mexico. Some claims were more blatant

45. "County Housing Authority Takes Over Linnell," *Visalia Times-Delta*, November 3, 1950.

46. "100 Mexican Laborers Arrive Tomorrow at Woodville," *Visalia Times-Delta*, April 23, 1943.

47. "110 Nationals Arrive at Linnell," *Visalia Times-Delta*, August 30, 1943.

48. "1,800 Mexican Nationals Here," *Visalia Times-Delta*, December 31, 1943.

49. "Farmers Beginning to Get A Good Idea What is in Prospect for Them," *Visalia Times-Delta*, June 16, 1943.

50. Ernesto Galarza, *Man of Fire: Selected Readings*, (Urbana IL: University of Illinois Press, 2013), 62.

with their lies. One report stated, “many of [the braceros] ... are college graduates.”⁵¹ In actuality, the Mexican government targeted the indigenous population for this guestworker program as they believed the United States could modernize them. This allowed the Mexican government to attempt to improve a population they viewed as inferior without “needing to redistribute wealth through Mexican land reform.” Ultimately, these workers faced severe exploitation. They worked in conditions that were physically demanding, were mistreated by growers, were forced to partake in dehumanizing and invasive procedures, and were underpaid for their labor.⁵²

Health and hygiene became areas of concern within these camps. The United States agreed that braceros would have adequate health services, but in Tulare County, health clinics were undersupplied. To alleviate this issue, the WFA called for “registered nurses who have not been active in their profession ... and who do not feel qualified for duty in a hospital or private duty can fill these vacancies.”⁵³ In 1945, when diphtheria spread throughout Tulare County, the Linnell camp had a large concentration of cases. Out of the sixty-seven cases, twenty were reported at Linnell.⁵⁴

The democratic practices and community building the Southwestern migrants experienced, and the FSA fostered, quickly disappeared while the WFA and TCHA operated the camps. Under the WFA and TCHA’s control, “few camps still had nursery school programs, home demonstration workshops, and the various camp committees sponsoring different activities.” The camps actively sought single males, like braceros, which deconstructed the camps’ communal environment.⁵⁵ Camps became literal labor supply facilities. Because of this, poor housing and unfair treatment of agricultural laborers became ingrained in California’s agricultural labor system.⁵⁶

The Bracero Program ended in 1964, but Mexican agricultural workers remained while Mexican migration continued. This guest worker program was based on the principle that braceros would be temporary workers and eventually return to Mexico. Braceros’ social ties and relationships built in the United States encouraged them to remain even after the program ended or their visas expired. It is important to note that braceros were separated from

51. “Farm Labor Camps Help Solve Problem,” *Visalia Time-Delta*, August 23, 1943.

52. Mireya Loza, *Defiant Braceros: How Migrant Workers Fought for Racial, Sexual, and Political Freedom*, (Chapel Hill: University of North Carolina Press, 2016), 26 and 32; Manuel Barajas, *The Xaripu Community Across Borders: Labor Migration, Community, and Family*, (Notre Dame: University of Notre Dame Press, 2009), 88 and 90.

53. “Part-Time Nurses Invited to Apply for Openings,” *Visalia Times-Delta*, August 4, 1944.

54. “Diphtheria Now Widespread in Tulare County: 67 Cases Since July 15; Most Prevalent at Linnell, Farmersville,” *Visalia Times-Delta*, September 20, 1945.

55. Martínez-Matsuda, 233

56. Don Mitchell, “Labor’s Geography: Capital, Violence, Guest Workers and the Post-World War II Landscape,” *Antipode* 43, no.2 (2011): 579.

their families, and when the program ended, braceros had the opportunity to start a new life in the United States and encourage their women and children to migrate and reunite.⁵⁷ Migratory labor camps remained operational and began to house a diversified population including Mexican agricultural laborers and their families.⁵⁸

Without the federal government assisting migratory workers, both Linnell and Woodville camps presented inadequate living conditions for agricultural laborers and steadily declined. The steel structures that housed most of the camp's residents became unlivable. During the summer, families placed old wet blankets and mattresses on top of the cabins to keep them cool. In the winter, none of the metal cabins had a heat source or a stove. These units



Figure 4. Children carry a metal shelter replica during rent protest. Photographed by Harvey Richards, July 16, 1965. The Farmworker Movement Documentation Project, <https://libraries.ucsd.edu/farmworkermovement/>.

also lacked windows, running water, or a bathroom.⁵⁹ Doug Adair, a college student who lived in Linnell, described the camp as a “Hooverville with horrible roads, unpaved, dingy shacks, leaky roofs, loose doors, [with] no privacy.”⁶⁰ Each cabin was fifteen feet apart from the next one, and residents

57. Barajas, 94.

58. Douglas S. Massey and Zai Jiang, “The Long-Term Consequences of a Temporary Worker Program: The US Bracero Experience,” *Population Research and Policy Review* 8, no. 3 (1989): 199-226, doi: 10.1007/BF00125401.

59. “Flies & Grass, Dirt & Flowers,” *Visalia Times-Delta*, August 7, 1965.

60. Douglass Adair Letter, June 27, 1965, Douglass Adair United Farm Workers Collection, California State Polytechnic University, Pomona.

had to share restrooms and showers. At the Linnell camp, there was one restroom facility per sixty shelters.⁶¹ Women disliked the showering facilities because they feared men would attempt to watch them.⁶² The shower facility only operated during a particular time and shut off after 9:30 p.m. At the Woodville camp, one shower room had only two operating showers.⁶³

The Linnell and Woodville Camps remained minimal communities designed to supply agricultural laborers, but this changed when the Migrant Ministries and members of the National Farm Workers Association challenged the TCHA. The Migrant Ministries initially helped families in labor camps with hygiene and health, but the organization changed when Chris Hartmire became the organization's director. Hartmire recruited reverends Dave Havens and Jim Drake with the hope of organizing farm laborers.⁶⁴ Jim Drake hired Gilbert Padilla, an experienced organizer that formerly worked for the Community Service Organization and would later help create the National Farm Workers Association to represent farm laborers. In Porterville, Drake attracted members by establishing a co-op and selling gas at lower rates for members.⁶⁵ Padilla and Drake were introduced to the conditions of the Woodville camp when they visited and distributed birth control.⁶⁶ Padilla described how this visit impacted him, noting "I was shocked to see those little shacks, those tin shacks.... It was a disgrace to have those people in those labor camps. Especially in those little tin shacks." This experience directly influenced Padilla and he knew he "was definite to do something about the labor camp."⁶⁷

Padilla's opportunity emerged on March 30, 1965, when the TCHA announced the camp rent prices would increase from eighteen dollars to twenty-five dollars a month and would take effect June 1. This announcement upset the tenants and incited a rent strike. Tenants were frustrated because they paid monthly camp dues, but the camp never improved. The increased rate angered larger families because only five people were allowed to live in a metal shelter, and they were forced to pay extra to rent additional shelters.⁶⁸ Upon hearing the news, Padilla stood on top of a car at the Woodville Camp and mobilized 300 tenants to strike.⁶⁹

61. *Visalia Times-Delta*, August 7, 1965; "Tulare County Rent Strike, March," *Movement*, August 1965.

62. Matt Garcia, *From the Jaws of Victory: The Triumph and Tragedy of Cesar Chavez and the Farm Worker Movement*, (Berkeley: University of California Press, 2012), 34.

63. "Linnell Rent Strike Goes On, Few Weaken," *Visalia Times-Delta*, June 16, 1965.

64. Gilbert Padilla Oral History, August, 22-23, 1965, United Farmworkers Oral History Collection, Tom and Ethel Bradley Center, California State University, Northridge.

65. Garcia, 33.

66. Garcia, 34.

67. Padilla, interview.

68. *Movement*, August 1965.

69. Garcia, 35.

Jim Drake established the rent strike's foundation. When learning about the camp's creation, he realized that they were initially built to last only ten years and that the camps were condemned by Tulare County's Health and Building Departments. Drake, Padilla, and Havens sought legal advice. They became acquainted with James Herndon, a lawyer from San Francisco, who advised them to have the tenants pay their rent in an escrow account rather than paying the TCHA, which would prevent the tenants from being evicted.⁷⁰

On July 16, 1965, 350 farmworkers, activists, children, and supporters marched from the Linnell Camp to the TCHA's office in downtown Visalia. The marchers intended to protest at a TCHA meeting, but the meeting was canceled. The marchers proceeded to a Presbyterian church and held a rally. During the rally, a petition circulated and read, "Residents of Woodville and Linnell who marched six miles to meet the Tulare Housing Authority and who were ignored, ask the Tulare County Board of Supervisors to intervene and ask them to lower the rent in the substandard housing that they own and operate."⁷¹ The march continued to the Tulare County Courthouse, and they submitted their petition. Padilla recounted the significance of the event when he stated it "was one of the first marches of Chicano farmworkers. That was done by the Porterville group, by the farmworkers organization."⁷² The residents' large support and participation in the march was a direct response to the severity of the issue and the strikers' ability to organize.

Even with the support and commitment from the residents of the camps, the rent strike's foundation and momentum relied on outside support and recognition. For instance, the Student Nonviolent Coordinating Committee (SNCC) assisted farm workers' struggles. SNCC members and supporters understood similar forms of discrimination Mexican farm laborers faced and sent organizers to assist the Linnell and Woodville communities.⁷³ SNCC also reported on the rent strike in *The Movement*, the organization's newspaper, which helped circulate the issue reflecting racial solidarity. The NFWA also circulated both camps' issues in their newspaper, *El Malcriado*. An issue of the newspaper provided a template on how to strike and write a letter to the Governor of California.⁷⁴ In addition, the American Friends Service Committee sponsored a program in which college students assisted families within the camps. These students joined the protest and stopped paying rent

70. Chris Hartmire Oral History, July 26, 1995, United Farmworkers Oral History Collection, Tom and Ethel Bradley Center, California State University, Northridge.

71. *Movement*, August 1965.

72. Padilla, Oral History.

73. Lauren Araiza, "Complicating the Beloved Community: The Student Nonviolent Coordinating Committee and the National Farm Workers Association," in *The Struggle in Black and Brown: African American and Mexican American Relations during the Civil Rights Era* (Lincoln: University of Nebraska Press, 2011), 79 and 82.

74. "You can Help a Crime Against All the Farm Workers of California," *El Malcriado*, no. 17, 1965.

even when it jeopardized their stay.⁷⁵ The circulation of the rent strike and the issues within the camp, coupled with the support from outside organizations, offered much needed visibility.

Government officials also supported the rent strikers. *El Malcriado* reported that George Murphy, a state senator, and Walter Monasch, the head of California's public housing, advocated for the "rent stoppage for farm workers" living in Linnell and Woodville camps.⁷⁶ Also, Lucille C. Hood and J.M. Wedemeyer of the Department of Social Welfare, along with many others donated to the camps' committee and defense fund. Hood felt "thrilled by the activity in Tulare County [and] wanted to participate in some way." She could not "think of a more just cause than doing something to improve those labor camps."⁷⁷ The strike received assistance and recognition from a variety of people and groups, which helped the strike from losing ground.

The rent strike lasted several years, and the camps did not improve until 1968. During the beginning of the strike, the camps were inspected by county officials, and fifty-one housing violations were found. The TCHA still attempted to evict residents for not paying rent, but Judge Paul Eyman sided with the strikers who ruled that the rent agreement was illegal. By 1966, the federal government gave the TCHA \$630,000 and lent the TCHA another \$630,000 to construct livable units within the camps.

The new homes presented an issue of affordability. Many of the tenants believed the new rent price for the houses was too high, but the strikers negotiated. *El Malcriado* reported the final terms were that the strikers would not be discriminated against, metal shelters would remain until families had a new home, rent would decrease to twenty dollars per month, and strikers would not be evicted. These terms show that the residents gained respect and their strike successfully brought needed changes to the camps. Ernesto Loredo, the tenants' head spokesperson, commented, "When we stick together for a single goal, we have a power equal to any. The TCHA had the backing of the growers, the county government, ... but just a small organized group of huelguista farmworkers were able to demand our rights and win."⁷⁸

The camps' communities learned remarkably from this experience, and they continued to firmly oppose the TCHA when their rights were violated, ignored, or undermined. In 1971, Ernesto Loredo challenged a ten-dollar fee for incoming residents. He believed the fee was too large, and the new

75. "Collegians Join in Rent Strike: Students in Tulare County Farm Labor Camp Go Along With Residents on Protest," *Los Angeles Times*, July 14, 1965.

76. "The Hot Line," *El Malcriado*, March 3, 1966.

77. Lucille C. Hood Letter, September 8, 1965, Kings-Tulare Counties Migrant Ministry Records, Walter P. Reuther Library, Archives of Labor and Urban Affairs, Wayne State University.

78. "Rent Strike Wins," *El Malcriado*, April 1, 1968.

residents' occupations needed to be evaluated beforehand instead of charging a flat rate.⁷⁹ Again in 1974 and 1985, camp residents challenged rent hikes. The rent strike of 1965 was an essential moment that validated many Tulare County agricultural laborers' unity and resistance to injustice and discrimination.

Ultimately, the Linnell and Woodville Camps offer insight into the living conditions and treatment of different labor forces. Initially, the FSA operated migratory labor camps to house, socialize, and rehabilitate Southwestern migrants. Both Linnell and Woodville communities adopted the FSA's democratic and communal emphasis within their camps, but this period was short-lived. By 1942, braceros were introduced into California's industrial agricultural system, and shortly after, the TCHA controlled both camps. The camps received less funding, visibility, and improvement which was a direct consequence of agricultural growers becoming a cheaper, disposable, and exploitative labor force. When the Bracero Program ended in 1964, both camps remained operational even though there had not been any significant improvements to the camps. Discontented residents and outside supporters mobilized and confronted the TCHA and advocated for suitable homes. The period of 1938 to 1968 indicates how the Linnell and Woodville camps were initially successful, but this trajectory significantly declined until residents enforced the changes they desired. The success and decline of both camps and the experiences of their residents reflects the potential benefits of social welfare, but also the effects of an agricultural system that inherently devalues its workforce. Between this tension, we are shown the power individuals have in negotiating their position within an oppressive labor system.

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79. "Authority Tenants Form Protest," *Tulare Advanced-Register*, July 28, 1971.

Paid By the Line: Copying Mistakes made by Enumerators in 1850, 1860, and 1870 Federal Census Returns

Jeremy Giles Berry-Cahn

Abstract: The population statistics derived from Federal census returns not only dictate apportionment and congressional representation, but have great interdisciplinary research value, serving as the basis for many political, social, and economic studies. This paper explores the processes and conditions through which federal censuses were taken in the years 1850, 1860, and 1870, and investigates how the production of triplicate copies of the returns contributed to widespread inaccuracies in the official copies of the census. Since the original returns only survive sporadically and are not held by the National Archives, it is the copied versions of the census that have been microfilmed, digitized, and are now most accessible to researchers. Considering this, a thorough understanding of the copying process used by enumerators and the resulting clerical errors is necessary to fully understand and appreciate inaccuracies, omitted information, and potential scholarly repercussions of these errors.

Federal census returns are among the richest and most widely consulted historical records available to students of American history. The population statistics derived from censuses not only dictate apportionment and congressional representation, but also have great interdisciplinary research value; serving as the basis for many political, social, and economic studies. Decennial censuses have been taken by the federal government since 1790, and the resulting population schedules survive in near entirety. One notable exception is the 1890 census, which was destroyed in the mid-1930s after having been severely damaged by a fire in 1921. For all other decades, the original manuscripts provide us with unparalleled snapshots into the lives of individuals and communities. They afford genealogists a window into the lives of their ancestors and leave behind invaluable details regarding a person's work, family structure, income, and whereabouts.

There are innumerable factors that can defect a census; including poor organization on part of the surveying body, inconsistencies in administering questions, biases on part of the enumerator, and resistance among respondents. Errors are inevitable when surveying a large population, and as historians, we have few opportunities to learn the precise factors which caused them to occur. Perhaps one of the most frequent and obvious kinds of defects are typographical mistakes, and omissions resulting from a clerical error.

The seventh, eighth, and ninth censuses taken in the United States in 1850, 1860, and 1870 were particularly prone to clerical error due to the processes through which they were created. Rather than submit original returns to Washington as they had done in past decades, enumerators were asked to create two additional copies of the documents; providing one set to the State, and the other to the Census Office. The original documents they had compiled walking door-to-door were to be deposited in the offices of County Clerks.¹ This meant that the official set of returns received by Washington was less accurate, having been hand-copied.² It was these copies that were used to create aggregate population statistics, and are now held by the National Archives and Records Administration. Consequently, the microfilmed and digitized copies of the 1850, 1860, and 1870 censuses that are widely accessible to researchers, are not the original documents.

The creation of three sets of federal census returns in the years 1850, 1860, and 1870 degraded the accuracy of the official copies of the census that were filed with the Secretary of the Interior. This paper will explore the different kinds of errors made by census-takers when copying their returns, and attempt to estimate what kind of mistakes and omissions were most prevalent.

Marshals as Census Takers

The responsibility of conducting the first nine censuses (1790-1870) was entrusted by Congress to Federal Marshals of the United States Federal Court system. In each court district, a marshal was tasked with supervising the enumeration and had the authority to hire assistant marshals to serve as census takers.³ The Census Act of 1850 stipulated that each marshal should “separate his district into subdivisions containing not exceeding twenty thousand persons in each, unless the limitation to that number causes inconvenient boundaries”, and “shall appoint an assistant marshal for each subdivision, who is a resident therein.”⁴

While this system was relatively successful during early enumerations, marshals became increasingly burdened by other responsibilities, and their role in conducting the census became problematic. A report to Congress in 1870 remarked that marshals were “not chosen with a view for their fitness for census taking, or any statistical inquiry” and, “whether so qualified or not, the greatly increased duties devolved upon them by the revenue laws,

1. *An Act providing for the taking of the seventh and subsequent Censuses of the United States, and to fix the Number of the Members of the House of Representatives, and provide for their future Apportionment among the several States*, Public Law Chapter 11, *U.S. Statutes at Large* 9 (1851): 428-436.

2. William Dollarhide, *The Census Book: A Genealogist's Guide to Federal Census Facts, Schedules, and Indexes* (Bountiful, UT: Heritage Quest, 2000), 11.

3. Dollarhide, *The Census Book*, 3.

4. *An Act providing for the taking of the seventh and subsequent Censuses of the United States*.

bankrupt laws, and other legislation” made it difficult for them to do their job accurately. Concern was also raised that because marshals were lawmen, their census visits could lead to “uneasiness and suspicions” and hinder the collection of information.⁵ In 1880, Congress heeded these concerns and eliminated the role of marshals in census-taking in favor of expanding the Census Office and increasing its budget.⁶

Census-Taking Procedures Prior to 1850

Before 1850, the process of collecting census schedules underwent two major revisions. From 1790 to 1820 marshals were required to create one set of returns and deposit them at their U.S. District Court upon completion. There, the Clerk of Court was tasked with receiving and preserving the original documents. In 1830, Congress decided to centralize census records and called for the return of the records from past enumerations. Unfortunately, by that time numerous records had already been lost by the courts, and censuses for several states never reached Washington.⁷ From 1830-to 1840, marshals were instructed to create a duplicate set of their returns, so that one could be sent to Washington while the other was retained by the Clerk of Court. In many cases, it was the copy rather than the original that was sent to Washington.⁸

The Census Act of 1850

In 1850 Congress passed a new census-taking law that imposed a completely revised set of procedures. Importantly, it called for the creation of three sets of census returns. Assistant marshals were instructed to “furnish the original census returns to the clerk of the county court of their respective counties, and two copies, duly composed and corrected, to the Marshal of the district.”⁹ In addition to their regular pay of 2 cents per person enumerated and 10 cents a mile for necessary travel, assistants were to receive 8 cents per page for each of the two sets of copies they prepared.¹⁰ Upon receipt, marshals were required to examine the two sets of returns and verify that their assistants had visited all subdivisions assigned to them and had formatted the returns properly. After this was completed, they were to transmit one copy of the census to the Census Office in Washington, and the other to the Secretary of State or Territory in which their district belonged.¹¹ It is crucial to note that

5. U.S. Census Bureau, *The Garfield Report to Congress from the Committee on the Ninth Census* (Washington, DC, 1870), 48.

6. Dollarhide, *The Census Book*, 12.

7. Dollarhide, *The Census Book*, 7.

8. Dollarhide, *The Census Book*, 9-10.

9. *An Act providing for the taking of the seventh and subsequent Censuses of the United States*.

10. U.S. Department of The Interior, Census Office, *The History and Growth of the United States Census Prepared for the Senate Committee on the Census* (Washington, DC, 1900), 43.

11. *An Act providing for the taking of the seventh and subsequent Censuses of the United States*.

supervising marshals never received or inspected the original returns; only the two copies prepared by their assistants.

The 1850 Census Act remained in effect for both the 1860 and 1870 enumerations; however, additional instructions were given to marshals, and safeguards were implemented to ensure the accuracy of the returns. To avoid “error or misapprehension”, enumerators were asked to read aloud their entries back to the individual who supplied the information. Supervising marshals were also advised of their duty to retake the census should they have “undoubted evidence that the enumeration has been made with gross carelessness, or that a palpably erroneous census [had] been taken in any subdivision.”¹²

In 1860, the Census Office provided marshals with guidelines on how they were to prioritize their work. Marshals were advised that their duty to send one set of the completed returns to the Census Office in Washington was “of the highest importance”, and “should be complied with at the earliest moment possible after [verifying] the general accuracy of the return.” However, they told marshals that their obligation to transmit a set of returns to the Secretary of that State or Territory was less urgent; writing: “this duty you may perform more at your leisure.”¹³

To facilitate the expedient delivery of returns to Washington, the Census Office provided the following instruction to assistant marshals in 1860: As soon as you have made one fair copy of all your returns and carefully compared it with the original, you will forward it without any delay to the Marshal of your district. When you have completed a second copy you will transmit it also to the Marshal, and you will file the original with the clerk of the county or parish, and forward his receipt therefor to the Marshal.¹⁴

In 1870, they suggested that “the first copy of returns be made from the sheets as they are completed, so that the full returns may be sent to the Marshal at the earliest practicable moment after the enumeration closes”. The Census Office also emphasized that “great pains be taken in comparing the copy intended for the Census Office with the originals, point by point.”¹⁵ If assistant marshals followed these procedures, they would not have had both State and Federal copies of the returns in their possession at the same time, and each set of returns were hand-copied from the originals separately. Therefore, if an error was made while penning the Federal set of returns, there

12. U.S. Department of The Interior, Census Office, *Eighth Census, 1860: Instructions to U.S. Marshals, Instructions to Assistants* (Washington, DC, 1860), 8.

13. *Instructions to U.S. Marshals, Instructions to Assistants* (Washington, DC, 1860), 9.

14. *Instructions to U.S. Marshals, Instructions to Assistants* (Washington, DC, 1860), 12.

15. U.S. Department of The Interior, Census Office, *Ninth Census of The United States 1870: Instructions to Assistant Marshals* (Washington, DC, 1870), 6.

is a good chance that the same error would not have been perpetrated in the State copy, and the opposite is true as well.

Goals of Triplicate Returns

Congress's mandate that census returns be produced in triplicate took on three primary functions. First, having multiple copies of the documents created backups in case one set was lost. Unfortunately, that fear was later realized when the 1890 census was destroyed by a fire in 1921. In 1890, the Census Office implemented a new method of conducting the enumeration, and only one household was recorded per page. This practice made the census far more voluminous and costly than those taken in previous years, and Congress only financed one set of returns.¹⁶ In January 1921 a fire broke out in the Commerce Building in Washington, and over 99% of the documents were lost.¹⁷

Since a set of returns was filed with every county and state as well as the federal government from 1850 to 1870, the production of triplicate copies also allowed local officials to consult the documents and make more precise demographic assessments of individual communities. In his 1869 communication to Congress, Dr. Franklin B. Hough, the former superintendent of New York State Censuses, emphasized the value of the returns filed in the offices of county clerks. As he put it, "for local municipal purposes it is often highly desirable to know the population of single blocks or squares bounded by streets. [...] It is not supposed that in any publication by the government, any such detail could be observed. The official report might, however, in some cases, give the population of wards in cities."¹⁸

In addition to making minute deductions, local governments were often able to calculate population totals much more rapidly than the Census Office. Population statistics for each of the 25 towns in Rutland County, Vermont, were reported by the *Rutland Weekly Herald* on January 2nd, 1851, along with a certification from the county clerk stating that the foregoing census was a "true copy of the original returns" that had been deposited by local marshals.¹⁹ These same statistics were not published by the federal government until November 1853, when the Census Superintendent submitted the statistics of the seventh decennial census to the Secretary of the Interior nearly three years later.²⁰

Finally, creating triplicate copies of the census returns and depositing one set in the offices of county clerks provided a means through which to ensure

16. Dollarhide, *The Census Book*, 12.

17. Dollarhide, *The Census Book*, 8.

18. U.S. Census Bureau, *Communication from Dr. Franklin B. Hough Relative to The Census* (Washington, DC, 1869), 9.

19. "Census of Rutland County," *Rutland Weekly Herald* (Rutland, VT), January 2, 1851.

20. U.S. Department of The Interior, Census Office, *The Seventh Census of the United States, 1850: Embracing a Statistical View of Each of the States and Territories* (Washington, DC, 1853), v.

the completeness and accuracy of the enumeration. Once copies of the returns were received by a county, they were displayed at the county courthouse and made available for public inspection. The goal was to encourage public participation in verifying the information contained in the census, allowing people to check that their household was counted.²¹ Many newspapers across the country helped to promote this effort. In January 1851, the *Charleston Mercury* reported:

Mr. Goldsmith [...] performed his duty as Assistant Marshal in this district, with diligence and fidelity. [...] There were a few households not enumerated he admits, as there were heads of families who positively and repeatedly refused giving necessary information. But these are not sufficient to materially affect the result, and ample opportunity will be afforded to test the accuracy of his labors by examining a copy of the census deposited in the office of the Clerk of the District.²²

Shortcomings of Triplicate Returns

While Congress hoped that producing multiple sets of census returns would mitigate the chance of losses and provide greater access to local governments, they soon realized that the cost of doing so far outweighed the benefits. Francis Amasa Walker, who served as superintendent of the 1870 census, argued that creating three copies of returns was an unnecessary and wasteful expense and that only two sets need be produced. Prior to the enumeration, he estimated that 3,316 reams of paper would be needed to create three sets of returns; a sizeable increase from the 2,551 reams which were used in the 1860 census. The paper, which was “eighteen by twenty-six inches, and twenty-seven pounds to the ream”, came at a considerable expense. Added to this were the costs of printing, distribution through the mail, and the eight cents per page that assistant marshals were allowed for preparing copies of their returns under the Census Act of 1850.²³ After the enumeration had been completed, Walker reported that “the two copies of the census schedules of 1870 cost, at the rates provided by the act of 1850, \$192, 660, being the rate of \$96,330 for a single copy.” Considering that no major losses had occurred to census returns in Washington to date, he concluded that the price of creating three

21. Diana L. Magnuson, “History of Enumeration Procedures, 1790-1940” *Historical Methods* 28, no. 1 (Winter 1995).

22. “The Census,” *The Charleston Mercury* (Charleston, SC), January 21, 1851.

23. U.S. Department of The Interior. Census Office. *Letter of the Secretary of the Interior Communicating a Statement of the Superintendent of the Census Relating to the Amount to be Saved by the Treasury by Dispensing with Certain Copies of the Census Returns Required by the Act of 1850*. Washington, DC: Government Printing Office, 1870.

sets of returns was “a very high rate of insurance,” and that the added security was not worth its cost.²⁴

The expense aside, state copies of the federal census returns were seldom consulted and not generally trusted for official purposes, which rendered them almost useless. In his 1879 statement to congress, Francis Walker reported that in many states, the schedules of 1850, 1860, and 1870 were “not preserved in shape and place to be accessible to visitors,” and even when they were, the records were “seldom or never visited.”²⁵ These same concerns had been voiced to Congress ten years prior by Dr. Hough and had fallen on deaf ears. Like Walker, Hough strongly advised against funding a state copy of the census; calling it “a needless expense of many thousand dollars.” He provided several examples of the document’s futility:

The census for one of the districts, including more than half of the State of New York, for 1860, did not arrive at the capital until 1866, and [...] has never been taken from the boxes in which it came. The full returns of that state exceed 100 volumes, and are too cumbersome for the office. In several of the states, as for example Massachusetts, the census of 1860 was published by the state itself in more detail than was admitted in the official volumes; but this information was not derived from the set of returns in Boston, but from the office of the Department of the Interior.²⁶

One exception was found to be the State of Rhode Island, which frequently consulted its copies of the census because it had a “population small in aggregate, and more compact than any other state,” along with a “well organized state census taken in intervals of the United States census.” Rather than finance an entire copy of the census to be deposited at the state level, Walker pointed out that occasional inquiries by members of the public could more efficiently be answered if they were directed to the Census Bureau:

So vast and cumbersome is such a body of manuscript, that any information which a citizen might desire to derive from the returns could be given by one of the trained officers of the Census Bureau at Washington with far less effort and with far greater accuracy than a person unfamiliar with such research, looking at the state capitals;

24. U.S. Congress, *Message from the President of the United States to the Two Houses of Congress at the Commencement of the Second Session of the Forty-Sixth Congress with the Reports of the Heads of Departments and Selections from Accompanying Documents*. (Washington, DC, 1879), 981-982.

25. U.S. Congress, *Message from the President of the United States to the Two Houses of Congress at the Commencement of the Second Session of the Forty-Sixth Congress with the Reports of the Heads of Departments and Selections from Accompanying Documents*. (Washington, DC, 1879), 981.

26. U.S. Census Bureau, *Communication from Dr. Franklin B. Hough Relative to The Census* (Washington, DC, 1869), 10.

and it may properly be said that the Census Office cheerfully affords, upon personal application, all information which it is deemed proper to extract from the schedules.²⁷

The ineffectiveness of the schedules deposited at the state level is also evidenced by the reluctance of State Legislatures to rely on them as accurate documents for intrastate reapportionment; that is deciding the number of representatives each county earned in the state legislature after a census was taken. On January 26th, 1861, the California State Legislature passed a resolution to “obtain from the Census Bureau at Washington a copy of the official returns of the Census Marshals of the State of California.”²⁸ The purpose of that request was to gather the data necessary for adjusting representation within the state. However, since the Marshal had deposited a copy of California’s 1860 census with the Secretary of State just a few weeks prior, many newspapers such as the *Daily Alta California* objected to such a “roundabout method of doing things” and accused the legislature of unnecessarily delaying their duties.

The *Alta* argued that while the abstract furnished to the California Secretary of State may not have been computed yet, clerks working for the state government would be just as competent at calculating the data as employees of the Census Bureau in Washington. It also expressed concerns for local interests in San Francisco should the new apportionment not be implemented before the current legislature adjourned its session:

If we are to wait till the returns are forwarded by the general government, nothing can be done this year on the subject, and another legislature will be elected in which a minority of the people will have control. No good reason can be assigned why El Dorado should again have four senators, when it is really entitled to only two, and eight representatives when [...] that number should be reduced to five.²⁹

In the interest of securing the population data as quickly as possible, a bill was introduced in the Assembly on March 13th, 1861, to create a committee tasked with procuring a transcript of the census located in the Secretary of State’s Office. The measure was objected to by a small number of representatives who claimed that there was no way of knowing whether that copy of the census was accurate or not. The *Sacramento Daily Bee* dismissed such concerns as being injudicious, and a desperate attempt by legislators

27. U.S. Congress, *Message from the President of the United States to the Two Houses of Congress at the Commencement of the Second Session of the Forty-Sixth Congress with the Reports of the Heads of Departments and Selections from Accompanying Documents*. (Washington, DC, 1879), 981.

28. Assembly Concurrent Resolution No. 17 Relative to the Census Returns, 1861, Legislative Records, California State Archives, Sacramento, CA.

29. “News of the Morning,” *Sacramento Daily Union*, January 29, 1861; “The New Apportionment,” *Daily Alta California* (San Francisco, CA), February 8, 1861.

representing counties likely to lose seats to gain time, or perhaps defeat the apportionment altogether. It maintained that “there is not a man in the Assembly who will deny that he believes the lists on file here to be a fair copy of those at Washington.”³⁰

An extract of the census was finally received from Washington on April 25th, 1861.³¹ In the end, the two sets of returns were found to be “substantially alike, only differing in giving the aggregate of the population of the state”, since some of the state returns did not “contain a statement as to the relative number of white and colored population”. That omission was important because California’s constitution expressly stated that an apportionment should be made only upon the number of white inhabitants. Those figures, however, had easily been reconstructed by clerks who examined the schedules in the Secretary of States’ Office and prepared statements as to the relative numbers of white and non-white populations in each county.³² Regardless of whether concerns regarding the accuracy of the returns possessed by the state were merited, the whole fiasco serves to demonstrate that state copies of the census were not considered to be as official as those in Washington and therefore failed to serve their purpose.

Constant inquiries by states such as California for information taken from the ‘federal copies’ of the census, despite having copies of their own at their disposal, used up a considerable amount of the Census Bureau’s time and delayed the publication of census statistics. The official report on the 1850 census was not published until 1853, and the office attributed that delay in large part to the fact that it had been preoccupied with providing voluminous responses to state legislatures.³³ These problems intensified with the publishing of the 1860 census in 1862, because many government clerks had been called away to the War Department. When the preliminary report was finally released, it included an introduction by the Superintendent of Census explaining: “the demands of other government departments, committees in Congress, and state legislatures, for information only to be had from the census records, and which could not be disregarded, have seriously impeded the progress of this work, and thrown charges upon our fund.”³⁴ For the most part, state legislatures sought only aggregate population statistics and had little use for the detailed returns that they possessed. Since the statistics were

30. “A New Apportionment”, *The Daily Bee* (Sacramento, CA), March 14, 1861.

31. Letter from the U.S. Census Office to California Secretary of State, March 21st, 1861. Secretary of State, Administrative Office Correspondence 1859-1863, R206.005, box 1, folder 2. California State Archives, Sacramento, CA;

32. “The Apportionment Bill”, *Sacramento Daily Union*, April 16, 1861.

33. U.S. Census Bureau, *Report of the Superintendent of the Census for December 1, 1852: To Which Is Appended the Report for December 1, 1851* (Washington, DC, 1853), 5.

34. U.S. Department of The Interior, Census Office, *Preliminary Report on the Eighth Census 1860* (Washington, DC, 1862), 1.

already being computed in Washington, there was little incentive for them to utilize their copies, because clerks would have to be hired to digest them.

Finally, the fact that one copy of the census was to be held at the County Clerk's Office for public inspection led to concerns about confidentiality. Walker feared that the practice was causing people to withhold information or provide the census taker with inaccurate facts about their family and business affairs.³⁵ Addressing the creation of multiple sets of census returns, he wrote:

The whole expenditure has been worse than useless. It has been positively mischievous. The knowledge on part of the people that the original sheets of the census were to be deposited among the records of the counties to which they relate, has added incalculably to the resistance to the resistance which the inquiries of the census have encountered. It is useless to attempt to maintain the confidential character of a census under such circumstances. The deposit of the returns at the county seat of every county constitutes a direct invitation to impertinent or malicious examination. No proper purpose can be served by this copy of the census returns.³⁶

Census-Taking Procedures After 1870, and the End of Triplicate Returns

Heeding the advice of statisticians and census officials, Congress passed a sweeping new census law in 1880. Among its many reforms, the act eliminated the role of marshals and federal courts in census-taking, allowing the Census Office to appoint its own enumerators. Thanks to this legislation, five times as many census-takers were employed in collecting information in the 1880 census than had been used in 1870.³⁷ The act also removed the requirement that multiple copies of the returns be created. Consequently, census-takers were instructed to return the original schedules to the Census Office at Washington “for examination and compilation.”³⁸ No returns were sent to Secretary of State Offices, and to protect people's privacy, County Clerks received only a partial extract or ‘short-form’ copy of the census.³⁹

35. U.S. Department of The Interior, Census Office, *Letter of the Secretary of the Interior Communicating a Statement of the Superintendent of the Census Relating to the Amount to be Saved by the Treasury by Dispensing with Certain Copies of the Census Returns Required by the Act of 1850* (Washington, DC, 1870), 2.

36. U.S. Department of The Interior, Census Office, *The Statistics of the Population of the United States from the Original Returns of the Ninth Census* (Washington, DC, 1872), xxviii.

37. William Dollarhide, “The 1880 Census Short Forms and Where to Find Them”, *Genealogy Daily*, January 15, 2019.

38. U.S. Census Bureau, *1880 Enumerator Instructions* (Washington, DC, 1880).

39. U.S. Department of The Interior, Census Office, *The History and Growth of the United States Census Prepared for the Senate Committee on the Census* (Washington, DC, 1900), 77.

‘Short form’ copies of the 1880 census simply listed a county’s residents in rough alphabetical order by the first letter of their surname. The structure of family groups was not retained, and the only information provided about each individual was their name, race, sex, and age. The lists were extremely popular because they provided local politicians with information about their constituents, and they were often used by various businesses and officials. Their popularity helped to bring about the creation of every-name city directories, in addition to trade and business directories which had already become increasingly popular in American cities.⁴⁰

Where are the 1850-1870 Original Returns Now?

The original set of census records, which were prepared by the assistant marshals as they walked from door-to-door, are of great research value as they have the potential to be more descriptive and accurate than the two sets of returns that would be copied from them. Sadly, a disappointingly small number are known to survive today, despite being deposited in county courthouses.

In 1919 the California Historical Survey Commission published an inventory of the county archives of California, which included a detailed description of records which were located at the offices of County Clerk-Recorders. California had 27 counties in 1850; a number which grew to 43 by 1860, and 49 by 1870. Sadly, the survey found that only two counties (Del Norte and Yuba) had preserved their original 1860 census returns, and that four (Alameda, Humboldt, San Francisco, and Santa Barbara) had for 1870. The commission commented:

since the census of 1850 was taken before the counties of California were fully organized, it is but a natural consequence of the time that none of the returns for that year are to be found in the county archives. There are, however, reasons for disappointment in that not more of these returns for 1860 and 1870 have survived.⁴¹

In rural regions where counties were still in their infancy, and clerk’s offices had not been fully organized, it is quite likely that some assistant marshals neglected to file their original returns. This appears to have been the case with Los Angeles County’s 1850 census. In the summer of 1915, the famous movie director Cecil B. de Mille was filming a picture near the San Francisco Mission. He happened by a rubbish fire at a barn outside of an old adobe ranch house and noticed a pile of documents that were about to be destroyed by the flames.⁴² Due to their intriguing appearance, he rescued the partially

40. Dollarhide, “The 1880 Census Short Forms.”

41. California Historical Survey Commission, *Guide to the County Archives of California* (Sacramento, 1919), 43-44.

42. “Records Saved from Fire,” *Los Angeles Times*, February 29, 1948.

singed papers and took them back to his studio. Sensing that the documents were of significance, DeMille informed local historians of his discovery, who recognized them as being a complete set of the original 1850 census returns for the City and County of Los Angeles.⁴³ Soon thereafter he donated them to the Southwest Museum, where the curator; a man by the name of Hector Alliott, described the records:

The manuscript of these census schedules as it reached my hands was apparently an original package, folded four times, and from outward indications had for many years remained in the condition in which it was discovered. From all appearances it was the marshal's own copy, which had been put away for safekeeping, while the duplicates were sent to the Secretary of the Interior to be used in the federal census records.⁴⁴

It seems quite likely, given the fact that Los Angeles County was still being organized when the census was taken in 1850, that John Everston, the assistant marshal who enumerated the region, never deposited his returns with the county clerk. When conducting research at a courthouse in Blair, Nebraska, genealogist William Dollarhide was able to determine the fate of Washington County's 1860 census schedules:

I was going through the old probate case files from the 1860s, which were all located in metal containers. Inside each container were packets of folded papers which had been wrapped and sealed with strips of parchment. Unwrapping the packets revealed that the strips of paper were from that county's original 1860 census schedules. The large census sheets had been torn into pieces and were recycled as banding strips! It is clear what Washington County, Nebraska thought of their 1860 census schedules — they saw them as scrap paper.⁴⁵

Survival rates among county copies of the census appear to vary substantially from state to state. In stark contrast to California, nearly half of New York's county clerks have preserved one or more of their federal censuses from 1850 to 1870.⁴⁶ The Genealogical Society of Utah microfilmed many of them in the 1960s and 1970s, which makes them uniquely accessible to researchers today.

The duplicate sets of census returns that were sent to each Secretary of State have been lost in many cases. New York's copies are documented as having perished in the 1911 capitol fire, and it is theorized that some other states

43. Maurice Newmark, *Census of the City and County of Los Angeles, California, for the Year 1850* (Los Angeles: Times-Mirror Press, 1929), 13.

44. *Census of the City and County of Los Angeles*, 18.

45. William Dollarhide, "Are You Reading the Originals?," *Genealogy Daily*, January 4, 2013.

46. William Dollarhide, *New York State Censuses & Substitutes* (North Salt Lake, UT: Heritage Creations, 2005), xvii.

may have given their censuses to senators and state representatives to use as mailing lists.⁴⁷ Even in states where copies survive, the documents are often inaccessible to researchers because they are not understood to be different than those microfilmed by the National Archives. Notable exceptions include those for Minnesota and Wisconsin, which were identified as valuable resources by their respective State Historical Societies and are frequently consulted.

The California State Archive has several dozen volumes of the Secretary of State census returns for 1860, and the documents are listed in their public finding aids. However, researchers who desire the privilege of examining those documents typically referred to microfilmed copies which are available in the reading room. The microfilmed copies of the 1860 census which the archives possess are of the schedules found in the National Archives, and therefore substantially different from the original, physical documents that the State Archives preserves in its collection. Unfortunately, since staff were largely unaware of this phenomenon, the state copies remain largely unexplored. When the difference is explained, Archivists are amenable to providing access to hard-copy records.

Copying Errors, and Omitted Information

The task of copying the 1850, 1860, and 1870 census schedules was tedious and required painstaking attention to detail. Assistant marshals had to hand-copy information between oversized eighteen by twenty-six-inch worksheets, which made it easy to accidentally make entries upon the incorrect column or row; potentially changing the meaning of the information or attributing it to the wrong inhabitant. The spelling of names was frequently altered, ages were reversed, and other details were simply omitted or abbreviated when marshals did not find them important enough to recopy. Interestingly, when the 1850 census originals for Los Angeles County discovered by Cecil B. DeMille were published, it was noted that “for some reason, the census agent did not name any of the ranchos in the government copy of the census, [...] after faithfully distinguishing them for the first ten days of his progress.”⁴⁸

Genealogists have long attributed some of the wacky and misspelled names found in censuses to enumerators who failed to gather accurate information or misheard the people providing information. It has also been supposed that the creative spellings used by census-takers were heavily influenced by their heritage, background, and phonetic understanding. While these are good explanations, it may also be true in some cases that assistant marshals were unable to read their own handwriting and moved a few letters around while copying the information. The copying process was prone to errors, and even the most diligent enumerators could not produce work completely devoid of them.

47. Harry Hollingsworth, “Little Known Facts About the U.S. Census,” *The American Genealogist* 53, no. 1 (January 1977): 11; Dollarhide, *The Census Book*, 11.

48. Newmark, *Census of the City and County of Los Angeles, California, for the Year 1850*, 23.

Comparisons Conducted Between Surviving Census Originals and Copies

In the interest of learning what kinds of errors and omissions were most prevalent among copied census returns, this paper includes a study of five assistant marshals in five separate states who served as census-takers in 1860. Each assistant marshal was selected at random based on the availability of original (county) returns. The county returns were compared line-by-line to their federal and state counterparts, and discrepancies were grouped into 12 different categories:

1. Spelling of an individual's name altered (i.e. Turnbull → Turnbell)
2. Initial miscopied (i.e. A. W. Smith → S. W. Smith)
3. Part of a name not copied (i.e. middle name or 'jr.' omitted)
4. Age miscopied (i.e. 55 → 35)
5. Personal or real estate value miscopied (i.e. 3000 → 300)
6. Different birthplace or occupation given (i.e. Carpenter → Farmer)
7. Less precise birthplace or occupation given (i.e. Quebec → Canada)
8. Information placed in the wrong column (i.e. adjacent box checked)
9. Information placed in the wrong person's row (i.e. ages swapped)
10. Field left blank/information not copied (i.e. occupation missing)
11. Descriptive notes omitted (i.e. street name no longer noted in margin)
12. Other errors (described in each case)

Roughly 20 pages or between 600-900 inhabitants were audited for each assistant marshal:

Chart 1.1 Assistant Marshals whose 1860 federal census returns for "Schedule 1: Free Inhabitants", were selected for audit and examined for copying errors.

Name of Assistant Marshal	Place of Returns	Number of Pages Audited	Number of Inhabitants in Audit	Census Copies Examined		
				County	State	Federal
W. W. Armstrong	Clallam County, Washington Island County Washington Whatcom County, Washington	24	795	Yes	No	Yes
Lloyd Magruder	Linda, Yuba, California	18	657	Yes	Yes	Yes
J. L. Cutler	Clarksville, Allegany, New York	22	865	Yes	No	Yes
James Bleckley	Rabun County, Georgia	19	759	Yes	No	Yes
Amos L. Foster	Baileyville, Washington, Maine Crawford, Washington, Maine	17	636	Yes	No	Yes

A considerable number of minor wording differences were identified between census copies, and abbreviations were frequently adopted. For example, "W. T." might become "Washington Territory", and "M.D." could be changed to "Dr.". Similarly, "teacher of p. school" might be copied as "public school teacher." Many names were also shortened; for example, John is commonly abbreviated as "Jno.", James might appear as "Jas.", Thomas as "Thos.", William as "Wm.", and so on. These differences were not counted as discrepancies, or errors since the information itself remains the same.

For the sake of tallying discrepancies, errors in each part of a name were counted separately. For example, a change from “Margaret Smith” to “Mary Smith” would constitute just one error, but if “John W. Richeson” became “John S. Richardson”, it would constitute two separate errors because both the middle and last names were altered.

1860 Population Schedules Prepared by W. W. Armstrong

Chart 2.2 Types of errors and omissions found in the federal copies of Washington Territory 1860 census schedules prepared by W. W. Armstrong, assistant marshal, based on a line-by-line comparison to the original returns which he deposited in the offices of the Island, Whatcom, and Clallam County Clerks. 795 inhabitants were used in this comparison.

Type of Error	Number of Errors	Percentage of All Errors	Average number of errors per 100 inhabitants
Spelling of an individual's name altered (<i>i.e. Turnbull → Turnbell</i>)	56	60.9%	7.04
Initial miscopied (<i>i.e. A. W. Smith → S. W. Smith</i>)	8	8.7%	1.01
Part of a name not copied (<i>i.e. middle name or 'jr.' omitted</i>)	4	4.3%	0.50
Age miscopied (<i>i.e. 55 → 35</i>)	9	9.8%	1.13
Personal or real estate value miscopied (<i>i.e. 3000 → 300</i>)	3	3.3%	0.38
Different birthplace or occupation given (<i>i.e. Carpenter → Farmer</i>)	1	1.1%	0.13
Less precise birthplace or occupation given (<i>i.e. Quebec → Canada</i>)	1	1.1%	0.13
Information placed in the wrong column (<i>i.e. adjacent box checked</i>)	2	2.2%	0.25
Information placed in the wrong person's row (<i>i.e. ages swapped</i>)	3	3.3%	0.38
Field left blank / information not copied (<i>i.e. occupation missing</i>)	4	4.3%	0.50
Descriptive notes omitted (<i>i.e. street name no longer noted in margin</i>)	1	1.1%	0.13
Other errors	0	0.0%	0.00
TOTAL:	92	100%	11.58

Observations

In the original county returns compiled by W. W. Armstrong, one German-born man was enumerated as “Fred Marks”. This entry was changed in the federal copy to “Frederick Marks”. Since the assistant marshals produced the federal copy at a later, we can presume that Mr. Marks, or the informant for that household, was no longer in the Assistant Marshal’s presence. Therefore, it stands to reason, that when copying the returns, the marshal simply assumed that ‘Fred’ was short for Frederick. In addition to Frederick, or Friedrich, the name ‘Fred’ could well have been short for Alfred or Ferdinand; both of which were also popular German names at the time. Innocent and mindless as that assumption may have been, it goes to show just how easily errors could be made during the copying process.

In the county copy, Armstrong listed an infant’s age as “3/12”. When this was copied to the federal copy, he incorrectly reduced the fraction to 1/3. Consequently, the 3-month-old child appears as a 4-month-old. It is also apparent that in some rare instances, mistakes were corrected during the copying process. For example, in the original county returns for Whatcom, Washington, a woman named Betsey Jones was accidentally enumerated as a male. Armstrong noticed his error and corrected it in the federal copy where Betsey is listed as female. For further details, refer to charts 2.1 and 2.3 in the appendix.

1860 Population Schedules Prepared by J. L. Cutler

Chart 2.1 Specifications of the audit conducted on 1860 federal census returns prepared by W. W. Armstrong, an assistant marshal in Washington Territory.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Clallam County (all)	8	149
Island County (all)	11	294
Whatcom County (all)	5	352
TOTAL:	24 pages	795 inhabitants

Chart 3.1 Specifications of the audit conducted on 1860 federal census returns prepared by J. L. Cutler, an assistant marshal in Allegany County, New York.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Clarksville, New York (all)	22	865
TOTAL:	22 pages	865 inhabitants

Chart 4.1 Specifications of the audit conducted on 1860 federal census returns prepared by Amos L. Foster, an assistant marshal in Washington County, Maine.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Baileysville, Maine (all)	10	275
Crawford, Maine (all)	17	363
TOTAL:	17 pages	636 inhabitants

Chart 5.1 Specifications of the audit conducted on 1860 federal census returns prepared by James Bleckley, an assistant marshal in Rabun County, Georgia.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Rabun County (partial)	19	759
TOTAL:	19 pages	759 inhabitants

Chart 6.1 Specifications of the audit conducted on 1860 federal and state census returns prepared by Lloyd Magruder, an assistant marshal in Yuba County, California.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Linda Township (all)	18	657
TOTAL:	18 pages	657 inhabitants

Chart 2.3 Sampling of discrepancies found between the county and federal copies of Washington Territory 1860 federal census population schedules prepared by W. W. Armstrong, assistant marshal.

County and Federal Schedule Number	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION	Age	Sex	Color	Profession, occupation, or trade of each person over 15 years of age.	VALUE OF REAL ESTATE		Place of Birth, Naming the State, Territory, or Country.	Whether the person was ever in the United States	Whether the person was ever in the Territory of Washington	Whether the person was ever in the Territory of Oregon	Whether the person was ever in the Territory of California
							Real Estate	Personal Property					
C	R. Abrams	25	M		Farmer	1000	500	Scotland					
F	R. Abrams	25	M		Farmer	1000	500	Scotland					
C	P. Johnson	35	M		Carpenter	1000		Massachusetts					
F	P. Johnson	35	M		Carpenter	1000		Massachusetts					
C	John M. Hunt	28	M		Farmer	1500	300	Scotland					
F	John M. (no surname)	28	M		Farmer	1200	200	Scotland					
C	James Nesbet	30	M		Farmer	300	200	Scotland					
F	James Nesbith	30	M		Farmer	300	200	Scotland					
C	C. Miller	55	M		Farmer	4000	1000	Massachusetts					
F	C. Miller	55	M		Farmer	4000	1000	Massachusetts					
C	John Ouzine	34	M		Cook			Belgium					
F	John Ouzine	34	M		Cook			Belgium					
C	Clarissa Hathway	55	F					Maine					
F	Clarissa Hathway	55	F					Maine					
C	Jacob E. Eby	13	M		Farmer	2000		Missouri					
F	Jacob E. Eby	13	M		(no occupation)	2000		Missouri					
C	R. J. Peabody	40	M		Lumberman	8000	300	Ohio					
F	R. V. Peabody	40	M		Lumber Business	8000	200	Ohio					
C	Fried Marks	30	M		Private U.S.A			Germany					
F	Friedrich Marks	30	M		Private U.S.A			Germany					
C	Robert Skiffield	25	M					Pennsylvania					
F	Robert Skiffield	25	M					(no state)					
C	H. J. Keyser	3	M					Washington					
F	H. (no initial) Keyser	1/3	F					Washington					
C	Ann Keyser	13/2	F					Washington					
F	Ann Keyser	1/2	F					Washington					
C	J. J. Shaw	36	M		Farmer	500	300	South Carolina					
F	J. J. Shaw	36	M		Farmer	500	300	South Carolina					
C	Daniel Smully	29	M		Farmer	5000	150	Vermont					
F	Daniel Smully	29	M		Farmer	5000	150	Vermont					
C	Susan V. Wise	9	F					Texas			X		
F	Susan V. Wise	9	F					Texas			(no)		
C	James Ryder	32	M		Carpenter			England				X	
F	James Ryder	32	M		Carpenter			England				(no)	
C	Thos. Cronell	41	M		Teamster			Ireland					
F	Fred Cronwell	41	M		Teamster			Ireland					
C	T. Cranney	30	M		Manufacturer of Lumber	100		New Brunswick					
F	T. Cranney	30	M		Manufacturer of Lumber	100		New Brunswick					
C	Margaret Stater	31	F					England					
F	Margaret Stater	31	F					England					

Chart 3.2 Types of errors and omissions found in the federal copies of Clarksville, New York 1860 census schedules prepared by J. L. Cutler, assistant marshal, based on a line-by-line comparison to the original returns which he deposited in the office of the Allegany County Clerk. 865 inhabitants were used in this comparison.

Type of Error	Number of Errors	Percentage of All Errors	Average number of errors per 100 inhabitants
Spelling of an individual's name altered (i.e. <i>Turnbull</i> → <i>Turnbell</i>)	28	31.8%	3.24
Initial miscopied (i.e. <i>A. W. Smith</i> → <i>S. W. Smith</i>)	0	0.0%	0.00
Part of a name not copied (i.e. <i>middle name</i> or ' <i>jr.</i> ' omitted)	1	1.1%	0.12
Age miscopied (i.e. <i>55</i> → <i>35</i>)	5	5.7%	0.58
Personal or real estate value miscopied (i.e. <i>3000</i> → <i>300</i>)	2	2.3%	0.23
Different birthplace or occupation given (i.e. <i>Carpenter</i> → <i>Farmer</i>)	0	0.0%	0.00
Less precise birthplace or occupation given (i.e. <i>Quebec</i> → <i>Canada</i>)	0	0.0%	0.00
Information placed in the wrong column (i.e. <i>adjacent box checked</i>)	2	2.3%	0.23
Information placed in the wrong person's row (i.e. <i>ages swapped</i>)	6	6.8%	0.69
Field left blank / information not copied (i.e. <i>occupation missing</i>)	44	50.0%	5.09
Descriptive notes omitted (i.e. <i>street name no longer noted in margin</i>)	0	0.0%	0.00
Other errors	0	0.0%	0.00
TOTAL:	88	100%	10.18

Observations

Mr. Cutler had a fairly high level of precision while copying his returns. He did, however, omit a large amount of information, often forgetting to fill in columns on the far-right side of each page. Due to those mistakes, a large number of people have no birthplace listed on the federal copy of the census. For further details, refer to charts 3.1 and 3.3 in the appendix.

Chart 3.3 Sampling of discrepancies found between the county and federal copies of Clarksville, New York 1860 federal census population schedules prepared by J. L. Cutler, assistant marshal.

County (Federal Copy of Return)	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION		Profession, occupation, or trade of each person over 15 years of age.	VALUED REAL ESTATE OWNED		Place of Birth, Naming the State, Territory, or Country.	Is this person a white male over 15 years of age?	Is this person a white female over 15 years of age?	Is this person a black male over 15 years of age?	Is this person a black female over 15 years of age?
		Age.	Sex.		Real Estate	Personal Property					
C	Ambose Childs	7	M				New York				
F	Ambose Childs	7	M				New York		X		
C	Lacinda M. Nichols	26	F				New York				
F	Lacinda M. Nichols	26	F				[no birthplace]				
C	Jane Lawrence	41	F				New York				
F	Jane Lawrence	41	F				New York				
C	Asa Monger	45	M	Farmer		200					
F	Asa Monger	45	M	Farmer		200					
C	Flora Keller	1	F				New York				
F	Flora Keller	1	F				[no birthplace]				
C	Malinda Elwood	57	F				New York				
F	Malinda Elwood	57	F				[no birthplace]				
C	Hiram Peckham	56	M	Farmer		2300	700	Connecticut			
F	Hiram Peckham	56	M	Farmer		2300	700	[no birthplace]			
C	Levi F. Dunn	32	M	Farmer		1150	250	New York			
F	Levi F. Dunn	32	M	Farmer		1150	250	[no birthplace]			
C	Cecelia A. Robinson	13	F				New York		X		
F	Cecilia A. Robinson	13	F				New York		X		
C	Jane O. Satterlee	38	F				Toronto, Canada				
F	Jane O. Satterlee	38	F				Toronto, Canada				
C	Mary E. Ames	4	F				New York				
F	Mary [no initial] Ames	4	F				New York				
C	William Wilkinson	19	M	Farm Laborer			New York		X		
F	William Wilkinson	19	M	Farm Laborer			New York		[no]		
C	Leonard M. Foster	31	M	Lumberman		5000	5000	New York			
F	Leonard M. Foster	31	M	Lumberman		5000	5000	New York			
C	Joseph Haynes	57	M	Day Laborer		1500	500	Massachusetts			
F	Joseph Haynes	57	M	Day Laborer		1500	500	Massachusetts			
C	Stephen B. Moulton	29	M			1000		New York			
F	Stephen B. Moulton	29	M			1000		New York			
C	Henry Marry	38	M	Farmer		800	250	New York			
F	Henry Marney	38	M	Farmer		800	250	New York			
C	Alvey C. Peckham	16	M	Farm Laborer				New York		X	
F	Alvey C. Peckham	16	M	Farm Laborer				New York		[no]	
C	William Green	17	M	Farm Laborer				New York			
F	William Green	17	M	[no occupation]				New York			
C	Morris German 2nd	32	M	Farmer		1000	475	New York			
F	Morris German 2nd	32	M	Farmer		1000	475	[no]			
C	Amelia Farewell	30	F					New York			
F	Amelia Farewell	30	F					New York			

1860 Population Schedules Prepared by Amos L. Foster

Chart 4.2 Types of errors and omissions found in the federal copies of Washington County, Maine 1860 census schedules prepared by Amos L. Foster, assistant marshal, based on a line-by-line comparison to the original returns which he deposited in the office of the Washington County Clerk. 636 inhabitants were used in this comparison.

Type of Error	Number of Errors	Percentage of All Errors	Average number of errors per 100 inhabitants
Spelling of an individual's name altered (i.e. Turnbull → Turnbull)	32	16.5%	5.03
Initial miscopied (i.e. A. W. Smith → S. W. Smith)	1	0.5%	0.16
Part of a name not copied (i.e. middle name or 'jr.' omitted)	132*	68.0%	20.76
Age miscopied (i.e. 55 → 35)	6	3.1%	0.94
Personal or real estate value miscopied (i.e. 3000 → 300)	0	0.0%	0.00
Different birthplace or occupation given (i.e. Carpenter → Farmer)	13	6.7%	2.04
Less precise birthplace or occupation given (i.e. Quebec → Canada)	0	0.0%	0.00
Information placed in the wrong column (i.e. adjacent box checked)	0	0.0%	0.00
Information placed in the wrong person's row (i.e. ages swapped)	5	2.6%	0.79
Field left blank / information not copied (i.e. occupation missing)	2	1.0%	0.31
Descriptive notes omitted (i.e. street name no longer noted in margin)	0	0.0%	0.00
Other errors	3**	1.5%	0.47
TOTAL:	194	100%	30.50

* Of the 132 discrepancies in this category, 129 were omitted middle initials.

** In three cases, an individual's line on the census page was 'skipped over', and not copied. In each case, the enumerator realized his mistake, and added the individual to a different household lower on the page.

Observations

Mr. Foster’s attention to detail when preparing the federal copy of the census was very poor. He recorded middle initials for most people in his original returns, but then omitted them from the federal copy in a haphazard and seemingly arbitrary manner. According to the enumeration in Crawford, Maine, Edward Seavy’s household included ten people. The county copy of the census provided middle initials for eight of the ten family members, but only two of those made their way into the federal copy. In cases where a person had had two middle initials listed, Mr. Foster sometimes copied both initials, and other times just one.

In three instances, Foster accidentally skipped over an individual’s line on the census page when copying his returns. In each case, he later realized his mistake, and simply added the individual to a different household lower on the page (see chart 4.4 in the appendix). While the core information remains accurate for most census statistics so long as the individual was counted, listing them in the wrong household could have serious implications. For instance, a genealogist might wonder why one child in a family was listed as living with a neighbor a few lines down on the census page, when in fact the child was living at home all along.

Foster’s negligence in “skipping over” people, also caused mistakes to be perpetrated on as many as a dozen lines following the initial. In several instances, the birthplace column became off by a single line. Consequently, the birthplaces for as many as a dozen people on a page were incorrect; their actual birthplace was attributed to the person enumerated immediately before them. For further details, refer to charts 4.1, 4.3, and 4.4 in the appendix.

1860 Population Schedules Prepared by James Bleckley

Chart 4.3 Sampling of discrepancies found between the county and federal copies of Washington County, Maine 1860 federal census population schedules prepared by Amos L. Foster, assistant marshal.

County of Inhabitants	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	SEX	AGE	Color	Profession, occupation, or trade of each person over 15 years of age.	VALUE		Place of Birth, Naming the State, Territory, or Country.	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	MARRIED	
						Real Estate	Personal Property												
C	Alexander Bironick	M	35		Common Laborer	350	135	Included											
F	Alexander Bironick	M	35		Common Laborer	350	175	Included											
C	Samuel H. Farrar	M	9					Maine											
F	Samuel (see serial) Farrar	M	9					Maine											
C	Angelita Bacon	F	1012					Maine											
F	Angelita Bacon	F	1012					Maine											
C	Cyrus Sprague	M	30		Farmer	300	100	New Brunswick											
F	Cyrus Sprague	M	30		Farmer	300	100	Maine											
C	Anna A. Bailey	F	1					Maine											
F	Anna (see serial) Bailey	F	1					Maine											
C	Juli A. Lindby	M	30					Maine											
F	Juli (see serial) Lindby	M	30					Maine											
C	Andrew W. Davis	M	15					Maine											
F	Andrew (see serial) Davis	M	15					Maine											
C	Matthew Rhine	M	28		Farmer	1000	400	Maine											
F	Matthew Rhine	M	28		Farmer	1000	400	Maine											
C	Daniel S. Seavey	M	37		Farmer	700	500	Maine											
F	Daniel (see serial) Seavey	M	37		Farmer	700	500	Maine											
C	Jane H. Knight	F	62					New Scotland											
F	Jane (see serial) Knight	F	62					New Scotland											
C	Mary K. Hegan	F	6					Maine											
F	Mary (see serial) Hegan	F	6					Maine											
C	Joseph Thornton	M	88					New Hampshire											
F	Joseph Thornton	M	88					Maine											
C	Charles Jackson	M	42		Common Laborer			New Brunswick											
F	Charles Jackson	M	42		Common Laborer			New Brunswick											
C	Sarah Bacon	F	78					Included											
F	Sarah Peters	F	70					Included											
C	Mary E. Lane	F	10					Maine											
F	Mary E. Lane	F	10					Maine											
C	Sylvanus Low	M	15		Farm Laborer			Maine											
F	Sylvanus Low	M	15		Farm Laborer			Maine											
C	Laura K. Tracy	F	9					Maine											
F	Laura (see serial) Tracy	F	9					Maine											
C	Fanna K. Axtell	F	11					Maine											
F	Fanna (see serial) Axtell	F	11					Maine											
C	Hiram K. Collins	M	33		Farmer	800	500	New Brunswick											
F	Hiram (see serial) Collins	M	33		Farmer	800	500	New Brunswick											
C	Elvira A. Grover	F	29					Maine											
F	Elvira (see serial) Grover	F	29					Maine											

Chart 4.4 Comparison of county and federal copies of a page from the 1860 Census for Baileyville, Maine.

Yellow: incorrect birthplace; Green: individual omitted and added to a different household; Blue: spelling of name altered; Violet: middle initial omitted; Pink: information placed in the wrong row

The image shows two census tables for Baileyville, Maine, 1860. The left table is the county copy and the right is the federal copy. Red arrows point from the county copy to the federal copy, highlighting discrepancies. Yellow highlights indicate incorrect birthplaces, green highlights indicate individuals moved to different households, blue highlights indicate name spelling changes, and pink highlights indicate information in the wrong row.

Observations

Mr. Bleckley seems to have adopted his own practice of compiling his returns, rather than following the instructions provided by the Census Bureau. This is evident because the federal schedules he submitted to Washington contained a considerable amount of information that was absent from the county copies; which they were supposed to have been drawn from. For example, a man named Clinton A. Jones was listed without an occupation on the county copy of the census but noted to be a teacher on the federal copy. Another individual was originally enumerated as “A. J. Williams” but appears on the federal copy as “Alexander J. Williams”. It is possible that Mr. Bleckley was personally acquainted with these people, and therefore able to provide information on the federal copy that was originally omitted. Whatever the case, neither version of the census can be called most complete, because they both include unique information missing from the other (see charts 5.3a and 5.2b).

On the federal copy of the census, Mr. Bleckley listed young men and boys as farmers if their father possessed that occupation. On the original returns, their occupations had been left blank. He also failed to provide township names on the county copy or delineate between localities. This was corrected on the copy of the returns sent to Washington. Refer to charts 5.1, 5.3a, and 5.3b in the appendix for further details.

Chart 5.2 Types of errors and omissions found in the federal copies of Rabun County, Georgia 1860 census schedules prepared by James Bleckley, assistant marshal, based on a line-by-line comparison to the original returns which he deposited in the office of the Rabun County Clerk. 759 inhabitants were used in this comparison.

Type of Error	Number of Errors	Percentage of All Errors	Average number of errors per 100 inhabitants
Spelling of an individual's name altered (i.e. <i>Turnbull</i> → <i>Turnbell</i>)	33	40.7%	4.35
Initial miscopied (i.e. <i>A. W. Smith</i> → <i>S. W. Smith</i>)	3	3.7%	0.40
Part of a name not copied (i.e. <i>middle name</i> or <i>'jr.'</i> omitted)	8	9.9%	1.05
Age miscopied (i.e. <i>55</i> → <i>35</i>)	3	3.7%	0.40
Personal or real estate value miscopied (i.e. <i>3000</i> → <i>300</i>)	2	2.5%	0.26
Different birthplace or occupation given (i.e. <i>Carpenter</i> → <i>Farmer</i>)	8	9.9%	1.05
Less precise birthplace or occupation given (i.e. <i>Quebec</i> → <i>Canada</i>)	4	4.9%	0.53
Information placed in the wrong column (i.e. <i>adjacent box checked</i>)	2	2.5%	0.26
Information placed in the wrong person's row (i.e. <i>ages swapped</i>)	2	2.5%	0.26
Field left blank / information not copied (i.e. <i>occupation missing</i>)	15	18.5%	1.98
Descriptive notes omitted (i.e. <i>street name no longer noted in margin</i>)	0	0.0%	0.00
Other errors	1*	1.2%	0.13
TOTAL:	81	100%	10.67

* One individual found on the county copy was completely left out of the federal copy.

1860 Population Schedules Prepared by Lloyd Magruder

Chart 5.3A Sampling of discrepancies found between the county and federal copies of Rabun County, Georgia 1860 federal census population schedules prepared by James Bleckley, assistant marshal.

County / federal copy of the census	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION		Profession, occupation, or trade of each person over 15 years of age.	VALUE OF ESTATE OWNED		Place of Birth. Naming the State, Territory, or Country.	As noted within the census who cannot read	As noted within the census who cannot write	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		Age.	Sex.		Color.	Real Estate				
C	James E. Derrick	29	M	Farmer		100	Georgia			
F	James E. Derrick	29	M	Farmer		100	Georgia			
C	Thomas Kelley	63	M	Farmer	7000	2350	Tennessee			
F	Thomas Kelley	63	M	Farmer	2,550	7000	Tennessee			
C	Amos H. McAllister	29	M	Farmer	1550	1547	Georgia			
F	A. H. McAllister	29	M	Farmer	1550	1547	Georgia			
C	James H. Thomas	20	M	Farmer			Georgia		X	
F	James H. Thomas	20	M	Farmer			Georgia		(na)	
C	Mary Jones	57	F		300	127	Georgia			
F	Mary Jones	57	F		300	127	South Carolina			
C	Genelia F. Bleckley	8	F				Georgia	X		
F	Jessie F. Bleckley	8	F				Georgia	X		
C	Asberry Dorsey	15	M	Farmer			South Carolina	X		
F	Asberry Dorsey	15	M	Farmer			South Carolina	X		

Chart 5.3B Sampling of information found on the federal, but not county copy of Rabun County, Georgia 1860 federal census population schedules prepared by James Bleckley, assistant marshal.

County / federal copy of the census	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION		Profession, occupation, or trade of each person over 15 years of age.	VALUE OF ESTATE OWNED		Place of Birth. Naming the State, Territory, or Country.	As noted within the census who cannot read	As noted within the census who cannot write	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		Age.	Sex.		Color.	Real Estate				
C	A. J. Williams	23	M	(no occupation)			Georgia			
F	Alexander J. Williams	23	M	Farmer			Georgia			
C	Clinton A. Jones	22	M	(no occupation)			Georgia			
F	Clinton A. Jones	22	M	Teacher			Georgia			
C	D. B. Ledford	42	M	Farmer	500	445	North Carolina			
F	David B. Ledford	42	M	Farmer	500	445	North Carolina			
C	Martha C. Head	1	F				(no birthplace)			
F	Martha C. Head	1	F				Georgia			
C	Martha Wall	84	F	(no occupation)	2000	692	North Carolina	X		
F	Martha Wall	84	F	Widow and Farmer	2000	692	North Carolina	X		
C	Martha J. Love	20	F				Georgia	X		
F	Martha Jane Love	20	F				Georgia	X		
C	Rebecca Wilson	52	F	(no occupation)	100	80	South Carolina	X		
F	Rebecca Wilson	52	F	Widow	100	80	South Carolina	X		

Chart 6.2 Types of errors and omissions found in the federal and state copies of Yuba County, California 1860 census schedules prepared by Lloyd Magruder, assistant marshal, based on a line-by-line comparison to the original returns which he deposited in the offices of the Yuba County Clerk, 657 inhabitants were used in this comparison.

Type of Error	Number of Errors		Percentage of All Errors		Average number of errors per 100 inhabitants	
	Fed.	State	Fed.	State	Fed.	State
	Spelling of an individual's name altered (i.e. <i>Turnbull</i> → <i>Turnbell</i>)	2	9	14.2%	31.0%	0.30
Initial miscopied (i.e. <i>A. W. Smith</i> → <i>S. W. Smith</i>)	0	5	0.0%	17.2%	0.00	0.76
Part of a name not copied (i.e. <i>middle name</i> or ' <i>jr.</i> ' omitted)	0	0	0.0%	0.0%	0.00	0.00
Age miscopied (i.e. <i>55</i> → <i>35</i>)	0	5	0.0%	17.2%	0.00	0.76
Personal or real estate value miscopied (i.e. <i>3000</i> → <i>300</i>)	1	0	7.1%	0.0%	0.15	0.00
Different birthplace or occupation given (i.e. <i>Carpenter</i> → <i>Farmer</i>)	1	3	7.1%	10.3%	0.15	0.46
Less precise birthplace or occupation given (i.e. <i>Quebec</i> → <i>Canada</i>)	0	0	0.0%	0.0%	0.00	0.00
Information placed in the wrong column (i.e. <i>adjacent box checked</i>)	0	2	0.0%	6.9%	0.00	0.30
Information placed in the wrong person's row (i.e. <i>ages swapped</i>)	2	1	14.2%	3.4%	0.30	0.15
Field left blank / information not copied (i.e. <i>occupation missing</i>)	6	2	42.9%	6.9%	0.91	0.30
Descriptive notes omitted (i.e. <i>street name no longer noted in margin</i>)	1	1	7.1%	3.4%	0.15	0.15
Other errors	1*	1*	7.1%	3.4%	0.15	0.15
TOTAL:	14	29	100%	100%	2.11	4.4

* One individual found on the county copy was replaced with a different inhabitant, whose information was represented on both the state and federal copies.

Observations

Of the five assistant marshals included in this study, Mr. Magruder was the only one whose state copies of the census are known to survive. This afforded the rare opportunity to compare all three sets of documents. It is evident that Magruder was very meticulous and took pride in his work, having great attention to detail, and an astoundingly low margin of error. The state copies of the census were found to have slightly more discrepancies than those sent to Washington, but only slightly. None of the errors on the federal copy were

Chart 6.3 Sampling of discrepancies found between the county, state, and federal copies of Yuba County, California 1860 federal census population schedules prepared by Lloyd Magruder, assistant marshal.

County / State / Federal census copy	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION			VALUE OR ESTATE OWNED		Place of Birth, Naming the State, Territory, or Country.	Married within ten leagues.	Persons over 20 years of age and value	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		AGE.	Sex.	Color.	Real Estate	Personal Property				
C	Benjamin Landis	45	M	Farming	3000	2000	Pennsylvania			
S	Benjamin Landis	45	M	Farming	3000	2000	Pennsylvania			
F	Benjamin Landis	45	M	Farming	3,200	2000	Pennsylvania			
C	John May	28	M	Farm Laborer			Ohio			
S	John May	28	M	Farm Laborer			Ohio			
F	John <i>Mary</i>	28	M	Farm Laborer			Ohio			
C	S. Tuttle	25	M	School Teacher			Maine			
S	S. Tuttle	25	M	School Teacher			Maine			
F	S. Tuttle	25	M	School Teacher			<i>Maryland</i>			
C	Matilda N. Lawson	8	F				California	X		
S	Matilda A. Lawson	8	F				California	X		
F	Matilda N. Lawson	8	F				California	<i>(no)</i>		
C	Carmecho Jesus	45	M	Ind. Farm Laborer			Mexico		X	
S	<i>Cornelio</i> Jesus	45	M	Ind. Farm Laborer			Mexico		X	
F	Carmecho Jesus	45	M	Ind. Farm Laborer			Mexico		X	
C	Francisco Cararo	32	M	Ind. Gardener			Mexico		X	
S	Francisco <i>Cararom</i>	32	M	Ind. Gardener			Mexico		X	
F	Francisco Cararo	32	M	<i>(no)</i> Gardener			Mexico		X	
C	Stephen F. Landis	56	M	Brick Mason			Virginia			
S	Stephen F. Landis	56	M	Brick Mason			<i>Pennsylvania</i>			
F	Stephen F. Landis	56	M	Brick Mason			Virginia			
C	Margaret E. Simpson	32	F	Farming	15000	3000	Ireland			
S	Margaret A. Simpson	32	F	Farming	15000	3000	Ireland			
F	Margaret E. Simpson	32	F	Farming	15000	3000	Ireland			
C	Henry Dike	23	M	Laborer			Unknown			
S	Henry <i>Dyke</i>	23	M	Laborer			Unknown			
F	Henry Dike	23	M	Laborer			Unknown			
C	James Martin	16	M	Laborer			Virginia			
S	James Martin	16	M	<i>(no occupation)</i> Laborer			Virginia			
F	James Martin	16	M	Laborer			Virginia			
C	Mata M. Stinkamp	5	F				California			
S	<i>Moribu</i> F. Stinkamp	5	F				California			
F	Mata M. Stinkamp	5	F				California			
C	Ah Saw	60	M	Laborer			China			
S	Ah Saw	36	M	Laborer			China			
F	Ah Saw	60	M	Laborer			China			
C	Daniel Wellman	57	M	Farmer	4000	300	Connecticut			
S	<i>Williams</i>	57	M	Farmer	4000	300	Connecticut			
F	Daniel Wellman	57	M	Farmer	4000	300	Connecticut			

repeated on the state copy, and the opposite is true as well. Both copies were produced based on county copy alone; just as the Census Office had instructed. For a more detailed breakdown, refer to charts 6.1 and 6.3 in the appendix.

General Findings

Chart 7.1 Comparison of the rate of copying errors in federal copies among the five assistant marshals whose returns were selected for audit.

Assistant Marshal	Average Number of Copying Errors Made Per 100 Inhabitants	Most Frequent Type of Error
W. W. Armstrong	11.58	Spelling of an individual's name altered
Lloyd Magruder	2.11	Field left blank / information not copied
J. L. Cutler	10.18	Field left blank / information not copied
James Bleckley	10.67	Spelling of an individual's name altered
Amos L. Foster	30.50	Part of a name not copied (i.e. middle initial)
AVERAGE:	13.0	

The number of mistakes made during the copying process, and their nature, seems to vary greatly depending on the enumerator. While Amos Foster made an average of 30.50 errors per hundred inhabitants, Lloyd Magruder made only 2.11. It would also appear that each enumerator tended to make a lot of the same kind of mistakes, repeating the same problems over and over again, while other enumerators may not have had that issue at all.

In some cases, letters within an individual's surname became transposed during the copying process, or accidental changes were made to spelling. While names being off by just a few letters may seem trivial, such mistakes have completely changed a person's name. Numerous examples can be seen in Chart 2.3, such as the surname Johnston, which became Johnson. These kinds of mistakes born from the copying process could prevent genealogists and other historic researchers from being able to locate an individual in the census. To make matters worse, in cases where a surname was miscopied for a head of household, the error also affects other members of the household sharing that surname, because ditto marks were used.

By far the most dangerous errors detected among enumerators happened when they became off on one line, and continued copying. The result is that none of the lines on the page match up, and all of the recorded information is incorrect.

Conclusion

The production of triplicate census returns from 1850 to 1870 was a tremendous failure. The endeavor was extremely costly, and the county and state copies of returns were seldom consulted because they were not thought to be as official as those in Washington. States were unable to use their copies of the returns because they had not been tallied and calculated to the same

extent as those in Washington. As a result, they resorted to petitioning the Census Bureau for information that was readily accessible to them. This massive influx of inquiries seriously impeded the Bureau's operations, as they needed to research and respond individually to each request.

The most lasting effect today is no doubt the greatly degraded accuracy of our census records due to the process of hand-copying the returns. Sadly, in most cases, only the federal copies of the 1850, 1860, and 1870 censuses are accessible to researchers. The original sets of returns, which were most valuable, have largely been misplaced by county clerks and lost to time. At the very least, perhaps understanding the copying process and the resulting clerical errors can potentially provide explanations for omitted or false information.

Appendix

Chart 2.1 Specifications of the audit conducted on 1860 federal census returns prepared by W. W. Armstrong, an assistant marshal in Washington Territory.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Challam County (all)	8	149
Idland County (all)	11	294
Whatecom County (all)	5	352
TOTAL:	24 pages	795 inhabitants

Chart 3.1 Specifications of the audit conducted on 1860 federal census returns prepared by J. L. Cutler, an assistant marshal in Allegany County, New York.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Clarksville, New York (all)	22	865
TOTAL:	22 pages	865 inhabitants

Chart 4.1 Specifications of the audit conducted on 1860 federal census returns prepared by Amos L. Foster, an assistant marshal in Washington County, Maine.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Baileville, Maine (all)	10	273
Crawford, Maine (all)	7	263
TOTAL:	17 pages	636 inhabitants

Chart 5.1 Specifications of the audit conducted on 1860 federal census returns prepared by James Bleckley, an assistant marshal in Rabun County, Georgia.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Rabun County (partial)	19	759
TOTAL:	19 pages	759 inhabitants

Chart 6.1 Specifications of the audit conducted on 1860 federal and state census returns prepared by Lloyd Magruder, an assistant marshal in Yuba County, California.

Extent of Territory Sampled	Number of Pages	Number of Inhabitants
Linda Township (all)	18	657
TOTAL:	18 pages	657 inhabitants

Chart 2.3 Sampling of discrepancies found between the county and federal copies of Washington Territory 1860 federal census population schedules prepared by W. W. Armstrong, assistant marshal.

County (Federal)	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION	Profession, occupation, or trade of each person over 15 years of age.	VALUE OF STATE OWNED		Place of Birth, Naming the State, Territory, or Country.	Has child under 10 years of age?	Is deaf and dumb, blind, insane, idiotic, pauper, or convict?
				Real Estate	Personal Property			
C	R. Abrams	25 M	Farmer	1000	500	Scotland		
F	R. Abrams	25 M	Farmer	1000	500	Scotland		
C	F. Johnson	35 M	Carpenter	1000		Massachusetts		
F	F. Johnson	35 M	Carpenter	1000		Massachusetts		
C	John M. Iren	28 M	Farmer	1200	200	Scotland		
F	John M. Iren	28 M	Farmer	1300	200	Scotland		
C	James Nesbet	30 M	Farmer	300	200	Scotland		
F	James Nesbet	30 M	Farmer	300	200	Scotland		
C	C. Miller	55 M	Farmer	4000	1000	Massachusetts		
F	C. Miller	55 M	Farmer	4000	100	Massachusetts		
C	John Okstone	34 M	Cook			Belgium		
F	John Okstone	34 M	Cook			Belgium		
C	Clarissa Hathaway	35 F				Maine		
F	Clarissa Hathaway	35 F				Maine		
C	Jacob E. Ebey	13 M	Farmer	2000		Missouri		
F	Jacob E. Ebey	13 M	(no occupation)	2000		Missouri		
C	R. J. Peabody	40 M	Lumberman	3000	200	Ohio		
F	R. V. Peabody	40 M	Lumber Business	3000	200	Ohio		
C	Fred Marks	30 M	Private U.S.A.			Germany		
F	Fredrick Marks	30 M	Soldier U.S.A.			Germany		
C	Robert Skifford	25 M				Pennsylvania		
F	Robert Skifford	25 M				Penn		
C	H. J. Joyce	3				Washington		
F	H. J. Joyce	10 F				Washington		
C	Ann Joyce	30 F				Washington		
F	Ann Joyce	10 F				Washington		
C	J. J. Shaw	36 M	Farmer	500	500	South Carolina		
F	J. J. Shaw	36 M	Farmer	500	(not)	South Carolina		
C	Daniel Smully	29 M	Farmer	5000	150	Vermont		
F	Daniel Smully	39 M	Farmer	5000	150	Vermont		
C	Susan V. Wise	9 F				Texas	X	
F	Susan V. Wise	9 F				Texas	(not)	
C	James Ryder	32 M	Carpenter			England		X
F	James Ryder	32 M	Carpenter			England		(not)
C	Thos. Conall	41 M	Yeoman			Ireland		
F	Fred Conwall	41 M	Yeoman			Ireland		
C	F. Craney	30 M	Manufacturer of Lumber	100		New Brunswick		
F	F. Craney	30 M	Manufacturer of Lumber	100		New Brunswick		
C	Margaret Slater	31 F				England		
F	Margaret Slater	31 F				England		

Chart 3.3 Sampling of discrepancies found between the county and federal copies of Clarksville, New York 1860 federal census population schedules prepared by J. L. Cutler, assistant marshal.

County (federal copy of the census)	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION		Profession, occupation, or trade of each person over 15 years of age.	VALUE OF REAL ESTATE OWNED		Place of Birth, Naming the State, Territory, or Country.	A school within the town?	Persons over 20 years of age who can read and write	Deaf and dumb, blind, insane, idiotic, pauper, or convict.	
		Age.	Sex.		Color.	Real Estate					Personal Property
C	Am brose Childs	7	M				New York			X	
F	Am brose Childs	7	M				New York			[no]	
C	Lacinda M. Nichols	26	F				New York				
F	Lacinda M. Nichols	26	F				[no birthplace]				
C	Jane Lawrence	41	F				New York				
F	Jane Lawrence	4	F				New York				
C	Asa Monger	45	M	Farmer		200					
F	Asa Monger	45	M	Farmer		200				[no]	
C	Flora Keller	1	F				New York				
F	Flora Keller	1	F				[no birthplace]				
C	Malinda Elwood	57	F				New York				
F	Malinda Elwood	57	F				[no birthplace]				
C	Hiram Peckham	56	M	Farmer	2300	700	Connecticut				
F	Hiram Peckham	56	M	Farmer	2300	700	[no birthplace]				
C	Levi F. Dunn	32	M	Farmer	1150	250	New York				
F	Levi F. Dunn	32	M	Farmer	1150	250	[no birthplace]				
C	Cecelia A. Robinson	13	F				New York			X	
F	Cecilia A. Robinson	13	F				New York			X	
C	Jane O. Satterlee	35	F				Toronto, Canada				
F	Jane O. Satterlee	34	F				Toronto, Canada				
C	Mary E. Ames	4	F				New York				
F	Mary [no initial] Ames	4	F				New York				
C	William Wilkinson	19	M	Farm Laborer			New York			X	
F	William Wilkinson	19	M	Farm Laborer			New York			[no]	
C	Leonard M. Foster	31	M	Lumberman	5000	5000	New York				
F	Lenora M. Foster	31	M	Lumberman	5000	5000	New York				
C	Joseph Haynes	57	M	Day Laborer	1500	500	Massachusetts				
F	Joseph Haynes	57	M	Day Laborer	1500	500	Massachusetts				
C	Stephen B. Moulton	29	M		1000		New York				
F	Stephen B. Moulton	29	M		[no]		New York				
C	Henry Murry	38	M	Farmer	800	250	New York				
F	Henry Murry	38	M	Farmer	800	250	New York				
C	Alvey C. Peckham	16	M	Farm Laborer			New York			X	
F	Alvey C. Peckham	16	M	Farm Laborer			New York			[no]	
C	William Green	17	M	Farm Laborer			New York				
F	William Green	17	M	[no occupation]			New York				
C	Morris German 2 nd	32	M	Farmer	1000	475	New York				
F	Morris German 2 nd	32	M	Farmer	[no]	1000	New York				
C	Amelia Farewell	30	F				New York				
F	Aurilla Farewell	30	F				New York				

Chart 4.3 Sampling of discrepancies found between the county and federal copies of Washington County, Maine 1860 federal census population schedules prepared by Amos L. Foster, assistant marshal.

County (federal copy of the census)	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION		Profession, occupation, or trade of each person over 15 years of age.	VALUE OF REAL ESTATE OWNED		Place of Birth, Naming the State, Territory, or Country.	A school within the town?	Persons over 20 years of age who can read and write	Deaf and dumb, blind, insane, idiotic, pauper, or convict.	
		Age.	Sex.		Color.	Real Estate					Personal Property
C	Alexander Brownlee	35	M	Common Laborer	350	175	Ireland				
F	Alexander Brownlee	35	M	Common Laborer	350	175	Ireland				
C	Samuel H. Farrar	9	M				Maine			X	
F	Samuel [no initial] Farrar	9	M				Maine			X	
C	Angelita Bacon	10/12	F				Maine				
F	Angelita Bacon	10/2	F				Maine				
C	Cyrus Sprague	30	M	Farmer	300	100	New Brunswick				
F	Cyrus Sprague	30	M	Farmer	300	100	Maine				
C	Anna A. Bailey	1	F				Maine				
F	Anna [no initial] Bailey	1	F				Maine				
C	Julia A. Landsey	30	F				Maine				
F	Julia [no initial] Landsey	30	F				Maine				
C	Andrew W. Davis	15	M				Maine			X	
F	Andrew [no initial] Davis	15	M				Maine			X	
C	Mathew Rhine	28	M	Farmer	1000	400	Maine				
F	Mathew Ryan	28	M	Farmer	1000	400	Maine				
C	Daniel S. Seavey	37	M	Farmer	700	500	Maine				
F	Daniel [no initial] Seavey	37	M	Farmer	700	500	Maine				
C	Jane H. Knight	62	F				Nova Scotia				
F	Jane [no initial] Knight	62	F				Nova Scotia				
C	Mary E. Hogan	6	F				Maine				
F	Mary [no initial] Hogan	6	F				Maine				
C	Joseph Thornton	88	M				New Hampshire				
F	Joseph Thornton	88	M				Ireland				
C	Charles Achison	42	M	Common Laborer			New Brunswick				
F	Charles Acherson	42	M	Common Laborer			New Brunswick				
C	Sarah Peters	70	F				Ireland			X	
F	Sarah Peters	70	F				Ireland			X	
C	Mary E. Lane	10	F				Maine			X	
F	Mary E. Lane	10	F				Maine			[no]	
C	Sylvanus Low	15	M	Farm Laborer			Maine				
F	Sylvanus Low	15	M	Farm Laborer			Maine				
C	Laura E. Tracy	9	F				Maine			X	
F	Laura [no initial] Tracy	9	F				Maine			X	
C	Emma R. Avenell	11	F				Maine			X	
F	Emma [no initial] Avenell	11	F				Maine			X	
C	Hiram R. Collins	33	M	Farmer	800	500	New Brunswick				
F	Hiram [no initial] Collins	33	M	Farmer	800	500	New Brunswick				
C	Elvira A. Grover	29	F				Maine				
F	Elvira [no initial] Grover	29	F				Maine				

Chart 5.3A Sampling of discrepancies found between the county and federal copies of Rabun County, Georgia 1860 federal census population schedules prepared by James Bleckley, assistant marshal.

County / Federal copy of the census	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION			Profession, occupation, or trade of each person over 15 years of age.	VALUE OF ESTATE OWNED		Place of Birth. Naming the State, Territory, or Country.	At school within the last year.	Persons over 20 years of age who read and write.	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		Age.	Sex.	Color.		Real Estate	Personal Property				
C	James E. Derrick	29	M		Farmer		100	Clayton, Georgia			
F	James E. Derrick	29	M		Farmer		100	Georgia			
C	Thomas Kelley	63	M		Farmer		7000	Tennessee			
F	Thomas Kelley	63	M		Farmer		2,550 7000	Tennessee			
C	Amos H. McAllister	29	M		Farmer		1550	Georgia			
F	A. H. McAllister	29	M		Farmer		1547	Georgia			
C	James H. Thomas	20	M		Farmer			Georgia	X		
F	James H. Thomas	20	M		Farmer			Georgia		(no)	
C	Mary Jones	57	F				300	Georgia			
F	Mary Jones	57	F				300	South Carolina			
C	Genela F. Bleckley	8	F					Georgia	X		
F	Jenelia F. Bleckley	8	F					Georgia	X		
C	Asbury Dorsey	15	M		Farmer			South Carolina	X		
F	Asberry Dorsey	15	M		Farmer			South Carolina	X		

Chart 5.3B Sampling of information found on the federal, but not county copy of Rabun County, Georgia 1860 federal census population schedules prepared by James Bleckley, assistant marshal.

County / Federal copy of the census	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION			Profession, occupation, or trade of each person over 15 years of age.	VALUE OF ESTATE OWNED		Place of Birth. Naming the State, Territory, or Country.	At school within the last year.	Persons over 20 years of age who read and write.	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		Age.	Sex.	Color.		Real Estate	Personal Property				
C	A. J. Williams	23	M		[no occupation]			Georgia			
F	Alexander J. Williams	23	M		Farmer			Georgia			
C	Clinton A. Jones	22	M		[no occupation]			Georgia			
F	Clinton A. Jones	22	M		Teacher			Georgia			
C	D. B. Ledford	42	M		Farmer		500	North Carolina			
F	David B. Ledford	42	M		Farmer		500	North Carolina			
C	Martha C. Head	1	F					[no birthplace]			
F	Martha C. Head	1	F					Georgia			
C	Martha Wall	84	F		[no occupation]		2000	North Carolina	X		
F	Martha Wall	84	F		Widow and Farmer		2000	North Carolina	X		
C	Martha J. Love	20	F					Georgia	X		
F	Martha Jane Love	20	F					Georgia	X		
C	Rebecca Wilson	52	F		[no occupation]		100	South Carolina	X		
F	Rebecca Wilson	52	F		Widow		100	South Carolina	X		

Chart 6.3 Sampling of discrepancies found between the county, state, and federal copies of Yuba County, California 1860 federal census population schedules prepared by Lloyd Magruder, assistant marshal.

County / Federal census copy	The name of every person whose usual place of abode on the 1st day of June, 1860, was in this family.	DESCRIPTION			Profession, occupation, or trade of each person over 15 years of age.	VALUE OF ESTATE OWNED		Place of Birth. Naming the State, Territory, or Country.	At school within the last year.	Persons over 20 years of age who read and write.	Deaf and dumb, blind, insane, idiotic, pauper, or convict.
		Age.	Sex.	Color.		Real Estate	Personal Property				
C	Benjamin Landis	45	M		Farming		3000	Pennsylvania			
S	Benjamin Landis	45	M		Farming		3000	Pennsylvania			
F	Benjamin Landis	45	M		Farming		2,700	Pennsylvania			
C	John May	28	M		Farm Laborer			Ohio			
S	John May	28	M		Farm Laborer			Ohio			
F	John May	28	M		Farm Laborer			Ohio			
C	S. Tuttle	25	M		School Teacher			Maine			
S	S. Tuttle	25	M		School Teacher			Maine			
F	S. Tuttle	25	M		School Teacher			Maryland			
C	Matilda N. Lawson	8	F					California	X		
S	Matilda A. Lawson	8	F					California	X		
F	Matilda N. Lawson	8	F					California		(no)	
C	Carmelo Jesus	45	M	Ind	Farm Laborer			Mexico		X	
S	Carmelo Jesus	45	M	Ind	Farm Laborer			Mexico		X	
F	Carmelo Jesus	45	M	Ind	Farm Laborer			Mexico		X	
C	Francisco Carraro	32	M	Ind	Gardener			Mexico		X	
S	Francisco Carraro	32	M	Ind	Gardener			Mexico		X	
F	Francisco Carraro	32	M	Ind	Gardener			Mexico		X	
C	Stephen F. Landis	56	M		Brick Mason			Virginia			
S	Stephen F. Landis	56	M		Brick Mason			Pennsylvania			
F	Stephen F. Landis	56	M		Brick Mason			Virginia			
C	Margaret E. Simpson	32	F		Farming		15000	Ireland			
S	Margaret E. Simpson	32	F		Farming		15000	Ireland			
F	Margaret E. Simpson	32	F		Farming		15000	Ireland			
C	Henry Dike	23	M		Laborer			Unknown			
S	Henry Dike	23	M		Laborer			Unknown			
F	Henry Dike	23	M		Laborer			Unknown			
C	James Martin	16	M		Laborer			Virginia			
S	James Martin	16	M		[no occupation]			Virginia			
F	James Martin	16	M		Laborer			Virginia			
C	Mata M. Sinskamp	5	F					California			
S	Marta F. Sinskamp	5	F					California			
F	Mata M. Sinskamp	5	F					California			
C	Ab Saw	60	M		Laborer			China			
S	Ab Saw	60	M		Laborer			China			
F	Ab Saw	60	M		Laborer			China			
C	Daniel Wellman	57	M		Farmer		4000	Connecticut			
S	Daniel Williams	57	M		Farmer		4000	Connecticut			
F	Daniel Wellman	57	M		Farmer		4000	Connecticut			

Chart 4.4 Comparison of county and federal copies of a page from the 1860 Census for Baileyville, Maine.

Yellow: incorrect birthplace; Green: individual omitted and added to a different household; Blue: spelling of name altered; Violet: middle initial omitted; Pink: information placed in the wrong row

Household No.	Name	Age	Sex	Color	Occupation	Birthplace	Marital Status	Value of Real Estate	Value of Personal Estate
222-101	John Thomas	79	M	W		Maine	M	1000	100
222-102	Elizabeth	77	F	W		Maine	M	1000	100
222-103	John Thomas	39	M	W	Farmer	Maine	M	1000	100
222-104	Elizabeth	37	F	W		Maine	M	1000	100
222-105	John Thomas	10	M	W		Maine	M	1000	100
222-106	Elizabeth	8	F	W		Maine	M	1000	100
222-107	John Thomas	5	M	W		Maine	M	1000	100
222-108	Elizabeth	3	F	W		Maine	M	1000	100
222-109	John Thomas	1	M	W		Maine	M	1000	100
222-110	Elizabeth	1	F	W		Maine	M	1000	100
222-111	John Thomas	1	M	W		Maine	M	1000	100
222-112	Elizabeth	1	F	W		Maine	M	1000	100
222-113	John Thomas	1	M	W		Maine	M	1000	100
222-114	Elizabeth	1	F	W		Maine	M	1000	100
222-115	John Thomas	1	M	W		Maine	M	1000	100
222-116	Elizabeth	1	F	W		Maine	M	1000	100
222-117	John Thomas	1	M	W		Maine	M	1000	100
222-118	Elizabeth	1	F	W		Maine	M	1000	100
222-119	John Thomas	1	M	W		Maine	M	1000	100
222-120	Elizabeth	1	F	W		Maine	M	1000	100

Author Bio: Jeremy Berry-Cahn received his Bachelor’s degree in History from CSU Sacramento in 2021, and is currently pursuing a Master’s in Preservation and Archives Management (MLIS) from Simmons University in Boston, Massachusetts. His research is primarily concentrated on Colonial America. As an avid genealogist, he particularly enjoys evaluating the integrity, reliability, and completeness of popular archival sources such as census and tax records, vital statistics, and draft registration records. While in Sacramento, Jeremy worked as a student assistant for the Collections Management Unit of the California State Archives. He currently works as the archivist for a Massachusetts Town Clerks Office and is heavily involved with numerous Historical Societies in both Essex and Middlesex Counties. Jeremy also serves as President of the board of the São Jorge Genealogical and Historical Society, which he co-founded in 2016 to aid genealogists researching their lineage in the Azores. To date, the group has overseen the digitization of over 250,000 manuscripts dating back to the 1500s.

Fire Prevention Plan for William B. Ide State Historic Park

Sayer Borden

California is experiencing a dramatic change in the state's climate, with lengthier and hotter summers drying out the natural environment and increasing the threat of wildfire. This danger affects the natural resources of the state, as well as the cultural landmarks and heritage of California. *Fire Prevention Plan for William B. Ide State Historic Park* focuses on emergency preparedness by creating an original and sustainable plan to mitigate fire damage to a valued community resource, William B. Ide Adobe State Historic Park in Red Bluff.

Cultural Resource Management (CRM) is a diverse discipline within historic preservation that is growing to combat environmental catastrophes. Extreme weather patterns prompted by climate change have forced preservation professionals to think of new ways of defending California's cultural resources from annihilation. There is a critical need to create and implement creative solutions to push back against extreme fire behavior, and this demand is the influence of this thesis project. This project blends different elements of CRM, Geographic Information Systems (GIS), and firefighting principles to construct an original and useable plan to ensure the survival of this park for future generations.



William B. Ide SHP Interpretive Area- Sep 2019

William B. Ide Adobe State Historical Park is a 2.91-acre park found along the northern bank of the Sacramento River in Red Bluff at the northern end of the Sacramento Valley. This park recounts the often-forgotten story of William B. Ide, an emigrant from the United States who played a significant role in the 1846 Bear Flag Revolt, and the stories of the native Nomlaki people and other early California pioneers. The park's location at the base of the foothills of the Coastal Range makes the site susceptible to wildfire and has recently seen an increase in extreme fire behavior. The 2021 fire season saw both the Macfarland and Dairy fires spring up within proximity to the park and reaffirms the active threat in the region and the need for a plan to mitigate this threat should it occur near or on the park's property.

Locating risks to the park was the first task in creating this fire prevention plan. The park's northern boundary is Adobe Road, which residents of the surrounding neighborhood use. Upon assessing the rate of traffic and the proximity of the natural foliage to the road, the most significant threat to the



1952 Adobe House- Dec 2021

park is embers from motorized vehicles. An area of greatest risk was located along the park's northeastern boundary, where the road runs along a lookout knoll that contains natural foliage native to northern California. In this area, there is the highest probability that a fire would start. Sparks from a flat tire, cigarette butt, or embers from an exhaust pipe all pose substantial threats to the park during the summer months of May through September. This evaluation of threats directed the development of this plan on how prevention measures would be implemented.

Constructing this fire prevention plan is unique because there is little to go off from other prevention plans of historical resources. The fire prevention

plan combines different heritage documentation methods, including the National Register of Historic Places DPR- 523 forms and the identification information located within the Historic American Landscape Survey. The first section of the fire prevention plan includes a statement of purpose, construction date and type, significance, historic and current use, and a description of the park. This section of the fire prevention plan also includes a description of the park's natural environment and how the natural foliage interacts with drought and fire. The influence for these sections comes from the aforementioned heritage documentation methods.

The second component of this plan contains GIS elements highlighting the historical change in vegetation and urban development around the park from 1952 to 2022. The development of subdivisions, Interstate- 5, and the expanding city limits of Red Bluff have, over the years, altered the natural environment surrounding the park and created new urban dangers. Aerial photographs provided by the University of California, Santa Barbara, point out the change in the environment and the external threats to the park. These



Visitor Center/ Museum-Dec 2021

photographs show the dangers the park encounters on a macro scale and the change in the natural environment due to human development.

There are seven structures on park property, each evaluated as a separate entity. The concluding section of this fire prevention plan combines the earlier sections, discusses the problems each structure on the park's property faces, and lays out a sustainable solution to mitigating the threat of fire. The solutions discussed include a variety of countermeasures to reduce fire activity. These solutions include having at least ten feet of defensible space, reducing natural fuel level by 30%, and annual inspections of historic windows and

chimneys to ensure no cracks or holes for embers to enter. Consulting with retired fire professionals and park staff allowed for an open exchange of ideas on which fire prevention techniques were best for each structure. The park maintenance crew approved all the solutions included in this plan and will be enforced in April before the Summer weather dries out the natural foliage. The conclusion reiterates the decisions made by fire professionals and the need for this project.

CRM professionals adapt quickly to push back against climate change-induced weather patterns and save our nation's cultural heritage. *Fire Prevention Plan for William B. Ide State Historic Park* fits into the broader conversation of historic preservation by showing that these emergency plans are necessary if we want to preserve historic sites from the ever-growing threat of climate change. This fire plan examines what threats face the park on a macro level, inspecting each structure and identifying issues and what solutions to equip these sites better to mitigate fire damage. Historic parks found in fire-prone regions need to adopt preventive measures to prevent disaster, and the information within this plan provides a valuable resource for guidance in detouring fire threats.

This project has been an enjoyable process, and I hope to share my work with other public historians interested in the disaster management of historical sites. Research for this project includes looking at what past professionals have said about this topic, going back to the 1966 passage of the National Historic Preservation Act. In California, the discussion around disaster management of historic properties revolves around earthquakes. However, since the early 2000s, there has been an uptick in the discourse around fire behavior. These works guided the construction of this fire prevention and ensured that this project would be a resource for future disaster management efforts. Coming from a family of fire professionals, this project feels like I am carrying on that legacy in a new way that will save our natural and historical environments.

Fire Prevention Plan for William B. Ide State Historic Park concentrates on disaster management of a historic property in northern California. This project guides park employees to better prepare the site for the threat of fire between May and September when temperatures are at their highest and humidity at its lowest. This fire plan takes elements from different heritage documentation forms and evaluates the park, from historical natural environment changes to how the fire reacts to adobe and different soil types. This fire prevention plan serves as a living testament to the advancement of historic properties' disaster management and is a reliable resource for influence in the long fight against climate change.

Author Bio: Sayre Borden is in his third year as a graduate student in the Public History program. In 2019 Sayre earned a bachelor's degree in History from Eastern Nazarene College in Quincy Massachusetts. Within the Public History program, Sayre has developed an interest in historic preservation and is working to make that his career upon graduating. Sayre hopes that his thesis project makes a meaningful impact within the cultural resource field and can guide future preservationists in defending the past. Outside of historic preservation, Sayre has a deep interest in American History with a passion towards the Civil War.

In the Lair of a Dragon: A Dialogue with Amber Verdugo, March-April 2022

Elvy Seyman

Abstract: This story chronicles the events of an eight-day labor strike by the Sacramento Teacher’s Union (SCTA) and School Classified Staff Union (SEIU Local 1021) in late March 2022 from the perspective of Amber Verdugo. Verdugo, an M.A. student in History at California State University, Sacramento (and the editor-in-chief of this publication), is a parent of two children in the Sacramento Unified School District. Her family, like many, was impacted by the strike. On the fifth [school] day of the strike, Verdugo helped lead a parent-student occupation of the Sacramento Unified School District Headquarters (Serna Center) from March 30 through April 3—putting pressure on the district to meet with SCTA and SEIU and reach agreements to end the strike.¹ I wish to keep Verdugo’s words and perspective on the strike and the sit-in protest as accurate as possible. Therefore, I have chosen to format this piece with excerpts of longer sections of an interview I conducted with her on April 23, 2022, and supplemented with my own fact-checking. As a result, this piece resembles more of a (recent) oral history than either journalism or a traditional historical narrative. The text of these excerpts has been edited minimally for length and clarity. Any errors are entirely my own.

Part 1: Are They Really Going to Let This Happen? March 1-March 30, 2022.

Author’s Note: The Sacramento City Teacher’s Association and SEIU Local 1021 called for a strike on March 23, 2022. The leadership of both unions stated that the strike was due to the district’s handling of a massive staffing shortage that left them overworked, underpaid, and put them at greater risk

1. Full disclosure: Amber is my colleague and friend. I met Amber during our senior year of college. We were both in a 10:30 am senior reading seminar as part of our culminating requirements to obtain our B.As in History. At that time, I understood that Amber would often come to school after dropping off her two elementary-age children at school. Not long after I met Amber, it was apparent that she, like many other parents, was actively involved in what I will wordily refer to as the “outsourcing of educational costs through teachers and parents.” The entire senior seminar benefitted from this, as she frequently brought in baked goods for the class that were either part of the bake sales for the school her children attended or the end result of helping them study fractions. She was, and remains, a dedicated parent, historian, and above all, education and labor advocate.

for Covid-19. An agreement was reached between the district and two unions on April 3, 2022, after the strike had gone on for eight school days.²

Seyman: Can you describe the week or so leading up to the strike from a parent's perspective? What was happening? What did everyone know?

Verdugo: We kept hoping it wasn't going to happen, and we couldn't fathom that the district was going to allow a strike to occur after kids had already missed two years of school because of the pandemic. And it was such an easy fix; it would have been so easy to meet and negotiate. But they [the district] completely refused to avoid the strike. They would occasionally send out a communication to parents that blamed SCTA and SEIU, indicating that the unions wouldn't negotiate. Then, once it became clear that there would be a strike, the district spun it, putting public pressure on the teachers, making them the villains in this story. It made me very angry and frustrated. It felt very political to present teachers, classified staff, and bus drivers that way.³

Seyman: The language that Superintendent Jorge A. Aguilar uses always comes back to the budgetary health of the district and the district's financial obligations. He kept saying, "we need to balance the budget."⁴

Verdugo: Aguilar's been doing this for years. He says we're going to be millions of dollars in the hole. But then, every single year, enrollment is higher than they projected, and we end up with a surplus. But the district is sitting on so much money that if we don't spend it, the state will take it away. So, we will lose this money because they are not spending it.

Seyman: Once it started how, how long did the strike last?

Verdugo: Eight days. For eight days, the kids were out of school

Seyman: What was that like for you and your kids?

Verdugo: We are lucky; we are at home, we don't have to worry about what we are going to do with our kids. Each morning started with a rally in front of the schools. Playing music, marching, dancing, and people were bringing breakfast. Our mornings started at the school, on the rally line. In the afternoon, we played games and read books. We decided that we were not going to engage in the district's educational opportunities that they put on Canvas because that is crossing the picket line in our house.

2. Janelle Salanga, "Parents are Staging a Sit-In at the Sacramento Unified Headquarters to Support Striking Teachers and Staff," *Capital Public Radio*, April 1, 2022. <https://www.capradio.org/articles/2022/04/01/parents-are-staging-a-sit-in-at-the-sacramento-city-unified-headquarters-to-support-striking-teachers-and-staff/>.

3. Amber Verdugo, interview by author, Sacramento, April 23, 2022. All subsequent quotes are from this interview.

4. Jorge Aguilar, "Superintendent Jorge Aguilar Strike Update," YouTube, March 25, 2022, <https://www.youtube.com/watch?v=hDtAYGZfsSs>.

Seyman: Did you get the sense the teachers had the community's support?

Verdugo: I live in a little bit of a bubble. Because the communications I get and the circles that I run in are pro-union, pro-teacher, my perspective is probably a bit skewed. Every school had a rally every morning and then a different, bigger rally at another location. So you would have these separate rallies at the schools and then *everybody* would move to the big rally location for that day. There was a massive movement of support in the community based on numbers. Many parents and students were getting involved at rallies every day. From my experience, the support was largely with the teachers.

Seyman: Did you and your family go to all of the rallies?

Verdugo: We went to many of them. I was present at the candlelight vigil at Serna Center [on March 30], when I took advantage and occupied the building.

Part 2: The Occupation, March 30, 2022.

Seyman: Tell me how the parent protest in the Serna center came about.

Verdugo: I got a text from an individual asking if I wanted to do something crazy to try and help end this strike. And I was like, "Tell me more." And they indicated they wanted to do a sit-in in the Serna Center. They told me they had one other person interested. And I was nervous; I'd never done anything like this before. So I sent out a mass text to all the parents I knew who might be interested. Finally, one mom responded to my text with, "Tell me what to do."

We heard SCTA had occupied the lower level of the Serna Center to force the district to meet with them and bargain. They were set up in the building café. On Wednesday night, we got there at 5:00 pm. I go up to the doors, and the doors are locked. I'm not sure we will get in, I didn't have a plan, but I had a duffel bag, phone charger, blanket, books, and card games. We're ready to do this, but we don't know how to get in. We see a bunch of red shirts, which is the bargaining team, going in on one side of the Serna Center, so I grabbed my duffel bag, and we just snuck into the crowd and followed them in. Then we are down in the café, where the bargaining is getting ready to take place, but we're not allowed to be there because we aren't members of the bargaining team. And one of the bargaining team members came up to us and asked, "What school are you guys with?"

Seyman: Who are you folks, basically.

Verdugo: Right precisely. "You can't be here." And I was like, yup. We know. We don't want to mess with what's happening. We want UPSTAIRS. Show us how to get there. So she is like, "here's the doors; these are the stairs."

Up the stairs is the lobby in front of Aguilar's office. And that's where we parked ourselves. There are some reasonably comfy chairs up there. Not as comfortable for sleeping in, however.

Seyman: I can imagine.

Verdugo: And that's how we got in, and the sit-in started.

Seyman: So let's go over that trajectory. What was that timeline like for you?

Verdugo: It's probably six o'clock on Wednesday. I bust out the UNO cards. The building's security guard and facilities manager followed us up the stairs and started watching us, clearly concerned about our intentions. But they weren't talking to us. I invited the facilities people to play UNO with us, and they declined. I also asked the security guards to play UNO with us. They also declined. We made it clear that our intention was that we wanted Aguilar in the bargaining room, making stuff happen. It was always to get the district to where they were supposed to be to end this strike. About 10:30-11:00 pm the bargaining team completed their waiting. Nobody was talking to them, so they left.

At that point, the security manager came up and said we had to leave. And I was like, "Nope, we're not leaving. We are going to stay here until this strike is resolved. We are not moving." And they start telling us the building was closed and we couldn't be there. And I said, "You're going to have to remove us if you want us to leave. That's your option. You're going to need to remove us, physically."

They called the Sheriff's department. We saw the vehicles through the window. I think they realized it would not be good optics for them to arrest three moms. I had a few phone numbers of media I communicated with from Fox40 and KCRA 3. So I sent some text messages to let them know what was happening. As soon as security started harassing us to leave, a mom in our protest group (April Ybarra) started live streaming on Facebook, so if we were arrested, there would be a record of it. So they said they would let us stay but that they would lock up the bathrooms so we couldn't have access to them. And they did. They locked the bathrooms. And I'm thinking, exactly, how do you think this will go? Cause this isn't going to go well for *you*. We aren't leaving. They slunk away and conversed with the Sheriff's department, who drove away shortly after that. And they slink back up, unlock the bathrooms without saying anything about it, and leave again. I thought I'm sorry, did we call your bluff?

So that was how the first night went. It was not a good night for sleeping. Hard to sleep in those chairs. So we did sort of finally doze off around 4:00 in the morning, and at 4:30 in the morning, we hear horns blowing, and some

discombobulated part of my brain thinks, there's going to be people out there with strike signs. But, no, the media had arrived.

We went downstairs after a short conversation with the media over the phone. And the security, thinking we were leaving, unlocked the doors, at which point we just escorted the press in. I thanked them for opening the door! After that, we went upstairs with reporters and had an excellent little interview in front of Aguilar's office.⁵

Seyman: This is now Thursday morning?

Verdugo: Yes. I was very tired, and at this point, I didn't know if this was going to have any impact. Thursday, we get a fourth person. It's now three moms and a dad. So now we are a four people sit-in. But I'm thinking, is this going to be enough? We need this to be significant. At this point, they've put guards at the foot of the stairs. We did have other people who wanted to join us, but they were getting turned away.

Part 3: The Momentum: April 1-April 3, 2022.

Verdugo: So Thursday evening, I'm trying to figure out how to make this bigger. How do we make this matter? And I thought: Family Day at the Serna Center. So I sent out a Facebook message to some of the parent groups that I'm in. I said it was Family Day at the Serna Center. We will do some crafts, play some music, and have a movie night. I had nothing to make this happen; I didn't have so much as a stack of paper with crayons, and I didn't have a movie. But I'm just going to say this will happen and manifest it into the universe. So I just put it out there. And I got so many responses. Immediately. People were like, "What can we bring, how can we help?" Three people offered projectors and movies. So Friday morning is when School board member Rhodes came to shake hands with us in front of the camera, and I will give him credit; he's the only one who showed up. But you have to do more than show up, smile, and be in front of the camera. And then the family day started. People started trickling in. Suddenly, we had reached max capacity on the top floor. We had fifty people. And we are playing music and definitely disrupting workdays at the Center. It was loud. It was chaotic. We are making pictures and putting them all up over walls. There's art, creativity, music and games happening. There's a game of Throw Throw Burrito happening, which is just chaos.

Seyman: To be clear, that is not an actual burrito?

5. Hilda Flores, "Enough is Enough': Sacramento County Superintendent of Schools Call for Strike to End, Defends District," *KCRA 3*, April 1, 2022, <https://www.kcra.com/article/very-disappointed-parents-continue-sit-in-of-district-office-on-8th-day-of-sacramento-city-unified-teacher-strike/39611377>. This is the interview Verdugo is referring to.

Verdugo: No, it's sort of a dodge ball card game. But there is food. We are filling up the downstairs lobby, and outside the building, letter-writing campaigns are happening. So they are filling out letters to Aguilar. We're taking the letters and taping them all around his door and in his room like, "You cannot avoid us. Stop avoiding us."

Seyman: Aguilar was in the building at this point?

Verdugo: He was in the building, hiding. He did not make an appearance.

Seyman: And what would you say the ratio of parents to kids is, at this point?

Verdugo: I would say it was heavy on the kids; probably about two-thirds of the protesters were kids. A lot of young kids. Movie night was fantastic. We watched *Sing 2*. That night, we had eighteen people [including one of Verdugo's children] and ten of them were kids. At around 10:00 everyone got in their pajamas, set up their sleeping bags, and started settling down for the night. And 11:30 at night, school board member Chinua Rhodes calls me and says, "You have to leave; insurance doesn't cover the weekends. So at midnight, there's going to be no liability insurance." I thought, What liability insurance are you talking about? Who is this for? But if it is true, that sounds like a problem for them, not us.

I told him [board member Rhodes] that if he wanted us to leave... if this insurance thing was an issue, he had two options. First, he could physically remove eighteen people, including ten children bedded down in their sleeping bags and sleeping right now. Or alternatively, he could get a contract that was agreeable to SCTA and SEIU, and then we all would go home. Problem solved, right? He did NOT need to be on the phone with me because that was not solving anything. We're not leaving. So talking to me isn't doing any good. I told him he needed to call up the board members and Superintendent Aguilar and get them out of their beds because the bargaining team was still downstairs. Waiting for somebody to come down and talk to them. Waiting to negotiate.

And I'm getting emails from the school board every day about how they are doing everything to end this strike, yet nobody is showing up in that room to make anything happen. So call them up, get them in that room, make a contract happen, and we'll leave. So stop talking to me, I can't do anything. When I get off the phone with him, and snuggle down and get back to sleep. After midnight, Superintendent Aguilar shows up. He'd been in his office the entire time.

Seyman: Oh snap.

Verdugo: So he comes out to talk to us. But we were not the ones he needed to talk to. He could make nice with us, and we're happy to talk to him about our concerns about the schools, but this isn't about us as parents. This is about a contract with the people waiting for you downstairs.

It was a good opportunity for those parents to vent their concerns to this person who embodies their frustration. And he said many words that sounded nice and didn't really mean anything. And he kept trying to leave, his body language was shifting back and forth, and he was very uncomfortable. Then somebody bought up his salary. They said something to the effect of: if we are in such a budget crisis, why do you keep making 400,000 dollars a year?⁶ He shut down completely. His security guy escorted him out of the building immediately after someone brought up his salary. But after that, that was when we saw movement happening. I started hearing from the unions that a change had occurred; there was a shift in tone from the district. So I felt like we had made enough of a mess to get their attention.

(April) and I were made official members of the bargaining team. I'm not sure that we were useful to the bargaining team, but it was helpful for us to see that perspective and see how the bargaining was taking place. And we watched the teachers, literally giving up thousands of dollars to make negotiations happen. They were willing to give up huge bonuses to make this work. And they are not seeing any reciprocation. And the district again emails, that they are doing everything they can. But they weren't. We saw they weren't. So there was a significant shift in tone after the family day. That whole weekend, after we got that momentum going, that building was filled with families and kids, fun, and chaos (and no liability insurance).

Part 4: The Agreement, April 3-April 23, 2022.

Seyman: What happened next? This is, the fourth or fifth day of you and the others occupying the building at this point?

Verdugo: Sunday [day 5], we saw the district stepping up, and we felt like this would be resolved. The district sent their deal, and the union was like, okay, we can accept that and sent it back to them. It took the district two hours to send out calls to parents from that point. It was 9 pm on Sunday before they let them know schools would be open the next day. Mind you, they had agreed to meet the bargaining teams at 10:30 in the morning and did not show up at all until 5:00 or 6:00 pm.

Seyman: On Sunday?

Verdugo: On Sunday. Meanwhile, SCTA is sitting in that room, waiting the whole time. They waited the entire day.

Once they finally got to the bargaining table (which was what we had been occupying the building for five days hoping they would do), SCUSD

6. Kathy Grimes, "Sacramento City Schools Superintendent Aguilar Takes a Big Pay Increase While Schools Closed," *California Globe*, March 30, 2020, <https://californiaglobe.com/articles/sacramento-city-schools-superintendent-aguilar-takes-a-big-pay-increase-while-schools-closed/>. This article from 2020 lists Aguilar's total compensation as \$414,818, after a 9.0% pay increase.

presented their plan, there was some back and forth. Of course, not everyone was happy, but you can't make everyone happy. But the most important things that they needed were taken care of. And then we moved out.

Seyman: So that was three weeks ago now. I heard on the news yesterday that they still haven't reached a deal.

Verdugo: The union agrees to it, and then the school board has to ratify the contract. They could have had an emergency meeting to approve the agreement, but they decided to stick to their calendar. One piece of this is that they had agreed to higher pay for substitute teachers in the contract. But by delaying for three weeks, they get substitute teachers at a lower rate of pay for three more weeks.

Seyman: Oh, I'm sure that's just a coincidence.

Verdugo: What I don't think Aguilar realized, even though the unions kept telling him, was that he would be fined for delaying the negotiations. Please check my numbers on this, but the school district is fined forty-five million dollars for closing the schools for eight days.⁷ They could have avoided it altogether. But, instead, they flushed away forty-five million dollars when they had "budgetary concerns" because they didn't want to negotiate a contract.

Seyman: It seems to me like they were trying to bully the teachers and staff.

Verdugo: The things that they find worthy of spending money on—it's like they have forgotten that the school district is supposed to support the schools. Aguilar acts like a dragon, hoarding his piles of money, including CARES funds. He keeps saying we cannot use those for ongoing expenses because they are one-time funds, which would make sense if he hadn't spent 200,000 of those CARES funds on administrator salaries, including portions of his salary. All of the budget stuff is public information, but the SCUSD website makes it hard to find.⁸

Seyman: What's the word from the district now?

Verdugo: They did ratify both contracts. But not before making it clear how much of a burden it was to do this. But they did ratify it. So that is good, I don't have to occupy another building. I made it clear that that was an option that was always on the table.

7. Orko Manna, "SCUSD Proposes Adding School Days to Make Up for Strike and Deal with Millions in Budget Deficits," *KCRA 3*, April 21, 2022, <https://www.kcra.com/article/scusd-proposes-adding-school-days-make-up-for-strike-deal-millions-budget-deficits/39790335#>. The total number of fines the Sacramento Unified School district faces due to the strike is forty-seven million dollars.

8. While fact-checking for this piece I found Amber's comment about the SCUSD website to be an understatement. The website is like a labyrinth, and the conspiratorial part of this author's brain feels like this is deliberate.

Book Reviews

Manion, Jen. *Female Husbands: A Trans History*. Cambridge, United Kingdom: Cambridge University Press, 2020. ix + 278. \$24.95. ISBN 978-1108718271.

The subject of female husbands, people assigned female at birth who presented themselves as men and lived part of their lives as men, is one that is often ignored or interpreted in such a way as to support a transphobic agenda that is not authentic to how these people lived. Jen Manion covers the lives of several female husbands from the origin of the term in 1746 to the early twentieth century in the United Kingdom and the United States. Manion's language throughout the book reflects her intent in presenting female husbands with the dignity they were denied by history. Manion captures the complex and expansive nature of gender by using gender-neutral pronouns. She also uses the prefix "trans" as a verb when she describes what female husbands do when they don masculine clothes so as not to claim "to understand what it meant to that person or asserting any kind of fixed identity on them" (p. 11). *Female Husbands* is a thoughtful descriptive history on an overlooked group of people that engages the audience and does not avoid discussion on painful topics relevant to the stories in question.

The coverage of female husbands in their own time was primarily confined to newspapers, broadsheets, and pamphlets. Manion acknowledges that many of these accounts were sensationalized but by comparing various sources reporting on any of the people whose lives are described in the book, she pieces together stories that capture the complexity, joy, and tragedy that colors the lives of female husbands. She examines their lives to depict the change in the understanding of sexual differences and "the emergence of heterosexuality as an ideal relationship form" (p. 10). Manion's ability to use these sources to recreate the lives of females is one of her greatest strengths in this book and keeps the reader engaged.

Manion includes discussions of how racism and colonialism play a part in reaffirming white female husbands' masculinity and legitimizing their gender. She explains that the references to black people who "transed gender" are filled with racist depictions and acknowledges that many of these references are scant at best. She goes into the life of a black female sailor named Charles Williams and describes how the discovery of their sex in prison led to a brief media sensation. Manion does not provide a proper exploration to the life of

Williams in the way she examines the lives of white female husbands covered elsewhere in the book. The abruptness with which Williams's story ends is noticeable even with the acknowledged lack of evidence.

Manion later describes the complexity of gender among the Dakota, Ojibwa, and Winnebago peoples since one part of the story of a white female husband takes place on their traditional lands. Manion mentions some terms used by these tribes to show how their concept of gender is different from a Western perspective but does not go into greater detail. A longer tangent may have taken away from the wider story within the chapter, but a reader may still be left wanting to learn more about this.

Female Husbands is a rich text full of details concerning the lives of people who have been frequently mocked or overlooked. A reader may struggle initially with some of the language Manion uses but understanding her logic behind the usage enhances the reading experience. By presenting the lives of female husbands as they were and acknowledging the complexities of their gender identity Manion creates a wonderful narrative of an aspect of queer history that is easy to understand without shying away from other forms of oppression that inform the stories.

Madeline Bisbee

Dimsdale, Joel E. *Anatomy of Malice: The Enigma of Nazi War Criminals*. New Haven, CT: Yale University Press, 2016. 256. \$22. ISBN 978-0300226935.

Anatomy of Malice dives into the psychology of the Nazi war criminals at the Nuremberg Trials. Joel Dimsdale seeks to reveal any new information that could be gleaned from an analysis of the psychological tests performed on Nazi Party leaders Robert Ley, Hermann Goring, Julius Streicher, and Rudolf Hess viewed through a modern psychological lens. Dimsdale examines the events at Nuremberg with thorough precision to support his thesis. The reader switches between a "low" and "high" magnification of the events which provides a macro-overview to give context before switching to a micro or personal viewpoint. This approach to historical writing allows the reader to develop a more nuanced understanding of the given topic.

The original analyses were performed by two resident psychologists Douglas Kelley and Gustave Gilbert. Kelley, a savant from an early age who loved the limelight given to him by the trial, was favored by the criminals he was sent to analyze due to his personable nature. Gilbert on the other hand, was the son of Jewish Austrian immigrants who despised the Nazis under his observation and planned to do everything within his power to prove their malice. Though they came from vastly different backgrounds, the two set out on a doomed

quest to understand why the Nazis committed such horrendous acts. This difficult pursuit would be made even more insurmountable as the two tried to wrangle their patients into cooperation while the eyes of the world watched over their work. Their respective backgrounds would prove to complicate the results almost as much as their patients which lead to a story buried under controversy and massive egos.

Anatomy of Malice avoids the grand complexities of the trial and prefers to focus on the personal stories and interactions of the psychiatrists and their patients. This gives the book a large pool of potential readers. *Anatomy of Malice* is still a historical work despite its heavy emphasis on psychology. Dimsdale uses psychology as a tool to elaborate upon the challenges faced by the Nuremberg psychologists as well as modern day psychologists who attempt to dissect their records. He tackles these challenges well and guides the reader through the academic and medical jargon of the field of psychology. This makes complex subjects palatable to those with no experience in the field. Dimsdale's work does not provide any groundbreaking discoveries that will change the reader's opinion on Nazi war criminals. It instead shows that even with modern psychological knowledge, there is no easy way to explain away the atrocities committed by the Nazis during the second world war. Dimsdale's dedicated research develops an argument to engage any reader who will have a greater understanding of the psychological context behind the minds that organized and executed one the blackest marks on human history.

James Gordon

Cox Richardson, Sarah. *How the South Won the Civil War: Oligarchy, Democracy, and the Continuing Fight for the Soul of America*. New York: Oxford University Press, 2020. ix + 256. \$27.95. ISBN 978-0190900908.

Heather Cox Richardson's *How the South Won the Civil War: Oligarchy, Democracy and the Continuing Fight for the Soul of America* is an insightful and valuable nonfictional narrative that explains today's political circumstances by analyzing events in American history. Richardson does this by examining the flaws and paradoxes in the history of United States landowning and lawmaking.

Richardson is thorough in proving her argument as she examines events that may not seem connected at first. The book begins with the nomination of Barry Goldwater as the Republican candidate for the 1964 presidential election. His stances and viewpoints do not align with those of the English and European immigrants who made their way to America in the seventeenth and eighteenth centuries. However, the grapples of power between wealthy white landowners and everyone else who set up their new lives in the United

States sets the stage for Goldwater's nomination. The irony is that the men in charge of the United States never changed. White, wealthy landowning men were so fearful of the equal rights of women and people of color that they often rescinded any progress made in the last three hundred years since the signing of the Declaration of Independence.

Richardson's argument hinges on showcasing the "American Paradox," which takes on a new form after every major social change in United States history. One of the strongest examples of this brought up by Richardson is the stereotypical image of the cowboy. Richardson establishes that the modern image of the cowboy does not match that of the real historical cowboy, who worked a grueling job and were often people of color. The reinvention of the cowboy was by white landowning Democrats who turned the cowboy into a rugged, masculine white man. This same myth also feeds into another about the American West being a land of financial wealth and prosperity when the testimony and experiences from working class Americans and immigrants is contrary to the case.

While Richardson leans into the bleak, repetitive cycle of white supremacy to emphasize her argument, she believes that a hopeful future of the United States rests in the hands of women. *How the South Won the Civil War* uses the history of the United States to explain its present with the intent that understanding the past of its popular imagery may bring about true change and progress in the future.

Lauren O'Brien

Taylor, Jay. *The Generalissimo: Chiang Kai-Shek and the Struggle for Modern China*. Cambridge, MA: Harvard University Press, 2009. xiv + 722. \$35. ISBN 978-0674033382.

The Generalissimo: Chiang Kai-Shek and the Struggle for Modern China by Jay Taylor reviews the life of Chinese Nationalist leader Chiang Kai-Shek during the early to late twentieth century. This biography follows the life of Chiang from his initial rise to power following Sun Yat-Sen's death and the difficult situations that he faced during both the civil war with the Chinese Communist Party and the Second World War. Taylor's work shows a new unseen complexity behind Chiang's character.

Jay Taylor is a retired diplomat and consul of the United States who spent years in countries relevant to the United States during the latter part of the twentieth century which gave him great insight into how the countries of Taiwan and China functioned. Taylor attempts to rewrite the basis for how Chiang is presented in the West, accessing the diaries of Chiang himself to

consult for his project. While Chiang's biography is not an easy assignment to discuss, Taylor finds a way to change the perception of the Generalissimo from irredeemable to acceptable. This breakthrough book helps reveal more about Chiang's character than basic assumptions.

Taylor presents the life of Chiang as a complicated process from beginning to end using Chiang's diaries and various other sources throughout the eras. Beginning with the fall of the Qing Dynasty and the rise of conflict within the new Republic, Chiang made his way through politics and warfare until he ascended ranks and became the leader of China itself. Chiang held a strong-handed sense of who he was and the nation he commanded throughout his various conflicts and scandals, something Taylor makes very clear. Taylor also takes advantage of the opposite viewpoint shown through the diary of Joseph Stilwell, an American general sent to help Chiang in his campaign in Burma. Stilwell's perspective often contradicts Chiang, but the context of racialized politics and American geopolitical dominance play into Stilwell's observations, which lends credibility to Chiang.

While Taylor's attempt to show Chiang as a good character is not proven, the aspect of a leader's complexity is introduced through the actions, mannerisms, and overall thoughts of Chiang himself. The book provides many new and interested readers the insight into how Chiang lost much of his possible influence within the United States political sphere, as well as how he as a character was not at fault for the preconceptions of him as a leader. Taylor provides invaluable context and information regarding the pre-communist China, and how Chiang Kai-Shek lost it.

Tanner Robertson

Nickerson, Michelle M. *Mothers of Conservatism: Women and the Postwar Right*. Princeton, NJ: Princeton University Press, 2012. ix + 174. \$32. ISBN 978-0691121840.

Michelle M. Nickerson argues in *Mothers of Conservatism: Women and the Postwar Right* that suburban women in the 1950s were instrumental in fostering a homebound, grassroots conservative ideology which became one of the keys to success in propelling conservatism for generations to come. Nickerson shows how Southern California women used their domestic qualifications as homemakers to assert political authority on local and national issues. Post-war suburban housewives built on a legacy of civic involvement to espouse radicalism, teeing off interwar isolationism and racially charged nationalist sentiments. The network of conservative mothers in Southern California utilized what the author terms "housewife populism" to protect against statist incursion on family life and community morality. Communists and their anti-

American subversives took many forms according to these housewives and could be found among international liberal elites but also in local school and government officials. These women not only expressed their political agency by exposing and fighting back subversive elements, but also established themselves as a force for conservatism that is still central to the movement today.

Nickerson traces the roots of female conservative activism to populist reformers of the late nineteenth century. Female activism was on competing sides of issues such as immigration, labor, and even the suffrage movement. Sororal groups fought against feminist movements which they tied in with subversive communist factions. They believed that, as housewives, they had a unique perspective of these threats which gave them authority to speak on behalf of the home front and to protect the American family.

The well-organized conservative women of Los Angeles aggressively challenged the systems of potential Soviet brainwashing. These included the educational system and the social sciences that informed their pedagogy, particularly the advancements in the field of psychology. Questioning whether school officials were attempting, as conservative author Mary Allen put it, Education or Indoctrination, individuals who pursued any hints of socialism came under scrutiny of the conservative mothers' groups. Pasadena school superintendent Willard Goslin's attempts to desegregate schools came under fire as socialist plots. Curricula provided by UNESCO encouraged internationalist ideologies, which to suburban housewives was synonymous with communism. These public fights and their outcomes resulted in the firing of school officials and the adoption of Americanized school curricula, which illustrated the impact that these conservative women held at the local level. The lasting impact of these public battles was a mistrust of the academic and scientific communities still held by the conservative establishment today.

Nickerson argues that the legacy of these suburban housewives is a gendered archetype of a conservative activist woman, one that possesses unique domestic qualities that give credence to morally charged issues when they intersect with politics. These women helped mobilize the conservative movement since the immediate postwar years, shaping the political landscape from the home up. Their influence took center stage during the 1968 Goldwater campaign, while political groups like the John Birch society adopted the local community engagement practices that these conservative women's groups utilized for decades.

Nickerson misses out on the opportunity to contrast the conservative housewife movement with women involved in leftist political activism. She also does not delve far into the racial sentiments that many of these conservative housewives very vocally expressed. Despite this, Nickerson's study of conservatism is a unique insight to how a group of 1950s era "Karens" shaped the political landscape of America.

Andrew Shimizu

Miscamble, Wilson. *The Most Controversial Decision: Truman, The Atomic Bombs, and the Defeat of Japan*. Cambridge, United Kingdom: Cambridge University Press, 2011. xi-151. \$24.99. ISBN 978-0511977336.

The Most Controversial Decision breaks down the creation, the usage, and the further consequences of the atom bomb. Wilson Miscamble has considerable experience in this field of history having written both *George F. Kennan and the Making of American Foreign Policy, 1947-1950* and *From Roosevelt to Truman: Potsdam, Hiroshima, and the Cold War*; and earned the Harry S. Truman Book Award in 2008 for his latter publication. Miscamble uses several interviews, diaries, and biographies to write a compelling narrative of the atom and Truman's decision to use the atom bombs against the Japanese. *The Most Controversial Decision* captures the essence of this dramatic series of events and provides the evidence and reasoning behind Truman's fatal decision that on the surface seems immoral but, according to Miscamble, was ultimately necessary.

Miscamble avoids making a central claim himself but instead provides the essential evidence and reasonings that had led to Truman's decision, which allows Truman to argue for himself. The first chapter establishes the process that led to the creation of the atomic bomb and Roosevelt's initial desire to further the United States' interest in pursuit of the atom bomb. This narrative explores the political actions, communications between Roosevelt and the Manhattan team, and negotiations between Churchill and Roosevelt regarding the atom bomb. The second and third chapters explore the early presidency of Truman after his sudden transition to the presidency following Roosevelt's death. These chapters spend considerable time exploring Truman's desire to continue Roosevelt's militaristic and foreign policies and his own desire to engage with the Soviets, as well as the importance of several men under Truman and their influence on him. The fourth chapter examines the actual decision to use the atom bomb, as the Americans wanted to end the war in Japan quickly. Prior discussions about the atom bomb highlighted its immorality and destructive nature, but Miscamble provides insight into Truman's decision in his first four chapters. Miscamble emphasizes the potential American loss, the thought that the Japanese would fight furiously against an invasion, and the future of American diplomacy with the Soviets as the motivating decisions for Truman to use the bomb. Miscamble still notes the considerable immorality in Truman's decision

The strength of *The Most Controversial Decision* stems from its effective use of knowledge from the time and common sense that is overlooked due to the large death toll of the atomic bombs. Wilson Miscamble examines why the atom bombs were used and makes an effective claim utilizing the words and

reasoning of Truman himself, where others would simply condemn him for his actions that killed hundreds of thousands. This volume is well-constructed and should be a read for anyone who wants to know the perspective of Truman in this most controversial decision.

Peter Tinoco

Hinton, Elizabeth. *America on Fire: The Untold History of Police Violence and Black Rebellion Since the 1960s*. New York: Liveright Publishing Corporation, 2021. 396. \$29.95. ISBN 978-1631498909.

In the wake of the killings of George Floyd, Breonna Taylor, Stephon Clark, Philando Castile, and so many more, many of us (especially white Americans), felt shocked that this could happen. In the protests that followed, with crowds marching in the streets demanding justice, we watched on screens as windows were broken and buildings burned and wondered, “how do they expect this to help?” The media flocked to portray the victims as villains, dredging up past infractions, no matter how minor, to justify their murder. Meanwhile, pundits framed the protests as an excuse to loot and destroy. There was a collective desire to paint protesters and victims alike as criminals. In *America on Fire*, Hinton explores the “race riots” in American communities from the 1960s to the present. She shows there is a pattern to the cycle of police violence and protest, arguing that “riots” emerge in Black neighborhoods in reaction to brutality or oppression by authority. They are not simply acts of lawlessness or delinquency, but rather are symptoms of systemic injustice and the desperate response to it. Hinton attempts to get at the root causes of the frustration and rage and offer solutions to end the violence.

Writing in response to the recent spate of protests surrounding the killing by police of George Floyd, and the rise in white supremacist violence following the election of President Donald J. Trump, Hinton shows the tendency by those in authority to disavow responsibility for the communities whose needs they have ignored for decades. While government officials shook their heads in incomprehension over riots in Black communities, seeking the cause in the disintegration of Black families, a destructive desire to break with the mundane, or pure criminality, Hinton shows that these “riots” are actually rebellions—political acts that should be understood as a response to injustice. She further argues that uprisings in the projects were fueled by state violence in the form of overbearing police surveillance, a lack of effective community services, and inadequate housing. While white civilian violence against Black communities has often been viewed by law enforcement as justifiable vigilantism to maintain law and order, often with the full support of law enforcement, Black violence is framed as criminal anarchy.

The cycle of violence in Black communities has a predictable pattern—over policing results in a preventable tragedy, leading to community protests often escalating into riots. This leads to retaliatory aggression by police and vigilantes, resulting in increased police presence, greater militarization, and inevitably resulting in another tragedy. Despite multiple government funded commissions illuminating a more productive path of community outreach and opportunity coupled with reductions in policing, cities and police unions continuously fall back on failed practices that do not address the underlying causes. Frustration in Black communities leads to violent rebellions, often resulting in acts of vandalism, attacks on white civilians, and burned buildings. Hinton demonstrates how these seemingly random and uncontrolled violent acts stem from the frustration over a system that actively works against Black communities.

Despite decades of police violence and ineffective government commissions, Hinton sees cause for optimism as a coalition of social justice organizations have recently joined the fight and the interest to find an alternate path appears to be gaining momentum. She ends with a brief but extensive summary of changes that go beyond police reforms to address the systemic problems at the heart of Black communities. This is an important book for understanding the violence we are seeing in our own time in the aftermath of so many police shootings of Black men and women.

Amber Verdugo

IN MEMORIAM

Richard Coke Lower

November 6, 1935 - January 18, 2022

Richard Coke Lower, born 11-6-1935 in Oakland, California, died January 18, 2022 in Sacramento, California.

Dr. Lower completed his bachelor's, master's, and doctorate degrees at the University of California, Berkeley and would go on to teach American history at Sacramento State College from 1966 to 1997.

At Sacramento State, he served the History Department as coordinator of the American Section and as Faculty Advisor of Graduate Students. His area of specialization was the Progressive Era. While teaching, Richard authored the definitive biography: *A Bloc of One. The Political Career of Hiram W. Johnson* published by Stanford University Press in 1993. Dr. Lower also worked on the processing of the Political Papers of Congressman John Moss in the Sacramento State Library Archives.

Aside from his academic and professional career, Dr. Lower loved to moonlight as a handy man. He was a gardener, installed temperature controlled sprinkling systems, built arbors, green houses, installed sump pumps, dishwashers, dark rooms, and worked to renovate his house to make it perfect for his wife Louellyn.

Dr. Lower met his wife, Louellyn Cohan in 1969 at a colleague's Norwegian Independence Day party in Davis, California. They married two years later in Dick's backyard. Louellyn was also a faculty member at Sacramento State College in the Government Department. The Lowers travelled to Europe and across the United States and Canada during their 50 year marriage which Richard photographed extensively, drawing upon a lifelong love of photography.

Dr. Lower is survived by his wife Louellyn, his brother Stephen Lower, his sister-in-law Marlene Lower, and nephew Joel Lower and many good friends and colleagues.

Clio Staff

Andrew Shimizu is a graduate student in the Sacramento State Public History program. He is inspired by the nature of urban places, the vibrant materiality in the day-to-day, and the shared sense of place in his hometown of Sacramento. His studies focus on environmental history, urban planning's impact on community, and historic preservation. For his day job Andrew is a Historian for the California State Parks.

Amber Verdugo is a master's student in History at Sacramento State University. She received her bachelor's degree in History from Sac State. Her current research interests include protests, the labor movement and environmental history.

Madeline Bisbee is a graduate student in the History Master's program at California State University, Sacramento. She has a bachelor's degree in Classics from San Francisco State University and her area of interest is women and queer people in the ancient Mediterranean. During her undergraduate program she was a member of the Classics Students Association and helped edit the student journal *Pithos* for the Spring 2019 semester.

James Gordon is a member of the Special Features Team at the Clio Journal. Gordon is a History Major at California State University, Sacramento whose research interests focus on American History from the Revolutionary War through the Reconstruction. He plans to pursue a postgraduate degree in Public History.

Clio Staff

Lauren O'Brien is an undergraduate student currently on her year abroad at California State University, Sacramento. As an American Studies student from the University of Hull, she specializes in American history, particularly the Civil War and Reconstruction. She is in her final year of undergraduate studies, with plans to graduate this year.

Tanner Robertson is currently a 2nd year transfer student at CSU Sacramento State University, in his senior year as a history major. Currently, he is the Phi Alpha Theta Coordinator for Sacramento State's History Club. While he is only an undergraduate, he is currently working on research for a current history seminar class, studying about Chinese political history within the last 100 years, and plans to attend graduate school.

Peter Tinoco is currently a 2nd year student at California State University, Sacramento, as a history major and plans to continue his education into law school. Currently, he is an officer for the Ski & Board Club at California State University, Sacramento. He enjoys learning the teachings of philosophy and reading political and economic theory, as well as the impact the environment has had on humanity and vice versa.

Scholarships, Awards, and Prizes

Faculty Graduate Writing Prize in History

Caleb Hinsley

George and Eleanor Craft Scholarship in History

Dane Nicolas

Michelle Spremich

Rachel Wolff

Peter H. Shattuck Scholarship

Alyssa Garcia

Brendan O'Brien

Gavin Roberts

Professor Thomas Swift Scholarship

Drew Harris

Undergraduate Scholarship in History

Gisselle Islas-Abarran

Senator Nicholas C. Petris Scholarship

Ariel Bronstein

Simurtej Singh

Blake Thomasson

Magedlena Rangel

Ella Rohde