

brown journal of  
**HISTORY**

---

SPRING 2008

## EDITORS-IN-CHIEF

David Beckoff, Jill Luxenberg

## UNDERGRADUATE EDITORS

Maha Atal, Hannah Copperman, Mike da Cruz, Sara Damiano, Fiona Hecksher, Henry Hoyle, Adam Kriesberg, Mary-Catherine Lader, Tyler Lucero, Brian Miller, Forrest Miller, Aaron Stanton, Josh Tobias

## GRADUATE ADVISOR

Paige Meltzer

## GRADUATE READERS

Erik Anderson, Morgan Arenson, Will Brucher, Tom Devaney, Nicole Eaton, Jessica Foley, Tatiana Gottlieb, Stephen Higa, James Kabala, Shih-Chieh Lo, Danny Loss, Paige Meltzer, Oded Rabinovitch, Derek Seidman

## FACULTY ADVISOR

Ethan Pollock

## HISTORY UNDERGRADUATE GROUP ADVISOR

Michael Vorenberg

## DESIGN/LAYOUT

Daniela Postigo

## WEBSITE

Max Dunfey

## THIS PUBLICATION WAS MADE POSSIBLE BY THE GENEROSITY OF THE FOLLOWING CONTRIBUTORS:

Cogut Center for the Humanities  
Office of the Dean of the College  
Department of Egyptology  
Graduate School  
Department of History  
John Carter Brown Library  
John Nicholas Brown Center for the Public Humanities  
Joukowsky Institute for Archaeology and the Ancient World  
Pembroke Center  
Department of Philosophy  
Watson Institute

# from the editors

In February we began a blind review process in which our editors, in consultation with graduate student readers, evaluated over 100 submissions and selected nine distinguished papers for publication.

It is difficult to generalize from this collection; the works represent diverse regions, periods, methodologies and narrative styles. The authors use cultural, economic, environmental, gender, intellectual, legal, political, religious and women's history to advance our understanding of the past. Written in Brown courses and as part of thesis projects, their work is marked by sophisticated analysis of original sources and critical engagement with secondary literature.

This is our second issue. It has benefited from the enthusiasm and the feedback that followed from our launch last spring. With only three returning editors, a new undergraduate staff came together to expand and, we hope, improve the publication.

We trust that our colleagues will carry on this project and better it with their energy and initiative. We hope, too, that the University community will continue to find this journal meaningful for the cocurricular space that it provides, for the experience that it affords those who are involved and for the outstanding student scholarship that it shares. We are grateful for your interest and support, and are pleased to present the second issue of the Brown Journal of History.

David Beckoff  
Jill Luxenberg  
May 2008



# table of contents

## 7 WOMEN'S RIGHTS AND WOMEN'S HEALTH IN THE PROVIDENCE PHYSIOLOGICAL SOCIETY, 1850-1851

*Jenny Weissbourd*

Jenny Weissbourd considers the relationship between women's rights, transcendentalism, and the practice of medicine in mid-nineteenth-century Providence.

## 21 DECONSTRUCTING DE-INDUSTRIALIZATION: R. C. DUTT, M. D. MORRIS, AND INTERPRETING NINETEENTH-CENTURY INDIAN ECONOMIC HISTORY

*David Frisof*

David Frisof reviews scholarship on the extent of de-industrialization in India under the British Raj.

## 35 THE PATRIARCHAL HEART: GENDER, LAW, AND SOCIETY IN THE ANTEBELLUM CHESAPEAKE

*Sara Damiano*

Examining the courtrooms of the eighteenth-century South, Sara Damiano demonstrates that men advanced sentimental rather than legal arguments in order to maintain their authority as husbands and slaveholders.

## 49 JEWS IN THE FIRST CRUSADE: CULPABILITY, MARTYRDOM, AND BLOOD VENGEANCE

*Zohar Atkins*

In medieval Europe, Jewish writers struggled to make sense of Crusaders' violence and the Jewish response. Zohar Atkins argues that Jews conceived of theology as a weapon.

## 67 "NOT QUITE FATAL": SMOG AND THE CITY OF LOS ANGELES, 1943 - 2006

*Samuel Byker*

Samuel Byker explores the dynamic history of pollution control in smog-plagued Los Angeles and seeks to discover why the scourge has not been defeated.

## 83 ART GONE WILD: BRITAIN, FRANCE AND THE RISE OF THE ANGLO-CHINESE GARDEN

*Julia Vazquez*

In eighteenth-century Britain, "Anglo-Chinese" landscape gardens became an important means of expressing national identity. Julia Vazquez alleges that Anglo-Chinese gardens actually had their aesthetic and ideological roots in Europe.

## 101 "SPURIOUS AND FRAUDULENT" CLAIMS: INDIAN LANDS IN COLONIAL NEW YORK

*Adam Kriesberg*

Adam Kriesberg makes the case that Wappinger Indians did not resign themselves to an imbalanced legal system during a period of widespread illegal appropriation of Native American lands by the British.

## 113 THE COLLAPSE OF A RESISTANCE-BASED MORAL ORDER IN ANGLICAN POLITICAL THOUGHT, 1685-1691

*Henry Hoyle*

Henry Hoyle argues that the Glorious Revolution discredited non-resistance as a structuring political principle, amounting to a triumph for the Whigs' ideological cause.

## 127 THE PERIPHERY AT THE CENTER: VALENTIA ISLAND AND THE TRANSATLANTIC TELEGRAPH

*Aaron Stanton*

Aaron Stanton questions historical conceptions of modernization as he examines how the persistence of a single, ambitious landowner placed a remote Irish island at the forefront of the technological revolution in the mid-nineteenth century.



# women's rights and women's health

IN THE PROVIDENCE PHYSIOLOGICAL SOCIETY, 1850-1851

BY JENNY WEISSBOURD

*"I will not shut myself out of this globe of action and transplant an oak into a flower pot, there to hunger and pine."*

Ralph Waldo Emerson, "The American Scholar," 1837<sup>1</sup>

In early January of 1850, nearly eighty women gathered together for the first meeting of the Providence Physiological Society, an organization dedicated to women's health education.<sup>2</sup> Inspired by a series of free lectures on anatomy and physiology delivered by prominent feminist Paulina Wright Davis, the group formed to engage in bi-weekly lectures and conversations on health and the body. Ten months and over fifteen meetings later, several current and future leaders of the Providence organization traveled to Worcester, Massachusetts for the first national women's rights convention. Among them were the four women who delivered medical lectures to the physiological society in 1850 and 1851: Paulina Wright Davis of Providence, Dr. Martha Mowry of Providence, Dr. Mary Johnson of Ohio (and later Providence), and Dr. Harriot Hunt of Boston. At a historical moment when few women studied anatomy and physiology, these four progressive New Englanders formed a partnership to educate women on their bodies and their rights.

Davis, Mowry, Johnson and Hunt's work in women's rights reform was not unrelated to their health education program. Their fundamental objective in both reform activities was to encourage female participation in the world of action. Influenced by their exposure to the Transcendentalist movement, they argued that a healthy woman exercised her body as well as her mind and spirit. They believed that an active lifestyle could prevent and perhaps cure many of the illnesses plaguing nineteenth century American women, above all the phenomenon of rampant female invalidism. It took participation in the Worcester convention, however, to demonstrate to the four lecturers that women's health depended upon women's rights. In the months following the 1850 convention, the leaders of the Providence Physiological Society articulated a direct and reciprocal relationship between women's rights reform and women's health for the first time. They suggested that granting women rights would improve their health, and that educating them about their bodies would help them achieve and exercise their rights.

The Providence Physiological Society was a ladies' organization dedicated to

---

1 Ralph Waldo Emerson, "The American Scholar," in Lawrence Buell, ed. *The American Transcendentalists: Essential Writings* (New York: Modern Library, 2006), 91.

2 Amy L. Nathan, "Paulina Wright Davis" (Senior Honors Thesis, Brown University, 1977), 43.

women's health education. Modeled after the Boston Ladies' Physiological Society, which formed in 1848 under the leadership of Dr. Harriot Hunt, the Providence group met twice a month for lectures and discussions on anatomy and physiology. In their first year, during which membership jumped from 80 women to 132 women, they heard lectures on topics ranging from dental hygiene to anesthesia to "scrofulous diseases [tuberculosis] and their cure" to the relationship between the soul and the physical body.<sup>3</sup>

Numerous Providence Physiological Society members participated in the 1850 Worcester convention, including 1850 Society President Lucy Stone of West Brookfield, Massachusetts, 1851 President Rebecca Capron of Providence, Recording Secretary Mary Eddy of Providence and Corresponding Secretary Paulina Davis (both of whom held their posts for several years, beginning in 1850). Davis organized and presided over the 1850 women's rights convention. Mary Clarke, a member of the 12-woman Providence Physiological Society Executive Committee, signed the call to the convention, though she did not attend. Martha Mowry, Harriot Hunt, and Mary Johnson, three female physicians who delivered lectures to the society in its first two years, all played leadership roles in the Worcester convention. Hunt and Mowry both read addresses on the necessity of female physicians. Johnson read aloud Elizabeth Cady Stanton's letter to the convention, and organized the convention's 14-person Business Committee, which Capron, Hunt, and Stone all joined.<sup>4</sup>

As the four women who lectured before the Providence Physiological Society in 1850 and 1851, Davis, Mowry, Hunt, and Johnson dictated the society's agenda. These four women came from disparate geographic and personal backgrounds, but shared a common interest in women's rights and health reform. Born in Smithfield, Rhode Island in 1818, Martha Mowry was the daughter of the merchant Charles Mowry. Her mother died when she was eight weeks old. Mowry received a rigorous education in Providence and Boston. In 1844, she began studying medicine under four Providence physicians. She continued her medical education in Boston. Martha Mowry is believed to have been Providence's first practicing female physician, and one of the first woman doctors in Rhode Island. Mowry received an "Honorary Degree of M.D." from The Woman's Medical College of Pennsylvania in 1853, where she served as "Professor of Obstetrics and Diseases in Women and Children" from 1853 to 1854. After her yearlong professorship, she moved back to Providence to live with her father.<sup>5</sup> In an 1891 History of Providence County, Richard M. Bayles wrote, "She is still doing all the professional work it is well for one of her age to do."<sup>6</sup>

Paulina Wright Davis came to Providence from upstate New York in 1848. Davis, a prominent women's rights activist, abolitionist, and health reformer, founded and edited the first women's rights newspaper, *The Una*, and organized and presided over

3 Membership numbers from Nathan, 43. Lecture topics from "February 14, 1850," "May 25, 1850," and "July 11, 1850," Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

4 Based on comparison of Providence Physiological Society meeting notes and record of the Worcester women's rights convention: "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I. and John F. McClymer, ed., *This High and Holy Moment: The First National Woman's Rights Convention* (San Diego, CA: Harcourt Brace College Publishers, 1999), 64-152.

5 "Rhode Island's first woman physician: Martha Mowry, MD (1818-1899)," (RI Medical Journal, v. 54, no. 11, Nov. 1971, p. 546-549, R11 R47, v. 54), Rhode Island Historical Society, Providence, R.I. and Richard M Bayles (ed.), *A History of Providence County, Rhode Island Volume One* (New York: W.W. Preston and Co., 1891), accessible online at <http://www.rootsweb.com/~rigenweb/doctors4.html>.

6 Bayles, accessible online at <http://www.rootsweb.com/~rigenweb/doctors4.html>.



the first national women's rights conventions, held in Worcester in 1850 and 1851. The committees Davis formed at these conventions became the nation's first permanent women's rights organizations. Like Mowry, Davis studied anatomy and physiology, and held a series of health lectures for women across the Northeast. Davis imported the first female mannequin to the United States, to the shock of many of her female pupils.<sup>7</sup> She eventually settled in Providence, where she married the wealthy politician Thomas Davis.<sup>8</sup>

Harriot Hunt, a self-trained physician, was born in 1805 in Boston's North End. Hunt, who started her medical practice in the early 1840s, is believed to have been one of the first practicing female physicians in the nation. In 1850, Hunt applied for admission to the Harvard Medical School. Dean Oliver Wendell Holmes admitted Hunt, provided that she not sit with the men in anatomy class, but student protests caused the Dean to revoke his initial offer. Nevertheless, Hunt was awarded an honorary medical degree from the Female Medical College of Pennsylvania in 1853, the same year Martha Mowry received her honorary degree. Like Davis, Hunt was an abolitionist, a health educator, and a women's rights reformer. She advocated payment for housework and child-rearing, as well as women's higher education. In 1852, Hunt became the first woman to register a formal "taxation without representation" protest when she paid her taxes. She did so for the duration of her life. Hunt organized the Boston Ladies' Physiological Society, and published an autobiography, *Glances and Glimpses*, in 1856.<sup>9</sup>

Mary Johnson, an Ohio physician who moved to Providence in 1851, was also active in several reform movements, including the temperance movement, abolitionism, women's rights, and health education.<sup>10</sup> A common interest in women's health and women's rights reform united these four women.

An assessment of the Providence Physiological Society lecturers' reform program requires an introduction to the health issues of their day, above all the prevalence of female invalidism. As Alison Piepmeier has argued in "Woman Goes Forth to Battle With Goliath: Mary Baker Eddy, Medical Science, and Sentimental Invalidism," middle class women in nineteenth century America experienced an epidemic of invalidism, demonstrating a "widespread and worsening state of poor health."<sup>11</sup> S. Weir Mitchell, a physician made famous for his prescription of the "rest cure," observed that "[t]he man who does not know sick women does not know women."<sup>12</sup> In *Letters to the People on Health and Happiness*, in which she recounts her travels "in all portions of the Free States,"<sup>13</sup> Catharine Beecher laments, "a terrible decay of female health all over the land."<sup>14</sup> In her eighteenth letter, Beecher describes her decision to take a survey of the

7 Nathan, *Paulina Wright Davis*, 14.

8 Nathan, *Paulina Wright Davis*.

9 "Dr. Harriot K. Hunt Visits the Shakers, July 7, 1848," "The Massachusetts Foundation for the Humanities," <http://www.massmoments.org/moment.cfm?mid=198> and "Harriot Hunt," American Association of University Women: 1850 Women's Rights Convention, <http://seiz2day.com/aauw/1850/index.htm>.

10 "Circular Announcing Antislavery Fair organized by the Massachusetts Antislavery Society," Library of Congress, Rare Book and Special Collections Divisions (39), accessible online at [http://www.dhr.history.vt.edu/us/mod04\\_women/evidence06\\_MassachuseCircular.htm](http://www.dhr.history.vt.edu/us/mod04_women/evidence06_MassachuseCircular.htm) and Inventory, "Betsy Mix Cowles Papers, 1821-1976," Kent State University Libraries, <http://speccoll.library.kent.edu/reghist/cowles.html>.

11 Allison Piepmeier, "Woman Goes Forth to Battle with Goliath: Mary Baker Eddy, Medical Science, and Sentimental Invalidism," *Women's Studies: An Interdisciplinary Journal* 30 (2001), 304.

12 S. Weir Mitchell, in Piepmeier, "Woman Goes Forth," 304.

13 Catharine E. Beecher, *Letters to the People on Health and Happiness* (New York: Harper and Brothers, 1856), 121, accessible online at <http://www.assumption.edu/whw/Hatch/Beecher/BeecherLettersonHealth.html>.

14 Beecher, in Piepmeier, 304.

women she encounters in her travels. She writes,

I requested each lady first to write the initials of ten of the married ladies with whom she was best acquainted in her place of residence. Then she was requested to write at each name, her impressions as to the health of each lady. In this way, during the past year, I obtained statistics from about two hundred different places in almost all the Free States.<sup>15</sup>

Despite the serious limitations of Beecher's data collection method (the women she encountered were likely members of the middle and upper classes, and she classified her results into three somewhat simplistic categories), her statistics provide an important – and quite striking – resource. Of the 455 women whose health was described to Beecher, she classified 109 as “Strong and Perfectly Healthy,” 188 as “Delicate or Diseased,” and a remarkable 158 as “Habitual Invalids.”<sup>16</sup>

Given the limitations of nineteenth century medicine, women inflicted with serious illnesses often found themselves choosing between two lifestyles: they could take to their beds, or they could try to live normal lives despite physical discomfort. Sophia and Elizabeth Peabody, two New England women intellectuals, exhibited two modes of living with illness in nineteenth century America. The Peabody sisters were both very bright and well educated. Sophia showed great artistic promise; both Emerson and the well-known painter Washington Allston admired her work.<sup>17</sup> During her trip to Cuba in the early 1830s, Sophia kept a journal that has been praised for its literary and intellectual precocity. As Megan Marshall argues in *The Peabody Sisters*, “if her ‘Cuba Journal’...had been published at the time of its writing, Sophia would have been counted among the earliest practitioners of literary Transcendentalism.”<sup>18</sup> However, Sophia's intellectual and artistic progress was impeded by her state of ill health. She suffered from severe headaches, and sometimes “pain and fever kept her delirious in bed for days at a time.”<sup>19</sup> Doctors could not seem to diagnose Sophia. Ironically, her illness may have resulted from her father's use of calomel to treat the infant Sophia's teething symptoms. The Harvard-trained physician Nathaniel Peabody would have understood this saliva-inducing purgative as a “Heroic” medical treatment; calomel is now known to induce mercury poisoning.<sup>20</sup>

Sophia embraced her invalidism. As Marshall explains, “Sophia ultimately declared her gratitude for the ‘very great blessing of sickness’ that had allowed her to construct an ‘inner temple whither I can retreat with heavenly Father to say to him ‘I am willing & happy in being so!’” Willing to die is what she meant.”<sup>21</sup> As a passive, delicate martyr, Sophia fulfilled the nineteenth century ideal of womanhood. She even mirrored contemporary literary heroines. In Harriet Beecher Stowe's 1852 novel *Uncle Tom's Cabin*, for example, illness transforms Eva into “a wearied dove” with “a high and sublime expression,—the over-shadowing presence of spiritual natures.”<sup>22</sup> For Sophia, illness was more than just an

---

15 Beecher, *Letters to the People*, 122.

16 Ibid.

17 Megan Marshall, *The Peabody Sisters: Three Women Who Ignited American Romanticism* (New York: Houghton Mifflin Co., 2005), 229, 408.

18 Ibid., 278.

19 Ibid., 190.

20 Ibid., 73.

21 Ibid., 192.

22 Piepmeier, “‘Woman Goes Forth,’” 306.

impediment; it was a lifestyle.

Sophia's older sister Elizabeth also had health problems, though her ailments were likely less severe than Sophia's. Elizabeth responded to physical failings in the opposite manner from Sophia, continuing to live an active and ambitious life. Elizabeth displayed remarkable intellectual drive. As a twelve-year-old, she taught herself Hebrew in order to read the Old Testament in its original language and interrogate its contents. At thirteen, she reread the entire New Testament thirty times over a three-month period.<sup>23</sup> As Marshall suggests, Elizabeth's bouts of poor health may have resulted from the mental and physical strain of overwork. During "times of high tension," Elizabeth would suffer from "debilitating eyestrain" and other stress-related illnesses.<sup>24</sup> When Elizabeth got sick, she concealed her discomfort. In 1822, Elizabeth traveled to Lancaster in the hope of healing a severe case of dysentery. Instead, she relapsed and spent a month in bed. However, "she hid her illness so successfully from anyone outside the family that one of the Dana girls, who had not seen her since early June, wrote afterward, 'we knew nothing of your sickness....I never before thought of you, but in a state of perfect health.'"<sup>25</sup> Whereas Sophia habitually retreated to her bed, Elizabeth consistently lived an active life, even in the face of illness. When she became too ill to participate in the public sphere, she concealed her condition. Over the course of her ambitious, active life, Elizabeth was a teacher, a prolific writer, the owner of a bookstore, and the editor of the Transcendentalist magazine *The Dial*.

In their lectures to the Providence Physiological Society and the Worcester Convention, Paulina Davis, Martha Mowry, Harriot Hunt and Mary Johnson addressed a culture of ill women. Significantly, the women who attended physiological society meetings and the women's rights convention likely belonged to the middle and upper classes, the social groups experiencing the greatest degeneracy in female health.<sup>26</sup> One might reframe the goal of the Providence Physiological Society as the eradication of invalidism. After evaluating her health statistics, Catherine Beecher wrote, "the standard of health among American women is so low that few have a correct idea of what a healthy woman is."<sup>27</sup> The leaders of the Providence Physiological Society intended to educate its membership on the meaning of healthy womanhood.

The four women who lectured before the society were particularly well equipped to address the topic of invalidism, since at least three of them had felt the impact of illness in their own lives. Paulina Davis experienced severe health problems, which began in her childhood and lasted until her death.<sup>28</sup> Martha Mowry suffered from "heart debility." As an adolescent, she was bedridden for four years before she was allowed to resume her studies, and her condition never fully healed.<sup>29</sup> Harriot Hunt's first experience with invalidism was her sister Sarah's tuberculosis. Sarah nearly died as a result of male physicians' "Heroic" medical treatments, which likely included bloodletting, raising blisters, and administering poison to induce vomiting, three common treatments of the day. When alternative healers helped Sarah regain her full health, Harriot decided to

---

23 Marshall, *The Peabody Sisters*, 90-91.

24 Ibid., 123-124, 129.

25 Ibid., 129-130.

26 Nathan, *Paulina Wright Davis*, 43.

27 Beecher, *Letters to the People*, 122.

28 Nathan, *Paulina Wright Davis*, 33.

29 "Rhode Island's first woman physician: Martha Mowry, MD (1818-1899)," (RI Medical Journal, v. 54, no. 11, Nov. 1971, p. 546-549, R11 R47, v. 54), Rhode Island Historical Society, Providence, R.I.

become a physician.<sup>30</sup> Harriot, too, likely endured illness in her adult life. On March 20, 1851 she cancelled a Providence Physiological Society lecture she had scheduled for later in the month on the basis of poor health: "Miss Hunt's letter read in which she declined our invitation to lecture for us on the following Thursday Being incapacitated by sickness."<sup>31</sup> Though little record of Mary Johnson's life and medical career has survived, she likely had close personal experience with female invalidism, if not her own than that of a close acquaintance. Given the prevalence of female illness in the mid-nineteenth century, immediate contact with invalidism would have been difficult to avoid.

These three women responded to health issues in the same manner as Elizabeth Peabody, by continuing to live active public lives. Furthermore, their personal experiences with women's ailments inspired them to educate other women about the prevention and treatment of female illness. As Amy Nathan argues in *Paulina Wright Davis*, Davis' "concern with the matter [of health education] must have been enhanced by her own physical frailty."<sup>32</sup> The same goes for Mowry, Hunt, and perhaps Johnson. As women with long-term physical ailments living in a society in which most middle and upper class women suffered bouts of illness, the Providence Physiological Society's lecturers understood that teaching women how to manage poor health was as important as teaching them how to avoid it. Moreover, in the era before the formulation of the germ theory, medical treatments were notoriously unreliable, as Sarah Hunt's treatment reveals. On July 27, 1850, Martha Mowry addressed the difficulty of diagnosing disease. Recording Secretary Mary Eddy described Mowry's lecture, "The question, she said, had been asked, 'whence the origen of disease?' She gave the views of several authors on this point, showing how widely they differed in their opinions."<sup>33</sup> The four women who lectured before the Providence Physiological Society advocated their own lifestyles to their pupils: they encouraged women to live active lives, in sickness and in health.

Why was female action so important to these reformers, in both their health and women's rights campaigns? The answer may lie in these four women's exposure to Transcendentalist philosophy, which taught them that a healthy physical, spiritual, and intellectual life depended upon the unity of thought and action. Transcendentalism exerted a profound influence on the Providence Physiological Society's lecturers. As part of an elite circle of New England reformers, Davis, Hunt, Johnson, and Mowry came into close contact with several Transcendentalist figures and their philosophies. Given the intimate interconnectivity of New England reform movements, physiological society members, convention participants, women who participated in Margaret Fuller's conversations, and well-known Transcendentalists like Emerson and Thoreau either knew each other or knew of each other through close acquaintances. Davis corresponded with Emerson, who signed the call to the Worcester convention but declined Davis' personal invitation requesting his attendance.<sup>34</sup> Davis, Hunt and Johnson all corresponded with

30 "Dr. Harriot K. Hunt Visits the Shakers, July 7, 1848," "The Massachusetts Foundation for the Humanities," <http://www.massmoments.org/moment.cfm?mid=198>. Discussion of Heroic medicine based on Martin S. Pernick, *A Calculus of Suffering: Pain, Professionalism and Anesthesia in Nineteenth-Century America* (New York: Columbia University Press, 1985) and Sarah Stage, *Female Complaints: Lydia Pinkham and the Business of Women's Health* (New York: W.W. Norton and Co., 1979).

31 "March 20 1851," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I., 70.

32 Nathan, *Paulina Wright Davis*, 33.

33 "July 27, 1850," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

34 Len Gougeon, "Emerson and the Woman Question: The Evolution of His Thought," *The New England Quarterly* 71.4 (Dec., 1998): 573-575.

Stanton, who was not herself a Transcendentalist but whose rhetoric and platform reflected her participation in Fuller's Boston conversations.<sup>35</sup> Martha Mowry attended Margaret Fuller's "neo-Transcendentalist" Greene Street School in Providence, a progressive institution modeled after Bronson Alcott's Boston Temple School (where Elizabeth Peabody taught).<sup>36</sup> In June of 1837 Emerson delivered an address at the opening of the Greene Street School. His oration introduced many of the themes he would take on later that summer in "The American Scholar."<sup>37</sup>

In *Woman Thinking*, Tiffany Wayne argues, "Paulina Wright Davis was among a small group of Transcendentalist-inspired women who brought Fuller's ideas directly into the activist realm."<sup>38</sup> Immediately following the Worcester convention, Davis began planning the publication of *The Una*. In 1851, at the peak of her involvement with the Providence Physiological Society, Davis' "forum for Transcendentalist consideration of the women question" was likely on her mind.<sup>39</sup> First published in February of 1853 and continued through October of 1855, *The Una* contained regular contributions from Elizabeth Peabody, Carolyn Dall, and Theodore Parker, among other noted Transcendentalists. Elizabeth Cady Stanton also regularly wrote for *The Una*.<sup>40</sup> Peabody and Dall, who corresponded with Davis and probably knew her quite well, had attended Fuller's Boston conversations.<sup>41</sup>

Speaking at the twentieth anniversary of the Worcester convention in New York, Davis remarked, "Margaret Fuller, toward whom many eyes were turned as the future leader in this movement, was not with us [at the Worcester convention, due to her recent death].... To her, at least, I had hoped to confide the leadership of this movement."<sup>42</sup> Her fellow physiological society lecturers shared Davis' admiration of and identification with Fuller. Though Fuller could not preside over the Worcester convention, her presence was felt. Lecturers borrowed her rhetorical strategies and cited her women's rights objective – female self-reliance – as their own. On October 24, 1850, a reporter from *The Boston Daily Mail* called Paulina Davis' opening address to the Worcester convention, "so transcendently philosophical that common minds could make nothing of it."<sup>43</sup>

On August 31, 1837, nearly 13 years before the first meeting of the Providence Physiological Society, Ralph Waldo Emerson delivered his famous Phi Beta Kappa address, "The American Scholar," at Harvard University. Emerson's stirring address is a call for action on the part of the intellectual, a critique of those scholars isolated in the library who fail to translate their ideas and ideals into practical behaviors. The ideal scholar, whom Emerson calls "Man Thinking," effectively integrates thought and action.

35 Hunt's correspondence with Stanton is recorded in Ronald Takaki, "Aesculapius Was a White Man: Antebellum Racism and Male Chauvinism at Harvard Medical School," *Phylon* 39.2 (2<sup>nd</sup> Qtr., 1978): 128-134, 131. Johnson's correspondence with Stanton is suggested by the fact that she read Stanton's letter to the Worcester convention, in McClymer, 122. Fuller's influence on Elizabeth Cady Stanton is discussed in Phyllis Cole, "Stanton, Fuller, and the Grammar of Romanticism," *The New England Quarterly* 73.4 (Dec., 2000), 533-559.

36 Charles Capper, "Margaret Fuller as Cultural Reformer: The Conversations in Boston," *American Quarterly* 39 (1987), 509.

37 Ronald A. Bosco and Joel Myerson, *The Selected Lectures of Ralph Waldo Emerson* (Athens, GA: The University of Georgia Press, 2005), 44.

38 Tiffany K. Wayne, *Woman Thinking: Feminism and Transcendentalism in Nineteenth-Century America* (New York: Lexington Books, 2005), 55.

39 Ibid.

40 Ibid.

41 Capper, "Margaret Fuller as Cultural Reformer," 509.

42 Davis, in McClymer, 66.

43 McClymer, *This High and Holy Moment*, 85.

Without actions to back up his intellectual and spiritual convictions, Emerson argues, the scholar is not a total man:

Thinking is the function. Living is the functionary... A great soul will be strong to live, as well as strong to think. Does he lack the organ or medium to impart his truths? He can still fall back on the elemental force of living them. This is a total act. Thinking is a partial act.<sup>44</sup>

The Transcendentalists urged the cultivation of the divinity within every man through education and reflection. The ultimate aim of this project was not simply to know oneself but to act accordingly. As Charles Capper argues, “the central historically defining characteristic of this movement at its high-water mark...[was] its collective commitment to changing people’s lives by changing their minds.”<sup>45</sup>

When Emerson advocated the unity of thought and action in “The American Scholar,” he explicitly directed his counsel to men. Yet the Transcendentalist project opened up a new cultural space for women. In her conversations for women in Boston and in her written works, Margaret Fuller applied Transcendentalist notions of self-reliance, and the enactment of intellectual and spiritual convictions, to women’s rights reform. In July of 1843, Fuller published “The Great Lawsuit: Man Versus Men. Woman Versus Women” in the Transcendentalist magazine *The Dial*. In this essay, Fuller constructs a dialogue between herself and Miranda, whom she portrays as the ideal self-reliant and spiritually enlightened woman. Miranda explains, “the position I early was enabled to take, was one of self-reliance. And were all women as sure of their wants as I was, the result will be the same. The difficulty is to get them to the point where they shall naturally develop self-respect, the question how it is to be done.”<sup>46</sup> Here, Fuller suggests a two-part program to better woman’s condition based on Transcendentalist ideals. First, woman must access and contemplate her internal spiritual life, learning self-trust and, in turn achieving independence in the process. Second, once she has become self-reliant, woman must articulate and act on her convictions, which Fuller calls her “wants.” Fuller suggests that the practical realization of spiritual and intellectual inclinations is as critical for female development as for male. “We would have every path laid open to woman as freely as to man,” Fuller writes.<sup>47</sup> Employing Transcendentalist values of self-culture, self-reliance, and action, Fuller proposes a female liberation program.

Davis, Hunt, Johnson and Mowry appropriated, developed, and attempted to enact Fuller’s program through their lectures to the Providence Physiological Society. Their lectures embodied the values and rhetoric of Transcendentalism. On February 20, 1851, in words that mirror both Emerson and Fuller, Mary Johnson told the society, “different parts of the brain have different offices.... Washington could not have written *Paradise Lost*. Neither could Milton have achieved Washington’s victories. Health and strength depend upon the acting of all.”<sup>48</sup> According to Johnson, Milton’s intellectual achievement and Washington’s physical feat were the workings of “different parts of the brain.” One part of the brain controls intellectual endeavors, and another part controls

---

44 Emerson, in Buell, 92.

45 Capper, “Margaret Fuller as Cultural Reformer,” 509.

46 Margaret Fuller, “The Great Lawsuit: Man Versus Men. Woman Versus Women,” in Buell, 309.

47 Fuller, in Buell, 307.

48 “February 20, 1851,” “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island Historical Society, Providence, R.I.



physical behavior, Johnson suggests. However, both the intellectual and physical parts of the brain demand exercise for the achievement of a healthy condition. Indeed, both parts of the brain must be integrated and unified for the individual to become a whole person.

Johnson made a case for the unity of thought and action in more overtly Transcendental terms on April 2, 1851. According to Eddy,

Mrs. Johnson read a lecture on man's physical nature, on the importance of a proportionate cultivation of the mental and moral faculties to the neglect of the physical was defeating the desired object. That in order to have a sound mind a healthy body was indispensable, therefore the vast importance of the knowledge of our own frames and the laws by which they are governed.<sup>49</sup>

As Johnson's lecture suggests, the unity of thought and action advocated by the Transcendentalists provided an explanation for the prevalence of invalidism among nineteenth century American women. According to Emerson, the scholar becomes frail and sickly when he neglects the world of action. Fuller and the women of the Providence Physiological Society suggested that the same could be said of women prohibited from participating in the public sphere. Yet in advocating female action, the Providence Physiological Society lecturers referred to more than physical exercise or even political rights. Emerson and Fuller promoted the integration of the intellectual and corporeal realms through conscious behavioral choices. The Transcendentalist subject self-reflects, trusts his or her convictions (displaying what Fuller calls "self-respect"), and acts accordingly. The very capacity to engage in this project of self-culture depends upon access to choices.

To the Providence Physiological Society, action referred to both literal physical activity and active decisions through which women took control of their bodies. In her April 11, 1851 lecture on "the organs of generation," Johnson advocated abstinence. She urged her pupils to educate their daughters about reproduction, because "Knowledge saves from suffering."<sup>50</sup> Harriot Hunt had made a similar argument at the Worcester convention, though she urged female doctors rather than mothers to educate young women.<sup>51</sup> In the mid-nineteenth century, childbirth presented a significant health risk to women. Eliza Peabody, Sophia and Elizabeth's mother, gave birth to seven children, despite her husband's meager income and perhaps against her will.<sup>52</sup> Eliza's situation was quite common. In advising abstinence, Johnson discouraged women from passive pregnancy; she made motherhood a choice.

The conscious choice not to have children—or not to marry—was at least as important to women's health as suffrage, according to the leaders of the Providence Physiological Society. In "The Great Lawsuit," Fuller, who married late in life, praised single womanhood.<sup>53</sup> Elizabeth Peabody never married, nor did Harriot Hunt or Martha Mowry. In 1871, Hunt hosted a celebration of the "silver anniversary" of her medical

49 "April 2, 1851," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

50 "April 11, 1851," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

51 McClymer, *This High and Holy Moment*, 131.

52 Marshall, *The Peabody Sisters*, 13.

53 Fuller, in Buell, 317.

training. She asked a guest to place a ring on her finger, and she declared, "Oh, I have been so happy in my work, every moment occupied, how I long to whisper in the ear of every listless woman, 'do something, if you would be happy.'"<sup>54</sup> Hunt referred both to her active employment and, implicitly through the mock marriage ceremony, to her decision to remain single.

Transcendentalism led Davis, Hunt, Johnson, and Mowry to promote conscious female action as the key to women's physical, emotional, and spiritual health. This attitude contributed to their eventual understanding of women's rights and women's health as having a direct and mutually influencing connection. From the inception of the Providence Physiological Society, lecturers identified female self-reliance as their objective in health reform. However, it took participation in the Worcester convention to demonstrate to these four female lecturers that the action on which women's health depended could only be achieved through the realization of women's rights. The Worcester convention changed these four women's understanding of the relationship between health and rights. This is reflected in the change in the content of their meetings. In their first ten months of meetings, the ladies of the Providence Physiological Society heard straightforward lectures on anatomy and physiology. Lecturers discussed such topics as the nervous system, "the skin and its appendages," and the bones.<sup>55</sup> Though they advocated female activity (rather than a sedentary lifestyle), they did so in the context of anatomical conversations, such as Paulina Davis' October 10 lecture on "the muscular system."<sup>56</sup> The four lecturers' participation in the Worcester women's rights convention in October of 1850 changed the scope and content of their physiological society lectures.

On October 23, 1850, Abby Price, a resident of the Massachusetts utopian community Hopedale, delivered the afternoon address at the Worcester convention. Several speakers discussed women's rights and women's health. Price was the first to explicitly tackle the relationship between rights and invalidism. She said,

Look again, and see how things are, and the consequences. Woman degenerates, physically and intellectually. By thus narrowing their sphere, and curtailing their rights and resources, women are doomed to an endless routine of domestic drudgery, to an indoor sedentary life...Dooming women to satisfy their love for excellence in household arrangements only...is a great injury to both soul and body. We are so constituted, that exercise and great exertion, with high and soul-arousing objects, are potent to give us strength and powers of endurance.<sup>57</sup>

Price suggests that the prevalence of female illness is a direct consequence of woman's restricted rights. In other words, the first step toward improving women's physical condition is woman's rights reform. Later in her address, Price explicitly states this relationship, "My remedy for this increasing degeneracy in health and consequent

---

54 "Dr. Harriot K. Hunt Visits the Shakers, July 7, 1848," <http://www.massmoments.org/moment.cfm?mid=198>.

55 "June 13, 1850," "July 11, 1850" and "October 14, 1850," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

56 "October 10, 1850," "Providence Physiological Society Records, 1850-1862," MSS 649, Rhode Island Historical Society, Providence, R.I.

57 McClymer, *This High and Holy Moment*, 96.



weakness of mind, is: give woman her rights.”<sup>58</sup> Davis, Mowry, Hunt and Johnson, whose interest in women’s rights reform partly emerged as a consequence of their dedication to women’s health, likely agreed with Price, but perhaps they had never heard the relationship articulated so eloquently.

Lucy Stone, the 1850 president of the Providence Physiological Society, had come to the convention with doubts about women’s rights reform. On the final day of the convention, according to the October 26 *New York Tribune*, “Lucy Stone spoke...on the character of the meeting, the misgivings with which she came to it, the triumphant success which had attended it, and said she could not go away without unburdening her heart. She said Woman must take her rights as far as she can get them.”<sup>59</sup> Stone carried her enthusiastic response to the Worcester convention back to the Providence Physiological Society. In the months following the convention, Stone’s society assumed an overt women’s rights agenda for the first time.

In the ten months before the Worcester convention, Mowry, Davis, and Hunt had all lectured before the Providence Physiological Society. Dr. Mary Johnson of Ohio delivered her first lecture the week after the Worcester convention, on October 31, 1850. Johnson, who helped organize the Worcester convention and presided over many of the committees, had come to New England for that event. The leaders of the Providence Physiological Society may have convinced her to speak before their organization during the convention. However she arrived in Providence on Halloween of 1850, her lecture established a new precedent in the women’s health education group. For the first time in the organization’s history, the October 31 lecture directly addressed the relationship between women’s rights and women’s health.

Johnson’s lecture began as usual, and then took an unprecedented turn. She lectured on the muscular system and the “necessity of fresh air, suitable exercise, and wholesome food in producing strong muscles and a sound and rigorous intellect.”<sup>60</sup> Davis had made a similar argument on October 10. Johnson added a new dimension to Davis’ remarks, however, commenting on “the equal necessity of boys with girls to have gymnastic exercises in their entire development,” and giving “the neglect of such exercises as a reason of their present inferiority, together with their pernicious habits of compression and artificial braces [corsets].”<sup>61</sup> Johnson’s comments on the inequality of the sexes and dress reform were the most direct references to women’s rights recorded in the first ten months of the Providence Physiological Society.

In 1851, Johnson moved to Providence, and her lectures continued throughout the year. Though Johnson’s presence in the society contributed to the change in the tone of lectures, the new attention to women’s rights was not simply Johnson’s influence. According to Recording Secretary Mary Eddy, society members lauded Johnson’s lectures, which would suggest that the lectures articulated and built upon the values of society membership. On December 5, 1850, Eddy writes, “we drew together around the table in a social way and listened with much interest to Mrs. Johnson while she in a dignified manner, and reverential spirit, expounded to us the wonders of the circulatory system.”<sup>62</sup> Furthermore, membership numbers did not change as a result of Johnson’s

---

58 Ibid., 96.

59 McClymer, *This High and Holy Moment*, 148.

60 “October 31, 1850,” “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island Historical Society, Providence, R.I.

61 Ibid.

62 “December 5, 1850,” “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island

lecture course. Most importantly, Johnson was not the only lecturer to address women's rights issues after the Worcester convention.

During 1851, the physiological society addressed increasingly controversial topics. Paulina Wright Davis—not Mary Johnson—initiated this transition. On January 9, 1851, Davis lectured on “nursing children.”<sup>63</sup> According to Eddy, “important information was given on this subject [of breastfeeding] on which so much ignorance prevails.”<sup>64</sup> In September of 1850, the society had been warned by local male physicians to do “as little harm as possible” in their anatomy and physiology courses.<sup>65</sup> The physicians particularly feared the women's discussion of the controversial subject of female anatomy. In her discussion of breastfeeding, Davis explored this supposedly dangerous topic. Johnson took the conversation a step further. On April 11, 1851, she lectured on “the organs of generation” and women's reproductive health.<sup>66</sup> According to Eddy, “the vagina, uterus and fallopian tubes were separately and briefly described,” as were “menstruation” and “coition.”<sup>67</sup> The society's controversial discussion of female anatomy and the escalation of their attention to women's rights occurred contemporaneously.

The leaders of the Providence Physiological Society had long advocated female action as the central objective in their women's health education program. The 1850 Worcester convention underscored the relationship between female action and women's rights, suggesting to these women that the very possibility of female action depended upon rights. According to this argument, granting women their rights would give them the capacity to make conscious choices and live active, public, lives, and their bodies would be healthier as a result. At the same time, living the active lifestyles made possible by good health would allow them to achieve and exercise their rights, and live like Elizabeth rather than Sophia Peabody.

---

Historical Society, Providence, R.I.

63 “January 9, 1851,” “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island Historical Society, Providence, R.I.

64 Ibid.

65 “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island Historical Society, Providence, R.I., p. 24.

66 “April 11, 1851,” “Providence Physiological Society Records, 1850-1862,” MSS 649, Rhode Island Historical Society, Providence, R.I.

67 Ibid.

## BIBLIOGRAPHY

### Primary Sources

#### Archival Sources

Providence Physiological Society Records, 1850-1862, MS 649, Rhode Island Historical Society

#### Printed Sources

1850 U.S. Census, Schedule for Providence, Rhode Island, accessible online at <http://www.ancestry.com>.

Buell, Lawrence, ed. *The American Transcendentalists: Essential Writings*. New York: Modern Library, 2006.

Buhle, Mari Jo and Paul, eds. *The Concise History of Woman Suffrage: Selections from the Classic Work of Stanton, Anthony, Gage and Harper*. Urbana: University of Illinois Press, 1978.

Capron, Eliab, "Spiritualist Memorial to Congress," in *Modern Spiritualism: Its Facts and Fanaticism, Its Consistencies and Contradictions*, New York: 1855, accessible online at [www.spirithistory.com/petlist.html](http://www.spirithistory.com/petlist.html).

Cormier, Robert J., "List of Members," 1850 Worcester Women's Rights Convention Records, Massachusetts Historical Society, accessible online at <http://www.assumption.edu/whw/old/Members.html>.

Dall, Carolyn Healey. *Margaret and Her Friends; or, Ten Conversations with Margaret sFuller upon the Mythology of the Greeks*. Boston, Roberts Brothers, 1895.

McClymer, John F., ed. *This High and Holy Moment: The First National Woman's Rights Convention, Worcester, 1850*. San Diego: Harcourt Brace College Publishers, 1999.

"Petitioning Congress: 1854 Memorial to Congress," *Journal of the U.S. Senate*, vol. 45, p. 390, accessible online at [www.spirithistory.com/memorial.html](http://www.spirithistory.com/memorial.html).

Simmons, Nancy Craig. "Margaret Fuller's Boston Conversations: The 1839-1840 Series," *Studies in the American Renaissance* (1994): 195-226.

The Worcester Women's History Project, Historical Library on the 1850 Worcester Women's Rights Convention, accessible online at [www.wwhp.org](http://www.wwhp.org).

#### Secondary Sources

Capper, Charles. "Margaret Fuller as Cultural Reformer: The Conversations in Boston," *American Quarterly* 39 (1987): 509-28.

Cox, Robert S. *Body and Soul: A Sympathetic History of American Spiritualism*. Charlottesville, VA: University of Virginia Press, 2003.

Gougeon, Len. "Emerson and the Woman Question: The Evolution of His Thought," *The New England Quarterly* 71.4 (Dec., 1998): 570-592.

Horowitz, Helen Lefkowitz. *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America*. New York: Alfred A. Knopf, 2002.

Isenberg, Nancy. *Sex and Citizenship in Antebellum America*. Chapel Hill: UNC Press, 1998.

Nathan, Amy L. *Paulina Wright Davis*: Senior Honors Thesis, Brown University, Dept. of History, 1977.

- Nelson, Robert K. "'The Forgetfulness of Sex': Devotion and Desire in the Courtship Letters of Angelina Grimke and Theodore Dwight Weld," *Journal of Science History* 37 (2004): 663-679.
- Piepmeyer, Allison, "'Woman Goes Forth to Battle with Goliath': Mary Baker Eddy, Medical Science, and Sentimental Invalidism," *Women's Studies: An Interdisciplinary Journal* 30 (2001): 301-328.
- Pernick, Martin S. *A Calculus of Suffering: Pain, Professionalism and Anesthesia in Nineteenth-Century America*. New York: Columbia University Press, 1985.
- "Rhode Island's first woman physician: Martha Mowry, MD (1818-1899)," (RI Medical Journal, v. 54, no. 11, Nov. 1971, p. 546-549, R11 R47, v. 54), Rhode Island Historical Society, Providence, R.I.
- Stage, Sarah. *Female Complaints: Lydia Pinkham and the Business of Women's Medicine*. New York: Norton, 1979.
- Wayne, Tiffany K., *Woman Thinking: Feminism and Transcendentalism in Nineteenth-Century America*. New York: Lexington Books, 2005.

# deconstructing de-industrialization

R. C. DUTT, M. D. MORRIS, AND INTERPRETING  
NINETEENTH-CENTURY INDIAN ECONOMIC HISTORY

BY DAVID FRISOF

On June 25, 1853, Karl Marx's letter, *The British Rule in India*, appeared in the *New-York Daily Tribune*, condemning British colonial policy in India. He wrote, "There cannot ... remain any doubt but that the misery inflicted by the British on Hindostan is of an essentially different and infinitely more intensive kind than all Hindostan had to suffer before."<sup>1</sup> However, Marx saw an upside to the misery Britain had inflicted on the sub-continent. Prior to British colonialism, India had been comprised of "little communities [which] were contaminated by distinctions of caste and by slavery, that ... transformed a self-developing social state into a never changing natural destiny." It was "these idyllic village-communities, inoffensive though they may appear, [that] had always been the solid foundation of Oriental despotism." British colonial rule, though it was "actuated only by the vilest interests," had become "the unconscious tool of history." According to Marx, the introduction of British capitalism was bringing India out of a feudal state and into a capitalist one. It was this "fundamental revolution in the social state of Asia" that partially legitimated colonial rule for Marx and that hastened the arrival of Marx's teleological destiny of mankind: the overthrow of capitalism, and the enthronement of communism.<sup>2</sup>

While Marx's teleological view of history has fallen out of favor, the importance that he assigned to Indian economic history for universal theories of economic development has remained. Additionally, his assumptions and conclusions regarding Indian economic history have become the fundamental issues in the debate over de-industrialization among historians in the twentieth and twenty-first centuries. Marx's letter addressed four fundamental questions, which have become the basis for any historical inquiry into de-industrialization in nineteenth-century India: What was the state of Indian society and economy prior to British colonization? What was the direct impact of British policy on Indian society and economy? How did British colonialism affect the trajectories of Indian economic and social organization? What do answers to the previous three questions tell us about theories of economic development of societies in general?

The de-industrialization thesis attempts to answer these questions. It contends that Indian industry, especially manufacturing industry, either stagnated or declined throughout the era of colonialism due to deleterious British policies designed to favor the British economy over the Indian economy. When deconstructed, this seemingly simple assertion becomes an extraordinarily intricate examination of both the contentious

1 Karl Marx, "The British Rule in India," originally published in the *New-York Daily Tribune*, June 25, 1853.

2 Ibid.

historical processes that took place within colonial India and the methodologies and assumptions of the discipline of economic history itself.

In order to fully grapple with the de-industrialization debate, a long list of questions, dealing both with historical methodology and the possible implications of conclusions regarding de-industrialization, must be considered: Can India be analyzed as one economic unit? What is the available historical evidence, and how can this evidence be analyzed? What factors must be accounted for in analysis? Can conclusions of case studies of specific industries in specific localities during specific time periods be extrapolated to India as a whole? Once economic growth, decline, or stagnation has been ascertained, what are plausible causal mechanisms that one might look to as possible explanations? Are there contemporary political implications of either a conclusion in favor of the de-industrialization thesis or against it? Is a conclusion in favor of the de-industrialization thesis an indictment of colonial rule? Is a conclusion suggesting that the British presence in India resulted in significant economic development and growth a legitimization of colonial rule? Do such conclusions have implications for normative theories of economic growth and development?

Having now enumerated a series of questions, each of which warrants a much more extensive discussion than they can be given here, it is important to delimit the scope of this essay. I will examine how an argument addressing the question of de-industrialization is constructed and consider its possible conclusions and its possible implications. This essay will attempt to situate the more recent works of two historians, Peter Harnetty and Indrajit Ray, between the theses and within the frameworks of two essential texts on de-industrialization: R.C. Dutt's two-volume exposition *The Economic History of India*, and M. D. Morris's article from 1963, *Towards a Reinterpretation of Nineteenth-Century Indian Economic History*.

Dutt's *History*, volumes one and two published respectively in 1902 and 1904, is considered highly influential for two reasons. First, the strong condemnation of British rule over India gave much fuel to the fire of the early twentieth-century Indian nationalists. Second, as one of the first major scholastic works to postulate the idea of de-industrialization caused by British rule, it is in response to or in support of Dutt that many scholarly works have been written. As its title suggests, Morris's article, *Towards a Reinterpretation*, asserts a narrative of Indian economic history that is in conflict with Dutt's almost throughout. Morris writes that the nineteenth century was a century of rather substantial economic growth and development for India, an argument that clashes with the de-industrialization thesis. Morris is likewise an important figure within the scholarly literature, contributing many influential articles that seem to be cited nearly as often as Dutt. These two works both provide all-encompassing narratives that attempt the difficult task of explaining the direction of the Indian economy in the nineteenth century.

There are several factors that complicate any attempt to produce an all-Indian economic history. The first is the sheer complexity of Indian society. Colonial India was composed of several British-administrated provinces and hundreds of princely states, varying greatly in geographic size, demography, primary industries, and government policy. As Colin Simmons writes, the population "was not only differentiated along class lines, but also with respect to religion, race, caste and language."<sup>3</sup> Additionally, the

3 Colin Simmons, "Arrested Development' in India—Worthwhile Epithet, Hostage to Fortune or Plain Utopianism?" in *Arrested Development in India*, ed. Clive Dewey (Maryland: The Riverdale Company, 1988),

economy of India was 'peculiarly heterogeneous.' "A confusing amalgam of capitalism, custom and state involvement produced a hybrid economic structure—one in which entirely different methods of production, distribution and exchange co-existed side-by-side."<sup>4</sup> As British policy in India also varied dramatically in different times and places, making any accurate assumptions about a consistent British policy is also challenging. Finally, there is a lack of complete and accurate statistics that are necessary for a precise macro analysis. Simmons summarizes the data available to historians:

There is a fine run of international and inter-regional trade returns, a vast body of material on railways, and a detailed series of decennial censuses of population. But many of the most basic quantitative sources are riddled with incalculable margins of error... As a result, we cannot work out, with any pretensions to accuracy, the long run trend of real per capita output, the relation between farm output, and population growth, the fate of 'native arts and crafts', the savings-investment and capital-output ratios, or aggregate series of employment, money and real wages ... Thus one of the most important issues of modern India's economic history—the charge of de-industrialisation and the fate of the 'handicraft' workers—can only be discussed in rather vague or regionally specific terms.<sup>5</sup>

With these restrictions to analysis in mind, one must take with a grain of salt any purported all-encompassing narrative of Indian economic history.

R. C. Dutt's tomes were published in 1902 and 1904, providing copious evidence of Indian poverty and the drain of Indian wealth at the hands of British rulers. As one author puts it, Dutt supplied the Indian National Congress with "the biggest stick" with which they "beat the British."<sup>6</sup> One of the first works in the field of nineteenth-century Indian economic history, Dutt's work must be accorded a special place within related scholarship. Writing at the turn of the century, Dutt did not have access to either modern statistical techniques or the influential macroeconomic theory developed during the twentieth century. As one of the first works in the field, he also did not have the benefit of a large body of scholarly research upon which he could draw. However, because Dutt's work was so influential in providing the nationalist movement with ammunition and because it was the first comprehensive work on the subject, Dutt largely set the parameters of the debate for the next hundred years; it is with his de-industrialization thesis in mind that scholars since have contemplated and studied nineteenth-century Indian economic history.

Collectively, the two-volume work is over one thousand pages and concerns itself with every aspect of the Indian economy. It includes numerous chapters on various episodes in the British conquest of India, an impressive collection on land settlements and reforms throughout the colonial era, and several chapters on raw goods and manufacturing industries. It is to the chapters on raw goods and manufacturing industries that I turn, as the question of de-industrialization is best examined through the growth, stagnation, or decline of these industries.

---

23.

<sup>4</sup> Ibid., 24.

<sup>5</sup> Ibid., 24-27.

<sup>6</sup> Sonjay Seth, "Rewriting Histories of Nationalism: The Politics of 'Moderate Nationalism' in India, 1870-1905," *The American Historical Review* 104, 1 (1999): 104.



Dutt centers his argument on three core bodies of evidence. First, he uses basic import and export data regarding specific industries to show trends within the Indian economy. Second, he attempts to show causation between British colonial policies and trends within the Indian economy. Third – and this evidence perhaps takes up the textual bulk of these chapters – Dutt relies heavily on quotes from British colonial officials and actors in the British economy, taken from testimony given to various House of Commons committees over the nineteenth century.

In 1840, seven years after the renewal of the East India Company's Charter in which their interest in trade was abolished and the Company was instead reinstituted as solely administrators of India, the Company, in Dutt's words, "felt a greater interest in the trades and manufacturers of India when they were no longer rival traders... [The Company] presented a petition to Parliament for the removal of invidious duties which discouraged and repressed Indian industries."<sup>7</sup> The Parliament appointed a Select Committee to investigate and report on the petition: it was composed of Lord Seymour as chair, a young Mr. Gladstone, and Mr. Brocklehurst, Member for Macclesfield,<sup>8</sup> among others. Chapter VII in Volume II of Dutt's work is devoted entirely to presenting the testimony of the various witnesses called by this committee in conjunction with statistics about the changing nature and volume of trade between India and Britain.

The first witness whose testimony Dutt invokes as evidence of British intent to impede the profitability and growth of Indian industries is J. C. Melvill. Prior to examining Melvill's testimony, Dutt first presents the relevant British policies and the statistics necessary to corroborate Melvill's statements: British cotton and silk goods, exported to India paid a duty of 3 percent, and British woolen goods exported to India, only a duty of 2 percent. In contrast, Indian cotton, silk and woolen goods exported to England paid duties of 10 percent, 20 percent, and 30 percent, respectively. "As the import of cotton goods from India into England had died out, the import of raw cotton had increased. In the five years ending in 1813, the cotton-wool annually imported from India had been 9,368,000 lbs. on average. The annual average of the five years ending in 1838 was 48,329,660 lbs."<sup>9</sup> Here, Dutt is attempting to provide evidence for one of the most important arguments of de-industrialization: that British policy actively sought to reduce India to a producer of raw goods by prohibitive tariffs and duties placed upon the exportation of India's finished goods.

Having now set the scene, Dutt presents Melvill's testimony word for word, in the question and answer manner in which the testimony occurred. There are two key points to be gleaned from the exchange between Melvill and his examiner. First, Melvill answers the question: "The displacement of Indian manufactures by British is such that India is now dependent mainly for its supply of those articles on British manufacturers?" with a simple, "I think so."<sup>10</sup> This quotation establishes that the British policy had successfully achieved its objective of promoting British manufacturing interests over Indian manufacturing interests. Second, Melvill states, "Particular trades are, I believe,

7 R. C. Dutt, *The Economic History of India in the Victorian Age: From the Accession of Queen Victoria in 1837 to the Commencement of the Twentieth Century*, Vol. 2 (Britain: Kegan Paul, Trencher, Trubner, 1904), 99.

8 Macclesfield, according to Dutt, was a "great centre of British silk manufacture", and therefore Mr. Brocklehurst "represented the interests of the British manufacturer." Ibid.

9 Ibid., 101. The chapter contains a large set of statistics regarding various trades between India and Britain, but it would be repetition to include others, as they are directed toward the same thesis: British policy resulted in a decrease in finished goods being produced in India in favor of the import of British goods and an increase in the production of raw materials in India.

10 Ibid., 101-102.



mixed up with the peculiarities of caste. I have no doubt that great distress was the consequence in the first instance, of the interference of British manufactures with those of India.”<sup>11</sup> This establishes that the destruction of Indian manufacturing interests had negatively affected Indian society and thrown many tradesmen out of work.

Melville’s statements are perhaps the most neutral of the witnesses who Dutt chooses to include in this chapter. Others more quickly condemned the British policy as both unjust and tyrannical. G. G. de H. Larpent, Chairman of the East India and China Association was particularly vehement: “This supersession of the native for the British manufactures is often quoted as a splendid instance of the triumph of British skill. It is as much a stronger instance of English tyranny, and how India has been impoverished by the most vexatious system of customs and duties imposed for the avowed object favouring the mother country.”<sup>12</sup> Larpent, as well as several others the Committee examined, was in favor of reducing the unequal duties in the name of justice and equality. By including their testimony, Dutt shows that it was not the British people who were oppressing and impoverishing India, but rather it was British policy that was oppressing and impoverishing India.

Dutt also includes testimony from several British manufacturers desirous of keeping the unbalanced tariffs. None of these witnesses gave the justification for the discriminatory duties better than Thomas Cope, a silk-weaver of Macclesfield:

My opinion is that in justice to the English operative there should be a duty imposed upon the importation of [silk goods] which would put [Indians] on a level with ourselves. Now if the Hindustanee can live at 1½ d. or 2 d. a day, and if an Englishman cannot live at less than 2 s. a day, we think it very hard that the weaver in India should send his goods here and compete with us upon such very unfair terms... I think it is wrong to sacrifice the comforts of my family for the sake of the East Indian labourer because his condition happens to be worse than mine; and I think it is not good legislation to take away our labour and to give it to the East Indian because his condition is worse than ours.<sup>13</sup>

Dutt has established a chain of historical causation with this presentation of evidence. First, he establishes British intent—to promote their own industry and economy at the expense of others; second, that this intent manifested itself in discriminatory tariffs and duties; third, that these policies were a direct cause of the statistically demonstrated decrease in Indian manufacturing; and fourth, that the decline of Indian industries had tremendously harmful effects upon the economy and society of India.

Ultimately, a de-industrialization thesis (or counter thesis) is not complete without counter-factual analysis. In order to complete the de-industrialization thesis as an indictment of British colonial rule,<sup>14</sup> there must be a counter-factual scenario in which de-industrialization *did not* occur. This enables Dutt to place the blame for India’s current<sup>15</sup> economic woes and lack of development squarely at the feet of British policy. *If*

---

11 Ibid., 102.

12 Ibid., 108-109.

13 Ibid., 120.

14 It is apparent from the rhetoric that Dutt employs that he intends *The Economic History of India* to be an indictment of British rule and their failure to govern with Indian interests at heart, thus setting the stage for the nationalists to portray themselves as a competent alternative to the failed British administration.

15 “Current” refers to the early twentieth century, when Dutt published *The Economic History of India*.

British administration had been different, *then* India would have had a different economic path. Dutt's counter-factual analysis is as follows: "It is possible to conceive that a Government, working with an eye to the advancement of the national industries, might have introduced these superior methods [in manufacturing] among the industrious and skilful people of India, as they have been introduced among the people of Japan within our generation."<sup>16</sup>

Writing sixty years later, M. D. Morris presents a narrative of nineteenth-century Indian economic history that is at odds with Dutt's interpretation at almost every level. In contrast to Dutt's thousand-page work, Morris's seminal article, *Towards a Reinterpretation of Nineteenth-Century Indian Economic History*, is a scant thirteen pages. Morris acknowledges the limits of his paper, but anticipates that it will catalyze a new wave of research that will result in a reinterpretation of nineteenth-century Indian economic history.

Despite the fact that there is a substantial difference in the degree of detail between Morris and Dutt, there are still three more fundamental differences between the two works. First, Morris strongly advocates for the application of modern economic analysis rather than the typical descriptive historical interpretation used by Dutt and others. Second, Morris concludes that the Indian economy actually grew greatly during the nineteenth century, even if there was a lack of significant industrialization. Third, Morris disagrees with the degree of importance that Dutt assigns to specific British policies in the shaping of the economy; Morris instead argues that the dominant factors in shaping the Indian economy during the nineteenth century were the mere presence of the British and the invisible hand of the market.

Morris never explicitly states his desire for the application of modern economic theory to Indian economic history, but the idea is implicit in the article. He writes, "Moreover, [the body of work already published on nineteenth-century Indian economic history] has tended to be purely descriptive, to be uncritical of its sources, and it has avoided even the simplest tools of economic analysis."<sup>17</sup> Later, when speaking about the dominant interpretations which attribute economic stagnation and decline to either British policy or the peculiarities of Indian society, Morris again insinuates how helpful economic theory would be. "Both interpretations suffer from internal contradictions which become quickly apparent when exposed to the touchstone of the simplest economic tools."<sup>18</sup> Finally, Morris repeatedly uses terms associated with economic analysis, the phrases "per capita income", "declining marginal product", and "multiplier effects" to name a few.<sup>19</sup>

The thesis that Morris puts forth regarding the direction of the Indian economy in the nineteenth century relies on an understanding of the state and nature of the Indian economy prior to the colonial period – an understanding that is very different from the traditional one.<sup>20</sup> He explains:

---

16 R. C. Dutt, *The Economic History of India Under Early British Rule: From The Rise of The British Power in 1757 to the Accession of Queen Victoria in 1837*, Vol. 1 (Britain: Kegan Paul, Trencher, Trubner, 1902), 289.

17 Morris D. Morris, "Towards a Reinterpretation of Nineteenth-Century Indian Economic History," in *The Journal of Economic History* 23, 4 (1963): 606.

18 *Ibid.*, 608.

19 These terms can be found respectively on pages 610, 612 and 616. *Ibid.*

20 Colin Simmons enunciates the typical understanding of the economy of pre-Colonial India, against which Morris's can be compared. "Firstly, why and how was India's relative position as the second largest world producer (after China) of manufactured products eroded between the middle of the eighteenth and the middle of the nineteenth centuries? In 1750, if Bairoch is to be believed, India supplied no less than a quarter

The British did not take over a society that was 'ripe' for an industrial revolution and then frustrate that development. They imposed themselves on a society for which every index of performance suggests the level of technical, economic, and administrative performance of Europe five hundred years earlier. What happened to the Indian economy in the nineteenth century? Although the evidence is largely unstudied and much of it is ambiguous, my tentative conclusion is that during this period per capita output grew, and the growth may have been rather substantial.<sup>21</sup>

The second part of Morris's thesis regards the causes of the economic growth. Unlike Dutt, who attributed the decline of the economy to specific British tariffs and policies, Morris attributes economic growth to the presence of the British in India and to the market. He writes, "the mere introduction of a stable, modern political environment made possible a large rise in the level and scope of economic activity."<sup>22</sup> Further, "government policy during the nineteenth century, despite its authoritarian characteristics, was in its economic aspects essentially *laissez faire*. The British *Raj* saw itself in the passive role of night watchman, providing security, rational administration, and a modicum of social overhead on the basis of which economic progress was expected to occur."<sup>23</sup> Morris claims "taxation and commercial regulations were rationalized, and the arbitrary features of traditional government were largely eliminated."<sup>24</sup> Additionally, Morris speculates that agricultural production per acre and per man rose during colonialism. He attributes this to political stability, which allowed for more land to be cultivated on a consistent basis; regional specialization of agriculture, which led to higher crop yields; and the application of newer agricultural technologies.<sup>25</sup> Morris argues that economic growth and development did occur, and did so substantially. However, it did not occur at the stupendous rate that would have been required to achieve all the "fundamental underpinnings of an industrial revolution"<sup>26</sup> that would have been necessary for true industrial development to take place in India.

The final aspect of Morris's argument to be examined is his brief discussion of the Indian cotton-textile industry. Although the paper is only thirteen pages, Morris attempts to dispel what he sees as one of the most egregious errors of the de-industrialization hypothesis; in short, "that Manchester's machine-made textiles wiped out the Indian handicraft industry by the mid-nineteenth century." Although the numbers may indicate a massive influx of British cotton goods during the nineteenth century, it is instead representative of both a movement down the demand curve due to a fall in price, and a shift to the right of the demand curve for cotton goods. There was an increase in cotton consumption per capita, and "the vast expansion of British cloth exports to India skimmed off the expanding demand." He continues, "The handloom weavers were at least no fewer in number and no worse off economically at the end of the period than at the beginning. The net effect for the economy was a positive one in terms of per

---

of the world's total output: a century later this had dwindled to under 10%, and by 1880 had further diminished to less than 3%." Colin Simmons, "De-Industrialization, Industrialization and the Indian Economy, c. 1850-1947," in *Modern Asian Studies* 19, 3 (1985): 599.

21 Morris D. Morris, "Towards a Reinterpretation of Nineteenth-Century Indian Economic History," 611.

22 Ibid., 616.

23 Ibid., 615.

24 Ibid., 611.

25 Ibid., 612.

26 Ibid., 616.

capita real income.”<sup>27</sup> On display here is the influence of the market contributing to the growth of the Indian economy. What, then, does Morris do with Dutt’s central thesis, that specific British policies had negative impacts on Indian industries throughout the nineteenth century? Morris explains, “While British policy did not actively encourage new industrial expansion, the career of the cotton textile industry suggests that other factors were probably much more important in explaining the limited industrialization in nineteenth-century India.”<sup>28</sup>

As has been illustrated above, Morris, in comparison with Dutt, entertains a different methodology in approaching Indian economic history, and reaches opposite conclusions. With Dutt and Morris creating vastly different frameworks for the study of Indian economic history, what room does this leave for more recent scholarship, and can there be a successful reconciling of viewpoints? The remainder of this essay will focus on two authors’ case studies in nineteenth-century Indian economic history and the ways in which their works can fit into the frameworks established by Dutt and Morris.

Peter Harnetty, in his extensive study of the handloom weavers of the Central Provinces of India, is unable to make a definitive conclusion regarding whether de-industrialization actually occurred. At the beginning of his work, Harnetty informs us that handloom weavers are not a homogenous group. They are differentiated by religion, caste, and product, and thus changes in policy or the market can very well affect different sections of the handloom industry differently.<sup>29</sup> Harnetty is able to conclude that there was decline in the industry. He writes:

From supplying the entire domestic market in 1801 the handloom industry was reduced to a quarter of market share a hundred years later... From this it is reasonable to conclude that over a period of one hundred years, the handloom industry had survived only at the cost of rising unemployment and falling wages. In other words, deindustrialization did occur during the nineteenth century but it was only partial.<sup>30</sup>

Among the many causes to which Harnetty attributes this decline, one of the most important is the proliferation of railroads within India in the second half of the nineteenth century.<sup>31</sup> Upon reaching the Central Provinces, railways brought with them a “flood of imports, manufactured in close imitation of local products, which had a direct and adverse effect on handloom production and on the income of weavers.”<sup>32</sup> The expansion of the railways and the consequent depression in the handloom industry is without doubt indicative of the power of the marketplace, and seems to affirm Morris’s contention that the market played a much larger role in the economy than Dutt gave it credit for. However, at the same time, the expansion of the railways represents a specific policy of the British to expand the market for their manufactures. So, while it was not a duty on a good which caused de-industrialization in the Central Provinces, it was still a purposeful British policy designed to favor British industries over Indian industries.

---

27 Ibid., 613.

28 Ibid., 614.

29 Peter Harnetty, “‘Deindustrialization’ Revisited: The Handloom Weavers of the Central Provinces of India, c. 1800-1947,” in *Modern Asian Studies* 25, 3 (1991): 456.

30 Ibid., 473.

31 The other causes for decline that Harnetty discusses are worth examining, but due to the scope and length of this paper, a brief examination of the most telling cause was thought best.

32 Ibid., 506.

In his conclusion, Harnetty twice reminds his readers of the complexity of the handloom weavers industry. While de-industrialization may have occurred in the industry, it did not affect all weavers. Generally speaking, urban weavers of a higher caste who produced high-end products were able to survive, while rural artisans engaged in coarse weaving were not.<sup>33</sup> This case study reveals that even at the most detailed level, a definitive verdict on de-industrialization is hard to obtain.

The final historian to be discussed presents a peculiar pair of essays. Like Harnetty, Indrajit Ray focuses on the effects of British policies and the effects of markets. In the first paper, on the Bengal silk industry, Ray posits that it was not discriminatory British policies that spelled the decline of the industry, but rather adverse effects of the market. In the second paper, on the Bengal salt industry, Ray posits that it was indeed discriminatory British policies that destroyed the industry, and that it was not the effects of the market.

In the essay on the silk industry, Ray carefully explains why it is the market that caused the industry to decline and not British policy. Ray acknowledges that in the early nineteenth century, there was a discriminatory tariff system that greatly favored British silk products over Bengal silk products. Indeed, in proving British support, intent, and justification for the discriminatory tariff system, Ray quotes the same Thomas Cope of the British silk industry that Dutt does.<sup>34</sup> However, according to the statistics, the Bengal wrought silk industry did not decline precipitously during this period, as the typical de-industrialization thesis would predict.<sup>35</sup>

Instead, Ray argues that the silk industry did not decline until the late nineteenth century, and the cause of the decline is clear: adverse market forces. He writes in his conclusion:

The industry collapsed under the adverse impact of the market. In the global raw silk market, the re-emergence of China, Japan, Italy and France in the late 1860s with advanced technology reduced the demand for Bengal silks. The resultant fall in prices led to a chain of effects that caused its decay. The fall of the raw silk branch adversely affected the economic viability of silk weaving in Bengal, and the latter was further constrained by the deficient demand in the wake of changes in preference patterns, both in Europe and in India, during the last quarter of the nineteenth century.<sup>36</sup>

In investigating the salt industry, Ray reaches the opposite conclusion. He cites numerous policies that brought about the decline of the Bengal salt industry. According to Ray's statistics, the cost of producing and then shipping British salt to India was almost twice the cost of locally produced salt.<sup>37</sup> Therefore, if the market had been free and open, Bengal would have never lost its own domestic salt market to British imports. However, British policy manipulated the market throughout the nineteenth century, resulting in the decline of the local salt industry and the supremacy of British salt in Bengal. He explains:

---

33 Ibid., 505, 507.

34 Indrajit Ray, "The silk industry in Bengal during colonial rule: The 'de-industrialisation' thesis revisited," in *Indian Economic Social History Review* 42, 3 (2005): 358.

35 Ibid., 361-363.

36 Ibid., 373.

37 Indrajit Ray, "Imperial policy and the decline of the Bengal salt industry under colonial rule: An episode in the 'de-industrialisation' process," in *Indian Economic Social History Review* 38, 2 (2001): 191.

Salt policy in Bengal was thus changed drastically twice during the first half of the nineteenth century: once in 1835 when the auction system was replaced by the system of administered pricing; and then in 1845 when a pricing policy was instituted which discriminated against domestic salt in favour of British salt.<sup>38</sup>

In 1829-30, there was not one grain of British salt in Bengal, but due to the discriminatory policy, by 1851, the British were exporting 2.7 million *maunds*<sup>39</sup> of salt per year to Bengal. This accounted for almost half of the Bengal salt market.<sup>40</sup> As has by now become a familiar tale, the British encouraged the growth of their industry while discouraging Indian industry and causing de-industrialization.

Harnetty and Ray present us with three unique case studies of Indian industries affected (or not affected) by British rule. Due to the complex nature of the industry, and the manner in which market forces affected different parts of the industry differently, Harnetty is unable to render a definitive verdict in his article on handloom weavers on whether de-industrialization occurred. In Ray's article on the silk industry, it is not discriminatory pricing that brings about its decline, but rather adverse market conditions in the latter half of the century. Here, Ray is able to conclude that de-industrialization did not take place, despite policy attempts by the British to discourage industry in the earlier part of the nineteenth century. Finally, Ray's case study of the Bengal salt industry, presents an Indian industry that in normal market conditions would face no serious competition from British interests, but, due to extreme British policies, a banner case of de-industrialization occurs.

So what do these case studies mean? Where do these three and the dozens of others within the scholarly literature fit between the frameworks and conclusions of Dutt and Morris? What is at stake in the interpretation of nineteenth-century Indian economic history?

It is clear from R. C. Dutt's rhetoric and from the historical context in which he was writing that there are serious political implications for interpretations of nineteenth-century Indian economic history. Nationalists of the early twentieth century were able to parlay Dutt's de-industrialization thesis into a condemnation of British rule in India specifically, and Western colonialism generally. With the advent of the end of colonialism, this political implication of economic history has ceased to be as manifestly relevant. However, the de-industrialization debate will undoubtedly play a large role in shaping the legacy of the *Raj* and thus of colonialism in general.

In the beginning of his essay, M. D. Morris discusses the rationales behind the importance of understanding nineteenth-century Indian economic history. Practically, successfully organized economies depend greatly on an accurate interpretation of economic history. Academically, understanding how the Indian economy performed and developed in the nineteenth century has enormous possible rewards. Morris writes:

So far, most of our generalizations about the character of capital accumulation, the role of international trade, the significance of entrepreneurship, the role of the state, and

---

38 Ibid., 202.

39 A *maund* is a measure of weight approximately equal to 82 pounds.

40 Ibid., 202-203.

the problems of shifting labor and other factors from one activity to another have been derived from the experience of Western economies. For significant generalizations we will have to go beyond the Western cases... Examination of the Indian case is important to the elaboration of a general theory of economic growth and stagnation... India, illustrating limited growth, can throw considerable light on the entire process of economic development.<sup>41</sup>

However, the difficulties in achieving a non-Western theory of economic growth and stagnation with which to interpret non-Western cases are evident by the end of Morris's essay. In discussing the impossibility of India achieving industrialization during the nineteenth century, Morris makes reference to the "preconditions for growth," and the "structural changes" that must be attained before industrialization can take place.<sup>42</sup> These preconditions and structural changes that are assumed to be necessary for industrialization are examples of the very kind of Western economic theory that Morris claims are irrelevant to non-Western economic experiences.

Inadvertently, Morris has highlighted the central issue at stake in interpretations of nineteenth-century Indian economic history. Are Western normative economic theories useful in analyzing non-Western economic experiences? Is it even possible to break away from a Western interpretation of economic history? Is there a non-Western model for growth and development to be discovered that will more accurately explain non-Western economic histories? Or do all economies grow or stagnate in the same fundamental manner? What does this mean for different methodological approaches to economic history?

The case studies enumerated within this essay straddle a very fine line. On the one hand, authors cannot ignore the advances in economic theory and statistical methods of the past one hundred years, nor can they ignore Morris's call for a more scientific approach to Indian economic history. Frequently, scholars employ modern economic theory to the rough data that is available. On the other hand, the authors are forced to grapple with Dutt and the legacy of evidence, methodology and conclusions that he left behind. Frequently, scholars also site the same evidence of British intent and desire to limit India's manufacturing industries that Dutt used. The scholars also use similar methodology, attempting to show causal links between British intent, British policy and effect upon the Indian economy. Finally, scholars are still working within the de-industrialization paradigm set forth by Dutt. Each scholar works in support of or in opposition to the concept of de-industrialization.

---

41 Morris D. Morris, "Towards a Reinterpretation of Nineteenth-Century Indian Economic History," 606-607.

42 Ibid., 617.



## BIBLIOGRAPHY

- Ambirijan, S. *Classical Political Economy and British Policy in India*. Cambridge: Cambridge University Press, 1978.
- Dutt, R. C. *The Economic History of India Under Early British Rule: From The Rise of The British Power in 1757 to the Accession of Queen Victoria in 1837*, Vol. 1. Britain: Kegan Paul, Trencher, Trubner, 1902. <<http://socserv2.mcmaster.ca/~econ/ugcm/3ll3/dutt/index.html>> (18 April 2007).
- Dutt, R. C. *The Economic History of India in the Victorian Age: From the Accession of Queen Victoria in 1837 to the Commencement of the Twentieth Century*, Vol. 2. Britain: Kegan Paul, Trencher, Trubner, 1904. <<http://socserv2.mcmaster.ca/~econ/ugcm/3ll3/dutt/index.html>> (18 April 2007).
- Habib, Irfan. "Colonialization of the Indian Economy, 1757-1900." *Social Scientist* 3, 8 (1975): 23-53.
- Harnetty, Peter. "'Deindustrialization' Revisited: The Handloom Weavers of the Central Provinces of India, c. 1800-1947." *Modern Asian Studies* 25, 3 (1991): 455-510.
- Marx, Karl. "The British Rule in India." Originally published in the *New-York Daily Tribune*, June 25<sup>th</sup>, 1853. <<http://www.marxists.org/archive/marx/works/1853/06/25.htm>> (9 February 2008).
- Morris, David and Burton Stein. "The Economic History of India: A Bibliographic Essay." *The Journal of Economic History* 21, 2 (1961): 179-207.
- Morris, Morris D. "The Growth of Large-Scale Industry to 1947." In *Cambridge Economic History of India, Volume 2: c. 1757—c. 1970*, edited by Dharma Kumar. London: Cambridge University Press, 1983, 553-676.
- Morris, Morris D. "Towards a Reinterpretation of Nineteenth-Century Indian Economic History." *The Journal of Economic History* 23, 4 (1963): 606-618.
- Ray, Indrajit. "Imperial policy and the decline of the Bengal salt industry under colonial rule: An episode in the 'de-industrialisation' process." *Indian Economic Social History Review* 38, 2 (2001): 181-205.
- Ray, Indrajit. "The silk industry in Bengal during colonial rule: The 'de-industrialisation' thesis revisited." *Indian Economic Social History Review* 42, 3 (2005): 339-375.
- Richards, John F. "The opium industry in British India." *Indian Economic Social History Review* 39, 2&3 (2002): 149-180.
- Robb, Peter. "British Rule and Indian 'Improvement.'" *The Economic History Review* 34, 4 (1981): 507-523.
- Rothermund, Dietmar. "Problems of India's Arrested Economic Growth under British Rule." In *Arrested Development in India*, edited by Clive Dewey. Maryland: The Riverdale Company, 1988, 3-11.
- Seth, Sonjay. "Rewriting Histories of Nationalism: The Politics of 'Moderate Nationalism' in India, 1870-1905." *The American Historical Review* 104, 1 (1999): 95-116.
- Simmons, Colin. "'Arrested Development' in India—Worthwhile Epithet, Hostage to Fortune or Plain Utopianism?" In *Arrested Development in India*, edited by Clive Dewey. Maryland: The Riverdale Company, 1988, 12-48.
- Simmons, Colin. "'De-Industrialization', Industrialization and the Indian Economy, c. 1850-1947." *Modern Asian Studies* 19, 3 (1985): 593-622.
- Specker, Konrad. "'De-industrialisation' in Nineteenth Century India: The Textile Industry in the Madras Presidency, 1810-1870." In *Arrested Development in India*, edited by Clive Dewey. Maryland: The Riverdale Company, 1988, 333-346.



# the patriarchal heart

GENDER, LAW, AND SOCIETY IN THE ANTEBELLUM CHESAPEAKE

BY SARA DAMIANO

In the antebellum South, the courtroom was a stage, “court week” a community spectacle. In most cases involving slave ownership, the performance held few surprises. Parties enacted familiar scripts by which they questioned their opponents’ honor and status as benevolent patriarchs. Slaveholders accused each other of failing to make good on payment contracts and of allowing slaves to become ill or injured. In a society that linked honor—the congruity between public perception and personal character—with masculinity, courtroom rituals affirmed both individual males’ status and patriarchy itself. At the same time, trial participants asserted their dominance over the slaves in question, denying them the right to testify and in some instances subjecting their bodies to medical examination. Even as flawed contracts and competing claims to ownership were put on stage, the courtroom’s spotlight threatened neither slavery nor patriarchy.<sup>1</sup>

The participants of the late eighteenth-century cases *Ward v. Reeder* and *Crump v. Dudley*, tried in Maryland and Virginia respectively, appeared to act out this well-known drama. Argued in the County Court in 1779 and heard by the Maryland Court of Appeals in 1788, *Ward v. Reeder* concerned the competing claims of Charles County residents William Ward and Hezekiah Reeder to ownership of Jacob, a thirty-year-old slave. Reeder purchased Jacob on April 1, 1779, but, as Reeder later cryptically stated, Jacob “accidentally came into [Ward’s] possession” on the very same day. Although Reeder perhaps hesitated to admit that Jacob had run away, pride did not prevent him from attempting to regain his recent purchase. When Ward refused to relinquish Jacob, Reeder turned to the court for assistance.<sup>2</sup> In the 1790 case *Crump v. Dudley*, William Dudley likewise sought legal recourse following the death of Sarah Crump, a single woman. When Crump’s executors rejected his claim to a share of the value of a female slave named Sarah and her offspring, Dudley initiated legal action. The two cases similarly assumed blacks’ status as property rather than legal persons, and both preserved legal action as a male prerogative. Anne Dudley, the sole woman present in court in the second case, appeared only as a co-plaintiff in her husband’s suit. She lacked the legal standing to sue independently and even the full case title—*Crump and Others v. Dudley and Wife*—subsumed her identity under that of her husband.<sup>3</sup>

1 Ariela J. Gross, *Double Character: Slavery and Mastery in the Antebellum Southern Courtroom* (Athens, GA: University of Georgia Press, 2000).

2 *Ward v. Reeder*, 2 H. & McH. 145; 1785 Md LEXIS 5 (1789).

3 *Crump v. Dudley*, 7 Va. 507; 1790 Va. LEXIS 6; 3 Call 507 (1790).

Such outward simplicity belied more complex narratives of family strife. The courtroom itself may have functioned as a male realm, but women featured prominently in each case's tangled web of property transactions. *Ward v. Reeder* concerned a wife's power to dispose of property following her husband's death, while *Crump v. Dudley* considered widows' capacity to write wills and single women's power to sell property prior to marriage. In short, both cases exposed a paradox within the southern legal and social order. Southern notions of patriarchy emphasized male authority and female dependency; stripping married women of independent personhood, the legal system partially affirmed the social order. However, the legal system also endowed a second category of women—single women—with the same legal powers possessed by men. As *Ward* and *Crump* demonstrate, when single women exercised these powers, conflict resulted.

Faced with a tension between legal doctrine and patriarchal ideals, male legal actors could choose between two methods of resolution. They could ground their arguments in common law, a body of law created by the aggregate of previous legal decisions. Alternatively, deeming common law principles inadequate, they could apply what legal historian Peter Karsten terms a “jurisprudence of the heart,” an approach that emphasized ethical and moral considerations rather than the strict application of precedent.<sup>4</sup> In *Ward* and *Crump*, the plaintiffs chose the latter approach. Although Hezekiah Reeder and William Dudley did not entirely reject more traditional means of argumentation, both additionally invoked a jurisprudence of the patriarchal heart. As they sought to circumscribe women's capacity as legal actors, they proffered moral and sentimental arguments in support of patriarchy. Ultimately, Hezekiah Reeder won his case while William Dudley lost, but, within a patchwork legal system of divergent local practices, such outcomes are arguably less significant than Reeder and Dudley's arguments themselves.<sup>5</sup> Although historians and laypeople alike might view moral considerations as a progressive force within an unfeeling legal system, the cases of *Ward v. Reeder* and *Crump v. Dudley* suggest that the invocation of morality could just as often reflect existing power structures and buttress regressive social practices.

\* \* \*

At its core, *Ward v. Reeder* concerned a series of competing wills. The case's narrative began at some point prior to March 1733, when Thomas Smallwood gave a female slave, Judah, to his daughter, Hester Harrison. Because as a married woman Hester was not legally entitled to hold property, her husband Richard Harrison staked claim to Judah. In his will dated March 25, 1733, he appointed Hester as executrix of his estate and bequeathed “the said negro girl and her increase [offspring]” to his two children, Mary and Elizabeth. When Richard Harrison died on March 28, 1734, and his will's contents became public, Smallwood recognized his error. He had intended to provide for his daughter, but Harrison's will threatened to frustrate his efforts by passing the slave to his grandchildren instead. So, he tried again. In a will dated April 14, 1734, Smallwood

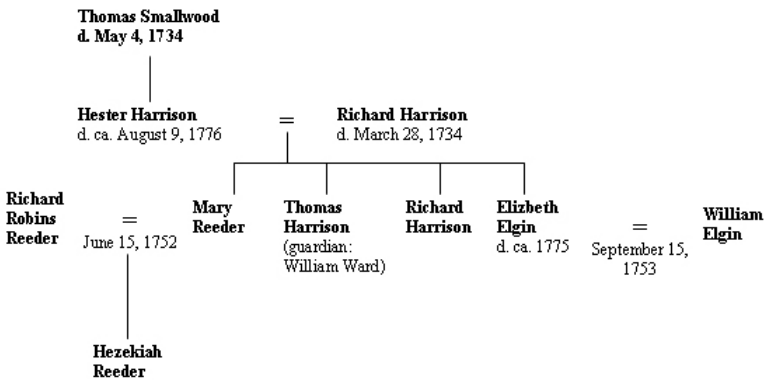
<sup>4</sup> Peter Karsten, *Heart versus Head: Judge-Made Law in Nineteenth Century America* (Chapel Hill: University of North Carolina Press, 1997).

<sup>5</sup> Laura F. Edwards, “States without Rights: African Americans and the Tangled History of Law and Governance in the Nineteenth-Century US South,” *The American Historical Review* 112, no. 2 (April 2007): 367.

wrote, “I give unto my daughter, Hester Harrison, one negro girl in her possession, now called Judah.” He then died on May 4, 1734.<sup>6</sup>

Initially, this conflict between Smallwood’s and Harrison’s wills remained safely beneath the surface. Hester Harrison simply acted in her capacity as executrix under her husband’s will, and retained Judah because the three-year-old Mary and one-year-old Elizabeth were too young to accept their inheritance. Her intentions then changed abruptly in late 1753. Perusing her father’s will, Harrison observed both the relevant provision and that the will “was dated subsequent to her husband’s death.” She claimed Judah and Judah’s offspring as her property, refusing to relinquish them to Mary’s husband, Richard Robins Reeder, or Elizabeth’s husband, William Elgin. Reeder and Elgin consulted a lawyer but ultimately did not pursue legal action. According to the Virginia Supreme Court records, “Hester always claimed the negroes as her own ... and was in quiet possession of, and used the same, until the time of her death.” Before she died on August 19, 1776, Hester Harrison produced a will naming Reeder as her executor and bequeathing Jacob, one of Judah’s children, to her son Thomas Harrison. As Thomas Harrison’s court-appointed guardian and trustee, William Ward was to possess Jacob until the young Harrison reached legal age.<sup>7</sup>

Figure 1: *William Ward v. Hezekiah Reeder*



However, Reeder’s role as executor meant that he now held Jacob, and he and Elgin seized this opportunity, just as Hester Harrison had done previously. Asserting their ownership over Jacob, the two sold him to Reeder’s son, Hezekiah Reeder. The story might have ended there, had Jacob not slipped out of Hezekiah Reeder’s control. Ward at this point claimed Jacob on Thomas Harrison’s behalf and flatly refused to return the slave. Reeder filed suit against Ward on April 6, 1779, and the County Court affirmed that Reeder was Jacob’s rightful owner. Ward appealed the decision, and the General Court reversed the lower court’s decision in 1785. Still determined, Reeder appealed to the Maryland Court of Appeals, which handed him the final victory in May 1789.<sup>8</sup>

6 *Ward v. Reeder*.

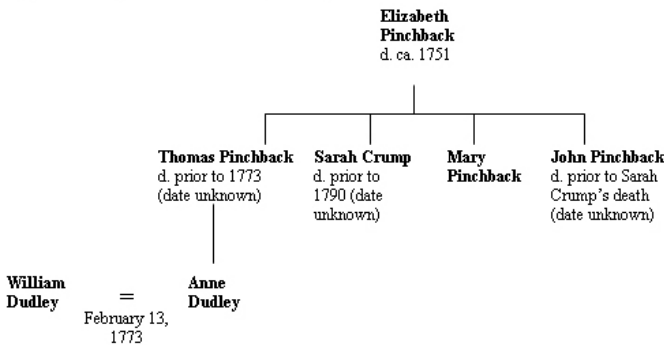
7 *Ibid*.

8 *Ibid*.

The Virginia courts confronted an equally convoluted narrative in *Crump v. Dudley*. At some point prior to 1750, the widow Elizabeth Pinchback purchased Sarah, a female slave. In her will, Pinchback granted her daughter, Sarah Crump, the use of Sarah during her lifetime. Another provision stated that, following Crump's death, the slave Sarah and any of her offspring would become the property of John Pinchback, Elizabeth Pinchback's son. Pinchback's will also included a residuary clause, a provision detailing what would happen to the remainder of the estate after payment of debts. According to Pinchback's residuary clause, her four children would receive equal shares of her estate, which included the value of any slaves.<sup>9</sup>

When Elizabeth Pinchback's eldest son Thomas died, he transmitted his share of Pinchback's estate to his daughter, Anne. On February 12, 1773, following a year-long engagement, the county issued a license for the marriage of Anne, age 22, to William Dudley. The following day, Anne sold her share of the slave Sarah to Sarah Crump for thirty pounds. One day later, Anne Dudley's marriage to William Dudley was solemnized.<sup>10</sup>

Figure 2: *Crump and Others v. Dudley and Wife*



The sale received little scrutiny until nearly a quarter-century later. Following Sarah Crump's death in 1790, Anne and William Dudley realized that the slaves in question had "increased considerably" in both number and value, making the share previously held by Anne Dudley worth "much more" than the thirty pounds transacted in 1773. When Crump's executors asserted a permanent claim to the slaves, William and Anne Dudley decided to sue. In court, the Dudleys' attorney argued that Anne Dudley's 1773 deed of sale was invalid because she had purposefully obtained without it her future husband's consent, and that the Dudleys remained entitled to a share of the slaves' value. The Virginia Court of Chancery accepted these interrelated arguments and ruled in favor of Anne and William Dudley. Crump's executors appealed the decision to the Virginia

<sup>9</sup> *Crump v. Dudley*.

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

Supreme Court and succeeded in having the decision reversed on June 23, 1790.<sup>11</sup>

\* \* \*

Through their participation in property transactions, Hester Harrison, Elizabeth Pinchback, and Sarah Crump each engaged with the public sphere on her own behalf. Hester Harrison assumed this more proactive role after reading Thomas Smallwood's will. Prior to doing so, she had merely acted in her capacity as a trustee and executor, passively carrying out her husband's directives. Afterwards, she defied her husband's authority by asserting that his will was superceded by that of Thomas Smallwood. She further asserted herself by writing her own will, and this document offered more than simply an enduring statement of her wishes. Because Maryland law required that both a will's executor and three witnesses appear before the commissary and swear to the document's veracity following its author's death, Hester's will produced posthumous recognition of her agency.<sup>12</sup>

Like Hester Harrison, the women of *Crump v. Dudley* assumed roles which placed them in conflict with southern patriarchy. Elizabeth Pinchback first acted on her own by deciding to purchase the slave Sarah. Requiring public participation in the market economy, this move placed Pinchback outside of the private household. Pinchback then produced her will, a highly detailed document through which she sought to control her property even following her death. And, although at least initially less contentious than the will of Hester Harrison, it received similar scrutiny in probate court. More than twenty years later, the sale between Anne Dudley and Sarah Crump not only drew such women into the economic realm, but also suggested concerted action on the part of Anne Dudley. While Anne Dudley's reasons for selling her shares of the family's slaves are left unstated, the sale's timing suggests that she preferred liquidating her property rather than submitting it to her husband's control.

Such actions by Harrison, Pinchback, and Dudley came into conflict with the patriarchal structure of southern society. Defined by historian Kathleen Brown as the "historically specific authority of the father over his household," patriarchy prescribed specific roles for southern men and women alike.<sup>13</sup> Invoking southern men's supremacy, a strong prescriptive literature emphasized women's roles as wives and urged their submission to their husbands. Representative of such writings, a 1737 *Virginia Gazette* advice letter stressed women's suitability for marriage. The author wrote, "[W]omen are born for Virtue, that you may perform the Duty of a Wife to the Purpose, you must strive to humour the Partner of your Bosom in every Thing, and love him above the Creation." He further counseled his female reader to "overlook not the important word OBEY," and bluntly directed her to "rather than risque a Quarrel... forgo the trifling Satisfaction of having your own Will, or the Better of an Argument."<sup>14</sup> Such recommendations came to fruition in the daily life of plantations, where white women were what the historian Laura F. Edwards terms "domestic dependents." Whereas a woman could face legal

---

11 Ibid.

12 Elie Vallette, *Deputy Commissary's Guide within the Province of Maryland* (Annapolis, MD: Anne Catherine Greene and Son, 1774), 65-66.

13 Kathleen M. Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia* (Chapel Hill: University of North Carolina Press, 1996), 4.

14 *Virginia Gazette*, May 20, 1737, quoted in Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs*, 334

prosecution simply if she defied her husband, a husband who was violent against his wife usually received little scrutiny. Southerners largely recognized and sanctioned a male's dominion over his own household.<sup>15</sup> In apparent defiance of this tradition, however, Harrison, Pinchback, and Dudley refused to submit to male authority, and instead deliberately advanced their own interests. Harrison and Pinchback did so by writing wills, while Dudley did so by proactively selling her share of Pinchback's estate.

Beyond challenging patriarchal authority, these women committed an affront to southern men's honor and masculinity. As historian Edward Ayers explains, a man's honor rested upon the similarity between "the being and truth about a person" and "the being and truth that others acknowledged in him." Because adult white southern males believed that only they could possess honor, this trait conferred their sense of supremacy and shaped their identity as patriarchs.<sup>16</sup> Wives significantly contributed to their husbands' honor. A man's treatment of his wife reflected his authority over the household, and proper treatment included sheltering her from the market economy. By displaying his wife's freedom from labor, then, he showcased his own masculinity. This was particularly the case among the planter elite, who demonstrated their own honor and evaluated the honor of others through the tradition of plantation visits. As Brown explains, when a planter "opened his house to a visitor," he "invited comparison between his public reputation for wealth, power, and sophistication and the circumstances of his daily life."<sup>17</sup> A planter's visitors took note of all aspects of his home, but especially his wife. In short, southern culture consigned women to the single role of submissive wife, but Harrison, Pinchback, and Dudley refused to accede to such roles. In doing so, they dishonored not only their husbands, but, by extension, all southern males.

Although any female assertion of property rights accosted southern patriarchy, Harrison, Pinchback and Dudley's actions were doubly problematic because of the specific property involved—slaves. Slaves not only conferred wealth and status upon southern patriarchy but also served as a canvas upon which such men could illustrate their own status. Planters took pride in their daily care of slaves and their use of elaborate disciplinary schemes, and, as Brown notes, such males' efforts to attain "docile, respectful, and efficient obedience...confirmed their sense of righteous mastery."<sup>18</sup> Even small slaveholders included slaves and their increase in their wills. Through such efforts, these men demonstrated both their mastery over slaves and their ability to provide for future generations.<sup>19</sup> When Harrison, Pinchback and Dudley asserted their ownership of slaves, they visibly slighted this patriarchal system. As slaveholders, all three women undermined males' exclusive status as masters. As authors of wills, Harrison and Pinchback destabilized men's status as the sole protectors' of their descendants' wellbeing.

\* \* \*

Taken together, the self-interested actions of Harrison, Pinchback and Dudley

15 Laura F. Edwards, "Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South," *Journal of Southern History* 65 (November 1999): 733-770.

16 Edward Ayers, *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup> Century American South* (New York: Oxford University Press, 1984), 18.

17 Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs*, 271.

18 Brown, *Good Wives, Nasty Wenches, and Anxious Patriarchs*, 350-361.

19 For a discussion of this concept with reference to seventeenth century slave ownership, see Jennifer Morgan, *Labouring Women: Reproduction and Gender in New World Slavery* (Philadelphia: University of Pennsylvania Press, 2004), 97-99.

reflected tensions within the legal system. In some respects, the common law adhered to patriarchal notions and reinforced women's inferiority to men. Following her marriage, a woman was classified as a *feme covert*. As several eighteenth-century common law treatises explained, marriage created a "unity of person" between husband and wife, an unequal unity in which a woman's legal personhood was "incorporated and consolidated into that of the husband, under whose wing, protection, and cover she performed everything."<sup>20</sup> A *feme covert* could not sign contracts, write a will, or be an independent party in legal action.<sup>21</sup> Because the common law assumed that a man's actions would best advance his wife's interests, the legal system afforded women little choice but to follow instructions like those offered by the *Virginia Gazette*: "forgo the trifling Satisfaction of having [your] own Will."<sup>22</sup>

However, the law also created a second category of women, *femes soles*. Whether widowed or unmarried, these adult women possessed the same legal rights as men. Herein lay the paradox: even as the principle of coverture prescribed women's inferiority to men, the existence of *femes soles* affirmed women's capacity to participate in the public sphere. Anne Dudley's experiences perhaps best demonstrate this artificial division between *feme sole* and *feme covert*. On February 13, 1776, the law seemingly permitted Dudley to sell her share of Pinchback's estate. Had she sought to complete this transaction just one day later, she could not have done so, as the law at this point unequivocally deemed her a *feme covert*.

Adult unmarried women most commonly entered into the legal record when they assumed *feme sole* status in both law and practice. Overseen by their fathers or their families more generally, some unmarried women chose not to participate in legal action. In contrast, truly independent women might demonstrate legal maneuverability. Consider, again, Anne Dudley. Dudley lacked male oversight following her father's death but before her marriage to William Dudley, and it was during this time that she sold her share of Elizabeth Pinchback's estate. The vast majority of legally active *femes soles*, however, were widows rather than young unmarried women. Whereas younger women did not commonly own large amounts of property, widows often inherited such property from their husbands. Able to sign contracts or write wills, widows could then dispose of such property according to their wishes. These decisions afforded widows significant power. In a society of male property-based franchise, they could influence political outcomes through bequests or sales to men previously ineligible to vote.<sup>23</sup> This strategic deployment of property rights allowed women to doubly confer masculinity, as a man's status was linked to both property ownership and participation in the body politic.<sup>24</sup> In contrast, widows who transferred property to other women openly disregarded traditions of male property ownership.

Men contributed to women's increased legal visibility when they named them as executors of their estates. According to Maryland law, individuals could name men or

---

20 *The Laws Respecting Women* (1777; reprint, Dobbs Ferry, NY: Oceana Publications, 1974), 65; William Blackstone, *Commentaries on the law of England*, vol. 1 (1765; reprint, Worcester, MA: Isaiah Thomas, 1790), 442.

21 *The Laws Respecting Women*, 65.

22 *Virginia Gazette*, May 20, 1737.

23 John K. Kolp and Terri L. Snyder, "Women and the Political Culture of 18<sup>th</sup> Century Virginia: Gender, Property Law, and Voting Rights," in *The Many Legalities of Early America*, ed. Christopher L. Tomlins and Bruce H. Mann (Chapel Hill: University of North Carolina Press, 2001), 272-293.

24 Stephanie McCurry, "The Two Faces of Republicanism: Gender and Proslavery Politics in Antebellum South Carolina," *Journal of American History* 78, no. 4 (March 1992): 1245-1268.



*femes soles* as their executors. Following a testator's death, executors had to follow a multi-stage procedure in which they proved the will's validity, inventoried the estate, collected debts owed to the deceased, paid debts owed to creditors, granted any bequests, and, finally, offered an account of their activities.<sup>25</sup> In a process this long, there were ample opportunities for deviation. Maryland's 1774 *Deputy Commissary's Guide*, published to "[assist] executors and administrators in the performance of their duties," acknowledged the complexity of the procedure. In the book's introduction, author Elie Vallette, self-righteously proclaimed, "There are very few persons, who are not in some respect concerned in the management of the estates of deceased persons...and I may presume to observe that very few have not frequent occasion for advice in these concerns."<sup>26</sup> But in casting his text as the solution, Vallette trusted that individuals' knowledge rather than legal structures would restrain executors.

To a certain extent, the Chesapeake legal system acknowledged its own weaknesses and sought to curtail widows' power through the common law principle of dower. According to the common law, a widow was entitled to a life share of one third of her husband's estate. A widow automatically received dower if her husband died intestate, and, if her husband left a will, she could renounce this document and instead assert her right to dower. Although dower on its face bolstered female property ownership, it simultaneously restricted women's legal capabilities. Merely holding such property as tenants, widows could not sell, bequeath, or even significantly alter their husbands' property.<sup>27</sup>

Other laws limited female discretion as executors and trustees. Under a 1758 Maryland law, when a child came of age, he or she was entitled to any property previously held by their guardians, and "in case of in case of refusal by such guardian, to yield or give up quiet possession" and to "have... action, and recover possession, and treble damages, with full cost of suit."<sup>28</sup> A 1715 Maryland law regarding slaves included similar provisions. It bound a trustee to "preserve" any slaves to which a child was entitled and required that "the like number of slaves, and of the like ability of body be returned to the said orphans out of their increase or otherwise."<sup>29</sup> In not requiring the return of the slaves specifically named in the will, the 1715 law simultaneously guarded against actions by enterprising or delinquent trustees and acknowledged the inherent instability of humans as property. On paper, these statutes protected all testators, but in practice, they bolstered patriarchal authority in a society in which most property owners were men.

Much to the frustration of Chesapeake patriarchs, however, actions of widows such as Hester Harrison and Elizabeth Pinchback reflected the limited effectiveness of common law and statutes to insulate patriarchy. Dower laws dealt only with a deceased husband's property, so widows might still be able to dispose of any other property. Because Harrison first received Judah from her father, and Pinchback independently purchased Sarah, each woman was legally able include her slaves in her will. And, even if Harrison and Pinchback had received their slaves from their husbands, dower still would not have applied. English common law differentiated between real property, which a widow obtained for her lifetime only, and personal property, which a widow received for

25 Vallette, *Deputy Commissary's Guide*, 119-124.

26 *Ibid.*, iii.

27 Marylynn Salmon, *Women and the Law of Property in Early America* (Chapel Hill: University of North Carolina Press, 1986), 141-143.

28 Vallette, *Deputy Commissary's Guide*, 150.

29 *Ibid.*, 135.



perpetuity. In the late eighteenth century, both Maryland and Virginia classified slaves as personal property.<sup>30</sup> By enabling widows to dispose of inherited slaves as they chose, even dower law led women to assume the traditionally masculine roles of slave owner and provider to subsequent generations.

Laws governing trustees' and executors' behavior likewise had little bearing on the actions of women such as Hester Harrison. Although Harrison was in theory bound by Maryland's 1715 and 1758 laws, neither of these statutes prevented her from retaining Judah and Judah's offspring throughout her lifetime. In fact, it was precisely Harrison's roles as executrix and trustee that enabled her to effectively claim these slaves. Because Harrison retained day-to-day control of the slaves in question, Elgin and Reeder would have been required to confront her—whether inside or outside of court—in order to challenge her claims to ownership. As Hezekiah Reeder's attorney ultimately stated in court, Elgin and Reeder proved unwilling to pursue such action, and instead elected to "indulge an aged and distressed mother."<sup>31</sup> While Elgin and Reeder derived authority from their gender, Hester Harrison and other widow-executrices possessed a degree of immunity from male challengers by virtue of their age.<sup>32</sup>

Limited as it was, the legal agency possessed by widows such as Harrison and Pinchback was problematic in that it was rarely accompanied by legal knowledge. After reading her father's will, Hester Harrison unambiguously positioned herself as an interpreter of the law. In asserting that Judah did not become Richard Harrison's property when Smallwood first bestowed his gift, Hester Harrison distinguished between the physical transfer of property and the actual giving of the gift. Whereas it is unclear to what extent such Harrison's boldness stemmed from a familiarity with the law, Pinchback's will was "obviously penned by a person not accustomed to legal norms." As the Dudleys' lawyer pointed out, not only did the will fail to account for all scenarios, but each of its four clauses began with the word "imprimis," a term that should have been used only in the first clause, as it means "in the first place."<sup>33</sup> If southern males looked to the legal system as a source of order and predictability administered by patriarchal experts, Harrison, Pinchback and other widows demonstrated that the law could just as well be used by female novices in unanticipated ways.

\* \* \*

Appearing before the Virginia and Maryland courts, Hezekiah Reeder and William Dudley confronted a daunting task. Both plaintiffs' claims rested on limited conceptions of women's power as legal actors and property rights. Reeder needed to demonstrate that Richard Harrison and his heirs had owned Judah ever since Thomas Harrison first gave the slave to Hester Harrison, while Dudley faced the burden of both invalidating the February 13, 1773 sale and advancing a particular interpretation of Elizabeth Pinchback's will. Because Hester Harrison, Elizabeth Pinchback and Anne Dudley's actions reflected their legal status as *femes soles*, Hezekiah Harrison and William Dudley could not base their arguments upon the common law alone. Instead, they turned to

30 Salmon, *Women and the Laws of Property*, 149, 153-155

31 *Ward v. Reeder*.

32 In her book *Within Her Power*, historian Linda Sturtz discusses another case similarly complicated by considerations of age and gender. See Linda L. Sturtz, *Within Her Power: Propertied Women in Colonial Virginia* (New York: Routledge, 2002), 38.

33 *Crump v. Dudley*.

another form of law—specifically, a form of law that I term the “jurisprudence of the patriarchal heart.”

In *Ward v. Reeder*, Hezekiah Harrison faced the general question of whether Hester Harrison could legally bequeath the slave Jacob, but the case also rested on two points of legal minutiae. First, suing Ward at least fifty years after Thomas Smallwood gave Jacob to Hester Harrison, Hezekiah Harrison needed to convince the Maryland justices that the statute of limitations did not apply. Secondly, prior to reading her father’s will, Hester Harrison had on several occasions stated that she possessed the slaves in question only “under the circumstances of being widow and executrix to the said Richard,” but, as hearsay, these statements would not normally be admissible in court.<sup>34</sup> In order to strengthen his case, Harrison had to argue for an exception to the rules of evidence.

Harrison employed two attorneys, Cooke and Stone, to argue his case.<sup>35</sup> Before the Maryland Court of Appeals, Cooke first rebutted the defendant’s objection to using the hearsay evidence, noting that excluding such evidence would be “contrary to common practice of the Courts in this state.” He was equally dismissive of Hester Harrison’s claims to ownership of Judah and her children, noting simply, “the gift and delivery of the negro, by Smallwood to Mrs. Harrison, in the life-time of her husband, undoubtedly vested the absolute property in him, and consequently he had a right to devise.” The balance of Cooke and Stone’s discussion then concerned the statute of limitations’ applicability.<sup>36</sup>

Although Cooke and Stone cited a litany of cases as precedent, the expected practice under common law, they simultaneously urged the Maryland justices to evaluate the case using moral criteria outside of strict precedent—that is, to adopt a jurisprudence of the patriarchal heart. Cooke noted that, by offering “a constant shield to fraud,” a statute of limitations might sanction morally repugnant actions—including Hester Harrison’s subversion of her deceased husband’s authority—as legally permissible. According to Cooke, this would undermine trust as a fundamental principle in southern society: “Who would place confidence in another, more especially to take charge of infant children, if the possession thus confidently obtained, should be urged in bar to their remedy?”<sup>37</sup>

Cooke next turned to the relationship between children and their parents. A statute of limitations, he explained, was inconsistent with children’s moral obligation toward their parents. Cooke speculated that Harrison’s children perhaps wished “to indulge an aged and distressed mother with the use of negroes during her life, rather than enter into a quarrel and ruinous contest with her.” He continued, “they never demanded the possession, and ought not, therefore, to have been compelled to bring suit against her.”<sup>38</sup> Although lacking specific references to religion, such argumentation strongly invoked the Judeo-Christian commandment to “honor thy mother and father” and placed this ideal above the law.

Stone labored to prove that many justices already employed a jurisprudence of the patriarchal heart. He noted that many justices “do not favour the act of limitations” and “have restrained the operation of the statute as much as possible,” both by declining to “extend the act of limitations to a case not expressly within the letter” and by exempting many cases “not within the exception of the act.” Stone here suggested that, despite

---

34 *Ward v. Reeder*.

35 As was common in eighteenth-century legal documents, case records identified Harrison’s attorneys by last name only.

36 *Ward v. Reeder*.

37 *Ibid*.

38 *Ibid*.

being popularly elected, the legislature did not possess absolute authority. Judges were not bound to enforce the letter of the law, but rather could evaluate issues on moral terms, and, indeed, deserved praise for doing so.<sup>39</sup>

Through their intense opposition to the statute of limitations, Cooke and Stone deferred to southern males' preference for extra-legal action. For men such as Richard Reeder and William Elgin, a courtroom appearance meant acknowledging the subversion of their patriarchal authority, and, by extension, their dishonor. And even if the lawyers were successful, efforts such as theirs afforded at best an incomplete remedy. In the words of historian Edward Ayers, "injured honor could not receive satisfaction through the third party of the state" but rather could only be healed through public displays of character."<sup>40</sup> As Cooke and Stone undoubtedly recognized, statutes of limitations threatened to undermine the law's status as the method of last resort. In arguing against such statutes' enforcement, then, the two attorneys not only advanced a patriarchal jurisprudence but protected patriarchy itself.

\* \* \*

A jurisprudence of the patriarchal heart also emerged in *Crump v. Dudley*, as the Dudleys' attorney, Marshall, urged the Virginia justices to consider moral imperatives rather than apply the law's rigid parameters. In order for the Dudleys to win possession of a share of Sarah Crump's slaves, Marshall first needed to argue that Anne Dudley had lacked the requisite legal power to sell her share, and that the sale was therefore invalid. He stood on shaky legal footing: the common law identified marriage as the point at which a *feme sole* became a *feme covert*, Anne Dudley was almost certainly a *feme sole* at the time of sale, the day before her marriage. Marshall had to argue, then, that marriage was more than a mere clerical act; it was "a union of fortune, as well as of persons," and thus already applied to Dudley on the day *before* the marriage was recorded:

It is of consequence, to the happiness and peace of society, that [marriage] should be fair, without deception. A person possessed of a visible fortune, who contracts to matrimony, impliedly contracts to unite that fortune, as well as her person, to her husband. To dispose of it secretly, is a palpable fraud: immoral in itself, and productive of consequences extensively injurious.<sup>41</sup>

In this way, Marshall sought to employ morality as an additional restraint upon the actions of *femes soles*. He reminded the justices that, in selling her share of Pinchback's estate, she had committed a moral if not a legal transgression, and that for this reason alone the sale should be invalid.

If this argument cast Anne Dudley as the offender, Marshall's next line of reasoning cast her as the victim. He asserted that the court should recognize Anne Dudley's vulnerability at the time of sale. Because Sarah Crump's age granted her elevated status within the family hierarchy, the sale "was executed to a person whose situation probably gave her an influence over the mind of the seller, which no other person possessed." In addition, because the sale "was for an estate not in possession, but in expectancy,"

---

39 Ibid.

40 Ayers, *Vengeance and Forgiveness*, 13.

41 *Crump v. Dudley*.

Dudley likely did not adequately consider the sale and was more inclined to part with her share “at an undervalue.”<sup>42</sup> In essence, because she was a woman, Dudley lacked the foresight and strength of mind required to evaluate property transactions. Through Dudley’s example, Marshall suggested that the legal system had irresponsibly granted *femes soles* with powers that they were not sufficiently equipped to apply, and he urged the justices to uphold their patriarchal obligation to protect women.

If Marshall had his way and the sale was deemed invalid, the division of Sarah Crump’s estate would remain unresolved. John Taylor, the attorney for Crump’s executors argued that the answer lay in the residuary clause of Elizabeth Pinchback’s will: “Imprimis, I give and bequeath all the remainder of my part of the estate to be equally divided between my four children, viz. Thomas, John, Mary, and Sarah, but to be kept together till all the debts are paid and then divided.” Taylor emphasized that “the rules of law must be adhered to... And it is a fixed rule of law, that a remainder or reversion will pass by a general devise of the residuary estate.”<sup>43</sup>

In contrast, Marshall stressed Pinchback’s apparent unfamiliarity with the law and stated that she “cannot be presumed to have known the legal construction of particular expressions, and to have intended that construction.” He then advanced an alternate interpretation of Pinchback’s will, one which would serve “to promote, and not to frustrate the will of the testator.” Calling attention to Pinchback’s instruction that the estate not be divided until all debts were paid, Marshall stated that it appeared “obviously, to have been the intention of the testatrix ... to pass, by this residuary clause only such property as could be useful in the immediate payment of debts.” Because Pinchback’s slaves were not to be used for the payment of debts, they were not included in this residuary clause, and therefore were to be allocated in accordance with the Court of Chancery’s initial decision, which stated that the Dudleys “in right of the said Anne, as one of the co-heiresses of the said Elizabeth Pinchback, are clearly entitled to moiety of the slaves.”<sup>44</sup> Here again Marshall differentiated between *femes soles* and males possessing the same legal powers. By Marshall’s reasoning, a court that strictly interpreted a man’s will should not necessarily do the same for a woman, whose inferior judgment and deficient expertise had to be taken into account. In other words, Marshall recommended a “jurisprudence of the patriarchal heart” to provide a safety net for female legal actors.

\* \* \*

In the end, Hezekiah Reeder succeeded where William Dudley failed. In *Ward v. Reeder*, the Maryland justices not only handed the victory to Hezekiah Reeder, but also demonstrated their willingness to adopt a jurisprudence of the heart. After outlining the legal reasons for not applying the statute of limitations, they continued: “But the Court, added to these reasons, ground themselves greatly on this, that the *barons* [Richard Reeder and William Elgin], after taking counsel, did not disturb the possession of Mrs. Harrison, but permitted her to use and occupy the chattels in order to keep up peace and harmony in the family between mothers and daughters.”<sup>45</sup> Recognizing that confronting an elderly widow might bring about dishonor, the justices closely echoed the reasoning

---

42 Ibid.

43 Ibid.

44 Ibid.

45 *Ward v. Reeder*.

advanced by Cooke and Stone. In *Crump v. Dudley*, in contrast, the Supreme Court of Virginia ruled that “the sale from Anne Pinchback to Sarah Crump was valid,” and there the terse verdict affords little insight into the justices’ decision.<sup>46</sup>

The results of the legal arguments of Hezekiah Reeder and William Dudley are less important than the content of the arguments, which prompt a re-evaluation of prevailing understandings of the jurisprudence of the heart. In discussing instances in which justices deviated from the common law, legal historians commonly identify two forms of judicial innovation: economic instrumentalism and a jurisprudence of the heart. Legal historians tend to adopt a critical perspective toward economic instrumentalism, or the self-conscious use of judicial decisions to shape social policy. In his book *The Transformation of American Law*, for example, Morton Horwitz writes that nineteenth-century legal instrumentalism led society to be “re-shaped to the advantage of men of commerce and industry at the expense of farmers, workers, consumers, and other less powerful groups within society.”<sup>47</sup> In contrast, legal historians view a jurisprudence of the heart more positively. Peter Karsten, for instance, identifies this mode of legal thought as “almost uniformly ‘pro-plaintiff’ and *anti*-corporate entrepreneur,” and suggests that it represents jurists’ propensity to “*aid* the weak and the poor.”<sup>48</sup>

Many historians of early American women adopt an equally uncritical view of the jurisprudence of the heart. These historians typically view equity courts, courts in which judges ruled based on principles of fairness rather than precedent, as demonstrating the positive consequences of judicial discretion. Marylynn Salmon, for instance, writes of the “positive influence of equity principles” in states such as Maryland and Virginia, and notes that equity courts were more likely than the common law courts to grant divorces or allow married women separate estates.<sup>49</sup> Similarly, Suzanne Lebsock identifies equity courts as affording married women “loopholes by which they could escape some of their common-law disabilities.”<sup>50</sup>

While the Salmon, Lebsock and others rightly cite the benefits conferred by equity courts, their arguments overlook other legal settings in which a jurisprudence of the heart remained more restrictive than the common law. Likewise, in his discussion of nineteenth century legal thought, Karsten inadequately acknowledges that, during other time periods, morally-based arguments proved no more progressive than economic instrumentalism. In the common law courts of the eighteenth-century Chesapeake at least, jurisprudence of the heart was a fundamentally conservative force. Invoked by men like Hezekiah Reeder and William Dudley, this approach provided an alternative to common law provisions that threatened to undermine their honor and status as household masters. Drawing on the prevailing discourse which cast southern males as gentle, benevolent protectors, Reeder and Dudley’s attorneys had little difficulty translating patriarchy’s justifications into legal language. As their arguments demonstrate, a jurisprudence of the heart was no less reflective of existing power structures than its supposed opposite, economic instrumentalism.

Finally, although *Ward v. Reeder* and *Crump v. Dudley* reveal a reality in which

---

46 *Crump v. Dudley*.

47 Morton J. Horwitz, *The Transformation of American Law, 1780-1860* (Cambridge, MA: Harvard University Press, 1977), 253-254.

48 Karsten, *Heart versus Head*, 3.

49 Salmon, *Women and the Law of Property*, 188.

50 Suzanne Lebsock, *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860* (New York: W.W. Norton & Company, 1984), 55.

certain women, especially widows, could challenge patriarchy, they also remind us that historians should be careful ascribing too much agency to female legal actors. It is tempting to view women such as Hester Harrison, Elizabeth Pinchback, and Anne Dudley as protesting against the bonds of patriarchal society. To a certain extent, they did do that. But there is more to their story. In positioning themselves as legal actors and provoking controversy, Chesapeake women provided their male counterparts with yet another occasion on which to assert and justify patriarchal principles. *Femes soles* certainly succeeded in forcing male legal actors to improvise, but they could not fully co-opt the stage.

## BIBLIOGRAPHY

### Primary Sources

- Blackstone, William. *Commentaries on the Law of England*, vol. 1. 1765. Reprint, Worcester, MA: Isaiah Thomas, 1790.
- Crump v. Dudley*, 7 Va. 507, 1790 Va. LEXIS 6, 3 Call 507 (1790), [www.lexisnexis.com](http://www.lexisnexis.com).
- The Laws Respecting Women*. 1777. Reprint: Dobbs Ferry, NY: Oceana Publications, 1974.
- Vallette, Elie. *Deputy Commissary's Guide within the Province of Maryland*. Annapolis, MD: Anne Catherine Greene and Son, 1774.
- Ward v. Reeder*, 2 H. & McH. 145, 1785 Md LEXIS 5 (1785), [www.lexisnexis.com](http://www.lexisnexis.com).

### Secondary Sources

- Ayers, Edward. *Vengeance and Justice: Crime and Punishment in the 19<sup>th</sup> Century American South*. New York: Oxford University Press, 1984.
- Brown, Kathleen M. *Good Wives, Nasty Wenches, and Anxious Patriarchs: Gender, Race, and Power in Colonial Virginia*. Chapel Hill: University of North Carolina Press, 1996.
- Carr, Lois Green, Philip D. Morgan, and Jean B. Russo, eds. *Colonial Chesapeake Society*. Chapel Hill: University of North Carolina Press, 1998.
- Coryell, Janet L. and others, eds. *Negotiating the Boundaries of Southern Womanhood: Dealing with the Powers that Be*. Columbia, MO: University of Missouri Press, 2000.
- Edwards, Laura F. "Law, Domestic Violence, and the Limits of Patriarchal Authority in the Antebellum South," *Journal of Southern History* 65 (November 1999): 733-770.
- Edwards, Laura F. "States without Rights: African Americans and the Tangled History of Law and Governance in the Nineteenth-Century US South," *The American Historical Review* 112, no. 2 (April 2007): 367.
- Gross, Ariela J. *Double Character: Slavery and Mastery in the Antebellum Southern Courtroom*. Athens, GA: University of Georgia Press, 2000.
- Horwitz, Morton J. *The Transformation of American Law, 1780-1860*. Cambridge, MA: Harvard University Press, 1977.
- Karsten, Peter. *Heart versus Head: Judge-Made Law in Nineteenth Century America*. Chapel Hill: University of North Carolina Press, 1997.
- Lebsock, Suzanne. *The Free Women of Petersburg: Status and Culture in a Southern Town, 1784-1860*. New York: W.W. Norton & Company, 1984.
- McCurry, Stephanie. "The Two Faces of Republicanism: Gender and Proslavery Politics in Antebellum South Carolina." *Journal of American History* 78, no. 4 (March 1992): 1245-1268.
- Morgan, Jennifer. *Labouring Women: Reproduction and Gender in New World Slavery*. Philadelphia: University of Pennsylvania Press, 2004.
- Salmon, Marylynn. *Women and the Law of Property in Early America*. Chapel Hill: University of North Carolina Press, 1986.
- Sturtz, Linda L. *Within Her Power: Propertied Women in Colonial Virginia*. New York: Routledge, 2002.
- Tomlins, Christopher L. and Bruce H. Mann, eds. *The Many Legalities of Early America*. Chapel Hill: University of North Carolina Press, 2001.





# jews in the first crusade

## CULPABILITY, MARTYRDOM, AND BLOOD VENGEANCE

BY ZOHAR ATKINS

For Christians of the Holy Roman Empire, the First Crusade commenced in 1095 with Pope Urban II's declaration to the French knights at Clermont that "God wills it!" and ended four years later with the conquest of Jerusalem. During this period, Christians united in opposition to a common enemy—the Muslims of the East—and witnessed a "renaissance" in areas such as music, literature, geometry, philosophy, and theology.<sup>1</sup> Historians have proposed several explanations for the First Crusade. One school of thought argues that the Pope's desire to aid his fellow Byzantines and to bring about a united "Christendom" was the primary cause of the First Crusade. Another claims that the Pope sought to reassert the papacy's power over the King in the wake of the investiture conflict, a fierce dispute concerning the right to appoint bishops and cardinals. Yet another interpretation suggests that overpopulation and peasants' heightened religious fervor created an environment that facilitated crusading.

Whatever the causes of the First Crusade, it was a monumental and vitalizing success for the "Holy Roman Empire." Even though none of the other Crusades proved to be as successful, and the Muslims eventually reconquered Jerusalem, the religious wars provided a source of unity, religiosity, and discovery for anyone willing to call himself one of "God's soldiers." For Christians, the First Crusade offered an opportunity to make a pilgrimage to Jerusalem and to secure a place for their souls in heaven. Many twelfth-century tales glorified the First Crusade as the historical backdrop for knights' chivalrous quests. Meanwhile, the Jews of twelfth-century Northern Europe associated the First Crusade with a different experience: the 1096 Rhineland massacres, in which bands of Christian soldiers marched through Worms, Mainz, Cologne, and other cities, murdering those Jews who refused to submit to the baptismal waters.

In the wake of the massacres of the First Crusade, Jewish survivors struggled to make sense of the unexpected eruption of anti-Semitic violence. Weighing even more heavily upon them was the mass martyrdom of their brethren, who, rather than converting to Christianity or submitting to the Crusaders' swords, took the lives of their own family members before committing suicide. This response proved especially disturbing to survivors, not simply because it was a violation of Jewish law, but because it was done in the very name of the Jewish law. One thousand years earlier, when Jewish parents had killed their children at Masada in anticipation of the Roman army's advance, they had done so out of mercy for their children or in defiance of the Romans. In contrast, the

---

1 Charles Homer Haskins, *The Renaissance of the Twelfth Century* (New York: Meridian Books, 1957).

Jews of twelfth-century Northern Europe saw themselves fulfilling an Abrahamic test of faith.

Christian sources reported next to nothing about the Rhineland attacks. Albert of Aix, an important First Crusade eyewitness source, briefly dismissed the perpetrators as aberrant, calling them “disgraceful, idolatrous, murderous, and anarchical fornicators.”<sup>2</sup> These Crusaders, he argued, were not reflective of the overarching Crusader mission. Contemporary Jewish observers and commentators disagreed. For them, the attacks emerged from the publicly articulated mission of the First Crusade, which pitted Christians against Jews. In the massacres, the meeting of Jewish and Christian worldviews could be witnessed in the fullest sense.

The Jewish perspectives were articulated in what scholars call “The Hebrew Chronicles,” a multi-volume collection of the main Jewish eyewitness accounts. The Hebrew Chronicles include three narratives describing the First Crusade and two describing the Second Crusade, all of which relate stories in which Jews were massacred. The fullest and most representative of these sources are two accounts that, while ascribed to Solomon bar Simpson and Mainz Anonymous, were in fact written by multiple authors and edited and compiled over a long period of time. Historian Robert Chazan places their completion before the first half of the twelfth century, but treats them as historically accurate. While Christian chroniclers had little to say about the massacres of 1096, the brief comments by Guibert of Nogent and Albert of Aix affirm the events recorded by Solomon bar Simpson and Mainz Anonymous.<sup>3</sup>

Even as the Hebrew Chronicles offered a number of styles and perspectives, they resembled one another in that they did not merely compile names, places, and events. Nor did they simply criticize Christians and praise Jews. Instead they grappled with deep theological questions. Their complex story radically expanded the definition of Kiddush Hashem—the Jewish responsibility for martyrdom, literally meaning “sanctifying the Name”—and also distinguished between good and evil Christians. For these reasons, the Hebrew Chronicles are central to understanding the events of 1096, not simply as they occurred, but as they affected immediate survivors.

If the three narratives of the First Crusade do not literally or truthfully capture the history of the massacres, it is because their authors were more concerned with understanding the psychological and theological implications of the massacres than they were with carefully documenting what happened. Their conception of history, I will argue, reflected the Biblical notion of God as the “Lord of History.” Believing that God used major events in history to communicate his will or cast down judgment, the authors attempted to ascertain the divine meaning beneath the horrific events of the First Crusade.

## CULPABILITY

The authors of the Hebrew Chronicles attempted, with great difficulty and nuance, to make sense of both the horrific actions of the Crusaders who slaughtered in the name of Christ and the Jews who responded by taking their own lives and the lives of their

---

2 Robert Chazan, *In the Year 1096: The First Crusade and the Jews* (Philadelphia: JPS, 1996), 22.

3 For the rest of the paper, when I mention the authors of the Hebrew Chronicles, I am referring specifically to the accounts of Solomon Bar Simpson and Mainz Anonymous, who, of all the sources, offer the most complete and comprehensive narratives.

loved ones in the name of God. Ultimately, the authors of the Crusades posed questions of culpability: Why did the events of 1096 transpire as they did? Who was responsible? To what extent were they responsible? One answer they initially posed was that the Jews deserved their suffering, and that God had punished them through the Crusaders in the same way that God had punished the Jews of earlier generations through destruction of the Temple by the Romans. The problems with this view, however, were immediately apparent. First, there was no collective sin that the Jews could have committed, no acts of widespread idolatry, conversion, or immorality that could have warranted such divine wrath. More importantly, the argument that God was punishing Jews for sinning closely resembled the Crusaders' justification for forcibly baptizing and murdering Jews. According to the Church, the Jews had committed the greatest sin of all, killing Christ. Jewish history since the destruction of the Temple was, for the Church, a history in which God continuously punished the Jews for this sin. Though the Church did not openly endorse forcibly converting or murdering Jews, its official position on the Jews effectively cast those events that did occur as fulfillments of God's will. From the Christian perspective, the Church's inheritance of the Roman Empire at a time when the Jews were denigrated, marginalized, and exiled from their holy land, proved that God had sided with the Christians and against the Jews. If the Jews were to accept their suffering as divine punishment, they would be doing so not in spite of Christianity, but in accordance with it. It was important for the Jews, therefore, to propose a radically different theological explanation for the massacres than the kind they traditionally advanced.

The authors of the Hebrew Chronicles searched for a new theology that could explain the events of 1096 by addressing the Jewish problems of theodicy and culpability on the one hand, and refuting the larger theological claims of Christianity on the other. Their search engaged with the fundamental debate between Judaism and Christianity. If both Judaism and Christianity blurred the lines between "myth" and history, conceiving of Scripture as the model for how God acted in the world, then they differed primarily in that the former waited in exile for the Messiah's arrival, while the latter had already been offered redemption and awaited his return. The Jewish survivors understood the Rhineland massacres of 1096 as a battle between the forces of Jewish and Christian messianism. In this battle, Jews' suffering and self-sacrifice validated their religion and demonstrated their willingness to await the true messiah. Loss morphed into victory as the present suffering of the Jews only demonstrated their perseverance and dedication to their faith. The fact that they did not convert but endured despite their immense suffering meant that God had not forsaken them, but had only tested them out of love.

Despite the eloquence of their arguments, however, Solomon bar Simpson's and Mainz Anonymous's defenses of Judaism in general, and the Rhineland Jews in particular, defied traditional Jewish theology. Their measures redefined the basic tenets of post-Temple Jewish faith and praxis. It is clear from their accounts that the Jewish survivors had not expected to witness fellow observant Jews slaughtering their loved ones or committing mass suicide. But in order to legitimize these Jewish responses, which they had to do if they were to prove the truth of Judaism and defend it against Christian accusations, the authors of the Hebrew Chronicles interpreted the events of 1096 as not only radically new, but also deeply grounded in an age-old Jewish-Christian struggle. Rather than castigating individual Christians, the authors used culpability as a device for undermining the Christian religion and refuting its messianic doctrine. The

authors situated their unorthodox interpretations within a still orthodox view of Jewish and Christian history.

For the authors, the desire to reconcile the traditional Jewish God with the traumatic suffering that his “chosen people” endured, took precedent over allocating blame for the tragedies. They sought to imbue the massacre and ritual slaughter with tremendous religious significance and to effectively render all non-theologically based factors insignificant. Recasting shocking and unexpected events as predestined, they cleverly emphasized the divine hand in history and did not dwell on the earthly questions of culpability, for which explanations were murky and troubling. They refrained from laying blame on the Christians so as to avoid placing guilt on their fellow Jews, who also acted grotesquely.

## ECONOMICS

To understand fully the radical theological views and nuanced understandings of culpability advanced by the authors of the Hebrew Chronicles, one must first examine the development of the Jewish settlements in Northern Europe during a period of economic and demographic change. At the end of the tenth and throughout the eleventh centuries, Jews migrated from Spain and the Mediterranean to Northern Europe in search of economic opportunity. Various authorities, religious and secular, encouraged Jews to relocate, build cities, and assume roles as merchants. A twelfth-century Jewish source, for instance, recalled this positive relationship between the bishop of Speyer and the Jews of Mainz:

At the outset, when we came to establish our residence in Speyer—may its foundations never falter...The bishop of Speyer greeted us warmly, sending his ministers and soldiers after us. He gave us a place in the city and expressed his intention to build about us a strong wall to protect us from our enemies, to afford us fortification. He pitied us as a man pities his son.<sup>4</sup>

Whereas this retrospective account emphasized the protection that Christian leaders afforded to the Jews, the bishop of Speyer’s explanation of his activities revealed that this relationship between the Jews and the Christians was mutually beneficial:

In the name of the holy and undivided Trinity. When I wished to make a city out of the village of Speyer, I Rudiger, surnamed Huozmann, bishop of Speyer, thought that the glory of our town would be augmented a thousandfold if I were to bring Jews... In short, in order to achieve the height of kindness, I have granted them a legal status more generous than any which the Jewish people have in any city of the German kingdom.<sup>5</sup>

Hoping to transform his village into a city, the bishop held a vision of economic growth which required merchants, coin changers, and money lenders. Because only Jews were permitted and demographically positioned to fill these roles, the bishop extended them legal rights that the Church had typically withheld on theological grounds.

---

4 Shlomo Eidelberg, *The Jews and the Crusaders: The Hebrew Chronicles of the First and Second Crusades* (Hoboken, New Jersey: KTAV, 1996), 6.

5 Ibid., 7.

All over tenth and eleventh century Northern Europe, economic conditions were ripe for the flourishing of the Jewish population. Despite having left their previous homes to the south and southeast, the Jews still managed to preserve their religious identity. For example, one of the most prolific and revered Jewish scholars of all time, the eleventh century Jewish scholar Rashi, who lived in Troyes, not far from the Rhineland, produced commentaries that remain basic to Talmudic and Biblical study to date.

But the almost immediate monetary and cultural success of the Jews had several repercussions. In the High Middle Ages, Jews and Christians lived in close proximity to each other, exchanging ideas, speaking in the same vernacular languages, even praying just across the street from each other.<sup>6</sup> The economic success of the Jews, which did not come at the expense of their religious and cultural identities, but rather bolstered them, provoked Christian envy and hatred, and caused Jewish-Christian tensions to thicken. On a sociological level, Christians began to regard the Jew in his role as wandering merchant as a stranger, rather than as a neighbor or fellow resident. On a theological level, they began to see the Jew as a stranger, evicted from his original home in Jerusalem as punishment for his treachery against the Lord. As the Jewish-burgher tensions grew in Speyer, the religious authorities made residential and political changes to keep the two groups separated.<sup>7</sup> Nevertheless, the limitations of Jewish economic activity and the small size of the towns ensured that Jews and Christians would continue to interact in fundamental ways.<sup>8</sup>

Economic jealousy and theological hatred toward the Jews prevailed not only amongst the burghers who lived in close proximity to them, but amongst Crusaders as well. Several historians have suggested that economic motivations underlay Christians' activities during the First Crusade. According to the historian James Carroll, residents of Northwestern Europe who "had been devastated by bad harvests that autumn of 1095" faced "desperate economic straits" and "were ready for something like the Crusades."<sup>9</sup> The Crusades offered Christians not only the possibility of conquering Jerusalem, but also of pillaging wealthy Jews and gaining financially. Historian Salo Baron offers a similar interpretation:

Many shiftless persons, adventurers, and even outright criminals joined the Crusade because they had little to lose and much to gain in the way of worldly goods. Attacking Jews seemed like the easiest road to riches, either through direct plunder or through the collection of ransom from the threatened communities. The rabble rousers could the more readily accept such payments, as the recognized rulers were known to have accepted similar protection money.<sup>10</sup>

Recognizing the economic considerations that would later be cited by Carroll and Barron, the authors of the twelfth-century Hebrew Chronicles to an extent conveyed that they were targets of violence not only because of their religious beliefs, but because of their economic positions as well. Yet, they also understood that economic factors alone could not have brought about acts of murder and forced conversions. The authors

---

6 Ibid., 9.

7 Chazan, *In the Year 1096*, 11.

8 Ibid.

9 James Carroll, *Constantine's Sword* (Boston: Houghton Mifflin, 2002), 239.

10 Salo Baron, *A Social and Religious History of the Jews: Meeting of East and West, Vol. IV* (New York: Columbia), 102.

attempted to invest the economic incentives of their attackers with theological meaning, and to show how the economic forces that drove real historical events were conditioned by theological beliefs.

Even though both the Crusaders and the burghers sought to gain monetarily by attacking the Jews, the authors of the Hebrew Chronicles distinguished between the Crusaders' fundamentally theological motives and the burghers' purely economic motives. The authors saw their conflict not with the burghers, who were responsible for opening up the gates to the Crusaders, but with the Crusaders who entered the gates. They, not the burghers, represented Christianity. Since the authors were not interested in assigning blame on anyone in particular, but were deeply committed to finding fault with the Christian religion in general, they focused on the Crusaders as the embodiment of the Christian religion. Thus, Solomon bar Simpson harshly observed in the Crusaders, not a shallow jealousy of the Jews, but a deep-seated hatred of Judaism:

Now it came to pass that as they passed through the towns where Jews dwelled, they said to one another: 'Look now, we are going a long way to seek out the profane shrine and to avenge ourselves on the Ishmaelites, when here, in our very midst, are the Jews—they whose forefathers murdered and crucified him for no reason. Let us first avenge ourselves on them and exterminate them from among the nations so that the name of Israel will no longer be remembered, or let them adopt our faith and acknowledge the offspring of promiscuity.'<sup>11</sup>

According to bar Simpson, the attack on the Rhineland had not merely provided Crusaders with food and money on their way to Jerusalem, but rather reflected the religious conflict that was at the heart of the Crusade.

Mainz Anonymous ascribed similar motivations to the Crusaders, and even noted that they "stirred up hatred" in the less resentful burghers.<sup>12</sup> He described the burghers as possessing first-hand knowledge of the Jewish people. Since they lived with the Jews and often traded goods and ideas with them, they saw Judaism as a living religion. Moreover, the fact that they in some instances fought against Crusaders proved that their hatred towards the Jews was not theologically motivated. In contrast, the Crusaders viewed the Jews primarily in symbolic terms. The Crusaders were fighting a war not against real Jews, but the Jews they saw portrayed in the New Testament and in the Christian reading of the Old Testament, in which the prophets rebuked the Jews. The success of the Crusaders was dependent upon burgher animosity toward the Jews, and could not have occurred without it. But, by suggesting that economic issues rallied the burghers as well as the poor and illiterate townspeople, Mainz Anonymous rendered this point almost irrelevant. Blaming the Crusaders for the violence against the Jews, he preserved his focus on the theological gulfs between Jews and Christians that had existed at least since the destruction of the Second Temple in 70 C.E.

For both Mainz Anonymous and Solomon bar Simpson the burghers were important only insofar as they served as foils to the Crusaders. By themselves the burghers were unintelligent rabble, but when set against the Crusaders, they were noble heroes whose unintelligence led them to be moral in spite of their religion. The Hebrew Chronicles emphasized the activities of those burghers who came to the military defense of Jews,

---

<sup>11</sup> Eidelberg, *The Jews and the Crusaders*, 22.

<sup>12</sup> *Ibid.*, 99.

or at least helped to hide them. In Regensburg the burghers baptized the Jews not out of any religious motivation, but rather to save Jewish lives.<sup>13</sup> Additionally, some of the Mainz burghers used money that was stolen from the Jews to help bury them.<sup>14</sup>

Church accounts suggest that this closeness between the Jews and the burghers was not wholly imaginary. In 1215, the fourth Lateran Council mandated that Jews wear different clothing from Christians, and made inter-marriage and the owning of Christian servants illegal.<sup>15</sup> Though these laws were not new, but went back to Gratian, their reinstatement during the thirteenth century suggested the Church's concern for and desire to prevent cultural mixing. But, regardless of what the Church believed about the burghers, it is clear that the authors of the Hebrew Chronicles understood burgher violence to stem from jealousy of the Jews and not theological hatred of them. For the authors, the Crusaders practiced anti-Judaism, while the burghers who participated in the attacks practiced anti-Semitism. Since the authors sought to emphasize the theological divides between Judaism and Christianity, and not their cultural chasms, they assigned the burghers a secondary role in their accounts. They blatantly refused to acknowledge that it was the burgher hatred of the Jews that developed in the tenth and eleventh centuries out of economic and cultural jealousy, and not the age old theological hatred of the Jews, that made possible the Rhineland massacres. For them, explanations for the massacres of 1096 could find answers only in theology, and not in economics.

## THEOLOGY

Since the authors of the Hebrew Chronicles depicted the Christian-Jewish conflict of 1096 as fundamentally theological, they were not as interested in studying the burgher dimension as they were in invoking Biblical prophecies, apocryphal apocalyptic parables, and ancient historical events that had come to mean profoundly different things for Jews and Christians. If the Hebrew Chronicles addressed the economic motive, it was mainly to demonstrate that Christians were hypocritical, professing the life of faith and morality on the one hand, but leading the life of petty thievery and jealousy on the other. This emphasis on the Christian immorality led to an important line of reasoning: if Christians were fraudulent, then so too was the God whom they worshipped. And if their God was nothing but an impostor, then Jews could not suffer as a result of not accepting him. The explanation for the Jews' suffering, the Chronicles' authors concluded, lay in Adonai rather than Christ.

Thus the authors of the Hebrew Chronicles, who viewed the attacks as ultimately God's doing, did not ignore the economic factor, but rather used it as a springboard for their theological arguments. Though the burghers opened the gates of Mainz to the Crusaders and effectively brought about the massacres, Solomon bar Simpson understood them as merely acting in accordance with God's will, even if they only saw themselves as acting out of economic incentives. Bar Simpson offers the testimony of Baruch, son of Isaac, to demonstrate this:

---

13 Eidelberg, *The Jews and the Crusaders*, 67.

14 Ibid., 43-44.

15 H. J. Schroeder, *Disciplinary Decrees of the General Councils: Text, Translation and Commentary*, (St. Louis: B. Herder, 1937), 236-296.



This past night I and my son-in-law Judah heard the souls praying in the synagogue in a loud voice, like weeping. When we heard the sound, we thought at first that perhaps some of the community had come from the court of the bishop to pray in the synagogue at midnight. In our anguish and bitterness of hearing we ran to the door of the synagogue to see who was praying. The door was closed. We heard the sound and the loud wailing, but we did not understand a word of what was being said...they went and reported the occurrence to their brethren ...and all knew that this was the decree of God.<sup>16</sup>

Thus, it was God's weeping in the synagogue that signaled the sealed fate of the Jews. Solomon bar Simpson acknowledged that burghers may have appeared to have opened open the gates to the city, since they acted in daylight, but God, acting in the dark of night, behind the scenes, was the real and only agent. By blaming God and not the burghers, bar Simpson sought to show that the massacres were not simply a series of chance events committed by aberrant Crusaders in conjunction with greedy villagers, but were divinely decreed. Both Solomon bar Simpson and Mainz Anonymous cast 1096 as a fateful year, yet neither could explain why God had willed the massacres. Bar Simpson wrote that "it must be stated with certainty that God is a righteous judge, and we are to blame," but he failed to articulate why the Jews were to blame.<sup>17</sup>

In contrast to the rabbis of the Talmud, who explicitly pointed to the Jewish sin of *sinat chinam* or causeless hatred as the basis for God's destruction of the Second Temple, the authors of the Hebrew Chronicles were conspicuously silent. Failing to identify any sin committed by the Jewish people, they seemed to suggest that the Crusaders were guilty, even if God was ultimately responsible for the massacres. But how could this be? Of what crime could the Crusaders have been found guilty, if the massacres were ultimately willed by God? The authors of the Hebrew Chronicles held the Crusaders culpable not for their atrocities, but for the beliefs that inspired their actions.

Since the authors of the Hebrew Chronicles sought to engage with the conflict primarily in theological terms, they focused on the Crusaders' ideology rather than their actions. The authors likely knew that if they charged the Crusaders only with counts of forced baptism, looting, and murder, they would also have to indict their own "pious" Jewish saints, who had violated divine commandments by committing acts of suicide and murder against their own children. To assign widespread blame to the Christian people would have necessitated harshly judging themselves according to the same standard. Instead, the authors of the Hebrew Chronicles distinguished between the good, irreligious Christians and the bad, religious ones. For example, the authors of the Hebrew Chronicles exempted the majority of burghers from blame, and separated the righteous Henry IV from "Satan" Pope Urban II. By assigning blame to a more limited population, the Chronicles' authors could fault the Christian religion rather than the Christian people. Within this framework, the Jews' attackers had not violated the Christian faith, but instead had fulfilled its principles.

If the Jews lost the physical battle, and were massacred, their only recompense was the promise of divine retribution and the assurance that their faith was the true faith. Solomon Bar Simpson and Mainz Anonymous attempted to turn the loss of Jewish lives into proof of the truth of the Jewish religion and the error of Christianity. The crime for

<sup>16</sup> Eidelberg, *The Jews and the Crusaders*, 27-28.

<sup>17</sup> *Ibid.*, 25.



which they held the Crusaders primarily guilty was not crusading, but false messianism, for believing in Jesus as the Messiah. Solomon bar Simpson's opening description of the Crusaders emphasizes their wearing of the cross: "They decorated themselves prominently with their signs, placing a profane symbol—a horizontal line over a vertical one—on the vestments of every man and woman whose heart yearned to go on the stray path to the grave of their messiah."<sup>18</sup> For bar Simpson, the sin of donning the "profane symbol," was unforgivable. His short description of the Crusaders' appearance supported his larger point regarding the distinction between Jewish and Christian theology.

This theological debate between Jews and Christians can be traced back at least to St. Augustine in the fifth century. Augustine established the foundation for the Church's canonical position on Jews upon a blunt injunction: "Do not slay them."<sup>19</sup> The premise behind Augustine's doctrine was that the Jews should live to bear witness to Christian triumph through their own denigration. He contended that the truth of Christianity was confirmed by the lowly status of the Jews, who had failed to accept the "new covenant." This position was heartily defended by the Church and the founding principle behind the laws which forbade forcibly baptizing Jews. The Augustinian attitude defended the Jewish right to live and practice Judaism, but insisted that Jews be denigrated so that they and all people would eventually come to realize the truth of Christianity. Deeply grounded in a Christian attitude of supersessionism, this view prompted a clerical ambivalence towards the Jews. While the Church forbade forced baptisms, it also made it illegal for a forcibly baptized Jew to return to his religion without facing the death penalty. To the anarchic and motley Crusader bands, Augustine's command "Do not slay them" was easily undermined by the fact that the Jew was still seen in Christian theology as the enemy. Crusaders might have thought they were going above and beyond the law, righteously carrying out the spirit of Christianity on behalf of the Church. Bar Simpson thought otherwise:

Duke Godfrey of Bouillon, may his bones be ground to dust...driven by a spirit of wantonness to go with those journeying to the profane shrine, vowing to go on this journey only after avenging the blood of the crucified one by shedding Jewish blood and completely eradicating any trace of those bearing the name 'Jew,' thus assuaging his own burning wrath.<sup>20</sup>

For bar Simpson, the Duke's spirit was not the "Holy Spirit," but the "spirit of wantonness." The Duke was wanton not because he abandoned the Church's official doctrine to satisfy his bloodlust, but because he lusted after "the profane shrine." In short, he was the embodiment of the Church.

Ultimately, the authors of the Hebrew Chronicles, as well as the Crusaders, saw the conflict of 1096 as one of great symbolic importance. Unfortunately the symbolism was accompanied by great bloodshed. But just as the Rhineland Crusaders saw all Jews as crucifiers of Christ, so did the Hebrew Chronicles regard the minority Crusader bands as representing the entire Crusade mission and Christian faith.<sup>21</sup> The chief distinction, of course, was that the Crusaders attacked with swords, the Hebrew Chronicles with

---

<sup>18</sup> Ibid., 21.

<sup>19</sup> Carroll, *Constantine's Sword*, 217.

<sup>20</sup> Eidelberg, *The Jews and the Crusades*, 24.

<sup>21</sup> Chazan, *In the Year 1096*, 22.

words. But their words are nonetheless disturbing:

God of vengeance, O Lord, God of vengeance, shine forth...Render unto out neighbors sevenfold into their bosom...Render to the proud their recompense...And on the enemies of Israel raise Thy wrath and wreak Thy vengeance...Subsequently, He will cry, yea, He will shout aloud. He will prove Himself mighty against His enemies. Pour out Thy wrath upon the nations that know Thee not, and upon the kingdoms that call not upon Thy name...O Earth, cover not their blood, and let there be no resting place for our cries! May the Lord, our God, grant us revenge...<sup>22</sup>

Rather than seeking the restoration of the temple, the speaker of this quotation sought only the vanquishing of his foe. This plea, not for rescue, but for revenge, reflected the intensity of the theological dispute between Jews and Christians.

## MESSIANISM AND BLOOD VENGEANCE

In 1096, Crusaders and Jews alike anticipated the arrival of a messianic era. Both saw the coming of the messiah as a time when God would punish those who had denied Him. Vengeance, particularly blood vengeance, stood at the heart of these parallel belief systems. The notion of blood vengeance held that amount of blood spilled reflected one's religiosity, and that the Messiah would come only when sufficient bloodshed had angered and shocked God into action. At this point, the Messiah would avenge the deaths of those who gave up their lives in the name of the true faith.

However, the Jewish and Christian concepts of blood vengeance were markedly different, and flowed from their different notions of God. As Israel Jacob Yuval claims in *Two Nations in Your Womb*, Judaism and Christianity should not be seen as mother and daughter religions, but rather as twin siblings coming from the same womb. Both religions grew out of the destruction of the Second Temple, which marked the end of priestly Biblical Judaism. And it is no coincidence, then, that the canonization of the Gospels and Pauline letters occurred at the same time as the codification of the first Jewish legal text, the Mishneh. Blood vengeance, which was especially pronounced during times of messianic anticipation and religious conflict, can be traced back to the destruction of the Temple, the event out of which Rabbinic Judaism and early Christianity grew. The differences in Jewish and Christian conceptions of blood vengeance were ultimately rooted in their differing interpretations of the same biblical passage. Jews saw Christians as denying the "one true God," while Christians saw Jews as holding on to an incomplete notion of God.

From the destruction of the Temple until Constantine's rise to power, Judaism and early Christianity were in direct conflict. Each saw itself as Jacob in the biblical Jacob-Esau relationship. Paul viewed Christianity as the "new Israel," thus fulfilling God's prophecy to Rebecca that "the older shall serve the younger."<sup>23</sup> The Rabbis, in contrast, saw Rome as Esau, and the Jews as Jacob or Israel. Later, they transferred their hateful typology of Rome onto the Church.<sup>24</sup> Just as Christianity charged the Jews

<sup>22</sup> Eidelberg, *The Jews and the Crusaders*, 48.

<sup>23</sup> Israel Jacob Yuval, *Two Nations in Your Womb: Perceptions of Jews and Christians in Late Antiquity and the Middle Ages*, Trans. by Barbara Harshav and Jonathan Chipman. (Berkeley: University of California), 13.

<sup>24</sup> Ibid., 31.

with the sin of the crucifixion, the Jews charged the Church with the sin of destroying the Temple. The destruction of the Temple was the foundation for Jewish as well as Christian messianic hope. "In Christian eyes," according to Yuval, "the Destruction of Jerusalem is the vengeance of the Savior who has already come; for the Jews, who still await the Redemption, the Destruction of the Temple gives rise to the expectation of future vengeance. Both say 'for it is the vengeance of the Lord, the vengeance for His temple'" (Jer. 51:11).<sup>25</sup> For both Jews and Christians, the theological conflict was over the nature of the messiah.

Jewish and Christian conceptions of messianism profoundly disagreed with each other. Jews looked to the future for redemption, while Christians looked to the past. In most ways, the burden of proof lay with the Jews, who seemed always to be waiting, but who rarely saw their prayers come to fulfillment. Since Christianity argued that redemption occurred within the soul, it did not matter whether the world appeared to be unredeemed—redemption had come. For Judaism, on the other hand, so long as there was suffering in the world, one could be assured that the messiah had yet to come and that the world remained unredeemed.

In 1096, the Crusaders understood their massacres as carrying out God's blood vengeance and hastening the second coming of Christ. Solomon bar Simpson disparaged this view, putting it in the mouth of his enemy:

You are the children of those who killed our object of veneration, hanging him on a tree; and he himself had said: "There will yet come a day when my children will come and avenge my blood. We are his children and it is therefore obligatory for us to avenge him since you are the ones who rebel and disbelieve in him."<sup>26</sup>

For bar Simpson, this Christian interpretation of the Bible was a misreading, and he replied to it by saying that Jewish suffering "was caused by the Lord to test those that fear Him, to have them endure the yoke of His pure fear."<sup>27</sup> For him, as for Mainz Anonymous, when it came to messianism, Christianity and Judaism were mutually exclusive, as the validity of both religions rested on the coming of the messiah and the identity of Christ.<sup>28</sup> The authors of the Hebrew Chronicles therefore rejected Christianity as they sought to validate Judaism.

Even though the authors of the Hebrew Chronicles characterized Jews and Christians as violently opposed to one another, they also recognized that the Crusaders were rebelling against the official legal position of the Church, and were in a certain sense deviants. But, even so, they still saw the Crusaders' violence as an expression of the Church's essential ideology. Similarly, they saw the Jewish response, even if it was unprecedented, as essentially in keeping with the Jewish religion. The halachic or legal Jewish precedents for martyrdom forbade one from killing one's own children, yet according to the authors, this break with the past was justified since it was meant to shock and anger God to act against the Christians who were responsible for the Jewish

---

25 Ibid., 39.

26 Eidelberg, *The Jews and the Crusaders*, 27.

27 Ibid., 26

28 In Jewish theology there are two messiahs. The first one is the "Messiah son of Joseph" and is a pseudo Messiah who dies and brings about the destruction of the world. The second one is the "Messiah son of David," who brings about the redemption of the world.

iniquities.<sup>29</sup> The martyrdoms of Worms, Mainz, and Cologne were meant to outdo the Christian martyrdoms that had occurred under Roman persecution. In contrast to the Christian motif of baptism's purification by water, the authors of the Hebrew Chronicles extolled Jewish purification by blood and the rejection of water. Thus, Solomon bar Simpson explained that 1096 was a year in which the Jews "anticipated salvation and solace in accordance with the prophecy of Jeremiah." However, when the Jews realized that it was in fact a year of "sorrow and groaning, weeping and outcry," it became apparent that the traditional interpretation had to be rethought.

After the destruction of the Second Temple, the traditional midrash or biblical commentary explaining Abraham's willingness to sacrifice his son Isaac was reworked to say that Abraham indeed sacrificed and killed his son, and only upon his act of faith, did God bring Isaac back to life. This reinterpretation was grounded in the reality of the loss of the Temple.<sup>30</sup> The Hebrew Chronicles showed how the mothers and fathers who slaughtered their children had committed the acts of faith necessary for the resurrection of the Temple, of life. St. Anselm expressed a similar idea when he wrote *Cur Deus Homo* or 'why God became man' in 1098, arguing that God became a man precisely for the purpose of dying on the cross.<sup>31</sup> But the central difference between the Jewish and Christian texts is that the authors of the Hebrew Chronicles saw the mass martyrdom as a victory over Jesus, who was only a single man.

The authors did not limit themselves to suicide and child sacrifice as the only means for Kiddush Hashem. They presented a host of other possibilities. In their accounts, they recounted that some Jews had extended their necks, allowing themselves to be slain. Rabbi Kalonymous had attempted to kill a bishop but was killed in the process. Bar Simpson even noted that there were several different versions of the story, but concluded, "Whatever the facts about his death, this we know with certainty—that the Exilarch was slain bearing witness to the Oneness of the Name of the King of Kings..."<sup>32</sup> Bar Simpson also told the story of David, son of Nathaniel the Gabbai (Hebrew for "collector"), who, in order to garner Christian attention, pretended that he planned to convert, and then issued the following polemic against his listeners:

You are children of whoredom, believing as you do in a god who was a bastard and was crucified... If you slay me, my soul will abide in the Garden of Eden... You, however, descend to the deep pit, to eternal obloquy. To Gehenna are you and your whorson god condemned, and to boiling excrement will you be consigned.<sup>33</sup>

In other words, righteous behavior, according to the authors, consisted in anything that could demonstrate the truth of Judaism and the falsity of Christianity. Since the authors did not possess any precedents for the actions they witnessed, their model for Kiddush Hashem was vague and inclusive.

For the authors of the Hebrew Chronicles, who agreed that the Jews merited their suffering, but who wanted to read a promise of redemption into that suffering, the questions of culpability presented tremendous challenges. By blaming the massacres on

---

29 Yuval, *Two Nations in Your Womb*, 152.

30 Ibid., 147.

31 Carroll, *Constantine's Sword*, 278-290.

32 Eidelberg, *The Jews and the Crusaders*, 46.

33 Ibid., 38.

the Crusaders instead of on God, they preserved God's benevolence and their faith that God would ultimately fulfill his promise to his chosen people to rebuild the Temple and exact vengeance upon their enemies. In the scope of history, the authors of the Hebrew Chronicles saw the Christian religion as a deviation from Judaism and as a religion that was inconsistent with God's will. But accepting that Christianity was a historical phenomenon, they saw the First Crusade as consistent with Christianity's overriding message. Mainz Anonymous, for instance, did not follow Albert of Aix and the Church's lead in dismissing the Rhineland conflict as a departure from normative Christianity. Instead he began his account by calling 1096 "the year one thousand twenty eight after the destruction of the Temple."<sup>34</sup> Situating the Rhineland events within the fundamental Christian-Jewish conflict, he maintained that it was not the Crusaders who were deviating from the Church, but the Church that was deviating from God. Though the authors' understanding of martyrdom changed radically as a result of the First Crusade attacks, the justification that they supplied for altering their worldview was grounded in the destruction of the Second Temple.

The Hebrew Chronicles positively portrayed secular figures, and even local figures like Bishop John and some of the burghers, because they saw these characters not as good Christians, but as good people acting in spite of their Christianity. After recording the sparse good deeds committed by righteous gentiles, the authors made it clear that these gentiles were acting in accordance with God's will, and not in accordance with Christian beliefs. Though the authors acknowledged some of the more universally recognized motivations for the First Crusade, they were primarily concerned with the events of 1096, and not with the entire Crusade, which ended in 1099 with the conquest of Jerusalem. They were concerned with the events not as events in themselves, but as events in a timeline of Jewish history that began with the life of Abraham. The authors attempted to reconcile the perceived absurdity of Christianity and its Jew-hatred with the very real threat it posed to the Jews. At the same time, they struggled to account for the actions of those Jews who had sacrificed their lives and the lives of others to hasten the arrival of God. By telling the incomplete story of the Jews who survived the attacks and continued to wait for redemption, Mainz Anonymous and bar Simpson incompletely resolved these dilemmas.

## HISTORIOGRAPHY

It is clear that 1096 represents a turning point for Christian-Jewish relations, but it is unclear whether 1096 is merely an incidental and convenient marker of a larger trend in the Jewish-Christian dynamic or whether the Crusader violence in Northern Europe was the chief factor driving Europe to a new age of Jewish-Christian relations. Looking backwards at the Jewish suffering, moving from one tragedy to the next, it is easy to see the First Crusade as initiating a new kind of anti-Jewish animosity. In turning to modern historiographies, we can contextualize the historical problems of the Hebrew Chronicles and gain a better appreciation for the historical difficulties that their authors faced.

For modern historians, the real difficulty in studying the First Crusade's impact on the Jews, or any Christian-Jewish interchange, is in interpreting the evidence without bias. The great historian of Jewish history, Salo Baron, portrays a gloomy worldview

---

34 Ibid., 99.

grounded in the Talmudic belief that Rome and Judea are fundamentally opposed. “If one is full the other is empty” Baron’s prolific *A Social and Religious History of the Jews*, published in 1957, employs Hegelian history, and cannot approach 1096 without also considering the Holocaust and the birth of the State of Israel. Baron himself is well aware of reckless historiography, pointing to David Gans, a sixteenth century Jewish astronomer, who exaggeratingly wrote, “in that year [1096] there were persecutions and massacres in all sections of Germany, France, Spain, England, Italy, Bohemia and Hungary. These persecutions were unprecedented in their savagery.”<sup>35</sup> Yet, even as Baron remains aware of potential methodological problems, he struggles to avoid them.

With as much dramatic force, Edward Flannery, a historian of Catholicism, writes in *The Anguish of the Jews*, “To find a year more fateful in the history of Judaism than 1096 would necessitate going back a thousand years to the fall of Jerusalem or forwards to the genocide of Hitler.”<sup>36</sup> R.I. Moore, with much more nuance, attacks the common European notion of progress, which tends to see the past, particularly the Middle Ages as barbaric. In *The Formations of a Persecuting Society*, he writes about groups that were persecuted by the Church: Jews, heretics, lepers, prostitutes, and homosexuals. His concern is not with the reality of those groups now, but with how they were perceived by the Church at that time. In David Nirenberg’s *Communities of Violence*, the violence directed against minority groups demonstrates not simply an aggressive, primitive society, but one deeply divided, with great angst and theological dispute. The strife is not the result of intolerance, but rather intolerance the result of strife.

## CONCLUSION

Placing the Rhineland massacres of 1096 in their proper historical context is incredibly difficult, because it involves explaining not only how and why bands of Crusaders attacked Jewish communities, but how and why many Jews responded with acts of mass suicide and ritual slaughter. Thus, the problems posed for the authors of the Hebrew Chronicles and for modern historians are similar. How does one balance an objective view of historical events with a personal, spiritual, and divine conception of history? How does one separate the actual events from the symbolic meaning those events evoke? When does myth become history and history myth?

Just as modern historians struggle to look back at 1096 without reflecting on all the Jewish suffering that came afterwards, the authors of the Hebrew Chronicles could not examine the events of 1096 without seeing them as an extension of the destruction of the Second Temple. The Rhineland attacks took place around the time of Passover and Easter, two holidays pregnant with messianic anticipation and stemming from a model of redemption advanced by the destruction of the Temple. But even as authors of the Hebrew Chronicles used the events of 1096 to argue for the truth of Judaism and the falsity of Christianity, they remained disturbed and shocked by what they had witnessed, as is evidenced by their nuanced retreat into theology. The authors could not fathom any other historical concept than one in which history was prodded along by God’s outstretched arm. For this reason, they came to see the Rhineland attacks not as deviations from the precedents of history but as divine fulfillments of them. Even though they suffered tremendously, they managed to read their suffering into the very

---

<sup>35</sup> Baron, *Meeting of East and West*, 105.

<sup>36</sup> Flannery, *The Anguish of the Jews*, 91.

foundation of their doctrine of “chosenness,” claiming against all fact and precedent that their suffering proved their innocence and the truth of their religion.

The authors compared the Crusaders to the Romans, the historical enemy of the Jews, whose evil was made possible only by God’s withdrawal and was certainly not supported by him in any way. Yet they did not merely catalogue a change in symbolism marked by the era of Rabbinic Judaism. They also described actual events. To see their accounts only as symbolic ignores the horror of what they describe. The mothers who ritually slaughtered their daughters and fathers who scattered the blood of their sons on the synagogue altar had no such precedents, not even from Masada.

The authors of the Hebrew Chronicles did not see their theology as trumping history, but rather saw it as historically conditioned. They altered their conceptions of martyrdom, culpability, and blood vengeance in response to historical events. The authors believed that theology should be the dominating explanation for why the events of 1096 occurred, but they did not believe it should supplant other modes of historical analysis or render them mere distractions. Rather, theology should be the primary historical approach through which economic, social, and political narratives are integrated. The Hebrew Chronicles demonstrate the importance that theology plays in historical contextualization.

To study historically the Rhineland attacks only in terms of economics or politics would be to neglect the central role that theology played for both Christians and Jews in 1096. Theology played a prominent part not only in bringing about the massacres, but in shaping the way Jews and Christians related to them after the fact. Solomon bar Simpson and Mainz Anonymous employed theological concepts to turn Jewish suffering into a refuge of hope and to turn reflection on the past and present into a look toward the future. That the Jews are still awaiting their messiah and that they have endured even more suffering since 1096, raises serious questions for modern Jewish theologians. But for historians, the question is not “Where is God?” but “Why do the people ask ‘Where is God?’” The theological questions of Solomon bar Simpson and Mainz Anonymous may be difficult to answer on a religious level, but, by situating the Rhineland massacre within its historical context, we can begin to understand why they asked the questions that they did.



## BIBLIOGRAPHY

- Alexander, Paul J. "The Diffusion of Byzantine Apocalypses in the Medieval West." In *Prophecy and Millenarianism: Essays in Honour of Marjorie Reeves*, ed. Ann Williams. Essex, UK: Longman House Ltd, 1980.
- Baron, Salo. *A Social And Religious History of the Jews: Volumes III-VIII*. New York: Columbia University Press, 1957.
- Carroll, James. *Constantine's Sword*. New York: Houghton Mifflin Company, 2001.
- Chazan, Robert. *European Jewry and the First Crusade*. Berkeley: University of California Press, 1987.
- Chazan, Robert. *God, Humanity, and History: The Hebrew First Crusade Narratives*. Berkeley: University of California Press, 2000.
- Chazan, Robert. *In the year 1096 : the First Crusade and the Jews*. Philadelphia: Jewish Publication Society, 1996.
- Cohen, Jeremy. "Christian theology and anti-Jewish violence in the Middle Ages: connections and disjunctions." In *Religious Violence between Christians and Jews: Medieval Roots, Modern Perspectives*. Ed. Anna Sapir Abularfia. Pp. xvii, 205. New York: Palgrave, 2002.
- Cohen, R. Mark. *Under Cross and Crescent*. Princeton: Princeton University Press, 1994.
- Eidelberg, Shlomo. *The Jews and the Crusaders: The Hebrew Chronicles of the First and Second Crusades*. Hoboken, New Jersey: KTAV Publishing House, Inc., 1996.
- Flannery, Edward H. "The Vale of Tears." In *The Anguish of the Jews*. New York: Stimulus Books, 1985.
- Golb, Norman. "New light on the persecution of French Jews at the time of the First Crusade." Reprint from *Proceedings of the American Academy for Jewish Research* 34(1966) In *Medieval Jewish Life. Studies from the Proceedings of the American Academy for Jewish Research*. Ed. Robert Chazan. Pp. xiv, 463. New York: KTAV Publishing House Inc., 1976.
- Harris, Rev. Maurice H. "In Christian Europe." In *History of the Mediaeval Jews*. New York: Bloch Publishing Co, 1924.
- Haskins, Charles Homer. *The Renaissance of the Twelfth Century*. New York: Meridian Books, 1957.
- Knobler, Adam. "Crusading for the Messiah. Jews as instruments of Christian anti-Islamic holy war." In *Tolerance and Intolerance: Social Conflict in the Age of the Crusades*. Eds. Michael Gervers and James M. Powell. Syracuse: Syracuse University Press, 2001.
- Moore, R.I. *The Formation of a Persecuting Society: Power and Deviance in Western Europe*. Oxford: Blackwell, 1987.
- Marcus, Jacob R. *The Jew in the Medieval World: A Source Book: 315-1791*. New York: Jewish Publication Society, 1960.
- Nirenberg, David. "The Rhineland massacres of Jews in the First Crusade: memories medieval and modern." In *Medieval Concepts of the Past: Ritual, Memory, Historiography*. Eds. Gerd Althoff, Johannes Fried and Patrick J. Geary. Washington, D.C.: German Historical Institute, 2002.
- Nirenberg, David. *Communities of Violence: Persecution of Minorities in the Middle Ages*. Princeton: Princeton University Press, 1996.



- Peels, H.G.L. *The Vengeance of God*. Leiden, The Netherlands: E.J Brill, 1995.
- Riley-Smith, Jonathan S.C. "The First Crusade and the persecution of the Jews." In *Studies in Church History* 21, (1984): 51-72.
- Schroeder, H.J. *Disciplinary Decrees of the General Councils: Text, Translation and Commentary*. St. Louis: B. Herder, 1937.
- Signer, A. Michael and Engen, John Van. *Jews and Christians In Twelfth Century Europe*. Notre Dame, Indiana: Notre Dame Press, 2001.
- Simms, Norman. "The unspeakable agony of Kiddush ha-shem: forced Jewish infanticide during the First and Second Crusades." In *Medieval History Journal* 3:2, (2000): 337-362.
- Yuval, Israel Jacob. *Two Nations in Your Womb*. Trans. Barbara Harshav and Jonathan Chipman. Berekely: University of California Press, 2006.



# “not quite fatal”

## SMOG AND THE CITY OF LOS ANGELES, 1943-2006

BY SAMUEL BYKER

In 1960, as the California Legislature debated a bill designed to combat smog in Los Angeles, Smith Griswold, director of the county’s Air Pollution Control District, left no doubt as to his views on the subject. Griswold was known simply as the “smog czar,” and he did not hesitate to make the kind of bold pronouncements suggested by the title. He declared that if the legislation passed, “in three to four years, we’ll rarely have smog. And in five to six years, we’ll have no smog if we implement the program the way it is outlined.”<sup>1</sup>

He was wrong.<sup>2</sup> The bill passed the next day and its proposals were implemented soon after, but a decade later smog levels had hardly changed.<sup>3,4</sup> To this day, pollution regularly obscures the San Gabriel Mountains to the extent that they are almost invisible from downtown Los Angeles fifteen miles away. During periods of severe heat, air quality can range from “unhealthy” to “very unhealthy,” and young children, the elderly, and the infirm are discouraged from spending time outside. A grey-brown haze hangs over Los Angeles during much of the summer. The county is not expected to come into compliance with federal air pollution standards until 2021.<sup>5</sup>

Yet in Griswold’s time there was great reason for optimism. Smog, which first appeared as population, industrial production, and automobile ownership skyrocketed during the 1940s, was already receiving attention. By the time of Griswold’s pronouncement, the scientists under his supervision knew basically what the noxious brown haze was, where it came from, and—remarkably—several ways it could be controlled, most of which had already been acted upon. The atmospheric concentrations of the pollutants behind smog had decreased during Griswold’s tenure, which was a remarkable accomplishment considering that the number of polluting homes, factories, and automobiles increased daily as the county’s population grew. Indeed, it seemed to many that the acrid, eye-stinging pall that hovered over Los Angeles would soon be a thing of the past.

The battle against smog has raged on for more than half a century, and in hindsight it has been hailed by many as a remarkable success. However, in praising pollution-control

1 “Griswold Says Bill’s Approval Will End Smog,” *Los Angeles Times*, 6 April 1960.

2 It is worth noting that Griswold was a chronic exaggerator—in 1955 he had predicted much the same thing [“Smog Relief Predicted for 1958 or ‘59,” *Los Angeles Times*, 12 October 1955.]

3 “California Votes to Control Smog,” *Los Angeles Times*, 7 April 1960.

4 Like subsequent statements about smog trends, this generalization is supported by the data contained in Figure 1, a graph of Ozone levels since 1955.

5 U.S. Environmental Protection Agency, “Green Book – Classifications of 8-Hour Ozone Nonattainment Areas” (Washington: 2005), <http://www.epa.gov/oar/oaqps/greenbk/gnc.html> (accessed December 2, 2006).

efforts, Los Angeles residents often forget that smog's complete *elimination* appeared not only possible but imminent several decades ago. I will argue that, though the city could have succeeded in eliminating smog once and for all, the coordinated actions of powerful industries and the federal government prevented Los Angeles from creating and enforcing the laws it felt were necessary. Driven by fear that regulation would hurt the industries responsible for the smog, a lack of public will to eliminate it forced—and still forces—Los Angeles residents to breathe the worst air in the nation. I have sought to uncover both why the region's anti-pollution regulatory efforts succeeded to the extent they did and why they have so far failed to achieve their ultimate goals. I explain that each major attempt to combat smog died a gradual death as public and regulatory apathy allowed corporations—aided and abetted by the federal government—to lobby successfully for laxer measures. First, however, we must understand more about smog itself and the city that created it.

## BACKGROUND: SMOG AND ITS HABITAT

The term “smog” is actually a misnomer for the problem experienced by modern Los Angeles. Coined in 1905 to describe the mixture of coal-based smoke and fog that plagued industrial London,<sup>6</sup> it became popular as a term for Los Angeles's air pollution in the 1940s. When experts discovered the true cause, they dubbed L.A.'s phenomenon “photochemical smog” to differentiate the two. In short, scientists discovered, nitrogen oxides released by sources like rubbish burning, gasoline refining, and all types of vehicles (consumer automobiles, diesel-powered trucks, construction equipment, and boats) react in the presence of sunlight to form ozone (O<sub>3</sub>). The reaction is relatively slow, however, and thus would not pose much of a problem if it were not strongly catalyzed by a type of gases known as volatile organic compounds, a diverse class of chemicals released by everything from consumer solvents to industrial coating processes to the vehicles mentioned.<sup>7</sup> The ozone produced by these reactions is the main ingredient in the soup of gases and aerosol particles that make up smog, and it is responsible for many of the mixture's noxious properties.<sup>8</sup> Sulfur dioxide (from petroleum refining and commercial ships) and particulate matter (from road dust and construction sites) also contribute to the problem,<sup>9</sup> but for most of Los Angeles's history the battle against smog has focused, rightly, on ozone.<sup>10</sup>

A comparison of Los Angeles to similar urban areas clarifies why the region is especially susceptible to photochemical smog. In 2004, the L.A. Basin exceeded the federal standard for ozone levels on more than 90 days.<sup>11</sup> The same year, the city of Chicago did not exceed the standard even once despite the fact that Illinois lacks many of the regulations in place in California.<sup>12</sup> The reasons for the apparent paradox

6 Mark Z. Jacobson, *Atmospheric Pollution: History, Science, and Regulations* (New York: Cambridge University Press, 2002), 85.

7 Jacobson, *Atmospheric Pollution*, 93-111; South Coast Air Quality Management District, *Draft 2007 Air Quality Management Plan* (Los Angeles: SCAQMD, 2006), Table A-3.

8 Jacobson, *Atmospheric Pollution*, 89.

9 SCAQMD, *Draft 2007 Air Quality Management Plan*, Table A-3.

10 NO<sub>x</sub> and volatile organic compounds are also major problems in their own right. Since ozone is generated by reactions between the two, reducing ozone levels will, almost by definition, result in a reduction in their amounts as well.

11 South Coast Air Quality Management District, *South Coast Air Basin Smog Trend* (Los Angeles: SCAQMD, 2005), <http://www.aqmd.gov/smog/o3hist-trend.pdf> (accessed November 19, 2006).

12 Illinois Environmental Protection Agency, *Illinois Annual Air Quality Report 2004* (Chicago: IEPA, 2005).

are relatively simple. When sunlight warms the ground during daytime, some of the energy is transferred to the air directly above it, causing that air, which contains most urban pollutants, to rise out of the section of atmosphere we breathe and quickly diffuse. However, Los Angeles often experiences a phenomenon known as temperature inversion in which a layer of warm air a few hundred or thousand meters above the ground prevents pollutants from rising through it.<sup>13</sup> The metropolis also happens to be located in a basin bounded by the Pacific Ocean on one side and by mountains on all others. Thus, when temperature inversion occurs, ocean breezes prevent air pollution from heading out to sea while the mountains keep it from escaping farther inland. The L.A. Basin acts like a pressure cooker where the inversion layer is its lid; when the sun shines down on Los Angeles, photochemical smog forms quickly and remains for a long time.

Los Angeles County currently contains the second-largest urban area in the country; with a population of almost ten million, it is surpassed only by New York City.<sup>14</sup> In 1940, when the first signs of photochemical smog began to appear, the county had just 2.8 million residents, but it was already a center of manufacturing, commerce, and petroleum refinement.<sup>15</sup> It had the second-busiest port in the country (now first), and was quickly becoming an integral part of wartime efforts to increase industrial production and shipbuilding.<sup>16</sup> It was into this frenzied environment that the menace of smog first crept.

## 1943-1957

Between 1939 and 1943, a decrease in visibility and an accompanying increase in strange attacks of eye and throat pain alerted the residents of Los Angeles that something was very wrong with the air above their city.<sup>17</sup> After one particularly awful downtown episode in July of 1943, residents clamored for the shutdown of a recently opened synthetic rubber plant, which was initially blamed.<sup>18</sup> The plant ceased operations temporarily but the smog only worsened. In October the County Board of Supervisors responded to an avalanche of complaints by creating the County Smoke and Fumes Commission. Though its brief two-year existence is generally viewed as a failure, the SFC increased public awareness of the causes of smog, and its suggestions led to the creation of dual Bureaus of Air Pollution Control by the City and County of Los Angeles. Backed by popular will and armed with recent scientific reports, these agencies set out to eliminate air pollution once and for all.

---

13 Jacobson, *Atmospheric Pollution*, 56.

14 "Los Angeles" can refer to several geographic areas. I will generally use the term to refer to the area in which a molecule of ozone released above downtown Los Angeles could plausibly diffuse over the course of a single day—a definition that mirrors the jurisdiction of the South Coast Air Quality Management District. However, many census bureau statistics are only available on a city, county, or state basis. Therefore, most of those statistics cited will refer to the county of Los Angeles, as it contains most of the L.A. metropolis and relatively little else of import. Development in the county mirrors that of the metropolitan area as a whole. Statistic is from U.S. Census, *Fact Sheet: Los Angeles County, California* (Washington: U.S. Census, 2005).

15 U.S. Census, *Population of Counties by Decennial Census: 1900 to 1990*, Richard L. Forstall, compiler (Washington: U.S. Census, 1995).

16 Port of Los Angeles, "History of the Port" (Los Angeles: Port of L.A., n.d.), [http://www.portoflosangeles.org/about\\_history.htm](http://www.portoflosangeles.org/about_history.htm) (accessed December 8, 2006); Port of Los Angeles, "FAQ" (Los Angeles: Port of L.A., n.d.), <http://www.portoflosangeles.org/aboutfaq.htm> (accessed December 8, 2006).

17 Scott Hamilton Dewey, *Don't Breathe the Air: Air Pollution and U.S. Environmental Politics, 1945-1970* (Texas A&M University Press, 2000), 40.

18 Daniel Nussbaum, "Bad Air Days; A Brief History of Smog in Los Angeles," *Los Angeles Times*, 19 July 1998.

Within months of the SFC's inception, Angelenos had learned a great deal about their smog problem. In 1944, a report by the Commission accurately detailed the phenomenon of temperature inversion and named a myriad of sources as contributors to pollution: not just factories, but also "the housewife burning rubbish, the motorist driving with low-octane wartime gasoline, the railroads carrying long, heavy loads, the Diesel trucks with rich mixtures... [in addition to] burning dumps and grass fires."<sup>19</sup> All of these sources received regulatory scrutiny in the first decade of the new war on smog.

The early years of the fight were marked by a string of remarkable accomplishments. Regulators began by pursuing "low-hanging fruit"—steps that can be taken without inducing much opposition.<sup>20</sup> By 1945, the SFC reported that it had eliminated 70 percent of factory smoke, largely by convincing many firms (including railroads) to take voluntary steps to decrease their pollution output. The SFC required others, including many petroleum refineries, to find alternatives for the most egregious polluting steps in their production processes. The County Board of Supervisors and the Los Angeles City Council both set strict rules for the "prescribed densities" of smoke that factories could emit, and by 1946 the city had eliminated most of the smoke produced within its limits.<sup>21</sup>

Achieving similar progress in other parts of the county proved difficult. Existing state law only gave the County Board of Supervisors jurisdiction over air pollution in unincorporated areas; the Board had no power over the small, heavily industrialized cities that hosted some of the worst offenders. In 1946, the County District Attorney filed suit against twelve major corporate polluters and one city (Burbank) for creating a "public nuisance" that affected residents throughout the county.<sup>22</sup> The suit stood on dubious legal footing, and as an alternate solution the *Los Angeles Times* editorialized that the County should appeal to the State for aid: "If the culprits won't recognize their responsibility to their neighbors immediately, the neighbors should waste no time in turning the weight of their majority on the Legislature."<sup>23</sup> They did so. After it had passed in Sacramento with an overwhelming majority a few months before, a measure known as Assembly Bill 1 created a countywide pollution agency on October 1, 1947.<sup>24</sup>

The Air Pollution Control District (APCD) formed by the bill swung into action the same year, imposing new regulations on the renegade cities of Vernon, South Gate, and Downey, among others. From its inception, the District was the best-funded air pollution control agency in the nation, and it used its considerable power—including a staff of 22 investigators—to enforce its decrees.<sup>25</sup>

Much to the surprise of many regulators, however, smog did not seem to improve in the slightest. Periodic sieges lasting up to twenty days continued to plague the area, each one accompanied by increasingly frenzied calls for research and regulation.<sup>26</sup> In a

19 Ray Zeman, "Smog' Laid to Dozen Causes," *Los Angeles Times*, 18 September 1994.

20 Karl Jacoby (Associate Professor of History, Brown University), in discussion with author, 4 December 2006.

21 "Editorial: We Can Curb the Smog Nuisance," *Los Angeles Times*, 20 July 1946.

22 Ed Ainsworth, "Thirteen Civil Suits for Abatement of Smog Filed by Dist. Atty. Howser," *Los Angeles Times*, 16 October 1946.

23 "Editorial: We Can Curb the Smog Nuisance."

24 Ed Ainsworth, "Supervisors will Act on Smog Curb Tuesday," *Los Angeles Times*, 8 June 1947.

25 Dewey, *Don't Breathe the Air*, 44.

26 "Smog's Complex Make-Up Stressed," *Los Angeles Times*, 9 December 1949; Gladwin Hill, "Smog and Ire Fill Los Angeles Air," *New York Times*, 17 October 1954.

letter to the *Los Angeles Times*, a Hollywood resident enumerated her family's feelings during a smog episode: "Your head aches! You have a dull pounding at your temples ... A nauseated feeling hugs your innards. At times, you seem to float in the air. You are listless, nose and eyes are irritated and have also developed a cough!"<sup>27</sup> The pollution attacks also drastically lowered visibility and damaged millions of dollars worth of crops.<sup>28</sup> Reacting to a string of such crises, officials began examining new studies in 1955 that pointed to backyard incinerators and automobiles—consumer sources of pollution—exceeding industrial emissions as the major contributors to smog.<sup>29</sup>

Admittedly, by the time of these studies, L.A.'s 1.5 million backyard incinerators had long been suspected of contributing to the county's smog.<sup>30</sup> The structures, which in the absence of regular garbage collection many residents used to dispose of paper, yard waste, and kitchen scraps, were notorious for releasing columns of smoke that were often visible, rising throughout the city. Yet previous analyses, including one by the APCD, had cleared incinerators of responsibility for pollution.<sup>31</sup> This failed to placate Los Angeles residents, however. "Most of us who live in the high ground of Hollywood know what causes 98% of our smoke," one wrote to the *Times*. "It's the back-yard incinerators, regardless of what the Smog Czar says."<sup>32</sup> Sensing public support, and seeing no clear alternative course of action, the county APCD moved to ban backyard incineration starting October 1, 1957. The law took effect with some protest but almost universal compliance, and most residents began using the new municipal pickup service for their rubbish.<sup>33</sup>

While the incinerator ban helped reduce smog slightly, it was not the panacea proponents had hoped for. Looking back on a decade of regulation, many were forced to admit that smog had hardly diminished at all. Looking for new sources to regulate, county officials finally settled on one they had been avoiding for over a decade: the automobile. The battle to control emissions from Los Angeles's millions of vehicles defined their work for the next several decades.

## 1957-1989

From the birth of the anti-smog movement in the early 1940s, scientists knew that automobile exhaust contributed to L.A.'s air pollution.<sup>34</sup> Over the next two decades, evidence mounted that exhaust was a major culprit, but officials paid little heed because they knew that automobiles were difficult to regulate, both technically and politically. Facing opposition from Detroit automakers and car-loving Angelenos, the APCD chose to focus on what it called "stationary" sources instead.<sup>35</sup> By 1955, the department had 356 full-time personnel who issued over 1200 citations a year and kept a 24-hour watch over local polluters.<sup>36</sup> The APCD's staff made a real difference in the amount of air pollution

27 Mrs. Robert Rome, "Letters to the Times: Smog Symptoms," *Los Angeles Times*, 11 November 1948.

28 Gladwin Hill, "City Itself Makes Los Angeles Smog," *New York Times*, 25 September 1955.

29 Gladwin Hill, "Los Angeles Acts for Smog Alerts," *New York Times*, 28 November 1954.

30 Gladwin Hill, "Los Angeles Smog Tied Up in Politics," *New York Times*, 26 September 1955.

31 "Home Incinerators Get Clean Slate in Smog Board's Pollution Checkup," *Los Angeles Times*, 29 January 1948.

32 John Jones, "Letters to the Times: Back-Yard Smog" *Los Angeles Times*, 3 June 1948.

33 "Trash Ban Eases Los Angeles Smog," *New York Times*, 13 October 1957.

34 Ray Zeman, "City 'Smog' Laid to Dozen Causes," *Los Angeles Times*, 18 September 1944.

35 Dewey, *Don't Breathe the Air*, 57.

36 Joshua Dunsby, "Localizing Smog: Transgressions in the Therapeutic Landscape," in *Smoke and Mirrors: The Politics and Culture of Air Pollution*, ed. E. Melanie DuPuis (New York: New York University Press, 2004),



from stationary sources; without their vigilance the problem would have been far worse. Nevertheless, their accomplishments were negated by a dramatic increase in automobile ownership, which by 1954 had given Los Angeles the greatest concentration of motor vehicles in the world.<sup>37</sup> These vehicles were so highly polluting, APCD officials realized, that without laws to control them there was no chance of combating smog.

Los Angeles officials channeled their energy to convince car manufacturers to voluntarily decrease pollution. They made some progress at the outset: in 1955, the industry pledged \$1,000,000 to finance research into cars' contribution to smog.<sup>38</sup> Research was their only aim when many outside the industry believed it was time for action. As a 1958 article published in the journal *Science* described, "We know which compounds contribute to these [smog-forming] reactions and we know their sources... unfortunately, the necessary control equipment cannot be ordered because it still has to be invented."<sup>39</sup> Recognizing the technological shortcoming, and fed up with the "big four" automakers' stalling tactics, the Los Angeles City Council passed a resolution in 1959 asking the state legislature to require smog-control devices on all automobiles sold after 1961.<sup>40</sup> The legislature acquiesced months later, but wrote the law so that it would only go into effect after two such devices had been certified by a state board.<sup>41</sup>

Detroit did not swing into action upon the law's passage. In fact, General Motors announced soon after that it would begin studying auto exhaust in order to prove that it caused no health problems. Independent companies, on the other hand, sensed an opportunity for massive profits if they could corner the captive California market. Corporations ranging from Union Carbide to far smaller concerns set to work in earnest, developing exhaust control systems of all kinds. Recognizing that government intervention might follow from its inaction, the auto industry pledged to include a type of devices known as "blowby recirculating systems"<sup>42</sup> on 1963 model cars. In 1964, auto manufacturers agreed to make long-sought engine modifications to reduce the toxicity of exhaust, but they claimed the changes would be impossible to implement before the 1967 model year.<sup>43</sup>

Several independent control devices were ready by this time, and just three months after the automakers made their announcement the state preempted them by certifying four exhaust-control devices. Since this triggered the 1961 law, it meant that Detroit had to outfit its cars with such devices a year before it had planned, and that the big four had had to buy them from other companies if they did not get their own versions approved in time. The industry shocked regulators by announcing—just two months after the state's action—that each member of the big four had already achieved the necessary modifications, and were submitting them for testing. All were eventually certified and, by 1966, found in compliance with California law. Independent manufacturers, some of whom had expected million-dollar windfalls, never received a cent.<sup>44</sup>

---

121.

37 Dewey, *Don't Breathe the Air*, 58.

38 "Auto Industry Aid Given Smog Fight," *Los Angeles Times*, 19 April 1955.

39 A.J. Haagen-Smit, "Air Conservation," *Science* 128 (October 1958): 875.

40 Chrysler, Ford, GM, and the American Motors Corporation.

41 This was the bill Smith Griswold referenced in the pronouncement quoted at the start of the paper; Dewey, *Don't Breathe the Air*, 63-64.

42 These devices were not quite what California lawmakers sought; they dealt only with direct gasoline leakage.

43 Dewey, *Don't Breathe the Air*, 68-69.

44 *Ibid.*, 64-69.

This all seemed rather suspicious to California lawmakers. In 1965, the Los Angeles County Board of Supervisors passed a resolution asking the Justice Department to look into “possible conspiracy and unfair competition between automobile manufacturers in the design, production and distribution of automobile smog control devices.”<sup>45</sup> In 1967, a grand jury was convened, and on January 10, 1969, the Department filed suit against the big four automakers and their trade organization. According to the suit, the defendants had conspired since 1953 to avoid competition with each other in developing and marketing pollution control devices.<sup>46</sup> Such collaboration placed them in clear violation of the Sherman Antitrust Act; it was likely that a federal court would rule against them.

Not so. In September of 1969, the newly ensconced Nixon administration announced that it had entered into an out-of-court settlement with the auto manufacturers in which it declined to press charges in exchange for a promise that they would never conspire again. More importantly, the settlement would result in the grand jury’s records being sealed forever, making it nearly impossible for anyone else to sue the automakers on similar grounds.<sup>47</sup> Despite widespread opposition, the settlement was quickly approved, and all subsequent attempts to reopen the case were dismissed.<sup>48</sup>

In spite of administrative intervention in the antitrust suit, the 1950s, 1960s, and early 1970s saw Congress take a much more active role in the fight against air pollution. Its efforts began with the Air Pollution Control Act of 1955, which appropriated funds for research, and advanced to the Clean Air Act Amendments of 1970, which brought burgeoning federal air pollution regulations under the umbrella of the newly-created Environmental Protection Agency. During the intervening fifteen years, Congress passed a series of measures that greatly increased its commitment to air pollution regulations and its oversight of them. This mirrored a general increase in public environmental consciousness that resulted in a great deal of new legislation.<sup>49</sup> It is worth noting that every single one of the federal measures, except those dealing with local initiatives, was modeled after a similar California effort. The state first moved to sponsor research, next acted to combat stationary sources of pollution, then imposed standards on consumer vehicles, and finally created an umbrella organization to do all of these things.<sup>50</sup> A decade later, the Federal Government moved in the exact same order. Also, as a result of a concerted effort by its legislators in both congressional houses, California was the only state granted permission to set standards higher than the EPA’s.<sup>51</sup>

Progress continued gradually through the 1970s and 80s at the local level, though the amount of federal legislation decreased—especially during the Reagan administration—due in large part to an industry backlash against earlier measures.<sup>52</sup> In 1975, a technology known as the catalytic converter was developed to satisfy the requirements of the 1970 Clean Air Act Amendments. It dramatically cut down on emissions by mixing noxious chemicals with air and using chemical catalysts to convert nitric oxides, hydrocarbons, and carbon monoxide into normal components of air. The devices were quickly mandated for new cars sold throughout California. As a welcome

---

45 Dewey, *Don’t Breathe the Air*, 78.

46 “Los Angeles County Files Antismog Suit,” *New York Times*, 6 September 1969.

47 Steven V. Roberts, “Auto Smog Pact on Coast Opposed,” *New York Times*, 27 September 1969.

48 Dewey, *Don’t Breathe the Air*, 80.

49 Karl Jacoby (lecture, Brown University, Providence RI, November 15, 2006).

50 In California’s case this was the Air Resources Board, established in 1967.

51 Jacobson, *Atmospheric Pollution*, 210-215.

52 Karl Jacoby (lecture, Brown University, Providence RI, November 29, 2006).

side effect, the converters were rendered useless by lead, which necessitated removal of the heavy metal from state gasoline.<sup>53</sup> In 1977 the California legislature authorized the creation of the South Coast Air Quality Management District (SCAQMD), which took control of the air of the entire L.A. Basin from the four counties that had previously managed their sections independently. In 1978, the new agency implemented important and cost-effective rules requiring vapor-recovery “boots” to be placed on all gasoline pump fuel nozzles.<sup>54</sup>

Ironically, as the EPA began to set standards for ozone quality, Los Angeles found itself the target of legislation that it had been instrumental in passing. In 1980, the EPA required that California implement a vehicle inspection program to help solve its still-severe smog problem. When the state failed to do so, the Agency forbade construction of any new power plants or factories in the L.A. Basin and froze 83 million dollars of federal funds that had been earmarked for state infrastructure projects. Finally, in 1982 the legislature passed a measure requiring biennial “smog checks” for almost all passenger cars in the state.<sup>55</sup> With the national ascendancy of Reagan-style anti-environmentalism, however, the EPA soon backed off, and neither California nor Los Angeles sought major new anti-smog regulations until 1989.

In spite of all the obstacles the AQMD and its predecessors faced, by the late 1980s they had made real progress in their struggle against automobile pollution. 1967, the first year in which all new cars bore exhaust-control devices, set a standard of ozone concentration that has not been exceeded since. In fact, a gradual downward trend is manifest throughout the two decades following the 1967 rules. By the late 80s, however, pollution levels were stagnating. More dramatic action was necessary.<sup>56</sup>

## 1989-2006

In December of 1988, the *New York Times* ran an article detailing a new plan that was under consideration by the South Coast AQMD. “Officials from around the country and in Congress are watching intently,” the article claimed, “for the Los Angeles area may offer a vision of urban America’s future as cities reach the environmental limits of growth: Americans may be forced to buy methanol and electric cars, ride to work in van pools, mow their lawns by hand and spray their underarms with manually pumped deodorant, and, if technology permits, all vehicles would be converted to ‘clean’ fuels in 20 years.”<sup>57</sup> More specifically, the proposal called for 40 percent of cars, 70 percent of commercial trucks, and 100 percent of buses to run on alternative fuels by 1998. The AQMD and local cities voted by an overwhelming margin to approve the final plan, which included all of the above measures.<sup>58</sup>

By the time of the vote in 1989, it had been obvious for many years that, as the *Los Angeles Times* wrote in 1982, “The basin cannot meet the [federal] ozone standard simply by putting more control equipment on vehicles and industry, but must instead

---

53 Jacobson, *Atmospheric Pollution*, 216.

54 Ibid.

55 Jean Merl, “Bill Requiring Biennial Auto Smog Test OKd,” *Los Angeles Times*, 28 August 1982.

56 See Figure 1 for a graph of ozone levels over time.

57 Robert Reinhold, “Los Angeles Weighs Changes to Cut Smog,” *New York Times*, 19 December 1988.

58 Larry B. Stammer, “Key Southland Panels OK Stringent Air-Control Plan,” *Los Angeles Times*, 18 March 1989.

quench its appetite for petroleum products.”<sup>59</sup> Just as in the mid-1950s, regulations had gone almost as far as they could under the existing paradigm. Then, regulators had taken the obvious next step and turned to gasoline-powered automobiles. In 1989 they had to move beyond them. The 1989 plan was the first real effort to achieve such a sea change. What remained was its implementation. “We are determiners of our own future,” AQMD Executive Officer James Lents said in an interview. “We’ve laid out our battle plans for hitting the beaches at Normandy. We’ve still got to hit the beaches.”<sup>60</sup>

The attack never came. Over the next five years the plan died a quiet, gradual death as industry groups, Congress, and L.A. residents displayed reactions ranging from apathy to diametric opposition. Angelenos objected to what they viewed as unnecessary and overbearing targeting of consumer products. Business groups claimed the plan would cost 14.8 billion dollars per year even in its early stages.<sup>61</sup> Congress abandoned legislation that would have forced automakers to begin producing cars powered by alternative fuels or electricity. Regulators pushed onward, but they had no power to determine what rolled off Detroit assembly lines, and insufficient leverage to compel change.<sup>62</sup>

In 1996 a similar but scaled-down proposal was put forward, relying heavily on undefined future technology like heavy-duty trucks powered by alternative fuels. Several months after the plan gained EPA approval, however, the AQMD dropped many of its most stringent and unpopular measures and abandoned all attempts to directly combat particulates, which were increasingly viewed as one of the most dangerous components of smog. Criticism poured in from all sides, culminating in the unprecedented resignation of nine of the AQMD’s eleven scientific advisors. In a letter explaining their decision, the advisors wrote that their advice, “when asked for and given, was not heeded and in some cases not even acknowledged.” They added, “The district [has] embarked on a course that will not lead to attainment of the federal ozone and fine particle standards.”<sup>63</sup>

As it had before their resignation, the AQMD ignored the advisors and the plan took effect several months later.<sup>64</sup> In 2004, the U.S. Supreme Court destroyed the last remnants of the 1989 plan when it ruled, 8-to-1, that the AQMD had no authority to force private firms to buy low-pollution vehicles. The decision ended a program that was small in scope and had targeted private trash haulers, bus companies, and other businesses. The court’s final ruling relied on much the same logic used in amicus curiae briefs the Bush administration had filed siding with the industry.<sup>65</sup>

Despite the setbacks that AQMD regulators faced in the 1990s, they still worked diligently to combat smog within political constraints. They searched for small sources of pollution that had previously gone unnoticed, including restaurant broilers and printing presses, and tightened controls on consumer sources such as house paints and cleaning solvents.<sup>66</sup> Two major plans also went into effect. The first, involving a scheme of free-market pollution credit trading implemented in 1994, has had dubious success, and regulators called off planned expansions after intense protest from industry.<sup>67</sup> The

59 Richard O’Reilly, “Plan to Rid Basin of Smog OKd,” *Los Angeles Times*, 8 October 1982.

60 Larry B. Stammer, “Vote on Wide-Ranging Pollution Controls Set,” *Los Angeles Times*, 17 March 1989.

61 Robert Reinhold, “Los Angeles Weighs Changes to Cut Smog,” *New York Times*, 19 December 1988.

62 Larry B. Stammer, “Drive for Cleaner Autos Running Into Obstacles,” *Los Angeles Times*, 12 March 1990.

63 Marla Cone, “9 AQMD Advisors Quit in Protest of New Smog Plan,” *Los Angeles Times*, 9 August 1996.

64 Marla Cone, “AQMD Adopts Disputed Plan for Clean Air,” *Los Angeles Times*, 16 November 1996.

65 Miguel Bustillo, “Supreme Court Curbs AQMD in Smog Battle,” *Los Angeles Times*, 29 April 2004.

66 Marla Cone, “AQMD to Drop Several Anti-Smog Regulations,” *Los Angeles Times*, 18 July 1996.

67 Vivien Foster and Robert W. Hahn, “Designing More Efficient Markets: Lessons from Los Angeles Smog

second, a switch to reformulated cleaner-burning gasoline in 1996, was a definite victory in the battle against smog, but it was only implemented by the state after a similar but less stringent federal rule took effect the year before.<sup>68</sup> Since then, work has continued on both state and local levels, but no major initiatives have been proposed.

# TODAY

The 1996 debates over AQMD policy were so technical in nature that the agency made many projections regarding future pollutant levels. More than a decade later, armed with perfect hindsight and detailed modern data, we can analyze those projections and determine their accuracy. In the final draft of its 1996 plan, the AQMD included a forecast of future pollutant levels covering four key types of airborne contaminants. The predictions, which gave estimates of various airborne contaminants in tons per day, were intended to showcase the projected effect of the district's plan. This year, in the AQMD's latest plan, the agency provided actual measurements of the same pollutants for 2005, the most recent year for which data are available. Below is the comparison (in tons per day):<sup>69</sup>

	VOC VOLATILE ORGANIC COMPOUNDS	NO <sub>x</sub> NITROGEN OXIDES	SO <sub>x</sub> SULFUR OXIDES	PM <sub>10</sub> PARTICULATE MATTER
1996 PROJECTIONS	623	635	66	301
2005 DATA	825.36	1033.43	61.25	283.42
PERCENT DIFFERENCE	+32	+63	-7	-6

If the 1996 plan had been as good as its proponents claimed, the percent difference for each pollutant would be negative. Yet while the daily tonnages for SO<sub>x</sub> and PM<sub>10</sub> are below their target levels, those of VOC and NO<sub>x</sub> are far higher than projected. I believe this dichotomy exists because of the different ways the four pollutants are emitted. SO<sub>x</sub> and PM<sub>10</sub> mostly derive from stationary sources, which the AQMD has worked very hard at controlling over the past ten years since their regulation affects the public very little and generates few complaints. Volatile Organic Compounds, which are released by both stationary and mobile sources, are still being emitted more than they should be. Nitrogen oxides, which derive almost entirely from mobile sources, are present at levels more than half-again as large as the 1996 report projected they would be. This is because, since the shift to cleaner-burning gasoline more than a decade ago, the AQMD has done little to combat automobile emissions. Even if the district had eliminated *all* stationary source NO<sub>x</sub> emissions and *all* non-vehicle mobile sources (including planes, trains, boats, and construction equipment), 590 tons of nitrogen oxides would have been

Control," *Journal of Law and Economics* 38 (April 1995): 19-48.  
68 Marla Cone, "Reformulated Gas to Help Clear Southland's Skies," *Los Angeles Times*, 14 January 1996.  
69 SCAQMD, *Draft 2007 Air Quality Management Plan*; SCAQMD, *1997 Air Quality Management Plan*.

emitted in 2005.<sup>70</sup> These data make clear that no amount of stationary-source regulation can solve this problem; something must be done about cars.

The original date set by the EPA for Los Angeles to meet federal ozone standards was 1987.<sup>71</sup> When the year passed without compliance, the EPA took no action, and by 1996 the target date had been quietly shifted to 2010.<sup>72</sup> Presently, under a more lenient Bush administration, compliance will not be mandated until 2021.<sup>73</sup> Without dramatic changes, there is no reason to believe that the AQMD will seek to achieve this deadline with any more vigor than it has sought to achieve previous ones.

Given the political environment in which regulators are currently working, they have done a tremendous job. Los Angeles's smog has improved to a remarkable extent, but according to the EPA the city's air is still by far the worst in the nation. In fact, the SCAQMD is the only district with a problem classified as "severe" by the EPA.<sup>74</sup> There are a finite number of politically expedient sources that the AQMD has yet to regulate, and they are quickly disappearing as the district steps up its efforts. The low-hanging fruit has all been picked.

## IMPLICATIONS

At the beginning of this paper, I set out to discover the reasons behind Los Angeles's successes and failures with regard to smog. Before returning to these, it is worth considering why Los Angeles was able to achieve success to the extent it did, that is, not why each regulation worked, but rather why regulation was possible at all.

Despite the city's horrifically smog-prone physical environment, L.A.'s political structure was well equipped to deal with pollution. By its very nature, smog affected all the residents of Los Angeles equally, so it was a uniting issue that politicians could latch onto in order to garner popular support. The metropolis had a strong City Council and County Board of Supervisors, both of which had the ability to pass resolutions requesting action and quickly see them fulfilled by higher authorities like the California State Legislature and the U.S. Department of Justice. L.A.'s various governments also had large budgets and access to nearby research universities that provided a great deal of scientific expertise. Few if any other places in America could match such credentials, and they enabled many of Los Angeles's regulatory successes in the war on smog.

Yet in concrete terms the effort failed. The AQMD is more than twenty years overdue in meeting federal ozone standards, and will not be in compliance anytime soon. This failure has been caused by three major factors:

First, powerful and well-funded corporate opposition has dogged regulatory efforts since their inception. Corporations profit from almost all sources of pollution in Los Angeles, either directly (by owning a factory) or indirectly (for example, by selling cars to residents). Thus, they have stood to lose from every smog regulation that went into effect and have vehemently fought against more stringent rules. In most cases, they simply argued that economic concerns outweighed environmental ones, but when that failed, they turned to science for backup. In 1955, when ozone was first discovered

---

70 SCAQMD, *Draft 2007 Air Quality Management Plan*.

71 Richard O'Reilly, "Plan to Rid Basin of Smog OKd," *Los Angeles Times*, 8 October 1982.

72 Marla Cone, "AQMD Adopts Disputed Plan for Clean Air," *Los Angeles Times*, 16 November 1996.

73 U.S. EPA, "Green Book – Classifications of 8-Hour Ozone Nonattainment Areas."

74 Ibid.



to be the major cause of smog, business leaders argued (without evidence) that their industries were incapable of producing ozone, and that it must have originated from the stratosphere.<sup>75</sup> From the very beginning of the smog fight there has also been a tendency on the part of those who fear regulation to call for more research on the subject, with the hope that this approach would stall any action. Most notably, this has been a favorite tactic of Detroit, which has used it to delay progress on advancements like exhaust control devices and electric cars. The industry also undertook intense lobbying efforts aimed at local governments, and, when unsuccessful, did not hesitate to shift its efforts up the chain of command to state or federal levels.

Second, though L.A.'s smog is a local issue, many firms responsible for it are based far outside the AQMD's control, and state and federal governments have often worked against Angelenos' interests. City, county, and regional agencies have no jurisdiction over national oil companies or auto manufacturers, and though the federal government worked hard to bring the nation up to something resembling the basin's standards of air pollution control, it gave Los Angeles little aid in strengthening the region's own regulations.

Third, regulators' tendency to seek "low-hanging fruit" has hindered efforts at more comprehensive change. Incremental changes along the path of least resistance have led to gradual decreases in pollution levels while sparking little public opposition, but piecemeal initiatives simply haven't done enough. Efforts in 1955 and 1989 were major exceptions to this rule, but the 1989 measure's failure and the subsequent fiasco in 1996 only encouraged further timidity on the part of AQMD officials, who often have worked to regulate tiny, arcane operations while ignoring the millions of pollution-spewing automobiles crowding L.A. freeways. Even the most progressive proposals have not questioned the supremacy of the car itself, and thus little has been done to improve the city's abysmal public transportation systems. However, regulators are not necessarily responsible for these shortcomings. They have been up against one of the most powerful enemies an environmental effort can face: apathy.

In Rachel Carson's seminal 1962 book, *Silent Spring*, she expounded an argument against the use of chemical insecticides that resonated with millions of Americans and helped to start the modern environmental movement.<sup>76</sup> In lamenting the general indifference she felt existed toward the problem, Carson pointedly wrote:

Have we fallen into a mesmerized state that makes us accept as inevitable that which is inferior or detrimental, as though having lost the vision to demand that which is good? Such thinking, in the words of ecologist Paul Shepard, 'idealizes life with only its head out of water, inches above the limits of toleration of the corruption of its own environment.... Why should we tolerate a diet of weak poisons, a home in insipid surroundings, a circle of acquaintances who are not quite our enemies, the noise of motors with just enough relief to prevent insanity? Who would want to live in a world which is just not quite fatal?'<sup>77</sup>

Such is the world in which the residents of Los Angeles currently reside. Each morning, in the weather forecast in the *Los Angeles Times*, they can find out whether

---

75 Jacobson, *Atmospheric Pollution*, 91.

76 Karl Jacoby (lecture, Brown University, Providence RI, November 13, 2006).

77 Rachel L. Carson, *Silent Spring* (New York: Mariner Books, 1962), 12.



the air they are going to be breathing during the day will be toxic. Most of the time—far more often than even two decades ago—it is not toxic. This change should be hailed as a remarkable accomplishment. However, the fact that a daily pollution forecast is still necessary represents a fundamental failure by the people and agencies that regulate Los Angeles and its air. Had they acted as promised in 1989—or seized subsequent opportunities—their city and its people could already be free of the photochemical smog that has plagued them for six decades.

In part this failure occurred because the amount of smog has so dramatically decreased that many Angelenos now believe that the war against it has already been won. Since they consider further action unnecessary, and know that it might require personal sacrifice, they have failed to press their elected officials to end the pollution problem. Instead, in the face of public apathy, intense and well-funded opposition by powerful interests triumphed over protests from the scientific community. Given an opportunity to do great good, the federal government preferred to follow in Los Angeles's wake, and its only major intervention was to step in and quash the last attempt by local government to create an innovative anti-smog policy.

The battle for such a policy seems to have been lost. Very little political will exists now for proposals like the 1989 plan. There is little reason to believe the SCAQMD will deviate from its current path. Barring a dramatic technological breakthrough—and its adoption by the public—there is a distinct possibility that even the 2021 targets will not be reached. Any further public outcry is unlikely: the majority of Angelenos have begun to accept smog as irreversible even though solutions such as the alternative fuels supported by the SCAQMD have existed for decades.

The lessons learned in Los Angeles's war against smog are applicable to many of the environmental battles being fought in this country today. Other states and nations have turned to Los Angeles's expertise for help dealing with their own smog problems. Environmental legislation based on that of Los Angeles has resulted in change on a national scale.<sup>78</sup> Environmentalists have won victories throughout the world using technology, expertise, and tactics originally developed in Southern California.

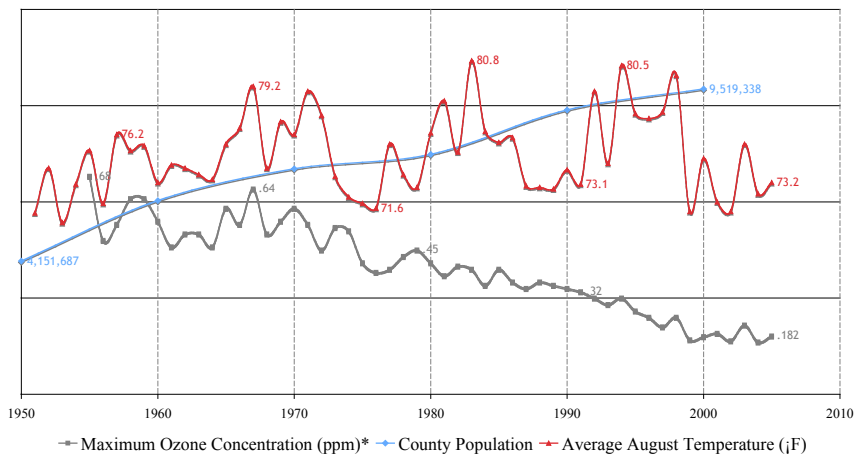
True change to Los Angeles air pollution will most likely have to wait for a nationwide or global shift in attitudes or technology. As oil becomes scarce and supply shortages close the price gap between gasoline and alternative-fuel vehicles, change will become more likely.<sup>79</sup> Federal intervention might speed the process, but the relevant history has demonstrated that Washington cannot be counted on for help. But when smog is finally vanquished, Los Angeles residents and their fellow city-dwellers across America can, after more than 60 years of waiting, breathe a pure, uncontaminated sigh of relief.

---

<sup>78</sup> Dewey, *Don't Breathe the Air*, 37; Jacobson, *Atmospheric Pollution*, 220.

<sup>79</sup> Global oil production is expected to peak by 2047, after which petroleum products will become increasingly expensive until their use is no longer feasible. John H. Wood, Gary R. Long, and David F. Morehouse, *Long-Term World Oil Supply Scenarios* (Washington: U.S. Energy Information Administration, 2000).

Figure 1: Smog, Population, and Temperature



Data Drawn from the South Coast AQMD (Ozone), the U.S. Census (Population), and the National Oceanic and Atmospheric Administration (Temperature).

Though it may seem as though the figure shows nothing but remarkable success, keep in mind that even the lowest points on the ozone graph represent the absolute worst air in the United States

\*Over a one-hour period

## BIBLIOGRAPHY

- Carson, Rachel L. *Silent Spring*. New York: Mariner Books, 1962.
- Dewey, Scott Hamilton. *Don't Breathe the Air: Air Pollution and U.S. Environmental Politics, 1945-1970*. College Station: Texas A&M University Press, 2000.
- Dunsby, Joshua. "Localizing Smog: Transgressions in the Therapeutic Landscape." In *Smoke and Mirrors: The Politics and Culture of Air Pollution*, ed. E. Melanie DuPuis. New York: New York University Press, 2004.
- Foster, Viven and Robert W. Hahn. "Designing More Efficient Markets: Lessons from Los Angeles Smog Control." *Journal of Law and Economics* 38, no. 1 (April 1995): 19-48.
- Haagen-Smit, A.J. "Air Conservation." *Science* 128, no. 3329 (October 1958): 869-878.
- Illinois Environmental Protection Agency. *Illinois Annual Air Quality Report 2004*. Chicago: IEPA, 2005.
- Jacobson, Mark Z. *Atmospheric Pollution: History, Science, and Regulations*. New York: Cambridge University Press, 2002.
- Port of Los Angeles. "History of the Port." Los Angeles: Port of L.A., n.d. [http://www.portoflosangeles.org/about\\_history.htm](http://www.portoflosangeles.org/about_history.htm) (accessed December 8, 2006).
- Port of Los Angeles. "FAQ." Los Angeles: Port of L.A., n.d. [http://www.portoflosangeles.org/about\\_faq.htm](http://www.portoflosangeles.org/about_faq.htm) (accessed December 8, 2006).
- South Coast Air Quality Management District. *1997 Air Quality Management Plan*. Los Angeles: SCAQMD, 1996.
- South Coast Air Quality Management District. *Draft 2007 Air Quality Management Plan*. Los Angeles: SCAQMD, 2006.
- South Coast Air Quality Management District. "The Southland's War on Smog: Fifty Years of Progress Toward Clean Air." Los Angeles: SCAQMD, 1997. <http://www.aqmd.gov/news1/Archives/History/marchcov.html#Formation%20of%20the%20South%20Coast%20Air%20Quality%20Management%20District> (accessed December 10, 2006).
- U.S. Census. *Fact Sheet: Los Angeles County, California*. Washington: U.S. Census, 2005.
- U.S. Census. *Population of Counties by Decennial Census: 1900 to 1990*. Richard L. Forstall, compiler. Washington: U.S. Census, 1995.
- U.S. Environmental Protection Agency. "Green Book – Classifications of 8-Hour ozone Nonattainment Areas." Washington: EPA, 2005. <http://www.epa.gov/oar/oaqps/greenbk/gnc.html> (accessed December 2, 2006)
- U.S. National Oceanic and Atmospheric Administration, "Edited Local Climatological Data Annual for Los Angeles County." Washington: NOAA, 2006. <http://www.ncdc.noaa.gov>.
- Wood, John H., Gary R. Long, and David F. Morehouse. *Long-Term World Oil Supply Scenarios*. (Washington: U.S. Energy Information Administration, 2000).



# art gone wild

BRITAIN, FRANCE, AND THE RISE OF THE ANGLO-CHINESE GARDEN

BY JULIA VAZQUEZ

In the eighteenth century, the Anglo-Chinese garden became one of the leading aesthetic concepts in the development of British visual culture, and national self-expression. Although landscape gardening had a long history, the taste for natural gardens that appeared untouched by the hands of man was a departure from previous tradition. Because this new taste closely resembled that of Chinese landscape culture, British landscape designers and theorists quickly made associations between what they were beginning to do and what the Chinese had been doing for centuries. Although China had an extensive and longstanding relationship with the landscape, close examination of British and Chinese landscape ideologies reveals that British and Chinese gardens differed on the most fundamental levels despite the aesthetic similarities that existed between them. Rather, the British landscape overwhelmingly appears to have taken its cues more from Italian landscape traditions than anything else. If the Chinese gardens were referenced at all, probing more deeply below the surface reveals that the reference was made for a specific purpose—namely, for promoting a British aesthetic revolution that represented a rejection of all things French.

In eighteenth-century Britain, a sudden shift in landscaping practices took place that revolutionized the British garden and gave rise to what became known abroad as the “Anglo-Chinese garden.” Gone were the geometrical pathways cutting through perfectly trimmed rows of hedges that had once characterized the British garden, and in their place were winding walkways, meandering streams, and “bosky” parks (see fig. 1).<sup>1</sup> “The beauties of nature unshackled and unadorned,” so long extolled in British poetry such as Shakespeare’s Forest of Arden and Milton’s Eden, became a source of inspiration.<sup>2</sup> As early as 1710, Joseph Addison promoted the new aesthetic of “irregularity.” He approvingly described landscapes “covered with a wonderful Profusion of Flowers, that, without being disposed into regular Borders and Parterres, grew promiscuously, and had a greater Beauty in their natural Luxuriancy and Disorder, than they could have received from the Checks and Restraints of Art.” Elsewhere, Addison subtly privileged Nature over Art in governing British landscape: he believed “that there is generally in Nature something more Grand and August, than what we meet with in the Curiosities of Art.”<sup>3</sup> In the discourse surrounding the irregularity of the British landscape garden, China

1 Dawn Jacobson, *Chinoiserie* (London: Phaidon, 1993), 155.

2 Hugh Honour, *Chinoiserie: the Vision of Cathay* (New York: Harper & Row, 1973), 144.

3 John Dixon Hunt and Peter Willis, eds., *The Genius of the Place: The English Landscape Garden, 1620-1820*, (London: Elek, 1975), 140-5.

served as a citable precedent for the new design aesthetic: Britons believed that the Chinese had similar gardening tastes.<sup>4</sup> Soon Addison himself was also referencing the Chinese as a people who had chosen “rather to shew a Genius in Works of this Nature” than to impose their own art upon her (see fig. 2).<sup>5</sup> Not only did this aesthetic come to inform British landscaping long after Addison, but the eighteenth century association of China with the naturalist aesthetic remained.<sup>6</sup>

And yet, the so-called “Anglo-Chinese” gardens bore little significant resemblance to the Chinese gardens whose style they were supposedly copying. Nowhere is this more apparent than in the inclusion of Oriental structures in the Anglo-Chinese garden (see fig. 3). Despite their role as one of the most codifying features of the Anglo-Chinese garden, these buildings (often taking the form of pagodas or bridges) “merely formed part of a varied assortment of eye-catchers and were usually outnumbered by classical temples, crumbling Gothic ruins and rude hermitages.”<sup>7</sup> They were most often placed in the garden such that, along with their immediate surroundings (which were oftentimes deliberately arranged for this purpose), made for “chinoiserie vignette[s] in the otherwise very un-Chinese landscape garden.” On an aesthetic level, these buildings were characterized by “fretwork, bells and dragons,” and although “elegant and amusing, brightly colored and delicately enriched, ... none, of course, bore much resemblance to a genuine Chinese house.”<sup>8</sup> On a theoretical level as well, the whole “notion that a conscious theory of beauty could have as its essence a contrived irregularity,” which was seen to be one of the central features of Chinese aesthetic theory, was given the name *sharawadgi*, a word which does not correspond to any known word in Chinese language and thus represents a fabrication. Such a depiction cannot but have been chosen to recall the exotic Oriental flavor so sought after in the cult of chinoiserie.<sup>9</sup> These “vignettes” often served the purpose of provoking “a *frisson* of exotic delight,” and, in this respect, recall other products of chinoiserie that were not intended to correspond to any real Chinese products, but rather to evoke a fantasized version of China in which the British wanted to believe.

English gardens differed sharply from the Chinese gardens they were supposed to have copied because British landscapers relied on limited knowledge of Chinese practices. Those like Sir William Temple, who wrote on China, had often never visited there; illustrations of Chinese gardens were non-existent and Chinese plants difficult to import.<sup>10</sup> Even William Chambers, who visited China in 1749, found that it was “a matter of great difficulty to measure any publick work in China with accuracy, because the populace [were] very troublesome to strangers, throwing stones, and offer[ing] other insults.”<sup>11</sup> His 1757 essay ‘On the Art of Laying Out Gardens Among the Chinese,’ does not reference any specific Chinese gardens or provide plans. It is generally believed that his “essay was substantially imaginative, and ... heavily embroidered with the fashionable

4 David Jacques, “On the Supposed Chineseness of the English Landscape Garden,” (*Garden History* Vol. 18 No. 2: 180-91), 183.

5 Hunt and Willis, *The Genius of the Place*, 142-215.

6 Jacobson, *Chinoiserie*, 151.

7 Honour, *Chinoiserie: the Vision of Cathay*, 149.

8 Ibid., 149-52.

9 Jacobson, *Chinoiserie*, 153.

10 Ibid., 152.

11 R.C. Bald, “Sir William Chambers and the Chinese Garden” (*Journal of the History of Ideas* Vol. 11 No. 3: 287-320), 287-8.

ideas of the late 1750s.”<sup>12</sup> Yet Chambers was “quoted and copied wherever Chinese gardens were mentioned.”<sup>13</sup> Though Chambers did not have knowledge about Chinese gardens, it is hard to believe that anyone else in England did.

In the resultant myth of China, Oriental gardens supposedly were characterized by “bizarre forms, forcibly exotic [and] frequently in a conception of the Chinese corresponding to the Grotesque style.”<sup>14</sup> Though British writers cited the Imperial Gardens as an example of this aesthetic, the majority of Chinese gardens bore little resemblance to the emperor’s private grounds.<sup>15</sup> Moreover, the “grandeur” and “sublimity” Britons attached to this aesthetic were absent from Chinese discourse.

Instead, the aesthetics of the Anglo-Chinese garden drew on the Italian landscape traditions. For the British, classical Rome was a revered example of artistic and political achievement, a “model of wise and beneficent rule.” As far as gardens were concerned, the British were convinced that “Republican Rome... had gloried in the pleasures of natural gardens.” Pope claimed, “the taste of the ancients favoured the amiable simplicity of unadorned nature.” (see fig. 4).<sup>16</sup> In the eighteenth century, Addison and other commentators visited Italy and brought back descriptions of contemporary Italian gardening practices. William Mason wrote of Englishmen in Italy:

[their] eyes entranc’d shall catch those glowing scenes, that taught a Claude to grace his canvass with Hesperian hues” and encourages them to “bring back to Britain ... scenes like these, on Memory’s tablet drawn ... [and] there give local form to each Idea; and, if Nature lend materials fit of torrent, rock and shade, produce new Tivolis.

British men of taste would make their very estates into expressions of what they had learned and all that they had acquired on the Grand Tour. These collections included goods ranging from prints of important sites from Roman past, visual media of various kinds capturing views of famous places like Tivoli, as well as plants and architectural folios.<sup>17</sup> Because of their access to the land of the country which they took as their model, the British were without doubt influenced by the Roman countryside.

In tracing their immediate experience of the Roman countryside to classical Rome, British critics relied on Vergil and Horace, two ancient Roman poets who presented an idyllic image of the pastoral life.<sup>18</sup> Vergil’s *Eclogues* and *Georgics*, poems devoted to the exploration of the rural life, present the countryside as an ideal Arcadia. Horace is known to have lived on a farm in the Sabine hills that he sometimes made the subject of his poetry. Both these authors were instrumental in their combined establishment of the “*beatus ille*” (literally “that blessed [man]”) topos, the image of “the happy man” whose happiness was closely tied to his relationship to the rural setting he inhabited. According to the British, the “*beatus ille*” image could not be reconciled with “Cleft Plants, Flowers, and other trifling Decorations,” but was only consistent with an open, expansive garden. Fencing of any kind and other signs of enclosure were to be eliminated

12 Jacques, “On the Supposed Chineseness of the English Landscape Garden,” 185.

13 Eleanor Von Erdberg, *Chinese Influence on European Garden Structures* (New York: Hacker Art Books, 1985), 40.

14 Ibid., 39.

15 Honour, *Chinoiserie: the Vision of Cathay*, 148.

16 Jacobson, *Chinoiserie*, 152.

17 Hunt and Willis, *The Genius of the Place*, 14-7.

18 Ibid., 11.



as thoroughly as possible, and the goal was to make it “look as if all the adjacent Country were all a Garden.”<sup>19</sup> This idea of experiencing all of nature as a garden and the garden as a piece of untouched nature can be directly traced back to Horace’s Ode I.22, in which Horace describes himself as having wandered “ultra terminum” (literally “beyond the boundary”) of his Sabine estate, joyfully singing of his beloved Lalage, all cares expelled from his mind. This same idea makes itself known once again early on in the dialogue surrounding the British garden in the example of Kent, who is described by Horace Walpole as someone who “leaped the fence [just as Horace claims he himself had done] and saw that all nature was a garden.”<sup>20</sup>

The discussion of the influence of the Italianate landscape on the British landscape in the eighteenth century would hardly be complete without mentioning the great landscape paintings of the early modern period. They were believed to have visually captured the image of the pastoral life presented in literary works of antiquity. The Pope himself claimed that “all gardening is landscape painting,” and it appears that the British generally agreed with him.<sup>21</sup> Although certain garden structures (bright, painted temples recalling the stylistic flavor of chinoiserie, or bridges marked by extensive fretwork) invariably brought to mind a vision of China, the aesthetic governing the “tumbling cascades, wide lakes, neat clumps of trees and mysterious ‘awful’ woods” of the British garden was indebted to the works of such painters as Claude, Rosa, Albani, and Poussin (see fig. 5). Despite the fact that not all of these painters were Italian, in their landscapes the British found a convincing articulation of the “topography of Pliny’s park, of Horace’s Sabine Farm, or of Cicero’s Tusculanum.” It became their goal, therefore, to reproduce in their gardens “such landscapes as Lorrain light touch’d with softening hue or savage Rosa dash’d or learned Poussin drew.” And generally, this they achieved, for despite the chinoiserie elements added in, gardens were decidedly “un-Chinese” in flavor, more often recalling the “rich browns and dark greens” of depictions of the Italian landscape (see fig. 6).<sup>22</sup>

Beyond the realm of the aesthetic, British gardens had much in common ideologically with the painted Italian landscape. The naturalistic approach to gardens that came into vogue in England during the eighteenth century closely involved the idea of personal experience of the landscape and intense, emotional response to nature. The landscapes of such artists as Claude and Poussin too “seem to exist as a means of expressing inward feeling and mood.”<sup>23</sup> As such, they share as close a relationship to the individual emotions of man as do the British gardens of the eighteenth century and would have served as a logical source of inspiration for British landscape designers.

One might wonder why the English took the trouble to design gardens that they presumed were based on Chinese landscape traditions rather than openly citing Italy as their source. The explanation for this can be found in the overall aesthetic movement within which the Anglo-Chinese garden operates. In the middle of the eighteenth century, chinoiserie became the height of fashion in Europe. Indeed, “chinoiserie reached a height of popularity in England in the 1750s which it attained at no other time and in no other country.” Household furnishings and decorative pieces of all kinds were

19 Hunt and Willis, *The Genius of the Place*, 11.

20 Jacobson, *Chinoiserie*, 155.

21 Ibid., 152.

22 Honour, *Chinoiserie: the Vision of Cathay*, 143-9.

23 Hunt and Willis, *The Genius of the Place*, 34.

designed specifically with an imagined China in mind, the same fantastic image alluded to by the Anglo-Chinese garden.<sup>24</sup> One can see an almost direct correlation between the way exotic and often frivolous design elements were incorporated into interior spaces and the decorative elements of the Anglo-Chinese garden. "The new vogue was for folly, as delightfully Chinese as dragons, bells, fretwork, papier-mache and paint could make it," and as "the living embodiment of the pavilions on the Coromandel screen or porcelain plate," the emblemata strewn about the Anglo-Chinese garden would have tied the garden to this sudden mania for all things Oriental.<sup>25</sup> Although unrelated to the reality of China, these emblemata partook in the visual realization of a fantasy that would in the following century blossom into what is now termed "Orientalism." This term describes a way of thinking about the Far East as "a European invention ... a place of romance, exotic beings, haunting memories and landscapes, remarkable experiences" fundamentally opposed to everything with which Western Europeans were already familiar.<sup>26</sup> Unlike Italy, which had for so long infused the English landscape with a "melancholy sensibility," China introduced a "porcelain brilliance"<sup>27</sup> into the landscape that played into the fantastic and exotic vision of the Orient underlying chinoiserie.

Despite their formal roots in such Orientalist fantasy, the Anglo-Chinese gardens reflected Western ideologies about man's relationship to the natural world. The Western tradition that dates as far back as Greco-Roman times, takes an essentially "anthropocentric viewpoint" that places man at the center of the universe and stresses "the importance of the individual and his existence ... in an aggregate world of objects and other individuals."<sup>28</sup> In eighteenth-century Britain, the notion of the individual as a being distinct from his world informed a vision of landscape as a mode of establishing individual and national identity. In eighteenth-century Britain, "civic humanism ... was itself inseparable from the concept of property," and as gardens grew they became a part of the political discourse surrounding land and landowners. For the British, owning land meant also owning the right to vote, and if "land [thus] provided the right to political representation, the landscape garden [became] the means of representing the justness of that right." As such, the landscape garden became a key way for British landowners to define and establish their own personal identity within a political society. Because at this time gardening was attaining the status of a liberal art (and indeed, as the century progressed, literature engaging the issues surrounding the garden as a liberal art appeared in mass quantities), landscape also became a signifier for British national identity. As "a worthy member of the liberal arts ... [the landscape garden served] as a fit representation of the British nation," especially because it was thought that the liberal arts themselves could only have existed "within the successful framework of English constitutional politics." The landscape garden as it developed over the course of the eighteenth century thus became signifier for the identity of Britain as a "political and historical state."<sup>29</sup> The eighteenth-century British landscape came to be a signifier of identity for both individuals and for Britain as a nation in a way that the Taoist doctrines dominating

24 Honour, *Chinoiserie: the Vision of Cathay*, 132.

25 Jacobson, *Chinoiserie*, 156.

26 Edward Said, *Orientalism* (New York: Vintage Books, 1994) 1.

27 Honour, *Chinoiserie: the Vision of Cathay*, 149-54.

28 Clay Lancaster, "Ideologic Subsoils to Garden Styles East and West." (*Art Journal* Vol. 25 No. 3: 234-7), 234-7.

29 Stephen Bending, "Re-Reading the Eighteenth-Century English Landscape Garden," (*The Huntington Library Quarterly* Vol. 55 No. 3: 379-99), 393-6.

Chinese thought would never have permitted.

As a marker of identity, the British landscape garden occupied a key role in the ideological and aesthetic war between Britain and France. Prior to the eighteenth-century British gardens followed an aesthetic of formality derived from French gardening practices.<sup>30</sup> In the eighteenth century, British art experienced a “general revolt against formality” and a shift towards a “new feeling for sensibility” (see fig. 11)<sup>31</sup> motivated by the desire to rid Britain of French cultural influence. Regardless of whether garden designers and theorists agreed with the contemporary fashion for Chinese garden designs, they were united in a common wish: that whatever aesthetic governed British gardens, it should *not* be French. (see fig. 12).

The “military, commercial and diplomatic” rivalry between British and France, observers contended, “was one of the foundation stones of the national mind.” This tradition was closely tied to “the most ancient pattern of secular mythology in English history,” the mythology that associated the French with notions of enslavement and oppression, a constant threat to British “independence and might” on both commercial and territorial battlegrounds.<sup>32</sup> In light of both the Norman Conquest and the fact that Britain had been the home of many Huguenot refugees during the later seventeenth century, it is hardly surprising that this mythology should have arisen, especially because Britain continued to recognize France as Catholic state in contrast to its Protestantism. By the eighteenth century, there were other, more immediate reasons for Britain to fear France as a viable enemy. France had a greater population, a more sizeable landmass under its name, and a more formidable and proven army. This sense of competition between the British and French was hardly limited to the realms of the commercial and imperial (see fig. 13); it spilled over into the art world as well. Because France was a country of immense cultural production, Britain also felt a need to “command the arts... as a means of competing with the French.”<sup>33</sup> The cultivation of a distinctly British landscape garden, as one aspect of contemporary aesthetic culture, became an important part of this overarching rivalry between Britain and France.

One of the many ways the British garden would have contributed to this rivalry is closely connected to its role as a signifier of national identity. The British used their image of the French as a means of defining who they were by first identifying who they were not. The British viewed “the French Character [as] the very antithesis of the English.”<sup>34</sup> As a means of coping with their insecurity surrounding the aforementioned militaristic and cultural deficiencies, the British constructed an image of “the French as their vile opposites” that allowed them to “contrive for themselves a converse and flattering identity.”<sup>35</sup> Indeed one sees the two visions--the one of a strong, prosperous Britain, the other of a depraved, repugnant France--existing in a sort of inverse tension, for “National Identity had become increasingly definite and glorious just as the vision of the French Character had become more abhorrent.” It appears that “the one myth was projected against the other, the self-glorifying national abstraction against the horrid foreign counter-abstraction.”<sup>36</sup> When one considers the British landscape garden’s

---

30 Jacobson, *Chinoiserie*, 152.

31 Honour, *Chinoiserie: the Vision of Cathay*, 164.

32 Gerald Newman, *The Rise of English Nationalism* (New York: St. Martin's Press, 1987), 75-7.

33 Linda Colley, *Britons* (New Haven: Yale University Press, 1992), 23-91.

34 Newman, *The Rise of English Nationalism*, 146.

35 Colley, *Britons*, 35-368.

36 Newman, *The Rise of English Nationalism*, 124.

history as a “site for competing cultural interests” and its position as a representation of the British nation,<sup>37</sup> it is easy to see how the British shift away from formality, which was so closely associated with the French, towards its polar opposite, irregularity, could serve the aesthetic equivalent of a more complex subtext involving national identity. Around this time period, John Andrews in his *Comparative View of the French and English Nations* distinguished the British from the French by describing his countrymen as a “people acting... from pure, native, unrestrained impulse.”<sup>38</sup> Given this view, it makes sense that British gardens should have become more natural.

Part of this question of identity that became a primary feature of the discourse between British and French gardens was the idea of the garden as a gendered space. France, according to the British, was “subtle, intellectually devious, preoccupied with high fashion, fine cuisine and etiquette, and...obsessed with sex,” all attributes which a British moralist would have associated with effeminacy and been quick to condemn. Furthermore, it was believed that women in France were allowed an “unnatural prominence” and given license to exercise the frivolity, self-indulgence, and sensuality that would never have been permissible in a Britain dominated by men, who took care to restrain their women by means of rationality and modesty.<sup>39</sup> In the eyes of the British, one of the greatest threats posed by the French was this “fatal moral poison” of effeminacy. It was believed that by means of her immense cultural influence over her neighbors, France would inject a debilitating effeminacy into her competitors and thus “numb and neutralize her rivals, herself possessing the antidote” (see fig. 14). French effeminacy was seen thus as an almost conspiratorial plot to destroy competing countries from within.<sup>40</sup> The British, by contrast, viewed themselves as having an “essentially ‘masculine’ culture – bluff, forthright, rational, down-to-earth to the extent of being philistine.”<sup>41</sup> The garden, for the British, became a space where they could assert their masculinity. The garden was an important way for a British landowner to “represent himself as part of a civic humanist elite” and to assert his worthiness to of property associated with land in eighteenth-century Britain.<sup>42</sup> For landlords, most of whom were men, large, landed estates were the source of their power within society and the site of certain “paternalistic responsibilities” (see fig. 15).<sup>43</sup> The actual land of a man’s personal estate would have served as a meaningful representation of masculine powers and obligations, and thus would the garden have played a real part in the British/French rivalry on the basis of gender.

The landscape garden also became a part of the ideological war between Britain and France because of its associations with contemporary politics. English national identity was tied up with the idea of political freedom, brought into sharp contrast with French politics. In British thought, “an Englishman was a free man, a ‘free-born Englishman,’ simply by virtue of the fact that he was not a Frenchman, nor born in a country that accepted French political dictation.”<sup>44</sup> The French garden, with its overly formal design, an aesthetic equivalent to control, tyranny, and wickedness, became symbolic of French

37 Bending, “Re-Reading the Eighteenth-Century English Landscape Garden,” 379.

38 Newman, *The Rise of English Nationalism*, 145.

39 Colley, *Britons*, 251-2.

40 Newman, *The Rise of English Nationalism*, 82-3.

41 Colley, *Britons*, 252.

42 Bending, “Re-Reading the Eighteenth-Century English Landscape Garden,” 395.

43 Newman, *The Rise of English Nationalism*, 21-2.

44 Ibid., 74-6.

political practices. After all, the French taste in garden design found its zenith in the gardens of Versailles, a symbol of absolute monarchy (see fig. 16).<sup>45</sup> And just as England was “happily spared the absolutism of French politics,” so too should its gardens be “cleared of the ordered and fiercely prescriptive designs that [were thought to] mirror it.”<sup>46</sup> In this way, constraints placed on the landscape and formally ordered garden designs became a visual metaphor for the tyrannical, oppressive political system of the French. By contrast, the British garden, with its emphasis on making the landscape look wild, natural, and unrestrained, “formed a picture of English liberty” made possible by Whig political power.<sup>47</sup> Endorsement of the new British aesthetic of irregularity that was fundamentally opposed to French formality thus also represented an “endorsement of liberty and tolerance against tyranny and oppression, ... democracy against autocracy.”<sup>48</sup> During the rise of the eighteenth-century British garden, the aesthetics dictating the general appearance of garden design became a visual metaphor for a level of political freedom that the British felt helped define them in opposition to the French.

It is easy to see, then, how the references made to China in British landscape culture and the equation of contemporary trends in British gardening with ancient Chinese practices implied therein were used to bolster the argument between the British and French in favor of Britain. The British, as has been shown, were caught up in a longstanding rivalry with the French that spilled over into the domain of visual culture. If aspects of French culture and society could be read in their aesthetic choices, then the British apparently felt that they could assert the superiority of British culture and society by engaging the French in an aesthetic war.

Within the specific realm of the Anglo-Chinese garden, it is clear that this desire to renounce any aesthetic resemblance to French gardens was an important goal. Although the term “Anglo-Chinese” was first and foremost used to refer to the use of Chinese elements in the English garden, it “soon came to be used for any form of garden design differing from that of [well-known French gardens and landscapists].” Indeed, the way “the terms ‘English,’ ‘Chinese,’ and ‘Landscape’ garden” were constantly mixed reflects how they were “united on the principles of asymmetry and imitation of nature as opposed to the formal French style.”<sup>49</sup> This reaction against French formality was, it seems, the chief motivator for the adoption of the new irregular style, and, it would appear, if the Chinese were referenced at all, it was because “establishing the Chinese precedent or parallel was an added argument for the rightness of the style.”<sup>50</sup>

Despite the undeniable aesthetic similarities between the gardens of China and Britain, it appears in the end that Chinese elements in the Anglo-Chinese garden were introduced into the British landscape not for what they were, but rather for what they were not.

45 Jacobson, *Chinoiserie*, 152.

46 Hunt and Willis, *The Genius of the Place*, 138.

47 Bending, “Re-Reading the Eighteenth-Century English Landscape Garden,” 364.

48 Hunt and Willis, *The Genius of the Place*, 8.

49 Von Erdberg, *Chinese Influence*, 36-7.

50 Jacques, “On the Supposed Chineseness of the English Landscape Garden,” 186.



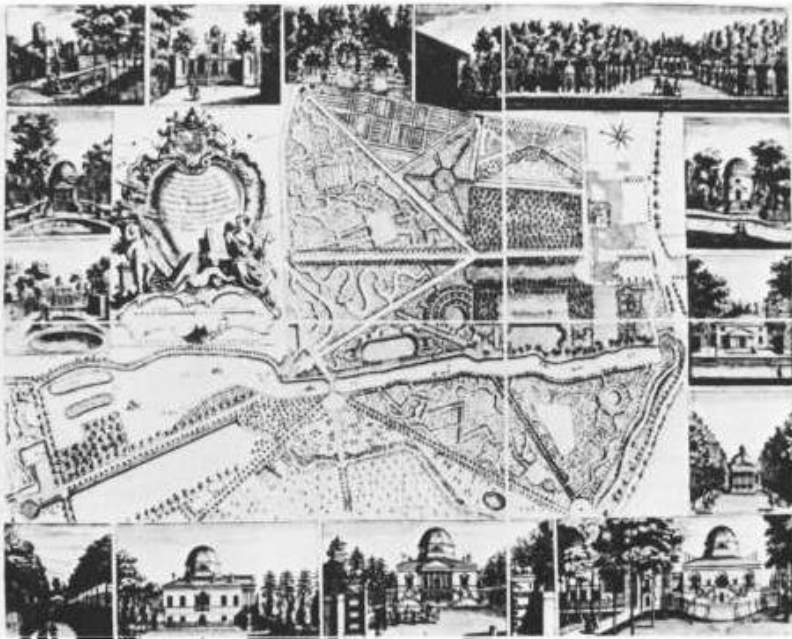


Fig. 1: Chiswick House and Gardens

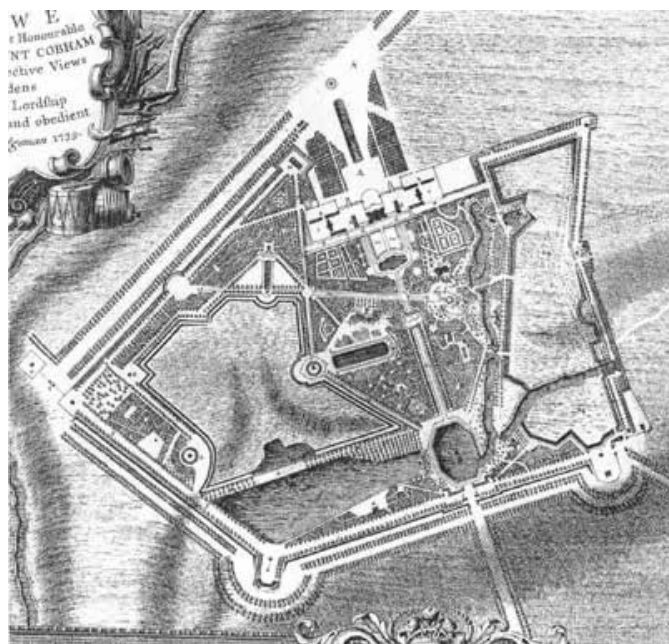


Fig. 2: Stowe House

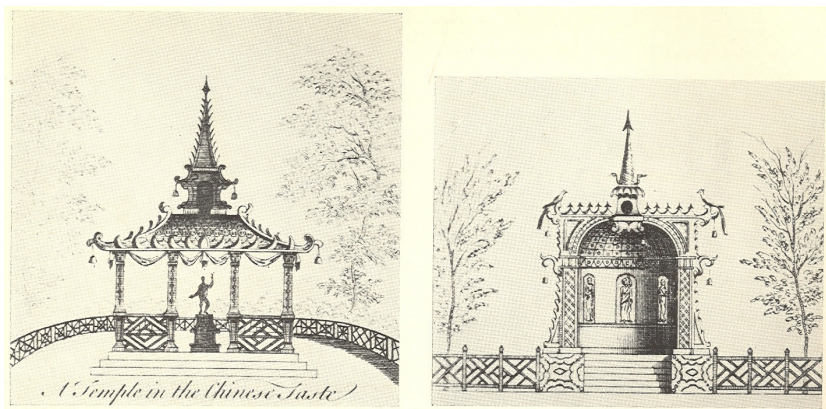


Fig. 3: Garden Pavilions in Chinese Style

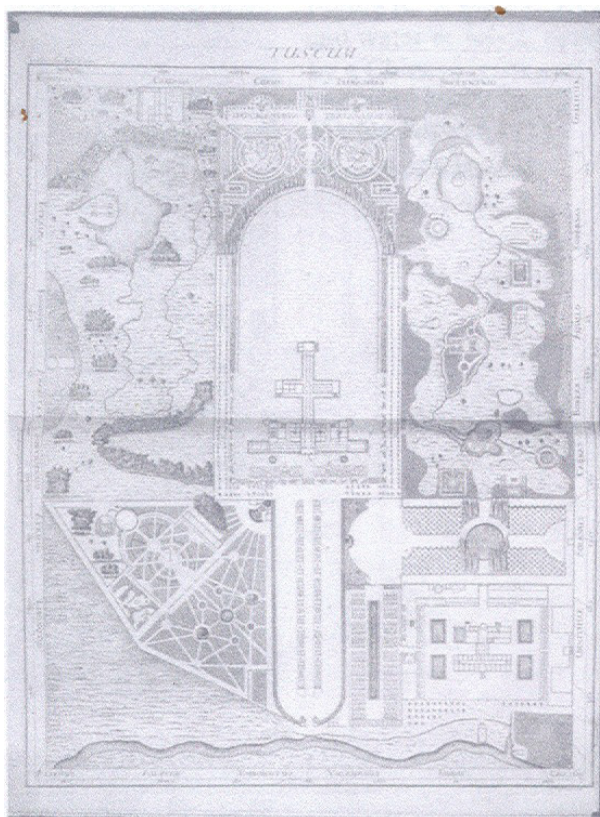


Fig. 4: Illustration from Robert Castell's *Villas of the Ancients Illustrated*





Fig. 5: Claude Le Lorrain, *Pastoral Landscape with the Ponte Molle*



Fig. 6: Nicolas Poussin, *Landscape with a Man Killed by a Snake*

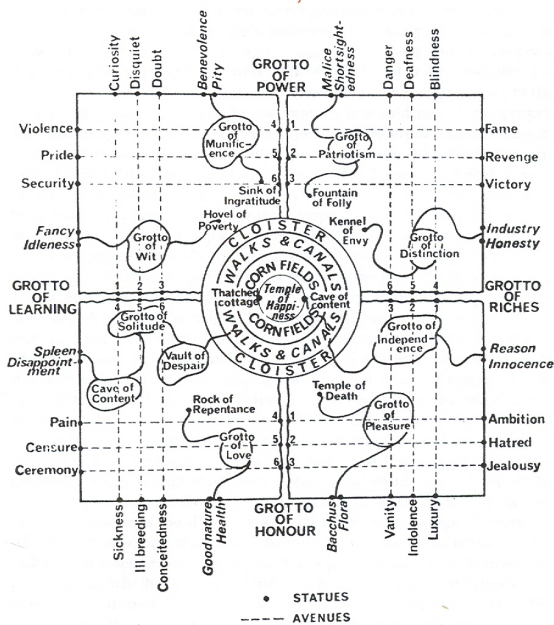


Fig. 8: A design for a moralizing garden



Fig. 7: The pictorial symbol for Yin and Yang



Fig. 9: Attributed to Qu Ding, *Summer Mountains*

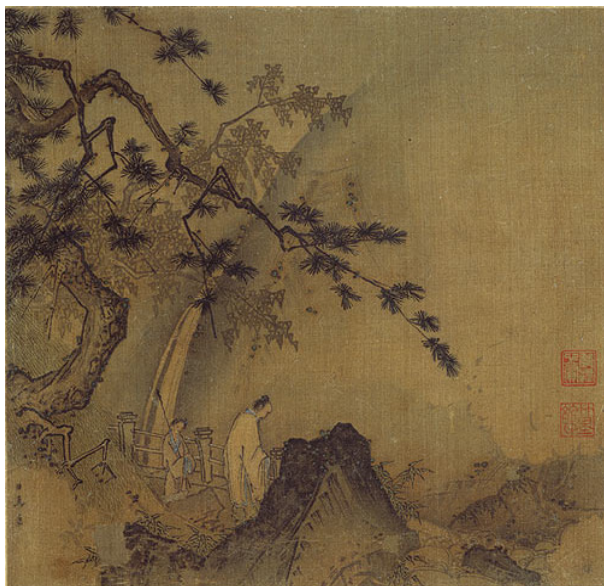


Fig. 10: Ma Yuan, *Scholar by a Waterfall*



Fig. 11: Joseph Wright of Derby, *Brook Boothby*





Fig. 12: Philippe de Loutherbourg, *The British Lion and the French Cock*



Fig. 13: *Britain's Rights Maintained, or French Ambition Dismantled*



Fig. 14: Sketch after Hogarth



Fig. 15: Thomas Gainsborough, *Mr. and Mrs. Andrews*



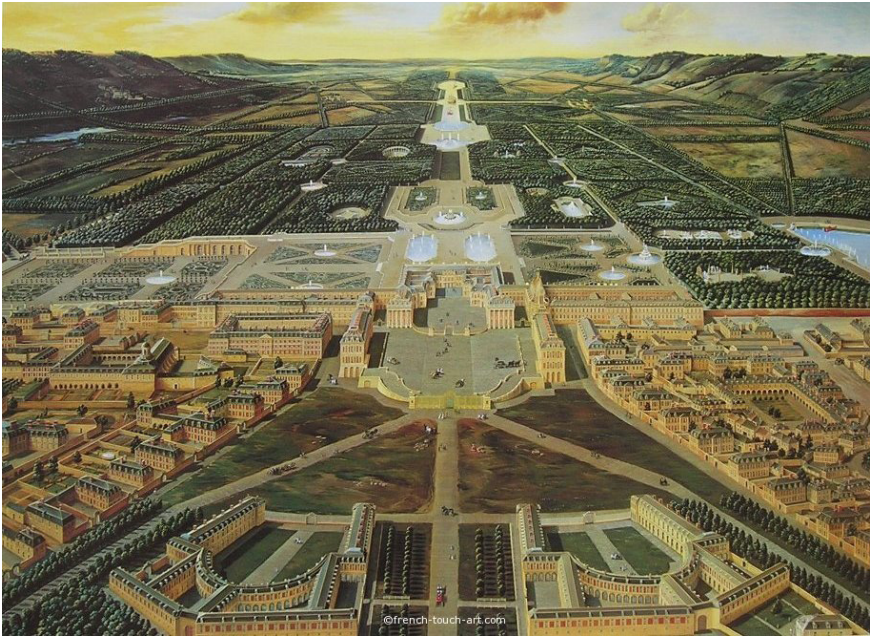


Fig. 16: Pierre Patel, *Versailles*

## BIBLIOGRAPHY

- Bald, R.C. "Sir William Chambers and the Chinese Garden." *Journal of the History of Ideas* Vol. 11 No. 3: 287-320.
- Bending, Stephen. "Re-Reading the Eighteenth-Century English Landscape Garden." *The Huntington Library Quarterly* Vol. 55 No. 3: 379-99.
- Colley, Linda. *Britons*. New Haven: Yale University Press, 1992.
- Honour, Hugh. *Chinoiserie: the Vision of Cathay*. New York: Harper & Row, 1973.
- Hunt, John Dixon and Peter Willis, eds. *The Genius of the Place: The English Landscape Garden, 1620-1820*. London: Elek, 1975.
- Jacobson, Dawn. *Chinoiserie*. London: Phaidon, 1993.
- Jacques, David. "On the Supposed Chineseness of the English Landscape Garden." *Garden History* Vol. 18 No. 2: 180-91.
- Lancaster, Clay. "Ideologic Subsoils to Garden Styles East and West." *Art Journal* Vol. 25 No. 3: 234-7.
- Newman, Gerald. *The Rise of English Nationalism*. New York: St. Martin's Press, 1987.
- Sze, Mai-Mai. *The Way of Chinese Painting, Its Ideas and Technique*. New York: Random House, c1959.
- Tsu, Frances Ya-Sing. *Landscape Design in Chinese Gardens*. New York: McGraw-Hill Book Company, 1988.
- Von Erdberg, Eleanor. *Chinese Influence on European Garden Structures*. New York: Hacker Art Books, 1985.





# “spurious and fraudulent claims”

INDIAN LANDS IN COLONIAL NEW YORK

BY ADAM KRIESBERG

Native Americans’ modern presence in the lower Hudson River Valley of southern New York State is largely limited to place names with native etymology. By the end of the colonial period, most of the native peoples who inhabited today’s Westchester, Putnam, and Dutchess Counties were already gone, removed to reservations farther upstate. In the nineteenth century, this trend continued as many groups moved westward. For some white inhabitants of Southern New York, the Indians appeared to go without a fight. In his *History of Westchester County*, J. Thomas Scharf wrote, “The Indians vanished from Westchester as noiselessly as the morning mists disappear before the advancing day.”<sup>1</sup> In reality, the Indians did not leave without a fight, but rather engaged in long legal battles in defense of their land claims, exposing the unfairness of the British colonizers. A group of Wappinger people fought one of the last struggles, defending their claim to land known as Philipse’s Upper Patent in the 1760s. Their story is a long one and reveals an important but often forgotten chapter in the story of Indian removal. Scholars have dealt with this case only rarely; Oscar Handlin published a short piece in *Ethnohistory* in 1964 consisting largely of a transcription with little analysis.<sup>2</sup> Yet the Wappingers’s story reveals how even as they played by British rules, tribes maintained a severe disadvantage in attempts to retain their land in southern New York.

The Wappingers’ petition against the English demonstrates the rigid power structure of colonial New York. This document’s mere existence, however, indicates that colonists’ resistance to the established order was prevalent and vocal. Printing houses and authors who truly believed in the rights of native peoples and the validity of their land claims produced pro-native sources. Although the system was against them, the Wappingers had the support of a small but dedicated group of colonists who believed in justice.

Native habitation of the lower Hudson Valley dates back to the end of the last Ice Age. As the glaciers receded, native peoples began to inhabit the entire Hudson Valley, from Manhattan up to Albany and beyond. The people gained knowledge of agriculture as it spread across the continent, and they built houses similar to the Iroquois longhouse. By the time of European contact in the early seventeenth century, the population of the area was relatively stable and sedentary. As more Dutch and British settlers moved

1 J. Thomas Scharf, *History of Westchester County, New York, including Morrisania, King’s Bridge, and West Farms, Which have been annexed to the City of New York*. Vol. 1 (Philadelphia, PA: L.E. Preston & Co., 1886), 20.

2 Oscar Handlin and Irving Mark, “Chief Daniel Nimham v. Roger Morris, Beverly Robinson, and Philip Philipse - An Indian Land Case in Colonial New York, 1765-1767,” *Ethnohistory*, 11, no. 3 (Summer 1964).

on to their lands, the various “lower River Indians” began to suffer.<sup>3</sup> Their land was increasingly encroached upon, and their hunting grounds soon became depleted. They had no choice but to cooperate with the British. The Wappinger tribe, for example, submitted to threats of violence and entered into an agreement with the crown that mandated they join the British in arms when called upon. The story of the Wappinger land dispute began when Sir William Johnson called the tribe’s men to serve the crown in the French and Indian War in 1756.

The case is described in detail in a document entitled *A Geographic, historical Summary; or, Narrative of the present controversy, between the Wappinger Tribe of Indians, and The Claimants, under the original Patentee of a large Tract of Land in Philipse’s Upper Patent, so called. Containing, A brief but faithful Account of the Proceedings thereon, from the first Rise of the Dispute, until the 12<sup>th</sup> Day of March, Anno Domini 1767*. The land in question consisted of 200,000 acres in southern Dutchess County and northern Westchester County. The document’s first page features a map whose key explains that the disputed land was bounded by a tree on the southwestern corner and contained Indian wigwams throughout.<sup>4</sup>

Though it began to unfold in 1756, the story’s origins lie in a transfer of land that occurred in 1691, when some Wappinger chiefs allegedly granted land on the eastern side of the Hudson River to Lambert Dorlandt and Jean Seabrant. According to the unnamed author of the tract the land was dubiously transferred to Adolph Philipse sometime before 1697, when he petitioned the governor of the province of New York for a formal grant to the land extending eastward to the border with Connecticut. The tribe contested this claim, maintaining that the patent of land had been obtained only “by means of some gross misrepresentations.”<sup>5</sup> The Wappingers insisted their claim to the land had never been alienated and that they had never granted any of their land along the Hudson to Dorlandt and Seabrant.

When the tribe left the area to fight for the king in the French and Indian War, known in Europe as the Seven Years’ War, Philipse encroached on the land to which he believed he had a claim, as did his tenants. The Wappingers, under the command of Daniel Nimham, their captain in battle who would become their leader in this struggle, returned home to find their land inhabited by white settlers. Their women and children had left the area with the men, remaining behind at Stockbridge, Massachusetts, with the tribe known as the Stockbridge Indians. Interestingly, the Wappingers eventually joined the Stockbridge Indians permanently, and form a new tribe with the Munsees, known as the Stockbridge-Munsee Indians, now living on reservations in Ontario, Oklahoma, and Wisconsin.<sup>6</sup> When the Indians returned home, they were initially dismayed to find their land taken without reimbursement. But there was hope. The tribe learned of a royal proclamation from 1761 that defended the rights of Indians against colonial officials who were “passing grants of the lands so pretended to have been purchased of the Indians.”<sup>7</sup> Armed with knowledge that the actions of Philipse and his tenants were

3 Catherine Coleman Brawer, ed., *Many Trails: Indians of the Lower Hudson Valley* (Katonah, NY: Katonah Gallery, 1983), 18.

4 *A Geographic, historical Summary; or, Narrative of the present controversy, between the Wappinger Tribe of Indians, and The Claimants, under the original Patentee of a large Tract of Land in Philipse’s Upper Patent, so called. Containing, A brief but faithful Account of the Proceedings thereon, from the first Rise of the Dispute, until the 12<sup>th</sup> Day of March, Anno Domini 1767* (Hartford, CT: Green & Watson, 1768), 3.

5 *Ibid.*, 7.

6 Brawer, *Many Trails*, 9; see also map on 67.

7 *A Geographic, historical Summary*, 11.

illegal, Nimham – now referred to as the Sachem of the tribe – and other tribal leaders issued their own petition to the Lieutenant Governor of the province.

The tribe's eloquent petition demonstrates how well they, or those who helped write it, understood their place in the British colonial system. The authors made repeated references to the tribe's history of service to the crown in the most recent war and in the past. The petition also appealed to royal proclamations that had earlier "promised protection to the persons and property of your petitioners."<sup>8</sup> More than an excellent example of alliteration, this reference was intended to remind the Lieutenant governor, as an emissary of the king, to fulfill his duties as expected when the tribe submitted to his control. On March 6<sup>th</sup>, 1765, the signers of the petition went to Fort George to have their case heard.

No lawyer could be found for the petitioners, so they had to state their case for themselves. The document's author seizes this point, expressing his disbelief at their lack of representation in a footnote on page 15. Not only were there no lawyers willing to take on the case, none were assigned to the claim by the government. The author here suggests that the provincial government stacked the deck against the Wappingers. His depiction of the trial further exhibits sympathy for the tribe. As the Wappingers contended that a title to the land in question furnished by Mr. Robinson, one of Adolph Philipse's co-claimants, was falsified, the author wrote they "could offer some convincing arguments against the authenticity of it." The Indians whose signatures were on the title were known to the petitioners in attendance, but they had not sold any such lands nor did they have the authority to do so. This evidence appeared overwhelmingly to support the Indians' case, but the Lieutenant Governor, who was hearing the case, ruled against them. He instructed the Wappingers to return home and give the Governor and his council "no further trouble about the matter."<sup>9</sup> Although much despaired, the Indians had no choice but to leave and seek other avenues for justice.

Also vexing for the narrative's author was the uncertain fate of the many white settlers who lived on the land in question at the time of the encroachment by Philipse and the other claimants. Some had lived among the Wappingers for decades, "always acknowledging the said (Wappinger) tribe as proprietors of the soil."<sup>10</sup> In the aftermath of the initial trial, some of these settlers were forcibly kicked off their land without compensation for the buildings and crops they left behind. Claimants soon approached the land's other tenants seeking their signatures for leases on the land they inhabited. These leases contained a penal bond, making the tenants suspicious that the claimants sought to secure themselves financially in case the Indians eventually won their claim and the land in question. Instead of signing this lease, some of the inhabitants signed new leases with the Wappingers. As might be expected, this angered Mr. Robinson and the other claimants who, as members of the colonial elite, expected submission from the small landowners. However, Robinson's next action was unexpected. He raised a renegade army and started a riot among the inhabitants' homes during the summer of 1766. The author gives a harrowing description of this scene but also clearly panders to a sympathetic audience. The "soldiers" actions appalled readers. They looted and pillaged every house, burning these small farmers' possessions. At this point, the author turns melodramatic, writing "Tis beyond the power of language to paint, in lively images, the

---

8 Ibid., 14.

9 *A Geographic, historical Summary*, 16.

10 Ibid., 18.

horror! the surprise! the astonishment of this poor, distressed people on that occasion!”<sup>11</sup> Despite its supposed indescribability, the author then describes the gruesome scene for about a page, painting the claimants as villains and the tenants—and the Indian cause—as innocent.

The tract’s author clearly believed the Wappingers had not been given a fair trial. Yet the province’s political climate made it unsafe to speak out on their behalf. Nonetheless, Nimham set sail for England to present his case for the king. Advising him on this matter was Sir William Johnson, Superintendent of Indian Affairs in the province. Johnson had served as commander of the Wappinger men during the French and Indian War and had a long history with many of the state’s native groups. Although his relationship with the Wappingers and other Algonquians is not as well documented as his connection to the Six Nations of the Iroquois, it was instrumental in this claim to land. Because of his insistence the Wappinger delegation went before the king’s advisory council, and it was also he who instructed them on the proper behavior before the Lords of Trade, the body that initially heard their case in England. The Lords of Trade received the case favorably, but did not hand down a new decision. Instead, they granted a retrial to be heard by the Governor of New York, Sir Henry Moore.<sup>12</sup>

On January 7<sup>th</sup>, 1767, Daniel Nimham went before Governor Moore and submitted a written complaint that demonstrated the strength of the Wappingers’ case, now represented by a lawyer from Connecticut recruited to advise the tribe. Nimham began deliberately, reminding the governor of his tribe’s long history as allies and loyal subjects of the British crown. He also asserted that his tribe was not paid for their services in the most recent campaigns. The author questions Nimham’s argument in a footnote but soon agrees with the charge though it remained unproven. Nimham moved on to accuse Philipse and the other claimants of obtaining titles to the disputed land “illegally and surreptitiously.”<sup>13</sup> Specifically referencing the royal proclamation of 1761 that protected Indian land claims, he appealed to the governor for justice and his tribe’s restoration to their lands. If the governor sought advice on this case, Nimham suggested that he consult William Johnson, who may have helped write the complaint. Nimham also asked to be subpoenaed so that he might personally present his evidence.

The governor’s approach to the case from the outset indicated that he was predisposed against the Wappinger claim. There was an initial conflict between Mr. Morris, one of the claimants, and Nimham over the date of the hearing. It was eventually set for March of 1767. Nimham then astutely pointed out a conflict of interest for the council hearing the case. He called upon the governor to hear the case without his council, many of whom had an interest in the lands in question or had heard the case initially. But the governor would have none of what he perceived as “an impeachment of the honor of the council.”<sup>14</sup> Despite the clear bias against the Indians, he would hear the case with his entire council.

The trial began on an inauspicious note for Nimham and his council. The lawyer, unnamed throughout the narrative, attempted to shorten the trial, asking the council to concede a few basic points, such as the fact that Nimham was the chief of the Wappingers. Yet the council refused to grant this concession — or any others in the case. Nimham

---

11 *A Geographic, historical Summary*, 20.

12 *Ibid.*, 21.

13 *Ibid.*, 24.

14 *Ibid.*, 27.

was first to present his evidence. He laid out the facts of the case from his side, detailing his tribe's claim to the disputed territory and its history with the white settlers in the area. He maintained that the tribe had never alienated their claim to the land and that it rightfully belonged to them. At this point, the counsel for Nimham and the other complainants sought the reaction of Philipse and his counsel. They countered by refusing to speak until Nimham finished presenting his evidence. The governor, interfering on this matter, ruled that he could not force the Indians to present any evidence that was private property, seeking to demonstrate that he was giving the complainants a fair trial. But, because the Wappingers' counsel was from Connecticut and unacquainted with the legal customs of New York, the complainants decided to examine all of their witnesses. The next day they began presenting their "sundry exhibitions."<sup>15</sup>

Piece by piece, the evidence for the complainants was presented. Although the author describes it in great detail, most of it had previously been explained in the history of the case. Still, some interesting facts were introduced, all of which seemed—in the author's presentation of them—to favor the Wappingers. In his deposition, a man named Judge Terbos described an attempt to set up a meeting between Adolph Philipse and the Indians to negotiate for the sale of the lands in question. This meeting never took place, according to Terbos, and the Indians retained their claim to the lands. Another damaging fact about Philipse appeared in the testimony of several people. Philipse apparently admitted to numerous people that "altho' he had a patent of said land; yet he never had purchased the same of the natives, nor ever could prevail upon them to sell the same."<sup>16</sup> Additionally, according to another witness, Adolph's nephew and heir Frederick Philipse was known to publicly lament the fact that his uncle had failed to purchase the Indian lands.

Tension in the courtroom came to a head as the complainants continued to present their evidence. The governor ordered that some pieces of parchment sitting amongst the evidence of the complainants be read aloud. This order was contrary to the governor's earlier statement that he would not dictate the order in which the evidence was presented, but the parchments were nevertheless read aloud and found to contain an account of the previous trial before the Lieutenant Governor. Questions of fairness in that trial immediately came before the council, who swore in an attendee of the trial named Bartlet Brundage to give his view of the first trial. Despite intimidation at the hands of the council, he clearly stated that "he did not think they had a fair trial, from what he had observed."<sup>17</sup> This caused the governor to seize the parchments for the evening, presumably to look over them before continuing the next day with the trial.

After the testimony of the various witnesses, the lawyers for the tribe—anonymous in the text—argued for their side. During this discussion, the issue of membership in the Wappinger tribe was raised. After denying the existence of the purchase of any Indian land, the attorney argued that "if any such purchase was ever actually made, it was only of eight or ten Indians, and whether any or all of them belonged to this tribe is a matter of uncertainty."<sup>18</sup> This rich observation on the part of the tribe's attorney shows wisdom beyond the norm for this period. The issue of tribal membership remains as disputed today as it was during colonial times.

---

15 Ibid., 30.

16 Ibid., 33-4.

17 Ibid., 36.

18 Ibid., 43.

When all the testimony was completed, the governor addressed the attorneys for the tribe and asked whether they thought he had conducted a fair trial. This question was not answered directly, but rather evaded until all parties were dismissed from the court. After some deliberation, the provincial council released its decision on March 11, 1767. The decision granted ownership of the land to Philipse and the claimants. It dismissed the complaints of the Indians and formally alienated the Wappinger tribe from the land.<sup>19</sup>

As expected, the author of the narrative expressed frustration at the decision and clearly still believed in the Indian cause. He felt “it was far from being clearly proven that the Indians now living of the Wappinger tribe had no right, title, nor claim to the lands.”<sup>20</sup> At the end of the narrative, the author pleaded for justice, and hoped that the fight would continue until the Indians regained their land. This did not happen. All available records indicate that no land in southern New York was ever restored to the Wappingers. Instead, the tribe moved up to Stockbridge, Massachusetts, to live with the Stockbridge Indians. The governor’s decision signaled the end of the Wappinger land claims and the beginning of a journey that would take these people Westward, to new lands and reservations.

The printing house that created and distributed this document obviously sympathized with the native cause but chose to remain mysterious. The work does leave behind some clues about itself, but the author remains unnamed, perhaps to protect his identity. The document’s origin, Hartford, Connecticut, marks a good starting point for investigating its production.

On its title page, the narrative lists its publication in Hartford by Green and Watson, whose shop was “opposite the court-house.”<sup>21</sup> The printing shop of these men was well known in colonial Hartford and was the home of the newspaper *The Connecticut Courant*.<sup>22</sup> Another version of this case also came from the printing-house, an edition slightly altered for consumption in England. Its publication was apparently intended to gain support for the Wappingers on that side of the Atlantic but unfortunately failed to accomplish that goal.<sup>23</sup> Most of the documents published by Green and Watson’s shop were religious texts and sermons but some criticized the British colonial government. For example, a public letter to the government in Connecticut, published in 1770, criticized the existing debt laws of the colony. According to the author, writing under the pen name Justinian,<sup>24</sup> the current laws had the negative consequence of “confining in jail so many valuable, active men in the colony.”<sup>25</sup> Given the printing shop’s political leanings and the fact that a Connecticut lawyer’s involvement in the case would have made it more visible in that colony, it makes sense that this narrative may have been written by this printer. Additionally, the unrest among small farmers that had begun a few years earlier in New York had spread to Connecticut, giving Green and Watson more cause for concern about the case.

In 1766, the entire Hudson Valley rose up in a series of anti-rent riots with this case

---

19 Ibid., 49-50.

20 Ibid., 51.

21 Ibid., 1.

22 William DeLoss Love, *The Colonial History of Hartford, Gathered from the Original Records, Illustrated* (Hartford, CT: Published by the author, 1914), 311.

23 Handlin, 194.

24 A Byzantine Emperor famous for codifying Roman law in the 6<sup>th</sup> Century.

25 Justinian, *A letter, to the legislative authority, of Connecticut. Wherein is shewn, that the law, and practice of the colony, in regard to debt and goal, is not according to the foundation of civil law; which is compiled for public good* (Hartford, CT: Green & Watson, 1770), 2.



among the sparks that initiated the movement. Many tenants of small tracts on Philipse's Highland (Upper) Patent and the surrounding estates became upset when rival landlords engaged in territorial disputes. These large landholdings irritated the small farmers, as did the fact that many people in the region believed some of the claims were fraudulent.<sup>26</sup> When the Wappinger case met its initial rejection by the Lieutenant Governor, the decision inspired the Stockbridge Indians to claim some lands of the Van Rensselaer family farther upstate. Tenants who had signed leases with the tribes prepared to defend their land, by force if necessary. This unrest was also fueled by the general climate of protest permeating the British colonies in the wake of the widely unpopular Stamp Act, which sparked riots in the cities to compliment the riots in the countryside. During the summer of 1765, this unrest spread to Connecticut where "4,000 people ... entered into an agreement and signed to make an equal dividend of property there."<sup>27</sup> Governor Moore, who eventually ruled against the Wappingers, empowered the landlords to take action against rebellious tenants. The description on page 20 of the narrative now emerges as an example of the author's flair for using the truth selectively to fit his own needs. He paints the soldiers who pillage the farmers as ruthless savages attacking innocent civilians.<sup>28</sup> In fact, it was the farmers who had initially risen up against their landlords; the pillaging, while excessive, was an attempt to put down the unrest.<sup>29</sup> The violence only ended in late 1766 when King George III pardoned William Prendergast, one of the leaders of the uprising.<sup>30</sup> With civil strife widespread and anti-landlord sentiment everywhere, the shop of Green and Watson had another reason to publish their pro-Wappinger tract. Although the bias was clearly in favor of the Indians—and by extension the rioters—it can be understood because this cause was underrepresented and thus may have merited a more vocal support in the minds of the printers. This version of the narrative, only circulated in America, was intended to gain support for the Indian claims to the disputed lands. Although it was published in Connecticut, events in both colonies merited the concern and involvement of many citizens in the areas east of the Hudson River.

Perhaps the most notable character in this story is Sir William Johnson, Superintendent of Indian Affairs and one of the leaders of the British government and its relationship with Indian tribes, especially in New York. Johnson is most well known for his work with the Iroquois, beginning with the special bond he formed with them during King George's War.<sup>31</sup> He also was involved in the founding of Dartmouth College, sending Indian boys to a boarding school that was later renamed after Lord Dartmouth.<sup>32</sup> But, as evidenced in the narrative, he had a well developed relationship with the Wappingers and other Algonquian peoples. After leading them in the French and Indian War, he acted as Nimham's advisor throughout the trial, encouraging him to travel to England to present his case to the king. However, at the truly pivotal moment of the case — the retrial — Johnson sent his son-in-law, Guy.<sup>33</sup>

Johnson's apparent abandonment of the Wappinger cause may have been because his views on Indians in southern New York had evolved by 1767. The colonial elite,

26 Irving Mark, *Agrarian Conflicts in Colonial New York: 1711-1775* (New York: Columbia University Press, 1940), 48.

27 *Ibid.*, 141.

28 *A Geographic, historical Summary*, 20.

29 Mark, *Agrarian Conflicts*, 148-9.

30 Michael Kammen, *Colonial New York: A History* (New York: Charles Scribner's Sons, 1975), 303.

31 Arthur Pound, *Johnson of the Mohawks* (New York: Macmillan, 1930), 92.

32 William Griffith, *Sir William Johnson and The Six Nations* (New York: Dodd, Mead, and Co., 1891), 120.

33 *A Geographic, historical Summary*, 28.

including the Philippses and Johnson, increasingly turned to bribing the courts to defend their land claims against the Indians. Johnson himself wrote that “whenever a Title is set up by any Tribe of Indians of little consequence or importance to his Majesty’s interest, and who may be considered as long domesticated, that such claim unless apparently clear, had better remain unsupported than that several old Titles of his Majesty’s subjects should thereby become disturbed...”<sup>34</sup> Certainly, the Wappinger tribe fit within the criteria established here by Johnson. His opinion on matters concerning Indian relations was highly respected, and the fact that he was not personally present at the second hearing speaks to an underlying bias that ran through even the Indians’ greatest friend in colonial New York. Distance alone does not explain his absence. Perhaps he, like other British officials, did not feel strongly enough for the Wappinger cause to throw his weight behind it. His reversal of support suggests a key reason why the petition would inevitably fail: despite popular support, the colonial authorities were never going to rule against the interests of their fellow landowners.

This bias against the Indian cause is explicit in the character of Governor Moore, who only heard the case because he was ordered to by the king. From the very beginning of the trial, he showed impatience for Nimham and his lawyers, and acted unfairly toward them. He had a legacy of good relations with the Iroquois, and “twice visited the Five Nations in this quest.”<sup>35</sup> This is a very telling action. The Iroquois received more attention from the British because they were the more powerful tribe. The threat of Iroquois violence brought the British to the table to negotiate an alliance with the Six Nations. When dealing with Algonquian peoples, such as the Wappinger, the reduced threat of violence meant that British officials felt more comfortable “bullying” those people they saw as savages. Furthermore, Moore’s anger with the Wappingers likely began during the uprising of 1766, when he was called upon to put down a rebellion that many elites in the province thought was started by the Wappingers. Moore was forced to travel up through the Hudson Valley to pacify the resistance himself.<sup>36</sup> Given that one of his jobs was to protect the privileges of English landowners, it is no wonder that he wished to be done with this case as soon as possible. Despite overwhelming evidence on their behalf, Moore refused to grant them their land, instead protecting the rights of an English peer.

Although the Wappinger case is unique in many aspects, it aptly illustrates a number of patterns seen in Native American relations with white people. Both the Wappingers and the British approached this case with a set of expectations for the other side’s behavior, expectations developed over more than a century of contact. Algonquian peoples from the Great Lakes region, west of Wappinger territory, had a highly developed relationship with both the British and French as a result of years of negotiation. Increased violence between Algonquian peoples and the Iroquois Nations resulted in a large population shift in French North America, with decimated Algonquian groups moving west, fleeing Iroquois attacks.<sup>37</sup> In the wake of this change to their society’s functioning and an increased presence of French colonizers in the area, a new society formed, dubbed “the

34 Richard C. Simmons, “Mrs. Morris and the Philipse Family, American Loyalists,” in *Winterthur Portfolio*, Vol. 2, (1965), 19.

35 Joseph S. Tiedemann, “Moore, Sir Henry, first baronet (1713–1769)” in *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, Sept 2004; online ed, Oct 2005).

36 Mark, *Agrarian Conflicts*, 149.

37 Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (New York, NY: Cambridge University Press, 1991), 3.

middle ground” by historian Richard White. It gave these Algonquian peoples — who had a similar language and culture to the Wappingers — and Europeans a new way to think about their relationship.

The middle ground operated on the basis of compromise. Neither side could achieve its goals through force alone, but each knew that cooperation was necessary. France’s trading empire required friendly relations with the Algonquians, and the Algonquians were similarly dependent on the French for protection against Iroquois aggression. From these two distinct societies arose a new method of inter-cultural relations, a system that drew from each society’s well.<sup>38</sup> During the period of French dominance in the Great Lakes region, this middle way worked relatively well. However, beginning in the eighteenth century, the British started to move into these rich trapping grounds. The resulting conflict between the British and French Empires was one of the chief causes of the French and Indian War, the war in which the Wappingers fought for the British. After winning the war, the British sought to negotiate a settlement with the new tribes they had encountered. This settlement showed none of the middle ground or compromise present in the early years of French colonization.

During their initial peace negotiations, the British alienated some of the Algonquian tribes over which they sought influence. When these initial measures failed, they resolved to change their ways and instead entertain the appearance of cooperation modeled by the French. By this time, however, the Indians had realized what was going on and saw British movement as a precursor to the loss of their land. They wanted the withdrawal of both countries, but that was not within the scope of British actions. In the end, the threat of more violence at the hands of British-allied Iroquois was enough to bring Algonquian groups to the table.<sup>39</sup> This situation is not exactly analogous to the Wappinger case, but it does reveal British attitudes toward some Algonquian groups. The Iroquois always posed the greatest threat and were favored in negotiations over other groups. Once the Six Nations had made peace with the British, they used this relationship to gain control of other regions. The British made no room for middle ground; their way was the only option. This was just as true in Westchester as it was in the Great Lakes.

Despite the British colonizers’ intent to achieve their goals at all costs, they still hoped the various native peoples would entertain the impression that tribal goals were also possible under the British. Nimham pursued all the avenues of the British courts and received assurance from the king’s ministers that “strict justice should be done towards the Indians with respect to their lands.”<sup>40</sup> Yet once justice seemed attainable, the authorities asserted themselves and promoted their own interests over those of the tribe. Despite the assurances from London, Nimham’s case was doomed by the greedy interests of Philipse and the other leading families of New York who were well known to bribe the courts so that decisions might fall their way.<sup>41</sup>

The decision against the Wappingers was not the last time Daniel Nimham appeared in the historical record of New York. He died fighting for the Americans in the Revolutionary War during the Battle of Cortlandt Ridge in 1778. Despite suffering heavy losses, Nimham and his company of riflemen from the Stockbridge reservation fought

---

38 White, *The Middle Ground*, 51.

39 Ibid., 250-3.

40 *A Geographic, historical Summary*, 21.

41 Simmons, 18.

bravely until defeated by British forces.<sup>42</sup> A history of mistreatment by the British drove Nimham to fight for the rebels against the colonizers. The idealism of the Revolution may have even given some Wappingers hope that they would not have to move again after relocating to Stockbridge following the loss of their lands on the Hudson.

During the early Republican era, however, the tribe was forced to move again, as the lands of western Massachusetts began to be coveted by westward-moving American pioneers. Throughout the end of the eighteenth and beginning of the nineteenth centuries, groups of Stockbridge Indians moved West, settling in upstate New York before continuing on to the Great Lakes region in both Canada and the United States.<sup>43</sup> The last group of Stockbridge peoples left New York in 1818 and eventually settled in Shawano County, Wisconsin, with other Algonquian peoples from the lower Hudson Valley. The tribe still resides on this reservation today.<sup>44</sup> Although the Wappinger people no longer exist as a distinct group, their cultural legacy is strong in their new community, and their story is remembered in their new tribe's historical memory. But without a current presence in the Lower Hudson Valley, documents such as *A Geographic, historical Summary* are all that remains of the Wappingers' physical legacy in New York. Other neighboring tribes who sold their land to the menacing British with less of a fight have left behind even less.

The Wappinger land case demonstrates that while every native group in colonial America could negotiate with the English, such negotiations were rarely resolved in their interests. Because the Wappingers' land claim operated through very well established channels, their actions are easily compared to other Algonquian groups who share language and culture with the Wappingers. The juxtaposition of these groups against the strong Six Nations, and their evolving relationship with various European colonial powers, lends itself well to this task. For the Wappingers, there existed no middle ground for negotiation with the British, only a complex relationship with their forceful colonizers and a history of broken promises. This story is one of failure in that the Wappinger tribe lost its rights to lands in the lower Hudson Valley, but it is more than simply a disappointment. While the Wappinger lost their case, they did prove that Indians could raise support and awareness for their land claims and have an impact on local politics. The authorities were aligned against the tribe, but the small farmers showed their support through violent uprisings, making clear that they did not want the traditional ruling families of New York to own the land. The Wappinger land case contains both sides of the coin that is Native American history: oppression, as the tribe is ultimately kicked off of their traditional land and forced to join another tribe, effectively killing the Wappinger name, but also Indian agency, in the tribe's ability to stand up for its land rights and gain a following for its cause.

---

42 Brawer, *Many Trails*, 23.

43 The Wappinger name disappears from the record as this relatively small tribe became engulfed by a number of larger Algonquian tribes, including the Stockbridge-Munsee, Mahican, and Unami-Delaware peoples.

44 "Stockbridge-Munsee Community," <http://www.mohican-nsn.gov/>.

## BIBLIOGRAPHY

- Anonymous. *A Geographic, historical Summary; or, Narrative of the present controversy, between the Wappinger Tribe of Indians, and The Claimants, under the original Patentee of a large Tract of Land in Philipse's Upper Patent, so called. Containing, A brief but faithful Account of the Proceedings thereon, from the first Rise of the Dispute, until the 12<sup>th</sup> Day of March, Anno Domini 1767.* Hartford, CT: Green & Watson, 1768.
- Brawer, Catherine Coleman, ed. *Many Trails: Indians of the Lower Hudson Valley.* Katonah, NY: Katonah Gallery, 1983.
- Griffis, William. *Sir William Johnson and The Six Nations.* New York, NY: Dodd, Mead, and Company, 1891.
- Handlin, Oscar and Irving Mark. "Chief Daniel Nimham v. Roger Morris, Beverly Robinson, and Philip Philipse- An Indian Land Case in Colonial New York, 1765-1767." *Ethnohistory*, Vol. 11, No. 3 (Summer 1964).
- Justinian. *A letter; to the legislative authority, of Connecticut. Wherein is shewn, that the law, and practice of the colony, in regard to debt and goal, is not according to the foundation of civil law; which is compiled for public good.* Hartford, CT: Green and Watson, 1770.
- Kammen, Michael. *Colonial New York: A History.* New York, NY: Charles Scribner's Sons, 1975.
- Love, William DeLoss. *The Colonial History of Hartford, Gathered from the Original Records, Illustrated.* Hartford, CT: Published by the Author, 1914.
- Mark, Irving. *Agrarian Conflicts in Colonial New York: 1711-1775.* New York, NY: Columbia University Press, 1940.
- Pound, Arthur. *Johnson of the Mohawks.* New York, NY: Macmillan, 1930.
- Scharf, J. Thomas. *History of Westchester County, New York, including Morrisania, King's Bridge, and West Farms, Which have been annexed to the City of New York. Vol. 1.* Philadelphia, PA: L.E. Preston & Co., 1886.
- Simmons, Richard C. "Mrs Morris and the Philipse Family, American Loyalists." *Winterthur Portfolio*, Vol. 2 (1965).
- "Stockbridge-Munsee Community." <http://www.mohican-nsn.gov/>. Last visited April 3, 2008.
- White, Richard. *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815.* New York, NY: Cambridge University Press, 1991.



# the collapse of a resistance-based moral order

IN ANGLICAN POLITICAL THOUGHT, 1685-1691

BY HENRY HOYLE

In the span of the several years between the resounding success of the Tory Reaction in the early 1680s and the Allegiance Controversy of 1689-90, Englishmen sympathetic to the conservative Tory-Anglican worldview experienced a stunning turn of events. Tory-Anglicans were dismayed to see the Catholic King James II, whose hereditary right to the throne they had so vigorously defended during the Exclusion Crisis of 1679-81, confirm their worst fears regarding his rule. Not long after being crowned in early 1685, King James began infuriating English Protestants by using extralegal dispensations to elevate the social and legal status of his co-religionists, despite earlier statements taken as promises to not do just that. By mid-1688, James's policies had aroused the ire of the vast majority of Englishmen. Clergyman of the established church, the Protestant landed classes, and commoners alike all withdrew their support for King James, and the "Anglican Revolution" against Catholicism took place not long before the "Williamite" one began against James in the late fall of 1688. William of Orange, who had invaded at the behest of a cabal of elite Protestants, would soon after wear the English crown instead of James.

The rapid accession of William and Mary in February 1689 presented Tory-Anglicans with a serious conundrum. Anglican clergyman and prominent Tories alike had spent the better part of the preceding decade abusing those who would countenance any sort of diminishing of the power or status of the throne. Now, like everyone else in the service of the English monarch, they were required to swear an oath of allegiance to William and Mary within a year of their coronation.<sup>1</sup> But to the more devout and textualist Anglicans and Tories, swearing an oath to the new king and queen was tantamount to apostasy, as it negated the same oath previously sworn to James II.

To swear an oath of allegiance to the new king and queen necessarily involved the renunciation of the former oath, but this offense was graver than mere perjury. Renunciation seemed to undermine what was claimed to be the defining virtue of the Established Church in the period before the crisis: loyalty to kings. Only ten or so years before, during the time of the Exclusion Crisis, Tory-Anglicans harped incessantly on the inviolability of a subject's allegiance to his king, on the importance of non-resistance, and on the indefeasibility of the hereditary monarchy. It is no wonder then that many Anglicans were vexed by the Convention of 1689's radical departure from their hitherto-avowed principles. One Worcestershire cleric remarked that the Convention had acted

1 *Oxford Dictionary of National Biography*, s.v. "Sherlock, William (1639/40-1707)" (by William E. Burns), <http://www.oxforddnb.com/view/article/25381> (accessed December 12, 2007).



upon “some of the grand doctrines for which we quarrel with the Papists,” namely “deposing Kings and absolving subjects of their allegiance.”<sup>2</sup> Swearing a new oath, even more than the events of the actual revolution, represented to many Anglicans an irremediably damaging departure from the Church’s hitherto inviolate loyalty to the throne, and counted as a deep affront to the spirit of the doctrines of non-resistance and passive obedience. The issue of allegiance became especially contentious when it became clear that several important Anglican clergymen would refuse to swear the oaths.

Though the debate was technically about the oaths of allegiance, multiple pamphlets indicated that the issue had encompassed something much larger. This is evident in the controversy over the publishing of a two-volume treatise entitled *The History of Passive Obedience*, written by one Abednego Seller in mid-summer 1689. The timing of its publication and its admonishing and didactic preface led many to interpret the work as a pointed rebuke to the large majority of the clergy of the established church who had already sworn oaths, implicitly accusing them of abandoning their loyalty to the throne and of having no integrity as “Divines”. One pamphlet from mid-September 1689 claimed the elderly Bishop John Lake of Chichester had uttered on his deathbed that “the great Doctrine of Passive Obedience... [was] the Distinguishing Character of the Church of England, and that he would not have taken the Oath, though the Penalty had been Loss of Life,” and that he “found great Satisfaction and Consolation in his Mind because he had not taken it.”<sup>3</sup> There were many pamphlets published during the Allegiance Controversy with titles that conflated the controversy itself with the issue of passive obedience. One pamphlet written by Thomas Long was titled: *Reflections Upon A Late Book, Entitled The Case of Allegiance Considered, Wherein is shewn, the Church of England’s Doctrine of Non-Resistance and Passive Obedience is not inconsistent with taking the New Oaths*.<sup>4</sup> That the question of passive resistance had so implanted itself into the debate is not particularly strange, except that Anglicans overwhelmingly agreed there had been no violation of the doctrines of non-resistance and passive obedience.<sup>5</sup> What then explains the issue of allegiance’s specific connection to the doctrines?

That question, and the fate of pre-revolution Anglican political ideology in the post-Glorious Revolution period more generally, are the main questions that will guide this paper. In pre-revolution Anglican ideology, the doctrines of non-resistance and passive obedience constituted the ideological centerpiece of a larger vision of a moral and political order, completely informed by theology, which will sometimes be referred to in this paper simply as a “resistance-based moral order”. When James II took power in 1685, he mistakenly ruled as if this moral order was literally inviolable, rather than just a useful ideological tool in subduing political opposition. James’ overreaching had broken the spell that this totalizing political ideology had cast over England during the Tory Reaction. More important to this paper, the Anglican divines, who had in their sermons and pamphlets so ardently championed the resistance-based moral order well into James’ reign, were forced to account for how that order had proven itself deeply flawed and unacceptable once it was realized in practice. In the end, to rationalize the events of 1688-1689, most Anglicans had no choice but to abandon their discourse of

2 British Library, Add. MSS 32,905, fol.325, in Tim Harris, *Revolution: The Great Crisis of the British Monarchy, 1685-1720* (Penguin Books: London, 2006), 359.

3 Elizabeth Eyre, *A Letter from a Person of Quality In the North, To a Friend In London, Concerning Bishop Lake’s Late Declaration* (London, 1689), 2-3.

4 Thomas Long, *Reflections Upon A Late Book, Entitled The Case of Allegiance Considered* (London, 1689).

5 Harris, *Revolution*, 360.

a one-dimensional, resistance-based moral order in favor of one that drew heavily upon what were previously Whiggish political notions, thereby transforming the form and substance of their previous ideas. In this sense, the settlement of the Glorious Revolution was an unequivocal triumph for the Whigs' ideological cause.

Whereas Mark Goldie and previous scholars have investigated the types and preponderances of various arguments Tories used to justify how the Revolutionary Settlement accorded with their own avowed principles, this paper will seek to assess just what kind of actual compromise of beliefs the Tories' process of justification entailed, especially in light of earlier statements of their beliefs. Whereas Goldie in "Edmund Bohun and *Ius Gentium* in the Revolution Debate"<sup>6</sup> evaluated which justifications seemed most palatable and popular to contemporary Tory-Anglican audiences, this paper will look more specifically at how notable individual Anglican thinkers arrived at those justifications, and explore their implications for political and religious thought.

\* \* \*

Two important clergymen's tracts published around the time of King James's accession will serve as representatives of Anglican thought before the revolutions of 1688-89. Both Thomas Long's "The Unreasonableness of Rebellion" and William Sherlock's "The Case of Resistance of The Supreme Powers, Stated and Resolved, According to the Doctrine of the Holy Scriptures" are exemplary of conservative Anglican political thought at the end of the Tory Reaction, when Tory-Anglicans were at the height of their ascendancy, and at their most confident, and when alternative political visions like that of the Whigs' were still underrepresented. Both tracts were written to provide a detailed explication and defense of the much-debated principle of non-resistance and passive obedience. In drawing upon a variety of scriptural, religious and historical examples, both end up neatly encapsulating the Church's vision of sovereign, subject and society.

The Anglican clergyman Thomas Long's "The Unreasonableness of Rebellion" is an interesting glimpse into an Anglican vision of government, and the nature and structure of the sort of arguments being made by Anglicans. Thomas Long was at least in his mid-sixties at this time, and had long ago established himself as a prolific and erudite enemy of all forms of Protestant heterodoxy and other dissenters.<sup>7</sup> "The Unreasonableness of Rebellion" was actually a sermon given in late July 1685 as a castigating response to the Duke of Monmouth's failed rebellion of earlier in the same month. Dismissive and disparaging towards those who would rebel, the sermon's overall tenor is equal parts mockery and scorn: mockery for the Monmouth rebels' vain, "unreasonable" belief in the possibility of success, and scorn for opposing the king and resisting God.

The controversial clergyman William Sherlock's 220-page pamphlet "The Case of Resistance of The Supreme Powers" is a much longer, more detailed and more sober tract on the doctrines of non-resistance and passive obedience. Written in 1684 and republished in 1690, Sherlock's treatise was intended to "confirm the Doctrine of Non-Resistance, or Subjection to Sovereigns" as a "seasonable" response to an age "wherein the principles of Rebellion are openly profest and taught, and the Doctrine of Non-

6 Mark Goldie, "Edmund Bohun and *Ius Gentium* in the Revolution Debate, 1689-1693" *Historical Journal* 20, (1977).

7 *Oxford Dictionary of National Biography*, s.v. "Long, Thomas (bap. 1621, d. 1707)" (by J. S. Chamberlain), <http://www.oxforddnb.com/view/article/16977> (accessed December 12, 2007).

Resistance and Passive Obedience, not confuted, is laugh out of countenance.”<sup>8</sup> Sherlock acknowledges in the dedication his work was not intended to break new ground in the discourse on non-resistance, but was rather specifically “fitted to the understanding of the meanest men,”<sup>9</sup> written in plain language to summarize and synthesize the existing arguments for the lower social orders. It is thus particularly well suited to serve as a kind of compendium of arguments for non-resistance.

Before exploring the text in more detail, it is essential to point out that both Sherlock’s and Long’s works approach the relationship between king and subject by focusing extensively on the subject’s proper duties and obligations. In one sense this focus simply reflects the goals of these tracts, which were didactic and for an audience of loyal subjects. But this also speaks to their assumption that the proper relationship between sovereign and subject could all be understood through Christian teachings. To give just one telling example, Sherlock’s “The Case of Resistance” is in fact organized around various sources of religious or scriptural justifications: “Authorities of the Old Testament” comprises the first chapter, “The Doctrine of Our Savior” the next, and “Our Savior’s Example” the one after.

The doctrines of non-resistance and passive obedience constituted this central duty and obligation of subjects, and it was proven and defended through two veins of argument. On one hand, this relationship emerged from the unassailability of the supreme governing power in Christian doctrine. That “Sovereign Princes, or the Supreme Power in any Nation... is in all cases irresistible”<sup>10</sup> was justified through analyses of numerous Old Testament stories, but mostly by St. Paul’s famous biblical verse against resistance, “the Powers that be, are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God.”<sup>11</sup> In “The Case of Resistance,” Sherlock devotes thirty-nine pages to explicating every word and clause of this verse in painstaking detail, the sum of which was the literal connection between God and kings. “Sovereign Princes... are set up by God, and invested with his authority; and therefore [a prince’s] person and his authority are sacred.”<sup>12</sup> Thomas Long’s tract takes this vein of thought even further, not only asserting that the prince’s “person” and “authority” were sacred, but that God and his “anointed” representative, the king, were metaphysically indivisible:

God hath so joynd these two, God and his Anointed together, that no man can put them asunder without a Curse: There is no Rebellion against Gods Anointed, but it is such against God himself ...<sup>13</sup>

The “unreasonableness,” and “vanity,” in opposing Kings, Long asserted, was that it was tantamount to directly opposing God.

The other means of defending and explaining the doctrines of non-resistance and passive obedience was by exploring what, according to this pre-Revolution religious ideology, the subject could and could not do, and what he was morally obliged to do. Since Princes, in this scheme, were “God’s Anointed” on Earth, opposing them was

---

8 William Sherlock, *The Case of Resistance of The Supreme Powers, Stated and Resolved, According to the Doctrine of the Holy Scriptures* (London, 1684), 2, 1, introduction.

9 Ibid., dedication.

10 Ibid., introduction, 4.

11 Ibid., 101.

12 Ibid., 31.

13 Long, *The Unreasonableness of Rebellion* (London, 1685), 3.

construed as a much more grave an offense than just typical insubordination. Speaking of the Monmouth rebels, Long repeatedly compared them to the “heathen” of Psalm 2.v.1: “Why do the heathen rage, and imagine a vain thing?”<sup>14</sup> Long asserted those who would oppose a “lawful king” were necessarily “heathens,” even “though they call themselves ... godly people.”<sup>15</sup> The act of deeming someone a “heathen”—literally, a nonbeliever or the moral equivalent of one - would undoubtedly have been an audacious and serious accusation in the intensely religious atmosphere of late seventeenth-century England. Long’s sweeping imputation seems intended to force those who countenanced resistance into the awkward position of having to dispute such bullying and oversimplifying logic.

Whereas the impetus to obey and not resist “the powers that be” is on one hand a necessary conclusion derived from the unassailability of “God’s Anointed,” it was also a moral and Christian duty. Sherlock and other Anglicans referred to the story of the Pharisees and Herodians deviously seeking to “ensnare” Christ into factional disputes by asking him whether it were lawful to give tribute to Caesar in Matthews 22:15. Christ responds, “Render therefore unto Caesar the things that are Caesar’s, and unto God the things that are God’s.” In Sherlock’s reasoning, this exchange proved that Jesus “[did] not examine into Caesar’s right, nor how he came by it,”<sup>16</sup> but “what rights he found Sovereign Princes possess of, he leaves them in the quiet possession of.”<sup>17</sup> Jesus was wholly uninterested in altering or interfering the rights of sovereigns, and most convincingly for the likes of Sherlock, he even went to his death rather than resist “the powers that be.”<sup>18</sup>

Most statements heard from pulpits of the Established Church from around the time of James’ accession did not shy away from grandiose claims. The royal prerogative was always absolute and the nature of non-resistance always unconditional. Kings are “Gods upon Earth,” the clergyman Erasmus Warren wrote, who derive no authority from the people: “Elect him they cannot; Confirm him they need not; Depose him they may not.”<sup>19</sup> Sherlock tried to establish a prince’s sacred authority as needing to be expansive and irresistible by repeatedly claiming nothing else could ensure good governance. Being “set up by God,” Sherlock insisted that the prince’s sacred authority ought to be broadly understood:

He is a mock-Prince, whose authority is confined to his own Person, who can do nothing more than what he can do with his two hands; which cannot answer the ends of Government. A Prince[’s] ... Authority reaches as far as his commission does ... <sup>20</sup>

Not only did Sherlock cast anything less than absolute rule as unfitting for a state’s supreme power, but he also sought to persuade his reader that monarchs whose power was not wholly absolute “cannot answer the ends of Government.” Sherlock declared that God had appointed for the Jewish nation “A Supreme and Sovereign, that is, [an] unaccountable and irresistible Power... for indeed it is not possible that publick Peace and Security of any Nation should be preserved without it.”<sup>21</sup> This did not mean there

---

14 Ibid., 1.

15 Ibid., 5.

16 Sherlock, *The Case of Resistance*, 49-51.

17 Ibid., 54.

18 Ibid.

19 Erasmus Warren, *Religious Loyalty; Or, Old Allegiance to the New King* (1685), epistle dedicatory, in Harris, 57.

20 Sherlock, *The Case of Resistance*, 62.

21 Ibid., 11.

were not some exceptions to the rule. It might have behooved King James to hear the few qualifications to non-resistance maintained by the church, which were almost inaudible amidst the roar of Loyalist rhetoric: namely, as Sherlock himself wrote, resistance became justified when sovereigns “should command us to renounce our Religion, and worship false gods,” “or if they should challenge Divine Honours to themselves.”<sup>22</sup>

The emphasis on the subject’s duty not to resist and the king’s near-total *carte blanche* as a sovereign were, to Anglican clergyman like Sherlock and Long, all essential components of a larger understanding of the importance of non-resistance in the general theological scheme of society. One county rector preached: “If the rightful King... should strein the Government,” “loosen our Laws,” and “lay most heavy burdens upon us... we must stand under them courageously...till Providence is pleas’d to alleviate or remove them.”<sup>23</sup> In a tract from 1689, Long articulated how the components added up to the whole:

What if a Prince be evil indeed, and undiscreet, and it is evident to all mens eyes that he is so? ...Hear what the Scripture says, *God makes a wicked man to reign, for the punishment of a people.* Let us deserve to have a good Prince, or let us patiently suffer and obey such as we deserve; and whether the Prince be good or evil, let us pray for his continuance and increase in Goodness, if he be good; or for his amendment, if he be Evil. Our liturgy, our Articles, our Constitutions, do all inculcate the same Duty.<sup>24</sup>

Whether or not one interprets the Anglican Church’s teachings about rebellion and resistance as a cynical ploy to ensure stability, one thing is abundantly clear. Before the turmoil of James’ reign, Anglican clergymen through “liturgy,” “Articles,” and “Constitutions” alike steadily propagated not just a doctrine, but an entire moral order that was predicated upon the importance of non-resistance. It is hard to argue that that such a vision of society had any larger end, except to position subjects as “deserving” a good ruler by their complete submission, a notion sure to raise the eyebrows of modern cynics.

Finally, through close readings of Long’s and Sherlock’s works, a vision of the proper role of the Anglican Church in English society emerges. This is not clearly related to the preceding inquiry into Anglican thought on resistance, but is essential nonetheless to understanding the import of the Anglican arguments during the Allegiance Controversy. After King James ascended the throne in early 1685, both Long and Sherlock indirectly asserted that the Established Church functioned as a guarantor of the people’s loyalty to the throne. Long wrote that a futile rebellion like Monmouth’s only “fixed his Anointed more firmly upon his holy hill of Sion, i.e. upon the fidelity and loyalty of such a church, as never did nor will fail their King.”<sup>25</sup> On one hand, this statement intended to draw a distinction between the Established Church, nonconformist religion and especially Catholicism, which was often accused of allowing and even encouraging the deposing of sovereigns.<sup>26</sup> On the other hand, this likely was also a coded warning to the new Catholic monarch, to not lose sight of the Church’s powerful influence or its importance

---

22 Ibid., 57.

23 Erasmus Warren in Harris, *Revolution*, 57.

24 Long, *Reflections Upon a Late Book Entitled, the Case of Allegiance Consider’d*, 10.

25 Long, *Unreasonableness*, 23.

26 Usually this was explained as being because the Pope’s authority was placed above that of King.

to the throne. Sherlock, in a sermon preached before the House of Commons in 1685, persuaded his audience to a “Church of England – Loyalty,” one which the “King approves, commends, relies on, as a tried and experienced Loyalty.”<sup>27</sup> The Church of England saw itself as the sole guarantor of the people’s enduring loyalty to the throne, their doctrine and their influence being essential to keeping the English throne prosperous and secure. It is little wonder then that James’s behavior as King so infuriated the clergy.

\* \* \*

When Anglican clergymen justified and accepted the Revolution Settlement, they insisted that the concept of passive obedience and non-resistance was not cast out or even altered in anyway. In spite of this, the actual task of accommodating their oaths and the Church’s behavior to their avowed principles caused a variety of small changes in rhetorical style and seemingly petty alterations such as new limitations or constraints to power. In totality however, these minor changes amounted to a significant shift in their worldview and political thought, a shift that will be shown to have been undeniably towards the acceptance of Whiggish principles.

The historian Mark Goldie’s scholarship on the Allegiance Controversy provides an excellent framework in which to understand the variety of Tory-Anglican arguments in favor of the revolutionary settlement. According to Goldie, many across the political spectrum would ascribe William’s invasion to divine intervention, thereby absolving the English people of agency. Most Tory-Anglicans notably interpreted this as only sufficing to show that William was King *de facto*, or was king by virtue of possession of the throne, as opposed to *de jure*. Many other Tories would arrive at the same conclusion by arguing King James had deserted the throne; ultimately, this sort of *de facto* argument was used in three quarters of all Tory loyalist tracts that urged allegiance to William and Mary in the period between 1689 and 1694. Some Tories conceded resistance’s acceptability in extraordinary cases. But it was an appeal to international law that seemed to satisfy most Tories’ consciences.<sup>28</sup> One Williamite propagandist wrote on July 17, 1689 that since James and William were “both Sovereign Princes, and independent of one another,” the Prince of Orange “had a Right of making War” upon James II. Moreover, William had “the justest ground imaginable to make War,” since James, in altering the government and pretending to have a son<sup>29</sup> “had endeavored to defraud [William] and his Princess of their just Right of Reversion to the Crown.”<sup>30</sup> This legal argument, based on the rules of conquest theory in international law as put forth by the early seventeenth century Dutch jurist Hugo Grotius, not only allowed William to maintain a *de jure* claim to the throne, but also strongly implied England had never resisted James.

William Sherlock, writing in 1691, salvaged the essential aspects of the earlier moral and theological vision of society that focused on resistance, but at a high cost. Sherlock, it is worth noting, gained notoriety during the Allegiance Controversy for remaining a non-juror until as late as February 1690, when he began to preach on behalf of William and Mary as *de facto* monarchs, even while still refusing the oaths. This move

27 Sherlock, *A Sermon Preached At St. Margaret’s Westminster, May 29, 1685, Before the Honourable House of Commons* (London, 1685), 31.

28 See Mark Goldie, “Edmund Bohun and *Ius Gentium* in the Revolution Debate, 1689-1693”, *Historical Journal* 20, (1977), 569-86.

29 Many rumors at the time imputed James II’s son and heir was an imposter.

30 James Welwood, *Mercurius Reformatus* I, no. 11, (17 July 1689), in Harris, 361.



earned Sherlock the derision of many church and lay figures, and lost him an important ecclesiastical position.<sup>31</sup> Sherlock's desire to not be on the wrong side of history, and yet still maintain his High Church principles, manifests itself in the tortured logic of his 1691 tract "A Vindication of the Case of Allegiance Due To Sovereign Powers."

To structure his *de facto* argument, Sherlock began by appropriating St. Paul's oft-cited doctrine in its most literal sense, interpreting the "powers that be" to be any power that momentarily happens to be "settled" in control of the government, to use Sherlock's term. Sherlock proceeded to justify the *de facto* argument by insisting on the distinction between the "Right and Settlement of Government," the former signifying the legal title to a throne, and the latter its "settled possession." In an event of usurpation, these two dimensions of a ruler "may be parted,"<sup>32</sup> meaning the legal king could be in exile while the usurper is actually "settled," i.e. in control of the operation of government. From here, Sherlock endeavored to prove that God ultimately favored those sovereigns with the power of settlement over those with the power of right: because the "Convocation... affirms the Authority exercised by [illegal and usurped Powers] is God's Authority," so "those Princes, who have no legal Right, may have God's Authority."<sup>33</sup> After all, Sherlock re-affirmed that even in the case of rightful but deposed kings, "God does not give Authority to govern, without the Power of Government, which is a very fruitless and insignificant Authority."<sup>34</sup> Thus by asserting power in any form still retains God's authority, Sherlock preserved non-resistance as the central element in the Anglican's pre-Revolution moral order.

However, his argument very much occurred at the expense of other considerations. Sherlock worryingly divested the authority to rule from the rule of law (and the legal foundations of English liberties, as some of Sherlock's many detractors argued<sup>35</sup>), leaving right to be derived only from might, and never vice versa. Moreover, as one might expect from someone who appreciated the irreversibility of William and Mary's accession, Sherlock notably neglected to moralize about how God ultimately brings rebels and traitors "into his derision,"<sup>36</sup> as he often did in the heyday of the Tory Reaction. By failing to qualify the power of *de facto* rule and usurped powers as deserving God's derision, Sherlock depicted God as bizarrely uninterested not only in the laws of a nation, but also in the monarchical institution's system of hereditary succession. Never conceding any right to resist, Sherlock's argument was forced to come to awkward conclusions. If anything, his position attested to the impossibility of resolving an uncompromised vision of the earlier moral order with the political realities of late seventeenth century England.

Contradictory impulses aside, when Sherlock elaborated on the details of his argument for *de facto* monarchy, he often departed from the singular focus on theology that characterized his earlier works on resistance. Through his innovative though during the Allegiance Controversy, Sherlock changed the substance of his work as well as its form. For instance, Sherlock embraced the coexistence of multiple legal systems: "the positive law of God", "the Laws of Nature", and the "Laws of Nations". The first referred to the occasion of God directly ruling over the people of Israel in the Old Testament,

31 *Oxford Dictionary of National Biography*, "Sherlock, William (1639/40–1707)."

32 William Sherlock, *A Vindication of the Case of Allegiance* (London, 1691), 6.

33 *Ibid.*, 9.

34 *Ibid.*, 56.

35 *Oxford Dictionary of National Biography*, "Sherlock, William (1639/40–1707)."

36 Long, *The Unreasonableness of Rebellion*, 6.



and the last to the actual written laws and constitutions of a people, which were “nothing else but received Customs and Usages” in Sherlock’s account. But it is the introduction of the second type of law, “The Laws of Nature” that represented the most radically new dimension to Sherlock’s political thought.

Whereas the teachings of Christianity had made Non-resistance and passive obedience a duty, the “Laws of Nature” bestowed upon individuals the “unalterable Right of Nature to submit to Force,” “for Nature teaches us to preserve ourselves, and therefore justifies whatever may be lawfully done” to do so.<sup>37</sup> Submitting to “the powers that be”—be they usurpers or lawful authorities—was now curiously an “unalterable” right in addition to a religious and moral obligation. Non-resistance now was not only center of the Anglican moral order, it now appeared to be vindicated by Nature, too. Not only did the introduction of this sort of “rights” discourse into Sherlock’s theological work appear ungainly, it had destabilizing implications for earlier Anglican visions of resistance and sovereignty.

As Sherlock begins to contemplate when and how illegal *de facto* kings may become legal, this right to submit proves to be a thorny one, at least to Anglican principles. Sherlock first stipulated that when a king “leaves his country, without any legal Authority of Government, and leaves his people in the hands of a prevailing Prince,” he effectively cedes authority to the new prince, even though he has not renounced his hereditary right to the throne. These were precisely the circumstances in England in 1689. In such cases, how could a king’s former subjects both retain their Anglican values *and* recognize a new prince as a lawful authority rather than a usurper?

In resolving this problem, Sherlock problematically equates submission with consent. Sherlock concedes that “Settlement,” his aforementioned condition of a Prince’s being in control of the operation of government, requires the consent of the governed. The people’s right to submit to “the powers that be” in a state of nature, then, in some sense confers on the people “some right, if not to government, yet to give away the government of themselves.”<sup>38</sup> In Sherlock’s argument, submission, which every subject has a right to “give away,” becomes tantamount to consent to being ruled. Thus the language of contract theory insinuated itself into Sherlock’s thought—Anglicans may have found themselves flirting with the Whiggish concept of sovereignty based on consent.

Sherlock’s efforts to redeem passive obedience and non-resistance were not the Anglicans’ only rhetorical and intellectual innovations that aligned their political outlook with the Whigs’ ideology. Other Anglicans, rather than tamper with the fundamental concept of non-resistance, insinuated that the doctrine applied in limited circumstances. Whereas previously only efforts to change or attack religion could justify resistance, several Anglican divines ushered in a whole bevy of new ideas that indirectly altered the core sanctity of the pre-revolution Anglican moral order.

A work written in 1690 by an anonymous “Divine of the Church of England” demonstrates how even subtle changes in language and emphasis might amount to a significant break with past thinking. “Allegiance Vindicated: Or, The Takers of the New Oath of Allegiance to K. William and Q. Mary Justified” set out to assert the “lawfulness” of taking such oaths, and their “Consistency... with former Oaths... and the Doctrine of

37 Sherlock, *A Vindication of the Case of Allegiance*, 14, 15.

38 Ibid., 17.

the Reformed Church of England, concerning Non-resistance and Passive Obedience.”<sup>39</sup> This tract’s distinctively secular orientation is evident in its use of legal scholarship and terminology, and is most pronounced in the author’s extensive appeals to legal logic. In one obvious example of this, this author cites the Dr. Robert Sanderson (1587-1663), notorious for his subtle and sophisticated reasoning,<sup>40</sup> in his assertion of an oath taker’s right to be held to *any* reasonable interpretation of that oath, not just to some particular party’s narrow interpretation. In performing their allegiance towards King James, then, clergy were legally justified in performing the least demanding “allegiance” allowed by a reasonable interpretation.<sup>41</sup>

On one level, it is remarkable that Anglican Divines seemingly abandoned theology and responded to accusations of religious apostasy and hypocrisy by publishing the equivalent of a legal defense brief, replete with what surely would have been considered casuistry in legal language. Of course, this reflected their belief that this was the best strategy of defense available to them, one especially warranted if they stood to lose more than just their integrity as Divines. But on a deeper level, the reasoning and arguments that this author engineered to vindicate allegiance also had concrete implications for the larger vision of the moral order, implications that would likely have appalled earlier Anglicans.

To clear the Anglican clergy of the accusation of apostasy, this anonymous author relied on an analogy between an oath of allegiance to a King and a promissory oath, or commercial contracts. More specifically, the author placed in his first proposition the “determination” of Dr. Sanderson’s work *De Obligatione Juramenti*, wherein Dr. Sanderson

...pronounceth a promissory Oath (as to its obligation to Performance) to cease, *per cessaionem materie*, when the matter of it ceaseth. Now, the *matter* of an Oath Promissory then *ceaseth*, when that which is promised, is not payable; which may happen, either by its becoming either naturally or morally *impossible* ....<sup>42</sup>

Central to this author’s argument, of course, was that the actual “Acts of Allegiance” to James in the present situation were “not rationally performable.” In light of James’s inability to command the government or communicate with his own people, the oath to the king ceased to be obligatory.<sup>43</sup> In addition to providing a legal argument for why Anglican jurors are not apostates, the author ended up asserting the essential similarity of an oath of allegiance to a king and a simple legal contract. The fundamental differences between the former and the latter—such as in their solemnity and religious importance—were simply overlooked, as was the danger of allowing an oath to a king to dissolve merely upon the subjects’ “natural or moral” inability to pay his allegiance. Here as elsewhere, the implications of the new language and ideas of prominent Anglicans amounted to a fundamental shift in their policies. This use of contract theory significantly suggested that

39 Edward Stillingfleet, *A Discourse concerning the unreasonableness of the New Separations, on Account of the Oaths* (London, 1689), 7.

40 *Oxford Dictionary of National Biography*, s.v. “Sanderson, Robert (1587–1663)” (by J. Sears McGee), <http://www.oxforddnb.com/view/article/24627> (accessed December 16, 2007).

41 A.B., *Allegiance Vindicated: Or, The Takers of the New Oath to K. William and Q. Mary Justified* (London, 1690), 10.

42 *Ibid.*, 4.

43 *Ibid.*, 5.

a King who simply failed in his obligation to his subjects might be subject to removal.

Many Anglican clergyman not only embraced lines of argument that were distinctively Whiggish, they also wholly refashioned their old moral order to explicitly make the doctrines of non-resistance and passive obedience secondary to other concerns. The bishop Edward Fowler, known for his hard-line anti-Catholic stance but also for being amenable to dissenters,<sup>44</sup> stated plainly what kingly authority was set up for: “[T]he sole End of all Government... is Salus Populi; the Well-fare (the Spiritual and Temporall Well-fare) of the People.” Whereas Anglicans had once insisted that kingly authority was set up to punish or reward subjects for their behavior, in their new tracts they left little ideological room for such claims.

The clergyman Edward Stillingfleet reiterated this position, but also actively diminished the sanctified nature of the king in the political order. Writing in an October 1689 tract, Stillingfleet declared, “Men are in the first place bound to promote the Publick Good, and consequentially, and with respect to it, to regard the Will of their Princes, who are appointed by God and Nature for that end.” In this conception, God still appointed dominant sovereigns, but now “Nature” curiously performed that role as well, suggesting the newfound sway that the “Laws of Nature” had over Anglican thinking. Subjects (referred to here as “men”) were only required to “regard the Will of Princes” insofar as their ruler’s actions were “to promote the Publick Good.” Whereas Anglicans would have once insisted Kings were set up by God and could punish people at their pleasure, they were now forced to exhume and refurbish the long-neglected concept of *salus populi* in discussions of a king’s god-given purpose. God and Nature, Anglicans now claimed, had appointed princes expressly to the end of “promoting the Publick Good,” and only needed be obeyed to the extent they stayed true to this end. Finally, in suggesting kings were “in the first place bound to promote the Publick Good,” their importance became derivative, “consequential” to the ends of their assigned station. Whereas kings had earlier been presented as state authority incarnate, they were now closer to public servants.

\* \* \*

Ultimately, Fowler and other Anglicans justified renunciation of the oaths by essentially asserting passive obedience and unconditional loyalty to kings were merely two principles among a handful of equally or more important considerations. Fowler ridiculed non-jurors as “inconsiderative to Amazement, of the Prior Obligation they are under, to their Religion, and to the Community of which they are Members: Which no After Obligation can by any means Cancel.”<sup>45</sup> As for the oaths, he wrote, “no Oath can bind any longer, than the Obligation thereof is consistent and reconcilable with the Salus Populi.”<sup>46</sup> The previously discussed anonymous Clergyman also wrote that James’s “thirst after [Protestant’s] blood... rendered it impossible for any Englishman (especially Protestants) to pay him that further Duty which the Oath of Allegiance expresseth by Assistance and Defence; ...they cannot do [so] ...without breaking their greater

44 *Oxford Dictionary of National Biography*, s.v. “Fowler, Edward (1631/2–1714),” (John Spurr), <http://www.oxforddnb.com/view/article/10007> (accessed December 16, 2007).

45 Edward Fowler, *A Vindication of the Divines of the Church of England Who Have Sworn Allegiance* (London, 1689), 12.

46 *Ibid.*, 13.

antecedent Obligations to God, their Native Country, themselves and their Posterity.”<sup>47</sup> In short, passive obedience and non-resistance were now thoroughly discredited as structuring principles of governance.

In the end, the majority of Anglicans ceased to believe in the totalizing political ideology of a resistance-based moral order by being forced to see how ungainly and even dangerous it could be in practice. James, it seemed, did not grasp that such a moral order had functioned as a suppressive ideology to be propagated rather than as a literal mode of governance. After James began to act as if Anglicans fully believed the absolutist rhetoric against resistance they had been spouting from the pulpit for so many years, Tory-Anglicans were in some senses split over whether to accept the basic reality that their moral order had proven untenable in practice. Tory-Anglicans like Sherlock were loath to openly admit there was anything flawed in absolute non-resistance, and struggled to reconcile this doctrine with the events of the Glorious Revolution. But many Tory-Anglicans, confronted by James’ hubris, betrayal and humiliating downfall, were willing to accept that kings were not as god-like as they had once imagined. With this experience fresh in mind, they were willing to entertain important caveats to their ideas about politics and the purpose of government. By rehabilitating the notion of *salus populi* as an end to government, drawing on contract theory and debunking the sanctified and unassailable aura of kings and the resistance-based moral order, Tory-Anglicans were forced to adopt what had hitherto been Whig political precepts.

---

47 A.B., *Allegiance Vindicated*, 5.

## BIBLIOGRAPHY

- Goldie, Mark. "Edmund Bohun and *Ius Gentium* in the Revolution Debate, 1689-1693." *Historical Journal* 20, (1977).
- Harris, Tim. *Revolution: The Great Crisis of the British Monarchy, 1685-1720*. Penguin Books: London, 2006.
- Oxford Dictionary of National Biography*. Oxford: Oxford University Press, 2004. <http://www.oxforddnb.com/>
- Warren, Erasmus. *Religious Loyalty; Or, Old Allegiance to the New King*. (1685).
- Welwood, James. *Mercutius Reformatus* I, no. 11. (1689).

### Accessed from Early English Books Online (EEBO):

- A.B. *Allegiance Vindicated: Or, The Takers of the New Oath to K. William and Q. Mary Justified: and the Lawfulness of taking it Asserted, in its Consistency with our former Oaths; and also with the Doctrine of the Reformed Church of England, concerning Non-resistance & Passive Obedience*. London, 1690.
- Eyre, Elizabeth. *A Letter from a Person of Quality In the North, To a Friend In London, Concerning Bishop Lake's Late Declaration*. London, 1689.
- Fowler, Edward. *A Vindication of the Divines of the Church of England Who Have Sworn Allegiance to K. William & Q. Mary, From the Imputations of Apostasy and Perjury, Which are Cast Upon that Account, in the Now Publish'd History of Passive Obedience*. London, 1689.
- Long, Thomas. *The Unreasonableness of Rebellion. In A Sermon Preached at St. Peters, Exon, on the 26<sup>th</sup> of July, 1685. Being the day Appointed for Thanksgiving for His Majesties Victory over the Rebels*. London, 1685.
- Long, Thomas. *Reflections Upon A Late Book, Entituled, The Case of Allegiance Consider'd: Wherein is shewn, that the Church of England's Doctrine of Non-Resistance and Passive Obedience, Is not inconsistent with Taking The New Oaths to Their Present Majesties*. London, 1689.
- Sherlock, William. *A Sermon Preached At St. Margaret's Westmisnter, May 29, 1685, Before the Honourable House of Commons*. London, 1685.
- Sherlock, William. *The Case of Resistance of The Supreme Powers Stated and Resolved, According to the Doctrine of the Holy Scriptures*. London, 1684.
- Sherlock, William. *A Vindication of the Case of Allegiance Due to Sovereign Powers, In Reply to an Answer To a late Pamphlet, Intituled, Obedience and Submission to the Present Government, demonstrated from Bishop Overal's Convocation-Book; with a Postscript in Answer to Dr. Sherlock's Case of Allegiance, &c*. London, 1691.
- Stillingfleet, Edward. *A Discourse Concerning the Unreasonableness of A New Separation, On Account of the Oaths, With An Answer to the History of Passive Obedience, So far as it relates to Them*. London, 1689.





# the periphery at the center

## VALENTIA ISLAND AND THE TRANSATLANTIC TELEGRAPH

BY AARON STANTON

Maurice FitzGerald, the Knight of Kerry, gazed through fever-blurred eyes at his quiet estate in the Southwest of Ireland as he lay dying in the year 1849. Maurice, heir to one of four inherited English knighthoods dating back to the thirteenth century, was coming to the end of a distinguished life of public service, with stints in both the Irish and British Parliaments and an honorable reputation for being one of the principal Protestant supporters of Daniel O’Connell’s movement for Catholic Emancipation. In the later years of his life, Maurice took up residence on his estate in Valentia Island, a small, seven-miles long by three-miles-wide island off of the coast of County Kerry that belonged almost entirely—with the exception of a thin strip of land owned by Trinity College, Dublin—to the FitzGerald family. The FitzGeralds lived in the “big house” at Glanleam, on some of the island’s best land and with a spectacular view of the mountain-ringed harbor. Most of Valentia’s inhabitants, the Knight’s tenants, were small farmers, though Maurice had spent his last decade attempting to turn the somewhat isolated island into a center of economic activity, promoting Valentia harbor as a port and investing more heavily in the slate quarry on the northern side of the island.

With these efforts in mind, and with a brain affected by the influences of his illness, Maurice looked out over Valentia Harbour. The island had a larger population then than it does now, probably somewhere around 2,500,<sup>1</sup> but the principal town of Valentia, named Knightstown after the Knights of Kerry who had done much to push its commercial development, remained small and somewhat sleepy; most of the islanders at this time lived on the land that they tended.<sup>2</sup> Thus, it was surprising, and, admits Emily FitzGerald, granddaughter of Maurice FitzGerald, slightly alarming, when the old Knight took in the peaceful scene before him and deliriously exclaimed, “I see a Liverpool before me!”<sup>3</sup>

Valentia Island never became another Liverpool—Emily FitzGerald writes, “With all due respect for Liverpool I am thankful that this vision has never been realized”<sup>4</sup>—but the Knight of Kerry’s dying vision reveals how deeply he wished to make Valentia a place of great importance, to push it from the edge of Irish and British life to the center of the

1 Daphne D.C. Pouchin Mould, *Valentia: Portrait of an Island* (Dublin: The Blackwater Press, 1978), 56.

2 Sir Adrian FitzGerald, interview by author, August 1, 2007, London. Mr. FitzGerald is the current Knight of Kerry, and he has studied his family’s history extensively.

3 Emily FitzGerald, *Knights of Kerry: Notes from the Papers of Miss Emily FitzGerald of Reenglas*. FitzGerald Papers.

4 Ibid.

industrializing world. And though the island never quite made it to Liverpudlian status, the Knight of Kerry and his heirs did have some notable successes. It was at Valentia, only sixteen years after Maurice FitzGerald passed away, that the eyes of the world focused on an electrical engineer, who borrowed a simple thimble from the same Emily FitzGerald quoted above and used it to transmit a message that passed across the Atlantic twice before arriving almost instantaneously back at Valentia. This demonstration of humanity's easy mastery over distance and time could only have happened at Valentia at that moment, thanks to the presence of the Atlantic Telegraph Cable.

Valentia is the westernmost inhabited place in Europe. Today, it is the home of a community of 700 people, clustered around two small population centers. The larger one, Knightstown, sits on Valentia Harbour across from Renard Point and Caherciveen, and the smaller, Chapeltown, is located towards the middle of the island, a short distance away from the bridge connecting Valentia to the mainland at Portmagee. The island is made up of three large hills, which shelter their leeward sides from the harsh and salty Atlantic winds. As a result of the protection afforded by these hills, the island has a higher quality of land than that found in the nearby mainland. The land is of a lower quality towards the western side of the island, where there are few trees and much greater exposure to the heavy winds blowing in off of the ocean.

At the peak of its activity in the earlier half of the twentieth century, Valentia was the host to a telegraph station, a slate quarry, a meteorological station, a Marconi radio station, a lighthouse, a coast guard station, a bustling harbor, a cricket league, a cinema, and a dramatic society, among other things. The island was markedly better off than the surrounding areas on the mainland. How did Valentia arrive at this state of relative prosperity? Did the telegraph draw the island into the international economy, or did the device have no discernable impact on island life? If the former is true, was Valentia simply the beneficiary of an accident of geography that placed it at the center of transatlantic communications, or did shrewd leadership and business savvy from the resident Knights of Kerry spur the island's development?

As this paper demonstrates, the telegraph and the island's other commercial assets contributed to bringing the island into "modernity," albeit a modernity marked by considerable Anglicization, the loss of many elements of traditional local culture, and the transformation of the physical landscape. But if these changes were orchestrated from the top down, were they resented by the islanders, or did they occur with the participation of local people? Were there—and are there still—lines of cleavage that separate a community that embraces modernity on the island from one that seeks to keep the past alive? Finally, and most broadly, what happens to a small, isolated society on the periphery of a larger civilization when it is suddenly thrust into the center of a great transformation? These are the questions that this paper addresses.

I will first examine the role of the Knights of Kerry in the development of the island. I argue that favorable geography and benevolent and determined leadership proved to be complementary forces that contributed to the commercial successes achieved by Valentia. I then turn to the people of Valentia, to discover how they were affected by the telegraph and other developments on the island. Islanders, as we will see, largely supported the changes to their home, as material benefits from the various enterprises promoted by the Knight of Kerry found their way to the common people on the island.

## THE KNIGHT AND THE WIRE

The history of the involvement of the FitzGerald family in the affairs of Valentia dates back to the middle of the eighteenth century, when the family first leased, and later purchased the land. The first Knight to own land on Valentia, Robert FitzGerald, did not reside permanently on the island. He visited occasionally, and attempted to start a linen industry on the island, but that attempt failed.<sup>5</sup> Robert FitzGerald died in 1781, and control of the family passed to his son, Maurice FitzGerald, who was too young at the time to govern the estate.

As he aged, Maurice FitzGerald entered public life and pursued a career in Parliament, first sitting in the Irish Parliament in Dublin, and then, following the Act of Union in 1800, in the British Parliament at Westminster. Maurice was a principled man, who, according to his obituary, was only prevented from holding higher office by his firm stance in support of Catholic Emancipation.<sup>6</sup> Maurice FitzGerald split with Daniel O'Connell over his political connections to the Duke of Wellington after full rights were achieved for Catholics in 1829; then, the distractions of Parliamentary life behind him, he began to reside permanently in Valentia.<sup>7</sup> However, Maurice was not content to retire to a life of idleness. Instead, he threw his energies into transforming Valentia into a more prosperous, more modern location. His first step towards this goal was to open a slate quarry on the Northern side of the island, which began operations in 1816 and intensified production in the mid-1830s.<sup>8</sup> Over the years, the Valentia slate quarry acquired a reputation for producing a high-quality product. The Duke of Wellington, a friend of Maurice FitzGerald, purchased slate from Valentia for his own personal needs.<sup>9</sup> Evidently, Wellington was also successful in using his influence in favor of the quarry: Valentia Slate forms the roof of the House of Commons in Westminster, and can be found in many other public buildings scattered around London.<sup>10</sup>

The Duke of Wellington was involved in another scheme of Maurice's to bring business to the island. In the 1820s, Maurice FitzGerald sought to capitalize on Valentia's geographic positioning and naturally well-protected harbor by making the island a packet station for the transatlantic mails. According to Maurice's son, Sir Peter FitzGerald, his father determinedly threw his energy into the formation of a company that ran steam ships between Valentia and Halifax. Unfortunately, the scheme failed, and Maurice FitzGerald took a significant financial loss. However, the Knight of Kerry had a more potent reason for grief at the failure of his efforts: "the money loss was a very small consideration compared to the disappointment of his sanguine hopes of seeing Valentia growing into a place of importance."<sup>11</sup>

Maurice FitzGerald was committed to making Valentia a center of commerce.

---

5 Sir Adrian FitzGerald, interview.

6 "Death of the Right Hon. Maurice FitzGerald, the Knight of Kerry." Undated, c. 1849. Private collection, Sir Adrian FitzGerald, London.

7 Thomas Bartlett, "Fitzgerald, Maurice, eighteenth knight of Kerry (1774–1849)," in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com/view/article/9579> (accessed February 25, 2008).

8 Sir Adrian FitzGerald, interview. See also Peter FitzGerald, *Family Memoir*. 25 February 1868. FitzGerald Papers.

9 "The Duke of Wellington, London, to Maurice FitzGerald." *FitzGerald Papers – Reference 1001*. 1/07. 3 August 1833. FitzGerald Papers.

10 Nellie O'Cleirigh, *Valentia, a Different Irish Island* (Dublin: Portobello Press, 1992), 65.

11 Peter FitzGerald, *Family Memoir*, 10–11.

Included in his vision for the island was the growth of the principal town on the island, once known as “the foot” due to its position at the tip of the island, but now termed Knightstown, after the Knights of Kerry. The town grew in the earlier part of the nineteenth century, in order to support the increase in shipping traffic in Valentia driven by the slate quarry.<sup>12</sup> Maurice had big plans for the town: he even hired an engineer, Alexander Nimmo, to draw up designs for the village, in order to develop it according to an organized, rational plan.<sup>13</sup> Several times, Maurice wrote to his son-in-law, urging him to move to Valentia and settle in the town: “I wish in these days of migration that you would all colonise the Island, and then I should be like one of the old Patriarchs. ... My tenant Blackburn is at the Foot— ... now Town of Valencia ...”<sup>14</sup>

Maurice’s plans for the island, in what is unfortunately an all-too-common story, may have been disrupted by the trauma of the Great Famine in the second half of the 1840s. Before the Famine, Valentia’s population peaked at somewhere between 2,900 and 3,000 people; this number was to decrease steadily throughout the latter half of the nineteenth century, declining to 2,240 in 1861.<sup>15</sup> Correspondence between Maurice FitzGerald and the Government in London reveal that the island was hit fairly hard by the potato blight, with substantial crop loss and severe food shortages.<sup>16</sup> As a resident landlord, Maurice would have witnessed the difficulties facing his tenants firsthand, and he tried to stem the misery experienced by the islanders, something that not all landowners attempted.<sup>17</sup> During the Famine, in addition to the requests for relief that he sent to the Government, he kept the slate quarry open and increased employment.<sup>18</sup> At this time, the quarry even hired women, as families were desperate for more wages to remain alive.<sup>19</sup> Due to the employment and business generated by the quarry, money flowed through the island throughout the years of the Famine and Valentia’s experience of the disaster was much less severe than that of many other areas in Ireland.

The FitzGerald’s finances were in a state of disarray as a result of the Famine, since rent payments had not been collected regularly for a period of several years, and it was this troubled state of affairs that Peter FitzGerald inherited upon the death of his father, Maurice, in 1849. Peter was in danger of losing the estate; in 1851, he had detailed estate maps made of Valentia Island, probably to facilitate a potential sale. However, by 1853, Peter’s finances must have rallied, for, with the help of a wealthy family connection, he was able to buy back his Valentia properties from the Encumbered Estates Court.<sup>20</sup> Peter, unlike his father, did not pursue a career in Parliament, choosing to devote his life to managing affairs on Valentia.

The period of Sir Peter’s tenure, from the end of the Famine to the time roughly corresponding to the start of Charles Stewart Parnell’s leadership of the Irish in Parliament, was a period of great change and upheaval in Ireland, particularly in relations between landlords and tenants. On one side, landlords reportedly took advantage of

12 Nellie O’Cleirigh, *Valentia: A Different Irish Island*, 61.

13 Sir Adrian FitzGerald, interview.

14 “Knight of Kerry, Valentia, to Crofton Vandeleur.” *FitzGerald Papers – Reference 1001*. Item 1/09. 4 March 1842. From the personal collection of Adrian FitzGerald, London.

15 Daphne D.C. Pouchin Mould. *Valentia: Portrait of an Island*, 56.

16 Nellie O’Cleirigh, *Valentia: A Different Irish Island*, 112.

17 See James S. Donnelly, Jr. “Mass Eviction and the Great Famine: The Clearances Revisited,” in *The Great Irish Famine*, ed. Cathal Poirteir (Ireland: Mercier Press, 1995), 155-173.

18 Valentia Heritage Center Display, Valentia Heritage Center, Knightstown, Valentia, Co. Kerry, Ireland.

19 Valentia Heritage Center Display.

20 “Peter FitzGerald to Julia FitzGerald,” *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/37. 28 October 1853. FitzGerald Papers.

their tenants' dire situations that resulted from the Famine and cleared their land of unwanted renters in order to make way for larger-scale, more commercial agriculture.<sup>21</sup> On the other side, Tenant Protection Societies emerged as part of a movement for Tenant Rights.<sup>22</sup> The common practice of renting land through middlemen was under attack and large numbers of tenants engaged in rent boycotts.

In many areas in Ireland, including on the substantial Trinity College Dublin Estates in County Kerry, the land movement was particularly strong, and relations between landlords, middlemen, and tenants with smaller holdings were strained. According to R.B. MacCarthy, in his analysis of the Trinity College Estates, there was often good reason for this. MacCarthy sites a letter from J.E. Butler, the college's agent in Iveragh (the peninsula in County Kerry that includes Valentia Island), to the College Bursar, that stated that, "the whole of that part of Kerry is—to put it mildly—disturbed."<sup>23</sup> In 1880, Charles Russell, a visitor to the college's Kerry Estates wrote, "[a] more squalid tenantry than that of this rich corporation it is hardly possible to conceive."<sup>24</sup> Peter FitzGerald also attacked the College for its poor land management, stating that the College lands on Valentia were "the most impoverished and rack-rented portion of the island."<sup>25</sup> The tenants were poor, the college middlemen and agents were incompetent, and the Irish renters responded to this situation by boycotting rent payments and combining against their landlords.<sup>26</sup>

Many records exist of fierce enmity between the tenants and the landlord and estate agents on another nearby County Kerry estate. The management of the Lansdowne Estate around Kenmare, owned by the absentee British gentleman, the Lord Lansdowne, was delegated to the unpopular professional agents William Steuart Trench and John Townsend Trench. Irish historian Gerard Lyne has catalogued the conditions on the estate from the years 1849-1872. Though Lyne notes that much that the Trenches and Lords Lansdowne did for the estate was meant selflessly and humanely, the picture that results from his study is one of decidedly uneasy relations. Unlike FitzGerald, Trench raised the rent without warning, driving many of his tenants into debt.<sup>27</sup> Trench also promoted a scheme of assisted emigration, which sent thousands of Irish peasants to England or American cities without adequate funds or supplies to make a decent start. Contemporaries recorded the feelings of animosity towards the agents. Joseph Denieffe, a Fenian (Irish nationalist) organizer, said of William Stewart Trench in 1858 that he was, "one of the meanest and most contemptible petty tyrants that ever held authority over poor mortals."<sup>28</sup> Another visitor to the estate in 1880 made similarly unflattering observations: "It was painful to notice the mortal dread of agent and bailiff in which

21 James S. Donnelly, Jr, "Mass Eviction and the Great Famine: The Clearances Revisited," in *The Great Irish Famine*, ed. Cathal Poirteir (Ireland: Mercier Press, 1995), 156.

22 S. J. Connolly, "The Great Famine and Irish Politics," in *The Great Irish Famine*, ed. Cathal Poirteir (Ireland: Mercier Press, 1995), 45.

23 "J.E. Butler to the Bursar [of Trinity College, Dublin]." 6 October 1886, Mun/P/3/112. Quoted in R.B. MacCarthy, *The Trinity College Estates, 1800-1923: Corporate Management in an Age of Reform* (Dundalk: Dundalgan Press, 1992), 156.

24 Charles Russell, Q.C.M.P., *New Views of Ireland*, London: 1880. Quoted in R.B. MacCarthy, *The Trinity College Estates...*, 197.

25 "Anti-Fenian Demonstration in Valentia," *Mail*, 3 January 1867. The Larcom Papers, MSS 7681, National Library of Ireland.

26 MacCarthy, R.B. *The Trinity College Estates...* 146.

27 Gerard J. Lyne, *The Lansdowne Estate in Kerry Under the Agency of William Steuart Trench, 1849-1872*, (Dublin: Geography Publications, 2001), 137-139.

28 Lyne, *The Lansdowne Estate...*, lii.

many of these tenants live. ...no kindly feeling towards... the present agent seems to exist.”<sup>29</sup> This hatred of the agent has lingered on in the current popular memory of those who live on the former Lansdowne Estate.<sup>30</sup>

The situation on the lands owned by the Knight of Kerry was markedly different from both that on the College lands and the Lansdowne estate. During the thirty years of Peter FitzGerald’s tenure, Valentia prospered relative to the surrounding districts. The Knight of Kerry worked steadily over the course of the whole period to bring more business to the island and to foster changes that he thought would improve the lives of his tenants. FitzGerald’s stewardship was widely applauded. According to one newspaper account from 1865, “Valentia is one of the most flourishing districts in the west part of Ireland.” The reporter attributed the island’s good fortunes to FitzGerald’s leadership:

Every tourist who sees... the general air of prosperity which seems to pervade the neighbourhood, when it is compared with the desolate tracts of country on the adjoining mainland [the Trinity College Estates] will gladly give the Knight his national title, and remember to sing the praises of one of the best landlords in Ireland, who is not only a careful steward of his property, but a resident friend amongst his people.<sup>31</sup>

Valentia under the management of Peter FitzGerald had a fortunate combination of arable acreage with available resources and a benevolent landlord. As a result, the island represents an example of what the tenant-landlord situation in Ireland could have been had such a combination of traits been more widespread across the land. Valentia was not perfect, nor was Peter FitzGerald a completely selfless man who never acted in his own interests. However, he often kept the well-being of his tenants in mind and realized that his own interests and those of his tenants were linked. Without his efforts, Valentia would still have been somewhat better off than the surrounding lands due to its superior quality of land and access to the sea, but it would not have achieved the levels of relative prosperity reached in the period after 1850. The effects of changes brought by his leadership lasted through the twentieth century, and some continue to be felt today.

In order to better understand Peter’s place in the life of the island, we must first look at his relationship with the various islanders. Peter’s correspondence sheds some light on his interactions with the various parts of island society. Peter was at the head of the small, but vibrant, Protestant community on Valentia Island. A letter from Peter to W.E. Gladstone in 1869 requesting the appointment of a new clergyman to fill a vacancy gives the number of Protestants on Valentia at 105.<sup>32</sup> Included in this number would have been Peter’s closest acquaintances: the parson, the doctor, and the manager of the slate quarry under his father, Bewicke Blackburn, who appears frequently in the correspondence. The Protestants were clustered around the town of Knightstown; however, they were not large enough in number to have formed the entire population of the town, which means that many of the inhabitants would have been Catholics. Peter was also friendly with the parish priest, another of the island’s more educated inhabitants, suggesting that

---

29 Ibid., liii.

30 Ibid., lii.

31 “The Atlantic Cable,” *Telegraph*, 25 July 1865. The Larcom Papers, MSS7787. NLI.

32 “The Protestant inhabitants of Valentia to The Rt. Hon. W.E. Gladstone,” *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume II*. NLI. Item 2/184. 9 July 1869. FitzGerald Papers.



the two religious communities on the island were not rigidly separated.<sup>33</sup>

In addition to the island's elite, Peter also had contact with the less wealthy elements of island society. First, there were the servants: in one letter from Mary FitzGerald to her father, Peter, Mary speaks of playing snap-apple with the children of Blackburn, the quarry manager, and states that, "Mrs. Blackburn also tried but did not succeed.... After that the servants played at snap-apple, Jeanette and Dan did it the best, but only Gaffney got an apple fairly...."<sup>34</sup> But the FitzGerald family's contact with non-elite islanders was not limited to those in their household. In a letter of 1841, Peter FitzGerald wrote to his sister, mentioning a visit from "poor Denis Lynch who tramped the whole way from Valentia to see Midge. That was real sentiment. He is certainly one of the best Island specimens particularly since he has given up whiskey."<sup>35</sup> Though admittedly patronizing, the letter nonetheless reflects a degree of familiarity with the lives of the tenants on Valentia.

While the innovations and commerce that FitzGerald brought to Valentia may have been motivated by a wish to bring in more rent, they also reflected a desire to improve the standard-of-living for the island's inhabitants. The first of the "innovations" that Peter sought to bring to Valentia attempted to pick up on the work of his father in lobbying for Valentia to be made into a packet station for transatlantic passengers and mail. In the early 1850s, amidst the climate of technological change and industrial growth brought by railroads, telegraphy, and steamship travel, a faster route of travel between the two hemispheres was increasingly seen as a desirable object. A fast steam line between the West of Ireland and Canada, either Newfoundland or Halifax, connected by rail to London and New York, was probably the fastest means of travel between the two centers. One contemporary writing in 1850 believed that such a connection was inevitable: "it is, therefore, for Halifax, in the Western hemisphere, as for Ireland in the Eastern hemisphere, that the struggle must be made, and such a struggle must eventually succeed. Nature decrees it."<sup>36</sup>

As the westernmost harbor in Europe, Valentia presented a strong case for being made the Eastern terminus of such a packet line, and Peter FitzGerald did his best to argue this case before the London bureaucrats in charge of deciding the packet station question. A letter from Sir John Burgoyne—a member of the packet station Commission of Enquiry—to Peter FitzGerald indicates that the Knight had earlier sent in statements concerning the "superior advantages" of Valentia harbour.<sup>37</sup> In order to make the packet station at Valentia a success, a railway line from Valentia to Killarney was needed. The railway and the packet station combined would have brought many passengers and much business through Valentia and would have allowed the islanders greater access to markets for their own goods. Though the packet station never materialized, and the railroad was much delayed in its arrival, Peter FitzGerald continued to fight for these efforts over the course of the next thirty years.

Though they proved insufficient in bringing a packet station, FitzGerald's efforts

33 Sir Adrian FitzGerald, interview by author, August 3, 2007, London.

34 "Mary FitzGerald, Glanleam, to her father Peter FitzGerald," *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/11. 9<sup>th</sup> November 1849. FitzGerald Papers.

35 "Peter FitzGerald, Ardrum, to his sister, Elizabeth Vandeleur." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/08. 4 September 1841. FitzGerald Papers.

36 "The West of Ireland Packet Station: To the Editor of *The Advocate*," 30 October 1850. 2. FitzGerald Papers.

37 "A letter from Sir J. Burgoyne, 87 Pall Mall to Peter FitzGerald," *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/42. 16 October 1850. FitzGerald Papers.



and Valentia's favorable geography secured for the island the technological feature that was to spur future changes and bring international fame to Valentia. The extent to which the telegraph thrust Valentia onto the international stage from a position of obscurity is made apparent by the following statement from a contemporary account in 1858: "There are few parts of the United Kingdom that are so thoroughly unknown and out of the way...; indeed, until Valentia was fixed upon as the European terminus of the Atlantic Telegraph, ... [it] was as little known and as little visited by people from England as the wilds of Siberia."<sup>38</sup> The transatlantic telegraph cable probably came to Valentia because of geography: one newspaper article from August of 1857 remarked that Valentia's sole recommendation was its close position to North America, and that "if the Island of Anglesea answered the purpose as well, or nearly as well, as Valentia, Ireland would not have a place in the history nor a share in the success of the most stupendous practical achievement of modern times."<sup>39</sup>

Despite the initial geographic advantage, the Cable remained tied to Valentia during each attempt after the first due to FitzGerald's efforts to keep it there and to the relationship he formed with Cyrus Field, the central figure behind the transatlantic cable venture. From the beginning of the project, Peter FitzGerald proved a staunch ally of Field and the Atlantic Cable efforts. FitzGerald helped with various tasks and served as a local partner for the enterprise, a service that must have been extremely valuable considering the difficulties that others would have encountered had they needed to travel back and forth between London and isolated Valentia. Why did FitzGerald participate so eagerly in this effort? For one, the telegraph seems to have appealed to his interest in science. A true Victorian gentleman, Peter FitzGerald appears to have taken an active interest in the mechanics and technology behind the Cable project. A letter dated March 1858, from the cable engineer Charles Bright, included photographs of the cable-laying machinery and a report from the Magnetic Company, which Bright thought would appeal to the Knight.<sup>40</sup> The two men had evidently discussed the mechanics of the project on a previous occasion.

Peter's active interest in the more technical aspects of the venture may have contributed to the close bonds he established with the cable entrepreneurs and engineers. Peter was always willing to lend a helping hand to telegraph company employees whenever one was needed. For example, in September 1856, a year before the first attempt to lay the cable, Peter apparently collected samples of sand from the shore of Valentia and sent them to Cyrus Field in London.<sup>41</sup> FitzGerald also looked after some extremely expensive equipment—silver plates, to be used in connection with the batteries, valued at £1,500—for the Cable's Chief Electrician, William Whitehouse.<sup>42</sup> The relationships formed between FitzGerald and the Cable staff were not limited to the realm of business. The Cable staff associated socially with the FitzGerald family,

38 *Express*, 29 September 1858. The Larcom Papers, MS7787. NLI.

39 "The Transatlantic Cable," *Kerry Evening Post*. 8 August 1857. The Larcom Papers, MSS 7600. NLI.

40 "Sir Charles Bright, Atlantic Telegraph Co., London E.C., to Peter FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/80. 3 March 1858. FitzGerald Papers.

41 "Cyrus W. Field, London, to Peter FitzGerald, regarding the proposed Atlantic Telegraph." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/71, 11 September 1856. FitzGerald Papers.

42 "William Whitehouse, Atlantic Telegraph Co., Devon, to Peter FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/77. 4 June 1858. FitzGerald Papers.

calling at the house and using their technical expertise to build and mend balloons for the children.<sup>43</sup> This may have been another reason why Peter pushed for the Cable on Valentia; it brought a steady stream of intelligent, well-educated men from polite society to his remote corner of the world.

The principal motives behind Peter's enthusiasm for the Telegraph were the prestige and the economic benefits for Valentia and the FitzGerald Estate. The Transatlantic Cable attracted the attention of the Anglo-American world; before the first attempt to lay the Cable, not many people beyond the immediate district would have heard of the island. After 1857, the name of Valentia was spoken on both sides of the Atlantic, always in connection with one of the most stupendous scientific achievements of the age. And while Peter FitzGerald may have been high-ranking enough to have merited an invitation to meet the Queen when she visited Killarney in 1861 even if the Cable had not come to Valentia, the telegraph gave him something to talk about with the Prince Consort, who "appeared to have deeply studied that subject."<sup>44</sup> The Cable, to some extent, marked Peter FitzGerald's entry into public life. One contemporary account of the first celebration thrown for the Cable took note of this occurrence, and compared Peter to his (at that time) more famous father:

All honour be to the Knight of KERRY, at whose genial board so auspicious an [amalgamation] of races and creeds took place. He has been hitherto unknown to the general public, not having taken any part in political affairs; but in the genuine urbanity and fine sense, and the true patriotic spirit indicated by him on this occasion, nobody can mistake his resemblance to a Knight of KERRY who was well known:--the noblest specimen whom this age has seen of that almost extinguished glory of our race--the Irish gentleman of the olden time.<sup>45</sup>

After the arrival of the telegraph, Peter regularly contributed editorials to Irish and British newspapers, adding his opinion to some of the period's most contentious debates, including the Irish Church and Land questions.

Peter FitzGerald and the islanders on Valentia both stood to gain economically from the presence of the Cable. For Peter FitzGerald, the Cable Company would have needed to pay rents, like any other tenant. For the rest of the islanders, the Cable Staff would have needed to be fed, providing a boost to the growth of local agriculture markets. The increased traffic in the harbor and around the island would have needed pilots, longshoremen, carts for taxiing people and equipment, and various other services that islanders could have provided. But Peter FitzGerald also saw the telegraph cable as an opportunity for the further growth and development of the island. Aided by the prestige and name recognition that the telegraph brought, and with the value of Valentia's harbor as the westernmost port in Europe justified by the Cable's presence, Peter FitzGerald renewed his efforts to make Valentia into a transatlantic packet station. FitzGerald actively used the idea of the Telegraph to lobby for Valentia, encouraging

43 "Bessy FitzGerald, Valentia, to her brother Maurice FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/32. November 1858. FitzGerald Papers.

44 "Endorsed by Peter FitzGerald to the effect that H.R.H. [the Prince Consort] talked to him on this occasion of the Atlantic Cable and 'appeared to have deeply studied that subject.'" *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/91. Undated (c.1861). FitzGerald Papers.

45 "Success to the Cable." *Mail*. 10 August 1857. The Larcom Papers, MSS7600. NLI.

those in support of the packet station to cite the telegraph in their pitches to investors.<sup>46</sup>

In nineteenth-century Britain, urban boosters vigorously advertised the greatness of their cities, hoping to attract new capital. Peter FitzGerald assumed a similar role as he advocated for Valentia at the celebrations thrown for the arrival of the Transatlantic Cable. Like an urban promoter showcasing the best of his or her city, Peter FitzGerald put the best of Valentia on display at the several parties that he threw in celebration of the Cable-laying expeditions. The Knight of Kerry played host on these occasions to some of the most prominent figures in Irish political life, including the Lord Lieutenant, Irish Secretary, and son of the former Prime Minister, Sir Robert Peel, the Bishop of Kerry, and others. The Knight attempted to impress these gentlemen “at an elegant dejeuner,” sparing no expense in highlighting the products of Valentia’s economy, perhaps hoping to entice others to invest. The site of the gathering showcased flagstones and tables made from “splendid slabs” of Valentia slate.<sup>47</sup> In addition to demonstrating the wealth, beauty, and economic vitality of the island, the Knight also attempted to highlight the stable political climate, drawing attention to the lack of religious strife. Offering a toast to “The Churches of both Persuasions,” Peter “said it was a most gratifying fact in connection with the island of Valencia that there never existed any religious dissension amongst the people.” The Bishop of Kerry, the Reverend Dr. Moriarty, seconded this notion, acknowledging “the very efficient co-operation of many of the clergymen of another creed, who met me with brotherly love.”<sup>48</sup>

All of this was designed to impress the businessmen and influential politicians in attendance. The Knight also had some specific targets in mind, such as a railroad connection for Valentia, and he was not shy in making this known. At one point in the ceremony, reported the *Kerry Evening Post*, Peter FitzGerald stood up and directly lobbied for Valentia’s interests: “Sir Edward [M’Donnell], he observed, had done a great deal for Ireland. He had spread railways almost throughout the breath of the land. They wanted him to finish his task, and come to Valentia...”<sup>49</sup>

Not all of the elements of celebration were geared towards the elite businessmen. Seeking to advertise that the arrival of the telegraph was a boon to all of the people of Valentia, the Knight of Kerry threw several parties out-of-doors for his tenants and the less wealthy visitors to the island. The 1857 expedition included “fire works off the quay, and a bonfire, at which the peasantry kept dancing till morning.”<sup>50</sup> Again, in 1866, the Knight of Kerry sponsored parties for the non-elites: the party was to include “fireworks and illuminations” imported from Dublin and was expected to entertain about one thousand Irishmen from the surrounding areas.<sup>51</sup>

All of the efforts of the Knight were in danger of failing, however, when the 1857 attempt to lay the Cable did not succeed. The threat to Valentia’s position as the Eastern Terminus of the Cable grew more serious after the short-lived achievement of a working 1858 Cable was followed by seven years of no further activity, during which various other alternatives to the Valentia-Trinity Bay Cable were considered. In these years, Peter FitzGerald’s determination to keep the Cable at Valentia and his dedication to the

46 “I. McClenahan, New York, to Peter FitzGerald *Correspondences of Peter FitzGerald, Knight of Kerry* MSS9458-51 inclusive: Volume I. NLI. Item 1/75. 1 October 1857. FitzGerald Papers.

47 “The Transatlantic Cable.” *Kerry Evening Post*. 8 August 1857. The Larcom Papers, MSS7600. NLI.

48 Ibid.

49 Ibid.

50 *Kerry Evening Post*. August 5, 1857. Microfilm, NLI.

51 “The Atlantic Cable.” *The Times* (London). 28 July 1866. The Larcom Papers, MSS7788. NLI.

project as a whole, combined with the strength of the personal relationships that he had formed with Cyrus Field and others involved in the Cable Expeditions, ensured that the next attempt to lay the Cable would occur on Valentia Island.

After the 1858 failure, many mocked the Cable as an expensive flop and a colossal waste of money: “They’ve laid the ocean telegraph / To make the snails and fishes laugh / It runs along beneath the Sea / Unknown to beings such as we.”<sup>52</sup> To add insult to injury, the British Government proved reluctant to renew its investment in the effort. Bewicke Blackburn, the former manager of the Valentia quarry, wrote to Peter FitzGerald in 1863 from London that the Duke of Somerset had complained about the large expense and limited results of the previous cable.<sup>53</sup> Despite these setbacks, there was little doubt that there would be a second attempt. There was, however, considerable debate over where that attempt would take place, and whether or not Valentia would be a part of it. Valentia’s status as the terminus of the Cable was challenged by other potential suitors, who supported making Galway the endpoint.<sup>54</sup> Another somewhat determined effort to attempt a completely different route for the Cable, one sponsored by a different company that intended to bypass Ireland entirely, emerged in 1861: a Surveying Expedition for the Royal Geographical Society published a report on “The North Atlantic Telegraph Via the Faeroe Isles, Iceland, And Greenland.”<sup>55</sup> Additionally, there was no guarantee that Cyrus Field would return to Valentia for his next Cable attempt. Bewicke Blackburn, Peter FitzGerald’s eyes and ears in London, at times had to reassure FitzGerald that a change in the Irish terminus had not been brought up by the Cable Company, though this was by no means a guarantee that the issue would not be raised in the future.<sup>56</sup> The fate of the Cable, and of Valentia, hung very much in the balance.

Peter FitzGerald had no intention of letting the Cable slip through his fingers. In the early 1860s, he single-handedly embarked on a propaganda campaign supporting Valentia as the best possible location for the Cable terminus. Peter responded to many of the articles published that suggested Galway or another Irish harbor as the new Cable terminus, determinedly writing editorials and letters advocating for Valentia and attacking all other comers. In one such editorial in *The Times (London)*, Peter FitzGerald took the offensive, criticizing an alternate telegraph route and arguing that its termini were 400 miles farther apart than were Valentia and Newfoundland. As he stated, it would be difficult to convince people of the desirability of a longer cable: “The tendency of the public mind is exactly in the opposite direction.”<sup>57</sup> The fact that FitzGerald sought to wage a campaign for public opinion demonstrates that contemporaries considered the

52 “The Carrier’s Address to the Patrons of the Maryland Republican.” 1859. John Hay Library. Brown University, Providence, RI.

53 “B. Blackburn, 25 Hans Place, London, to Peter FitzGerald.” *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/121. 25 March 1863. FitzGerald Papers.

54 “George Seward, Atlantic Telegraph Co., Old Broad St., London, to Peter FitzGerald.” *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/115. 8 December 1862. FitzGerald Papers.

55 “The North Atlantic Telegraph Via The Faeroe Isles, Iceland, And Greenland. Proceedings of the Royal Geographical Society of Great Britain, January 28<sup>th</sup> and February 11<sup>th</sup>, 1861,” (London: Edward Stanford, 1861). The Larcom Papers, MSS7787. NLI.

56 “Bewicke Blackburn, 25 Hans Place, S.W., to Peter FitzGerald.” *Correspondence of Peter FitzGerald, Knight of Kerry, concerning the Laying of the Atlantic Telegraph Cable*. Standard Telephone and Cable Company Archive. Item 1/13. 12 December 1862. FitzGerald Papers.

57 “Part copy letter Peter FitzGerald to The Times defending Valentia as the terminus for the Atlantic Telegraph.” *Correspondence of Peter FitzGerald, Knight of Kerry, concerning the Laying of the Atlantic Telegraph Cable*. Standard Telephone and Cable Company Archive. Item 1/03. 2 July 1859. FitzGerald Papers.

telegraph more than just a private business venture. Here was a device in which everyone had a stake—all the more reason for FitzGerald to claim the prestige for his own estate. In addition to the overtures he made to the public at large through newspapers, the Knight of Kerry also sent targeted appeals to people in positions of power who may have been able to influence affairs more directly.<sup>58</sup> The Knight of Kerry kept up his efforts on this front for five years, from 1859-1864, as the United States Civil War and the Atlantic Telegraph Company's financial difficulties postponed the next Cable-laying expedition.

Peter FitzGerald took his advocacy very seriously; in some cases, he took affronts to Valentia's position personally. In 1864, the Knight showed an undiplomatic front to Admiral FitzRoy—of the *HMS Beagle* of Darwinian fame—at the new Valentia weather signaling station, after hearing that the Admiral had suggested that Valentia may not be the best terminus for the telegraph cable. Peter FitzGerald sent an angry letter to FitzRoy, recounting the rumor and threatening, "if the above information be accurate, which I do not believe, then you may put up your signals 'expect dangerous sounds from the direction of Valentia.'"<sup>59</sup> The aggressiveness of this letter reflects the great depths to which Peter FitzGerald must have cared about the Cable coming to the island. Certainly, by 1864 he had invested over seven years of effort and hopes in the project, so such threats to his work must have struck him rather deeply.<sup>60</sup>

Fortunately, FitzGerald's close working relationships with Cyrus Field and other Atlantic Telegraph Co. personalities paid off. The Knight, through his determination to be helpful to the Cable efforts, his interest in the enterprise, and his various political contacts, seems to have made himself an indispensable part of the overall operation. Cyrus Field came to rely on him as one of his principal supporters in the United Kingdom. On a number of occasions, Field urged FitzGerald to use his political influence to sway some important individual or requested his presence in London or Dublin to exert additional pressure. In February of 1862, Field wrote from London, "if you where here I am sure that you could help me in my negotiations with your Government. Will you come if only for a few days?"<sup>61</sup> A month later, Field asked FitzGerald to push the Lord Lieutenant of Ireland, Lord Carlisle, to put pressure on a member of the Cabinet to speak in support

58 "Captain Hoskyn R.N., Hollywood, to Peter FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/117. 2 January 1863. FitzGerald Papers.

59 "Copy letter Peter FitzGerald to Admiral Robert FitzRoy." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 2/20. 31 March 1864. FitzGerald Papers.

60 All of this is not to say that the Knight of Kerry was unable to keep a sense of humor about the issue. On the 30<sup>th</sup> of March, 1865, Peter FitzGerald sent a letter under the name of "John Crossman, Atlantic Telegraph Co, Bishopsgate, London" to J. Townsend Trench, in Kenmare, the agent on the large Landsdowne Estate in County Kerry. In the letter, "Mr. Crossman" asked Trench to briefly discuss the advantages and disadvantages of Kenmare Bay as the next Cable terminus, since, "though the position and circumstances of Valentia Bay clearly combine very great advantages, much apprehension has lately been felt for the shore end of the Cable." On April 5<sup>th</sup>, Peter FitzGerald ("John Crossman") received a letter from Trench in reply, promoting "Kilmacklogue" as "the most suitable spot so far as I am informed as to the requirements of the Atlantic Cable to come ashore." The Knight of Kerry replied, no doubt much to the embarrassment or outrage of the unfortunate agent, that one should generally be careful when dealing with letters that arrive on or near April 1<sup>st</sup>. Apparently, even the telegraph was not above being made the subject of an April Fool's Joke on the neighbors. It is perhaps worth noting that this exchange only took place in 1865, after the worst of the storms of doubt concerning Valentia's status as terminus had been weathered.

[ "Peter FitzGerald ("John Crossman") to J. Townsend Trench, Kenmare." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume II*. NLI. Item 2/32. 30 March 1865. FitzGerald Papers.

"John T. Trench, Ballina, to Peter FitzGerald ("John Crossman"). Endorsed by Peter FitzGerald with his reply dated 9<sup>th</sup> April 1865." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume II*. NLI. Item 2/35. 5 April 1865. FitzGerald Papers.]

61 Cyrus W. Field, Fenton's Hotel, London, to Peter FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/102. 17 February 1862. FitzGerald Papers.



of the Cable: "If you can get Lord Carlisle to some member of the Cabinet in our favour it would help us very much."<sup>62</sup> In order to finance and execute the laying of the Cable, Cyrus Field needed a large amount of capital and material support from the British Government. To obtain these resources, he required an efficient lobbying team, and Peter FitzGerald—an Irish Gentleman from a well-respected family, with a father who had been a prominent MP, and a man who had great personal stakes in the success of the Cable—had the connections and political *éclat* Field needed. In addition, the two men generally liked each other.<sup>63</sup> Without Valentia and the Knight of Kerry onboard, Field would have lost a valuable partner in his negotiations with the British Government.

When the telegraph came back to Valentia in 1865 and, finally, when it was successfully laid in 1866, the triumph belonged in large part to the Knight of Kerry. As the *Irish Times* put it, "the Knight of Kerry, who is, and has been, most anxious to promote the advancement of the work, and who from the commencement has laboured with a will, and used every exertion, even at much loss of money and valuable time,"<sup>64</sup> was at long last getting the payoff for which he had fought for years. The Knight was celebrated in rhymes about the achievement of the telegraph. For example, one poem began, "Here's a word to John Bull, that I send all the way / From the little *Glass-house* [pun on name of Mr. Glass, chief engineer] in Foilhommerum Bay, / Where the ould Knight of Kerry, wid whisky galore, / Dthinks [sic] the 'top of the mornin' to Heart's Content shore...."<sup>65</sup> But perhaps the most resonant congratulations was much shorter and less flowery, and it came from quite a distance away. The following telegram came to Peter FitzGerald at Valentia Station from Hearts Content, in Trinity Bay, Newfoundland: "Ireland and America are united by Telegraph. Please remember me very kindly to all your family."<sup>66</sup> The telegram came from Cyrus Field, triumphantly writing from across the sea.

Peter FitzGerald's efforts for Valentia did not end with the success of the Transatlantic Cable. The fight for the transatlantic packet station and the Valentia-Killarney railroad link continued well into the late 1880s, even after FitzGerald's death. The late 1860s in particular saw a flurry of activity related to a Valentia-Canada steamship line, which would include a rail connection to Renard Point across Valentia Harbour from Knightstown. In April 1868, after receiving an introduction from Cyrus Field, Peter FitzGerald corresponded with Sir Charles Tupper, the former Prime Minister of Nova Scotia who was in Britain at the time to lobby for a line of steamships, but nothing came of the conversation.<sup>67</sup> Ultimately, Valentia never became a packet station for the transatlantic mails, and the railroad only materialized in the 1890s. The telegraph remained Peter FitzGerald's main achievement for Valentia Island; the full extent of its

62 "Cyrus W. Field, Fenton's Hotel, St. James's St., London, to Peter FitzGerald." *Correspondences of Peter FitzGerald, Knight of Kerry MSS9458-51 inclusive: Volume I*. NLI. Item 1/103. 10 March 1862. FitzGerald Papers.

63 "Cyrus Field, Hearts Content, Trinity Bay, Newfoundland, to Peter FitzGerald." *Correspondence of Peter FitzGerald, Knight of Kerry, concerning the Laying of the Atlantic Telegraph Cable*. Standard Telephone and Cable Company Archive. Item 1/304. July 1866. FitzGerald Papers.

64 "The Atlantic Telegraph." *Irish Times*. 5 June 1865. The Larcom Papers, MSS7787. NLI.

65 "The Missing Link Found." Publication Unknown. July 1866. The Larcom Papers, MSS7787. NLI.

66 "Cyrus Field, Hearts Content, Trinity Bay, Newfoundland, to Peter FitzGerald." *Correspondence of Peter FitzGerald, Knight of Kerry, concerning the Laying of the Atlantic Telegraph Cable*. Standard Telephone and Cable Company Archive. Item 1/304. July 1866. FitzGerald Papers.

67 "Cyrus W. Field, Palace Hotel, Buckingham Gate, to Peter FitzGerald, Knight of Kerry." *Correspondence of Peter FitzGerald, Knight of Kerry, concerning the Laying of the Atlantic Telegraph Cable*. Standard Telephone and Cable Company Archive. Item 1/13. 6 April 1868. FitzGerald Papers.

influence on island life will be explored in the next section of this paper.

## THE ISLANDERS

It is difficult to determine what the islanders on Valentia felt about the telegraph. If they wrote about it at all, the records have either not survived or have not entered into public hands. We are left with the task of piecing together information from other sources—outsiders' accounts of the islanders, popular memory, and inferences drawn from analogous situations—to formulate our picture. There is also the danger of forming broad conclusions about the islanders as a single, coherent group, which certainly was not the case—besides the obvious divides between Catholics and Protestants, there were also linguistic and educational differences, differences in wealth and ownership of land, as well as generational gaps. Thus, conclusions made about how “the islanders” were influenced by the telegraph should by no means be assumed to hold true for the entire population.

In order to determine what changes the telegraph brought, we must first establish what the island of Valentia was like in the days before the telegraph's arrival. The newspaper accounts of the laying of the Cable provide a complicated insight into pre-telegraphic island life, supplying a picture made problematic by the often racist nature of British and American views of the Gaelic Irish. During the nineteenth century, the British explored areas of the world that had been previously unknown to them and encountered different groups of people. This process of “discovery” included an attempt to classify all people into a hierarchy of races, with the Anglo-Saxon race at the top. This racial pyramid justified Britain's imperial control over the people of inferior races, who required guidance and were incapable of self-rule—or so many enthusiasts of empire thought. As a subject people, the Gaelic Irish were placed into this racial hierarchy as an “inferior” race.<sup>68</sup> One newspaper account from the 1865 cable-laying attempt describes the islanders as “a peculiar and primitive race,” considering them backwards because they prefer to speak Irish to each other, though “for the most part they can converse in English with considerable fluency.”<sup>70</sup> Another article from the next year is far less tolerant, describing the islanders as “children of nature” who express themselves in “hoots, curses, and ... blows.”<sup>71</sup> Such accounts may testify more to the racist notions held by observers than to actual conditions of the islanders.

What the above accounts do reveal in terms of island life is information about the languages spoken by islanders in the late 1850s. Language was a significant issue in Victorian Ireland, as a result of the National School Movement, which sought to bring basic education to the farthest corners of the land. The National Schools required that students be taught solely in English, in order to bring the Irish more closely into Union

68 Perry L. Curtis, Jr., *Apes and Angels: The Irishman in Victorian Caricature* (Washington: Smithsonian Institution Press, 1971), 15.

69 Historian L. Perry Curtis writes that the Victorian racist assumptions about the Irish extended to their depictions of Irishmen as brutes or ape-like men in newspapers and political cartoons. Roy Foster, a leading Irish historian, countered Curtis, arguing that the treatment of the Irish in the cartoons of comic magazine *Punch* was not part of a particular anti-Irish trend but was typical of *Punch's* attack on any group to fall under its biting wit. And though Foster may be right in reference to *Punch*, the articles describing the Irish on Valentia during the Cable-layings reveal that specific racial prejudice against the Irish entered into the equation. [See Curtis, *Apes and Angels*..., 15. See also Roy F. Foster, *Paddy and Mr. Punch: Connections in Irish and English History* (London: The Penguin Press, 1993) 173-174.]

70 “The Atlantic Telegraph.” *Irish Times*. 18 July 1865. The Larcom Papers, MSS7787. NLI.

71 “The Atlantic Telegraph Expedition.” *Dublin News*. 16 July 1866. The Larcom Papers, MSS7788. NLI.



with England and because of the English prejudice against “primitive” languages.<sup>72</sup> The first National School on Valentia was established in 1842, with the support of the Knight of Kerry, then Maurice FitzGerald.<sup>73</sup> Peter FitzGerald was also evidently—by his own reckoning, at least—a firm supporter of the National School movement: in an 1872 address to his tenants, he claimed, “I have done a good deal to promote it [education].”<sup>74,75</sup> Thanks in part to this support, by the late 1850s, many of the adults on Valentia would have attended National School, and would thus have been fluent in English, though their parents would not have had the same education. On the western side of the island, the linguistic balance would have weighed more heavily towards Irish due to the distance from the National School and Knightstown.

The newspaper accounts of the laying of the Cable on Valentia also reveal much about the attitudes of the islanders towards the arrival of the telegraph. It was a true popular event. On the occasion of the 1857 attempt, the expedition historian John Mullaly was impressed by the “two thousand persons, the whole population of the place, and large contributions from miles around” who gathered on the shore to watch the Cable’s arrival.<sup>76</sup> Each description of the occasion includes some mention of the vast number of people thronging the shoreline, a presence which indicates that local people were aware of the significance of the enterprise. The accounts also suggest that the islanders were eager to participate in the venture. No sooner had the boat carrying the cable come close enough to the shore than “there was a whole crowd of men in the water, regardless of wet clothes, proffering their assistance” in carrying the Cable from the ship to the shore.<sup>77</sup> The whole event had the atmosphere of a fair, with many of the spectators coming in their “brightest holiday costume.”<sup>78</sup> It is estimated that one thousand local people attended the celebration thrown by the Knight of Kerry in 1866 celebrating the completion of the enterprise.<sup>79</sup> That islanders not only witnessed the Cable laying, but also participated in the events, even helping drag the Cable itself ashore, indicates that they greeted the new phenomenon enthusiastically.

There are several reasons why the islanders would have supported the Cable’s arrival. First of all, it brought a great deal of excitement to an area of Ireland that may not have otherwise seen such diverse people and such a volume of activity, and it provided the occasion for several celebrations. Second, the amount of activity that the Cable-laying attempts brought to the island most likely had a positive economic impact on Valentia. One 1866 newspaper account includes a description of how the island was

72 The Victorian prejudice against Irish speakers led them into unnecessary trouble in the case of Valentia. The British decided to bring the 1865 and 1866 Cables ashore at a place called Foilhammerum Bay on the West coast of Valentia. The bay seems relatively well protected at first glance; however, when storms come out of the Southwest, they create violent waves that crash on the beach at Foilhammerum. If the British had been more willing to consult with local farmers and fishermen on the placement of the cable, it may have saved them a great deal of money and effort in repairing damages to the wire caused by these waves. [Interview with Diarmuid Ring, Knightstown, Valentia Island, August 14, 2007]

73 Valentia Heritage Museum Display.

74 Peter FitzGerald, *Address of the Knight of Kerry to the Tenants on the Townland of East and West Ballyherney in the Island of Valentia*, (London: Provost & Co., 1872) 4.

75 The current Knight of Kerry further recalls hearing about an incident in which Peter FitzGerald dismissed a schoolteacher for drunkenness, remarking that Peter took education seriously as a means to improve conditions on the island [Interview with Sir Adrian FitzGerald, August 1, 2007].

76 Mullaly, John. *The Laying of the Cable: or The Ocean Telegraph; Being a Complete and Authentic Narrative of the Attempt to Lay the Cable Across the Entrance to the Gulf of St. Lawrence in 1855, and of the Three Atlantic Telegraph Expeditions of 1857 and 1858*. (New York: D. Appleton and Company, 1858), 130.

77 Mullaly, John. *The Laying of the Cable: or The Ocean Telegraph...*

78 “The Atlantic Telegraph.” *Irish Times*. 14 July 1865. The Larcom Papers, MSS7787. NLI.

79 “The Atlantic Cable.” *The Times* (London). 28 July 1866. The Larcom Papers, MSS7788. NLI.

hard-pressed to accommodate all of the visitors who came to witness the events, stating that Knightstown “is fuller than ever” and that several guests had begun camping out in the fields due to the overcrowding at the inns.<sup>80</sup> In addition to the income that this certainly provided to the hotel keepers, all of these visitors would have needed to be fed and to be ferried across the harbor, services for which they would have paid islanders. The Cable enterprise itself offered opportunities for gainful employment. For example, the Cable ships required coaling, for which they hired local labor.<sup>81</sup> It is likely that many islanders would have appreciated these extra sources of income. The agent of the nearby Lansdowne Estate’s efforts to attract tourists confirms that such activity yielded economic benefits.<sup>82</sup>

The Cable also brought a series of related services to Valentia. In 1860, the weather signaling system designed by Admiral FitzRoy was put to use and the telegraphic weather station was established in Valentia. In 1867, the United States Coast Survey set up the Foilhammerum Longitude Observancy near the Cable Station in order to observe the stars from that position on the globe. In both cases, Valentia’s unique geography made it a useful place to study aspects of the natural world, but the telegraph made it a practical location as well, in that information collected could be readily transmitted to more central locations. In 1864, a lifeboat station opened at Renard Point, across the harbour from Knightstown, to assist in maritime rescues off of the West coast of Ireland. Thanks to the Knight of Kerry’s gift of a site, the station moved to Knightstown in 1869. Again, there is a strong possibility that Valentia was chosen for all of these services because of its access to the telegraph and because of the prominence it had gained as a result of the telegraph’s presence. Each of these smaller ventures also brought more income into the island economy.

The effects of the Cable-laying expeditions on the island were all relatively temporary. The true changes to island life brought by the Transatlantic Cable began to set in with the construction of the Cable Station and the permanent staff presence on Valentia. Donard de Cogan of Nottingham University has studied the papers of James Graves, the first superintendent at the Cable Station on Valentia, in order to gain an accurate picture of the early days at the Station. In the summer of 1866, at the completion of the Cable expedition, Graves had a staff of three cable operators working underneath him. By October, this number was to increase to five cable clerks, a junior clerk, a houseboy and a housemaid, a lampboy, and a cook. The latter employees may have been Irish, but, initially, all of the technical or mechanical Cable employees were from England. James Graves himself was born near Cambridge; many of the other employees came from Cornwall. In the early days, the cable staff lived in Knightstown, but worked at the Station in Foilhammerum, five miles away. This fact reveals what sort of effects the Cable Station had on the local economy: De Cogan writes that “the cost of hiring local transport to ferry staff to and from Knightstown” was “the single largest item of monthly expenditure” at the start of the Cable’s operations.<sup>83</sup> In 1868, the Cable Staff—now numbering fifteen, not including servants—moved into a more permanent

80 “The Atlantic Telegraph Expedition.” *Dublin News*. 12 July 1866. The Larcom Papers, MSS7788. NLI.

81 “Atlantic Telegraph Expedition.” *The Times* (London). 12 July 1866. The Larcom Papers, MSS7788. NLI.

82 Gerard Lyne, *The Lansdowne Estate...*, 447.

83 Donard De Cogan. “James Graves and the Valentia Telegraph Station,” *Electronics & Power* (July 1984), 523-528.

space directly outside of Knightstown.<sup>84</sup> This new Cable Station complex was built on a four-acre plot and consisted of three units, with the Station itself and quarters for single men occupying the central unit and the other sections containing four houses each for the families of Station Operators. Again, though the Cable Staff of this early period was entirely English, local labor was used in the construction of the Cable Station and local men and women would have provided services for the Staff, including grounds maintenance, cooking, and domestic tasks, as well as providing the food and fuel for the employees and station, respectively.<sup>85</sup> Such work paid a regular salary, and provided an alternative to emigration for those islanders who did not inherit land, an alternative that many Irish did not have.

Some of the Cable Staffers came to Valentia with their families, and many probably did not associate with the local islanders. However, many of the men were also single, and, as islander and former Cable Station employee Michael O'Connell<sup>86</sup> remarks, a number of these men married Valentia women and decided to stay on the island. In fact, some descendants of the original staff members still live on Valentia. Many of the men who stayed also converted to Catholicism. This indicates that there was a significant degree of interaction and assimilation between the English station employees and the local islanders, a fact that stands in marked contrast to the experience of the staff in Heart's Content, where the imported Englishmen were far more isolated from the local community. A display at the Valentia Heritage Center in Knightstown draws this comparison, noting that, "the Cable Men [in Heart's Content] were [a] privileged group from the outside, receiving steady wages, housed in quarters built by the Company, performing unworldly tasks with incomprehensible tools." Interaction with locals was more difficult in Newfoundland, where the nearest bar was reportedly three miles away from the station.<sup>87</sup>

In the 1870s, the Valentia Cable Station, still growing in numbers of personnel with the addition of more transatlantic cables to handle the burgeoning volume of traffic—the staff had increased to 22 in 1873, not including domestic staff<sup>88</sup>—began hiring Irish employees. One of the first Irishmen hired by the Cable Company was the grandfather of Diarmuid Ring, a third-generation Cable employee, who came to Valentia from Kenmare to work at the Station. Ring reports that, although only English was spoken in the Cable Station, his grandfather—a native Irish speaker who had learned English from his father, a National School teacher—would often travel to Foilhammerum and talk with the islanders there in Irish.<sup>89</sup> Thanks to the education in the National Schools, after the initial years of the Cable's arrival, Valentia men were also hired to work in the Cable Station. By the 1940s, fully half of the Station staff was Irish.<sup>90, 91</sup>

---

84 Ibid., 525.

85 Valentia Heritage Center Display

86 Michael O'Connell also happens to be one of the greatest Gaelic Football Players of all time; he is a midfielder on the Gaelic Athletic Association's millennium team.

87 Valentia Heritage Center Display.

88 Valentia Heritage Center Display. "Staff."

89 Diarmuid Ring, interview by author, August 14, 2007, Knightstown, Valentia Island.

90 Diarmuid Ring, interview.

91 Diarmuid Ring recalls his father, who grew up in one of the Cable Station houses, telling him that he and his friends, other children of staff employees, used to communicate with each other at night in their beds using Morse Code. Since speed and familiarity with Code was a valuable trait in employees, Ring's father made an excellent candidate for Station employee. Eugene and Tim Ring were responsible in 1916 for sending word of the Easter Rising to the United States through the telegraph: they sent the message: "Mother operated on successfully today," and signed it *Kathleen*. [Valentia Heritage Center Display, Interview with Diarmuid

James Graves, the station superintendent, provides a useful picture of life in the Cable Station, in an article published in *The Telegraphist* in 1885. Graves writes that, even with the expansion of the station to include another six houses for employees, many men still had to find housing for their families outside of the station. Graves details the various amenities that the Station staff had available to them, including a billiards table, a well-stocked library, a boat to take out when the weather was suitable, and numerous pianos, on which employee's children were taught. Speaking to further types of interactions between Station employees and locals, Graves writes, "Several public concerts have been given voluntarily by the staff, and have been highly appreciated by the inhabitants and the elite of the neighbourhood."<sup>92</sup>

In later years, during the twentieth century, the Station employees formed a dramatic society and were responsible for the presence of a cinema on the island, both of which contributed to the island's cultural life, and both of which would not have occurred on Valentia if not for the presence of Western Union, at that time the owner of the Cable operations. Perhaps more importantly for islanders, Western Union also sponsored the building of a new Catholic Church in Knightstown, and paid for a resident doctor to live on the island.<sup>93</sup> This meant that Valentia had two local doctors, an advantage that distinguished it from the mainland in terms of available medical care. Being an employee of the Cable Station had its exclusive perks as well. First, the Cable Station offered its employees a high salary: Michael O'Connell reports that as a Cable employee, he was making eight times as much as he could expect elsewhere. Second, the Cable Station houses, for a long period of time, were the only place on Valentia that had electricity. And third, the Cable Station jobs were much sought after due to their stability—O'Connell stated that he may only have gotten his post through a family connection. Social historian Edwin Gabler confirms that telegraphists were a cut above laborers in other industries in terms of social standings: the Cable operators, he observes, were members of a developing lower-middle class of skilled and educated technology workers. Additionally, Gabler's account of the social mobility available to cable employees in the United States harmonizes well with the picture of Valentia offered by Michael O'Connell and Diarmuid Ring.<sup>94</sup>

Besides all of the jobs available through the Cable Station directly, the telegraph also brought a large amount of business to Valentia Harbour. Large cable ships regularly steamed into Valentia Harbour before heading out to sea to grapple and repair the cables. Diarmuid Ring worked for a time on one such ship, and Michael O'Connell's father labored as a pilot to guide the Cable Ships safely into port. These jobs and the associated economic activity vastly increased the quality of life for many of the inhabitants on Valentia by providing stable employment that offered an alternative to emigration. Such effects of the Cable's presence lasted well into the twentieth century. The Cable Station finally closed its doors in 1965/66, after one hundred years of operation.

All of this development on Valentia—at first, the telegraph, the lifeboat, the meteorological station, and later, a radio station, the cinema, and the dramatic society—was generated from above, as a result of British or Americans coming in at the invitation

---

Ring.].

92 James Graves, "The Anglo-American Telegraph Company's Station, Valentia, Ireland," *The Telegraphist*, 1 December 1885. (<http://www.atlantic-cable.com/CableCos/Valentia/index.htm>. Bill Burns, Site Manager).

93 Michael O'Connell, interview by author, August 14, 2007, Knightstown, Valentia Island.

94 Edwin Gabler, *The American Telegrapher: A Social History, 1860-1900* (New Brunswick: Rutgers University Press, 1988), 4, 60-61.

or with the permission of the Knight of Kerry. However, these changes seem to have been supported from below. There does not appear to be any record of opposition to the telegraph, and, according to Michael O'Connell, in popular memory, at least, no antagonism seems to have existed between the British Staff and the Irish islanders.

The Knight of Kerry's leadership was put to the test twice in the 1860s and 1870s—first, by the Fenian uprising of 1867, which in many ways was centered around the island of Valentia, though it did not constitute a strong negative reaction to the Knight of Kerry or to the presence of the telegraph. The second test came in 1872, when the Knight rationalized some of his landholdings in the Ballyherney townlands, forcing some of his tenants to relocate to less favorable plots of land on the Western extreme of Valentia. Though this forced relocation must have caused some bitterness and resentment, the Knight of Kerry was still viewed in a remarkably favorable light in the later years of his life—remarkable because of the considerable landlord-tenant tension at the time—and still today, over a century after his death. As politician and reporter Thomas Gibson Bowles wrote to Peter FitzGerald's son after his father's death, saying, “for an Irish landlord to be loved in Ireland is still however the greatest testimony of all to his worth.”<sup>95, 96</sup> Although this statement must be received cautiously due to the fact that its author was not a Valentia native, this idea is supported by the fact that both Diarmuid Ring and Michael O'Connell, two lifelong Valentia residents and former employees of the Cable Station, report that Sir Peter is still remembered fondly on Valentia and is held responsible for the telegraph's presence on the island.<sup>97</sup> This affectionate popular memory stands in marked contrast to the bitter and hateful feelings that prevail in the nearby Lansdowne Estate towards the agents in charge during Sir Peter's tenure at Valentia.<sup>98</sup>

The assertions that Sir Peter was well liked by the islanders and that the telegraph and the broader development of Valentia was supported by the people of Valentia harmonize with the sentiments on economic development common in 1860s and 1870s Ireland. Perhaps as a reaction to the horrors of the Famine, the Irish seem to have largely embraced a vision of economic progress and development in the mid-nineteenth century.<sup>99</sup> One article from *The Citizen* in 1865 described the cumulative effect of “commerce,” “manufacture,” and “scientific knowledge,” which combine to form “one harmonious and beautiful economy.”<sup>100</sup> Even *The Nation*, which in the 1840s was the stalwart promoter of romantic cultural naturalism by the 1860s supported economic modernization as a means of promoting the strength of the Irish nation. One article discusses the benefits of railways, arguing that “popular facilities of access would prove powerful agencies in helping to lessen the anomalous social and industrial inequalities which unhappily exist between distant districts of the island.”<sup>101</sup> The prevailing national trends toward economic progress, combined with evidence supporting fond feelings

95 “Thomas Gibson Bowles, Hamburg, to Maurice FitzGerald.” *FitzGerald Papers—Reference 1001*. Item 1/39. 24 August 1880. From the personal collection of Adrian FitzGerald, London.

96 Alfred Cochrane, “Bowles, Thomas Gibson (1842–1922),” rev. H. C. G. Matthew, in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com/view/article/32005> (accessed March 26, 2008).

97 Michael O'Connell, interview; Diarmuid Ring, interview.

98 Gerard Lyne, *The Lansdowne Estate...*, lii.

99 Virginia Crossman, *Politics, Law and Order in Nineteenth-Century Ireland*, (New York: St. Martin's Press, 1996), 90.

100 “Railway Progress.” *The Citizen*. 2 December 1865. The Larcom Papers, MSS7791. NLI.

101 “Our Railways.” *The Nation*. 3 June 1865. The Larcom Papers, MSS7791. NLI.

towards the Knight of Kerry, imply that many of the islanders would have supported the economic modernization of Valentia.<sup>102</sup>

Contrary to the vision of Maurice FitzGerald, Valentia never turned into another Liverpool—but most people would argue that this was for the best. Certainly, Valentia entered the pages of history in its own right, and in its own way.

---

102 R.V. Comerford, *The Fenians in Context*, (Dublin: Wolfhound Press, Humanities Press Inc., 1985), 8.





The area in green represents the Knight of Kerry's estate. The white section was owned by Trinity College, Dublin. Knightstown sits at the extreme east of the island. Section 8, Glanleam, was the home of the FitzGerald Family. The slate quarry is just south of section 7, Dohilla. Lastly, the cable came ashore in 1866 at the small bay on the southwest side of the island, Foilhammerum Bay.

Image: Aaron Stanton, with the permission of Sir Adrian FitzGerald.



## BIBLIOGRAPHY

### Archives

FitzGerald Papers, Private Collection of Adrian FitzGerald, London, UK.

National Library of Ireland, Dublin, Ireland:

The Larcom Papers, MSS7583, MSS7587, MSS7600, MSS7602, MSS7680, MSS7681, MSS7704, MSS7787, MSS7788, MSS7791.

Valentia Heritage Center, Knightstown, Valentia, Ireland.

### Interviews

Sir Adrian FitzGerald, London, UK.

Michael O'Connell, Knightstown, Valentia, Ireland.

Diarmuid Ring, Knightstown, Valentia, Ireland.

### Books and Articles

Bartlett, Thomas. "Fitzgerald, Maurice, eighteenth knight of Kerry (1774–1849)," in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com/view/article/9579> (accessed February 25, 2008).

Boyce, D. George. *Nationalism in Ireland*. London: Routledge, 1995.

Cochrane, Alfred. "Bowles, Thomas Gibson (1842–1922)," rev. H. C. G. Matthew, in *Oxford Dictionary of National Biography*, ed. H. C. G. Matthew and Brian Harrison (Oxford: OUP, 2004); online ed., ed. Lawrence Goldman, January 2008, <http://www.oxforddnb.com/view/article/32005> (accessed March 26, 2008).

Comerford, R.V. *The Fenians in Context: Irish Politics and Society, 1848-82*. Dublin: Wolfound Press, Humanities Press Inc., 1985.

Connolly, S.J. "The Great Famine and Irish Politics," in in *The Great Irish Famine*, ed. Cathal Poirteir, 34-49. Ireland: Mercier Press, 1995.

Crossman, Virginia. *Politics, Law and Order in Nineteenth-Century Ireland*, New York: St. Martin's Press, 1996.

Curtis, Perry L, Jr. *Apes and Angels: The Irishman in Victorian Caricature*. Washington: Smithsonian Institution Press, 1971.

De Cogan, Donard. "James Graves and the Valentia Telegraph Station," *Electronics & Power* (July 1984), 523-528.

Donnelly, James S. Jr. "Mass Eviction and the Great Famine: The Clearances Revisited," in *The Great Irish Famine*, ed. Cathal Poirteir, 155-173. Ireland: Mercier Press, 1995.

Field, Henry M. *The Story of the Atlantic Telegraph*. New York: Charles Scribner's Sons, 1892.

FitzGerald, Emily. *Knights of Kerry: Notes from the Papers of Miss Emily FitzGerald of Reenglas*. 7. FitzGerald Papers.

Foster, R.F. *Modern Ireland: 1600-1972*. London: The Penguin Press, 1988.

Foster, R.F. *Paddy and Mr Punch: Connections in Irish and English History*. London: The Penguin Press, 1993.

- Gabler, Edwin. *The American Telegrapher: A Social History, 1860-1900*. New Brunswick: Rutgers University Press, 1988.
- Gordon, John Steele. *A Thread Across the Ocean: The Heroic Story of the Transatlantic Cable*. New York: Walker and Company, 2002.
- Kieve, Jeffrey. *The Electric Telegraph: A Social and Economic History*. Newton Abbot: David & Charles, 1973.
- Lubrano, Annteresa. *The Telegraph: How Technology Innovation Caused Social Change*. New York: Garland Publishing, Inc., 1997.
- Lyne, Gerard J. *The Lansdowne Estate in Kerry Under the Agency of William Steuart Trench, 1849-1872*. Dublin: Geography Publications, 2001.
- Lyons, F.S.L. *Ireland Since the Famine*. New York: Charles Scribner's Sons, 1971.
- MacCarthy, R.B. *The Trinity College Estates, 1800-1923: Corporate Management in an Age of Reform*. Dundalk: Dundalgan Press, 1992.
- Mould, Daphne D.C. Pouchin. *Valentia: Portrait of an Island*. Dublin: The Blackwater Press, 1978.
- Mullaly, John. *The Laying of the Cable: or The Ocean Telegraph; Being a Complete and Authentic Narrative of the Attempt to Lay the Cable Across the Entrance to the Gulf of St. Lawrence in 1855, and of the Three Atlantic Telegraph Expeditions of 1857 and 1858*. New York: D. Appleton and Company, 1858.
- O'Cleirigh, Nellie. *Valentia, a Different Irish Island*. Dublin: Portobello Press, 1992.
- Standage, Tom. *The Victorian Internet: The Remarkable Story of the Telegraph and the Nineteenth Century's On-line Pioneers*. New York: Walker and Company, 1998.

# contributors

**JENNY WEISSBOURD '08.5** is concentrating in History, and wrote her senior thesis on first wave feminism and women's health in 1850s Providence. Jenny wrote this paper in visiting Professor Robert Gross' seminar on "Transcendentalism and Social Reform." She will continue to follow the history of the Providence Physiological Society this summer when she produces an audio documentary about the group, thanks in part to the support of a Starr Fellowship. When not researching women's health, she hosts "One Man's Trash" for Brown Student Radio.

**DAVID FRISO '09** is concentrating in History. Written in Professor Vazira Zamindar's course "The Making of Modern South Asia," his paper sparked his interest in Indian economic history, now the subject of his thesis. David briefly considered a second concentration in economics, until he realized history could be twice the fun. David hopes that he will find gainful employment upon graduation.

**SARA DAMIANO '08** is a History concentrator focusing on early America. Her senior thesis on women's legal status in 18th century Newport has led her to spend much of her senior year exploring the Ocean State — or rather, locked in the Rhode Island Judicial Archives in Pawtucket. This paper was written for her thesis advisor Professor Michael Vorenberg in his seminar "Legal and Constitutional History." A Westborough, Massachusetts native, Sara will finally leave New England after her graduation to pursue a doctorate in early American history at Johns Hopkins University.

**ZOHAR ATKINS '10**, a Classics and Judaic Studies concentrator, is pursuing a concurrent master's degree in History. He wrote this paper in a "Medieval Church" seminar. An aspiring rabbi, Zohar is interested in studying the medieval and modern worlds and in reconciling such topics as dogmatism and skepticism, faith and reason, community and individuality. Zohar is the Shabbat committee chair at Brown-RISD Hillel and a poetry workshop leader at the Rhode Island Adult Correctional Facility.

**SAMUEL BYKER '10** is concentrating in History and Economics. When not researching air pollution (or breathing it in at home in Los Angeles), he devotes much of his time to writing for the Brown Daily Herald and searching for decent Mexican food in Little Rhody. Written in Professor Karl Jacoby's course "North American Environmental History," this paper was inspired by his interest in environmental policy and his love for his smoggy hometown. This summer Sam will spend a month in India filming a documentary and lead a Brown Outdoor Leadership Training group.

**JULIA VAZQUEZ '09** is a concentrator in Art History, Classics, and Renaissance

and Early Modern Studies. A native San Diegan, she immerses herself in art, literature, and philosophy. This paper was written in Professor K. Dian Kriz's art history course on Eastern and Western cultural encounters in the eighteenth and early-nineteenth centuries, a topic that appeals to her as a member of Brown Badmaash, Brown's South Asian dance team. Julia also serves as an editor of the *Brown Classical Journal*.

**ADAM KRIESBERG '08** is concentrating in History and Classics. His paper "'Spurious and Fraudulent' Claims" was written in Professor Karl Jacoby's Native American history seminar. Adam pursued his interest in early American history with a thesis on historical memory of King Philip's War in Bristol, RI. After graduation, Adam will bring his idealism and enthusiasm to the workforce, but he ultimately plans to return to graduate studies.

**HENRY HOYLE '08** is a History concentrator and completed his thesis on Chinese history. His paper was written in Professor Tim Harris' "Spin, Terror and Revolution" seminar. Henry studied abroad in China during his junior year and plans to return to the country after graduation, this time on a bike. On a several hundred mile trip from China to Cambodia for charity, he hopes to find a job so that he can remain in Asia.

**AARON M. STANTON '08** is concentrating in History. His thesis on the Transatlantic Telegraph and the West of Ireland, advised by Professor Deborah Cohen, reflects Aaron's interest in Irish history and the response of communities to dramatic change. When not closeted in his room amidst piles of library books, Aaron sings with the Higher Keys, Brown's jazziest co-ed a cappella group. Following graduation, Aaron will most likely return to his home state of New York to work for several years while weighing further educational pursuits.

# announcement

BROWN JOURNAL OF HISTORY ESSAY PRIZES

Prizes to be awarded to those submitting for the spring 2009 issue:

## COGUT CENTER FOR THE HUMANITIES PRIZE - \$100

Awarded for a submission selected for publication by the editorial board of the *Brown Journal of History* that critically engages interdisciplinary and comparative work across cultural and linguistic boundaries. This prize recognizes a piece which situates history in the humanities.

## JOHN CARTER BROWN LIBRARY PRIZE - \$100

Awarded for a submission selected for publication by the editorial board of the *Brown Journal of History* that makes use of the holdings of the John Carter Brown Library.

## JOHN NICHOLAS BROWN CENTER FOR THE STUDY OF AMERICAN CIVILIZATION - \$100

Awarded for a submission selected for publication by the editorial board of the *Brown Journal of History* that addresses issues of public history.