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About the Journal

*Swarthmore Undergraduate History Journal* is a peer-reviewed, faculty-approved, student run research publication that seeks to encourage undergraduate scholarship on diverse subjects. We uphold publishing ethics and are committed to the integrity of academic research. This journal is also specifically inclusive of historical narratives often overlooked in mainstream scholarship and allows for the submission of interdisciplinary articles so long as the focus remains historical.

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Our review process is a double-blind peer-review by our trained group of student editors. After a submission is approved, individual editors complete their reviews which they then bring to the larger group of editors for approval. After the submission and edits are cleared by the staff and the author, the final product is published to our site.
Meet the Editors

Gwendolyn Rak (She/Her)
*Editor-in-Chief*

Gwendolyn is a junior from Vienna, Virginia studying history and astrophysics. Combining the two, she is particularly interested in the history of science, and she eagerly awaits the day both fields are advanced by the advent of time travel.

Daniel Pantini (He/Him)

Dan is a junior from Newport, Rhode Island pursuing an Honors major in History and an Honors minor in Religion. On campus, he works for the Swarthmore History Department, was a Green Advisor, and helps to organize events for the zero-waste collective SZW. During the online semester, you can find him at aptly named Newport sites such as “Ocean Drive” and “Cliff Walk.”

Ben Schaeffer (He/Him)

Ben is a junior from Lexington, Kentucky studying history at Swarthmore. Ben enjoys outdoor activities such as hiking and fishing, and he loves dogs.

Vir Shetty (He/Him)

Vir is a junior from Haverford, PA, studying Physics and Statistics. In his free time, you can often find him playing Crusader Kings II and insisting that the Fourth Crusade was the dumbest war anyone started, ever.

Helen Tumolo (She/Her)

Helen is a junior from Staten Island, New York majoring in History and minoring in Educational Studies. Beyond academics, Helen loves to read, knit, and crochet.

Ronald Wu (He/Him)

Ronald is a freshman from Vancouver, Canada studying political science and economics at Swarthmore. Ronald enjoys music, travelling to the most random locations in the world (after the pandemic), and finding the next best bubble tea shop in town.

Jacob Weitzner (He/Him)

Jacob is a junior from Washington, D.C. studying History and Religion. You can also find Jacob in the pottery studio making teacups for his friends and family or playing Ultimate Frisbee with the Swarthmore Earthworms.
Letter from the Editor

Following a momentous year, the first half of 2021 has been a period of transition as the dust settles. Many have acknowledged the importance 2020 will surely have in future history books, but while often overlooked in dominant narratives, history is also made in times like the present moment. At SUJI, we aim to tell stories of the calm as well as the storm, and to broaden our perspectives on all historical events.

We are therefore pleased to present the following collection of articles in the Spring/Summer 2021 issue of Swarthmore Undergraduate History Journal. This issue’s selection contains six articles, including the 2020 winner of Swarthmore’s Robert S. DuPlessis Prize for the best senior research paper, written by Annie Abruzzo ‘20.

Finally, special thanks to the Swarthmore History Department for all their support, especially Professor Diego Armus, Jen Moore, and Maria Aghazarian.

Sincerely,

Gwendolyn Rak

Gwendolyn Rak

Editor-in-Chief
“Unspoken Understanding”:
The Evolution of Chinese American Adoption Communities

Annie Abruzzo
Swarthmore College

“My name is Jenna Cook. I was born in China at an unknown time in the winter of 1992, and my American mother adopted me on June 9, 1992. I believe adoption is more than a singular event — more than what happened to me when I changed hands on June 9th. For me, being adopted is an identity category — just like student, scientist, Chinese American, daughter, sister. I am also adopted. It is a constantly evolving, lived experience. I believe that adopted people share an unspoken understanding with each other.”

In April 1992, China implemented the law permitting international adoption that made Jenna Cook one of the first Chinese American adoptees just two months later. Since then, over 90,000 babies and children have been adopted from China by U.S. families. Throughout the nearly three decades since, those whose lives have been touched by adoption have experienced a “constantly evolving” journey defined by a search for answers to a growing set of common questions. Many parents wondered how to talk about adoption and race with young children. Will my child feel out of place in our family? What can I do to help my child connect with Chinese culture? How do I explain why she was adopted? As adoptees grew up, they began asking their own set of questions, too. Like Jenna, most don’t know exactly what time or what

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date they were born. Like Jenna, adoptees have no knowledge of their family medical history (except for the information that can be gleaned from DNA tests). And many, like Jenna, wonder what it might be like to meet their biological parents, find biological siblings, or have biological children.

The concentrated wave of Chinese American adoptions beginning in the early 1990s enabled adoptive parents to come together in communities to provide each other with mutual support in the adoption process and, later, in the parenting of adoptees. These groups drew on and added to a large body of resources through which parents propagated a created form of Chinese culture and the adoption narrative that they viewed as valuable for their children. Over time, however, the first cohorts of Chinese American adoptees began to reflect on the incongruities between these paradigms and their own needs and understandings of themselves. They began to diverge from these models, searching for new ways to understand their stories and their identities. These adoptees have since chosen to seek out their own communities based on shared experience growing up adopted, rather than shared heritage or Chineseness.

Celebrating nontraditional families

In the early 1990s, some parents of Chinese American adoptees began to develop small-scale communities. At first, these communities were largely situational – that is, they formed as subsets and later offshoots of existing parent groups. Even before China legalized international adoption, a burgeoning population of single mothers was making headlines throughout the 1980s. From 1980 to 1990, the birthrate among unmarried white women between the ages of 30 and 34 surged 112%, and 104% for those between 35 and 39. Vice President Dan Quayle brought single motherhood into America’s “culture wars” during the 1992 campaign when he attacked the “poverty of values” behind the character and story of TV’s Murphy Brown’s choice to become a single mother. The relative generational cohesion of these new mothers enabled them to form connections with each other around the ongoing experiences they shared navigating the decision to have a child alone and their struggles to do so. Single Mothers by Choice was an organization started in the living room of Jane Mattes, a private practice psychotherapist from New York City and single (though not adoptive) mother. The New York chapter, which started with eight members at its founding in 1981, reached 500 by 1998, and nationwide there were 2,000 members in the organization’s 20 chapters that same year.

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This growing wave of same-sex and single-parent households added to the demographics of parents adopting from China, especially as rising numbers of women were waiting longer to have children and thus struggling with infertility.7 “And Baby Makes Two” was the title of an article in *The Manhattan Spirit* in 1998 and a documentary produced in 1999, both chronicling the surge of New York single mothers pursuing adoption.8 Single motherhood was already integral to the New York City zeitgeist at the time, and international adoption, specifically from China, became salient by association. Upon the group’s founding, none of the Single Mothers by Choice had adopted internationally, but about ninety mothers (one-fifth of the New York chapter) had by 1998.9 This rise fueled the growth of more specifically adoption-oriented organizations, such as New York Singles Adopting Children.10 While single mothers did not comprise all or even the majority of parents adopting from China, their preexisting organizational structures created a model that could then be utilized by all adoptive parents.

Throughout the 1980s, a very specific demographic of single mother emerged – “middle class, affluent and educated, usually white, often professional and typically over 30.”11 In having the privilege and resources to access new fertility technologies and bring a child into the world “without the benefit of a father,” many (though not all) of these women initially sought to replicate the traditional model of pregnancy, birth, and biological motherhood as their first choice – adoption emerged as an alternative when faced with frustrating infertility. The issues specific to adoption from China were from the outset, therefore, very tightly intertwined with other questions of parenthood and family formation at the end of the century. Since adoptive parent groups descended directly from groups of single mothers (as well as gay partners and couples experiencing infertility), issues surrounding nontraditional family became increasingly relevant to adoptive parenting.

These parents thus devoted considerable emphasis to establishing the legitimacy of the adoptive parent and the normalcy of the adoptive family. One of the core teachings found in the literature for adoptees and their families is that there is no such thing as a “real” parent. The biological parents are referred to with the prefix “birth,” and if no qualifier is included, the speaker is presumed to be referring to the adoptive parents. While nomenclature may seem trivial, adoption awareness activism has created a qualifier for “birth” parents as a way to push back against dominant societal norms imbuing biological kin with greater authenticity.12 Parents

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9 Rivituso, “And Baby Makes Two.”
10 Rivituso, “And Baby Makes Two.”
11 Anita Micossi, “Just the Two of Us,” *Savvy*, September 1987, 44.
of Chinese adoptees reaffirmed this vernacular, making sure the distinction remained clear in children’s books and any conversations about adoption.

Adopted children largely normalized this language, but it certainly needed to be taught. Failure to extinguish deeply ingrained biological definitions of family was permanently recorded in the short letter eight-year-old Hope wrote to her mom that was published in the Families with Children from China Kids Issue.\textsuperscript{13} Hope explained that she was in an orphanage as a baby because “They didn’t know where my real parents were,” and that’s why she got adopted.\textsuperscript{14} Despite the clearly positive message that Hope felt lucky that her mom adopted her, the use of the term “real parents” opposes so many efforts of adoptive parents to teach their children that adoptive parents are real parents.\textsuperscript{15}

While parents may have done everything they could to validate nontraditional family structure, adoptees still understood the societal importance of biological authenticity and the desire of parents (even their own, by attempting donor insemination) to pursue it. Adoptees also noticed other impacts of non-biological kinship on their lives and families, such as a feeling of being misplaced. In her 2010 Kids Issue essay, “A Challenging Problem and How I Solved It,” fourteen-year-old Eliza wrote, “Every year at Thanksgiving when my parents and I go to Boston, I feel uncomfortable because I do not look like my family. Most of my family has dirty blond hair and grayish bluish eyes… I have dark brown hair and dark brown eyes. At Thanksgiving I sometimes think that I don’t belong there because I’m not blood related to them, but they welcome me in as if I were, so I am very grateful for that.”\textsuperscript{16} Although Eliza concludes that she is grateful for her adoptive family welcoming her, the qualifier “as if” concedes the notion that biological ties are the standard, of which adoptive ties are merely an imitation.

Many adoptees did grow up with nontraditional families normalized and free of stigma, but this experience was mediated by privilege and environment. Seventeen-year-old Abigail published “A World of Different” in the 2011 FCC Kids Issue, in which she wrote about how her family is normal to her: “Alternative families surround me. I am part of one of these

\textsuperscript{13} Since 2003, the FCC branch of Greater New York, Connecticut, and New Jersey has published an annual Kids Issue – a magazine containing the works of FCC adoptees as young as 4 or 5 and as old as 14 or 15. These works include drawings, photographs, poems, short stories, journal entries, and written reflections by adoptees. Each piece is accompanied by the full name, Chinese name, hometown, birth town and province, and (sometimes) photo of the author. Although the publication is specifically by and for adoptees, the pieces contained in it do not necessarily pertain to adoption. Rather, they range from the kinds of creative images any child would produce – self-portraits of themselves as princesses and a high volume of panda and other animal drawings – to direct reflections on the adoptee’s understanding of Chinese culture or relationship with their nascent adoptee identity. As of Fall 2015, the publication, now published jointly with FCC New England and FCC Northern California, has rebranded itself VIEW and includes more work from teenaged and young adult adoptees. Note: The last names of authors in the FCC Kids Issues have been omitted to preserve the anonymity of the children who published in these magazines.

\textsuperscript{14} Hope S., “I Feel Lucky to Know You!” FCC Kids Issue, Summer 2007, 7.
\textsuperscript{15} Four years later, in the 2011 Kids Issue, an even older adoptee – fifteen-year-old Rosa G. – published a poem that opens: “I miss my true parents / I long for their love and affection.”\textsuperscript{15} While Rosa’s sentiments of missing, wondering about, and longing for her birth parents were normal and common, referencing “true parents” and a “true family” similarly implies an inherent value to biological connection that the adoptive family lacks. Julie Berebitsky, Like Our Very Own: Adoption and the Changing Culture of Motherhood, 1851-1950 (Lawrence: University Press of Kansas, 2000), 9; Berebitsky, 75-101; Rosa G., “My Mother and Father,” FCC Kids Issue, Fall 2011, 61.
unconventional families. My mother adopted me from China as a single parent when I was three months old. I was never sad that I didn’t have a dad. I have no siblings, and do not resemble my mother in any physical sense. But we both worry, we both love dogs, we both have a dry sense of humor, so it’s clear to me that we were meant to find each other.”17 The privilege of growing up in Berkeley, California, an area where alternative families surrounded Abigail, was not accessible to all adoptees, but likely played an important role in her eventual understanding of such families as common. Even if an adoptee appreciates the bonds she has with her parents, she will notice and may feel uneasy if no other families in her school or town look like hers. However, parents had varied and often limited abilities to ensure they would raise their adoptees surrounded by other single-parent or multiracial families.

Access to early parental networks and communities was indeed limited by geography and class in ways that mirrored the distribution of resources supporting parents through adoption itself. Many adoption agencies, such as Spence-Chapin in New York City, devoted resources to workshops, discussions, panels, and counseling to support adoptive families throughout various stages of adoption and parenting.18 Some programming was relevant to both domestic and international adoption, such as a workshop on “Talking to Your Child About Birth Parents,” but eventually, these existing support systems were transformed to target more specific populations.19 In the late 1990s, Spence-Chapin facilitated discussion groups on “Tough Issues in International Adoption,” such as abandonment, gender politics, rumors of stolen children, and “motherland” trips.20 Travel groups – groups of adoptive parents and sometimes close family or friends who traveled together to adopt babies from the same orphanage at the same time – also served as situational communities that were highly specific to the shared experiences of adopting from China (and usually returning to a shared hometown to raise children).

The communities created by chance encounters among the first parents of Chinese adoptees, however, quickly worked to make it easier for future parents to deliberately seek out support even before they adopted their child. Jana Wolff, mother of a domestic transracial adopted son, wrote “Secret Thoughts of an Adoptive Mother” in 1997, an article (later a book) that examined the types of emotional quandaries being discussed openly for the first time. Wolff voiced the feeling of being “woefully unprepared” to pursue a path that society had done little to groom her for. “I was on uncharted ground emotionally, with no road maps or role models,” she wrote.21 The level of comfort with publicly expressing novel feelings is key: this is how

adoptive parents were able to find and connect with a cohort of like-minded, engaged parents willing to guide them.\textsuperscript{22} Parents like Wolff coalesced into more deliberately connected, formal communities dedicated from the outset to serving parents’ emotional and practical needs. Families with Children from China (FCC) was originally founded explicitly as a parent support group, though the group quickly expanded to embrace a multifaceted mission.\textsuperscript{23} A pamphlet distributed at the 2000 Chinese Culture Day event, “FCC’s Beginnings: Three Personal Histories,” shed light on the motivations and mindsets of the organization’s founders, and FCC’s view and portrayal of its own origins.\textsuperscript{24} The document confirmed the narrative that these communities grew from a few “fortuitous” meetings and word of mouth. These encounters and connections brought FCC’s founders together even before they adopted their children. In fact, the daunting process of international adoption, illegible to many parents like Wolff, prompted many parents to open up to the advice and help of strangers they might never have connected with otherwise.\textsuperscript{25}

The language and structure of FCC’s mission statement, first formalized in the October 1996 edition of their quarterly newsletter, reflect the original reasons why adoptive parents came together. FCC characterized the ways in which adoptive families supported one another as “nurturing” – but interestingly, they emphasized the nurturing of “parenting,” while the desire to nurture children was expressed only later, in the third portion of the mission statement. The overall goal of legitimizing non-biological kinship and the drive to create communities of nontraditional families were tightly intertwined, and together, these shaped early approaches to parenting adopted children.

\textbf{Constructing Chineseness}

The 2012 documentary \textit{Somewhere Between} profiles four teenaged adoptees and chronicles their experiences navigating complex issues of identity as they grow up in predominantly white communities, meet other transracial adoptees, travel back to China, and even search for their birth families.\textsuperscript{26} The documentary’s title itself embodies the struggles faced by many adoptees – the feeling that conventional or expected labels don’t quite fit. Are adoptees

\begin{itemize}
\item \textsuperscript{22} Wolff says talking about her uncomfortable thoughts and feelings led her to “good company.” Wolff, “Secret Thoughts,” 17.
\item \textsuperscript{23} Families with Children from China is a name shared by several regional organizations across the US that are distinct from one another and administratively independent. FCCNY was the first such chapter to be created and has developed separately from the other chapters, which also have slightly varied goals and activities. In this paper, FCC will be used to refer largely to FCCNY, though much of the analysis is applicable to other FCC branches as well. “Families with Children from China Greater New York – Who We Are,” Families with Children from China, accessed October 1, 2019, \url{https://fccny.org/about}.
\item \textsuperscript{24} Aileen Koger, Susan Caughman, and Laurie Heineman, “FCC’s Beginnings: Three Personal Histories,” in Families with Children from China Recognizes its Founding Members: Chinese Culture Day 2000, Families with Children from China, 2000.
\item \textsuperscript{25} Wolff, “Secret Thoughts,” 17.
\item \textsuperscript{26} “Somewhere Between – About the Film,” Somewhere Between, accessed December 19, 2019, \url{https://somewherebetweenmovie.com/about-film}.
\end{itemize}
Chinese or American? Can they even claim a Chinese American identity? Is an adoptee more white or more Asian, or some combination of both? Many parents of Chinese American adoptees strove to anticipate and learn how to address these questions, but adoptees found that there was no easy answer and continued to grapple with their racial and cultural identities throughout adolescence and young adulthood.\(^{27}\) The evolution of this problem was partly defined by the goals and strategies of adoptive parents’ communities.

Parents of Chinese adoptees began to answer questions of culture, race, and ethnicity in parenting in the mid-1990s. The FCC mission statement references a desire to “integrate,” but not with the assimilationist approach taken by an earlier generation of transnational, especially Korean American, adoptees – race-blind erasure of the adoptee identity in favor of instilling a completely American identity.\(^{28}\) Notably, as elucidated by Barbara Melosh, those who adopted Korean children during the first post-war waves did so on the tail of a movement within domestic adoption to deliberately “‘match’ parents and children by race, ethnicity, religion, and other characteristics, thereby creating the ‘as if begotten’ family – one closely approximating biological kinship.”\(^{29}\) While the strategy may have worked for placements of white children within white middle-class families, this attitude towards adopted kinship was ill-suited for the incoming transnational adoptees. The documentary *First Person Plural* (2000), directed by an adult Korean adoptee, highlighted the conflicts of identity and unanticipated racial issues she faced later in life, spurring discussion that prompted the next generation of adoptive parents to take a different approach. Rather than integrate by emphasizing sameness, parents of Chinese American adoptees reversed that model and strove instead to “celebrate our cultural and racial differences.” In doing so, parents hoped to avoid the cognitive dissonance many Korean adoptees experienced when they were raised to view themselves as no different than their white families and neighbors, while a long legacy of Asian exclusion prevented them from being recognized as authentically American by much of the country. By attempting to actively acknowledge and engage in Chineseness, adoptive parents effectively placed their children in that “somewhere between,” telling them that they could be both Chinese and American at the same time.

While Asian American parents could passively integrate culture into everyday life, adoptive parents relied on “culture bites” to create ways for their very young children to access and understand “Chineseness.”\(^{30}\) In her essay “Embodying Chinese Culture,” Toby Alice Volkman goes further to argue that the adoption community invented the very idea of a “birth culture” in the first place, and along with that concept came the implicit need to preserve and

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\(^{27}\) The director and producer of *Somewhere Between*, in fact, was a parent of a Chinese American adoptee.  
However, in trying to directly remedy the isolation of Korean adoptees, parents of Chinese adoptees drew criticism for their treatment of culture as well. Elizabeth Alice Honig argues that transnational adopters homogenize culture without nuance, creating an “official fiction” that there is some “true” sense of culture. Instead of portraying the complex politics of adoption (i.e. the domestic realities for Chinese parents that counter the “tightly held fantasy” that western adoption was the only and best option), parents prefer telling their children cultural stories that enable those parents to avoid any responsibility. To compensate for facilitating the removal of the child from the birth culture, parents crafted a new form of culture that was presented as an equal (or at least sufficient) substituted replica of that culture.

These invented forms of culture tended to rely on the visible and tangible. In 2001, the Long Island and Queens newspaper Newsday published an article called “The Chinese Connection,” which included large color photos embodying multiculturalism in the adoptive home: Chinese calligraphy and American toys juxtaposed as home décor, and a mother and daughter both wearing traditional Chinese attire. The overlaid caption stated that the mother wants her daughter to “absorb Chinese Culture” and that “both are learning the Chinese language.”

Although perhaps stereotypical, these aesthetic performances of Chinese culture were fairly common in Chinese American adoptive families. One of the featured families, the Patricks, also chose to give their adopted daughters Chinese first names, which were more often retained as middle names behind American first names. The Patricks are quoted stating that in Flushing Chinatown, their children can “blend into the Chinese community…. If they decide to live their life in an ethnic way, marry Chinese or locate to a Chinese neighborhood, the last thing we would want is for them to feel like outcasts in their own community. If they someday decide they have no interest in their heritage, that will be their decision to make, but we will have provided all the information they need to help them make that decision.”

The language used by the Patricks (i.e. referring to Chinese culture as “ethnic”) and the assumptions they make (that their children “feel most comfortable” where they blend in racially) would be challenged by scholars and, later, adoptees themselves. Granted, adoptive families had varying capacities to fulfill the FCC community’s goals of fostering appreciation for their children’s heritage, and the literature and media often criticize parents’ imaginative production of Chinese culture for a lack of authenticity. However, the “radical new openness about both race and adoption” apparent in these adoptive parents’ willingness to provide their children with “all the information they need” about their adoption and their heritage represented a sharp departure from previous attitudes.

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34 See work by Kay Johnson.
37 Shapiro, G5.
38 Toby Alice Volkman, “Introduction: New Geographies of Kinship,” in Cultures of Transnational Adoption, ed.
To a limited extent, parents’ efforts have been acknowledged as incrementally age-appropriate ways of establishing a positive foundational sense of cultural identity. FCC’s Chinese Culture Day, an annual event centered around celebrating different aspects of Chinese culture, is often discussed by scholars as particularly emblematic of parents’ reductionist approaches towards culture. The 1999 Culture Day program, for example, featured a number of traditional Chinese dance performances by the NY Chinese Cultural Center and a Chinese theater workshop on Peking opera. Many adoptive parents also sought the “authenticity” of an ongoing engagement with Chinese culture by forming ties with Chinese and Chinese American members of their communities. Mei-Yin Ng, “a professional dancer, choreographer and teacher of Chinese descent,” served as that bridge to “authenticity,” creating a program—the Laurel Project—encouraging “appreciation and understanding of Chinese cultural heritage, language, customs and folklore” that was specifically customized for Chinese American adoptees. Although not explicitly stated, the programming provided by the Laurel Project was heavily pitched to adoptees’ developmental stages, and the strategies employed were age-specific, including “music, dance, drawing, creative movement, games, story-telling, family events and outings to festivals.”

Although one might find fault with adoptive parents’ approach from a strictly anthropological perspective, it is also worth acknowledging the intentions and emotional strategies behind these practices—chief among them, to boost children’s self-esteem. Some adoptive parents were psychotherapists, social workers, and anthropology professors, but many had no training in how to handle complex issues of race and culture in child-rearing before adopting. The suggestion that by having Chinese calligraphy in the home, wearing traditional Chinese clothes, or learning Chinese dance, it is possible to simply “absorb” Chinese culture might be far-fetched, but the ultimate (though less talked-about) goal was still meaningfully worked towards—to “celebrate” Chineseness and difference so that children wouldn’t feel shame or embarrassment about their identities as adoptees. This attitude of openness and continued sense of navigating a rapidly changing and novel territory kept parents engaged in active dialogue to improve the ways they could help each other and their children.

Adoptees’ own reflections similarly track the shifting goals of parents throughout their development. They tend to enthusiastically describe the ways in which Chinese culture was celebrated in their families at younger ages, while teenagers have more nuanced (and emotionally conflicted) relationships with their Chinese identities. Ten-year-old Claire, for example, offered lengthy descriptions of Chinese New Year and the Chinese Zodiac as emblems of China’s “rich and varied culture” in her 2008 contribution to the Kids Issue. Claire wrote

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40 Louie, 93; Louie, 35.
that her family celebrated Chinese New Year, often by going out for “a Chinese meal” with friends. As an added treat, Claire says, “My mom always buys us a new T-shirt. This year it will be the rat!” Claire’s excitement and animated descriptions of Chinese cultural traditions clearly reflect both the positive attitude towards Chineseness that adoptive parents sought to imbue their children with, and a confinement to visible practices and traditions that mirrored the limitations of what white parents could convey of a culture that wasn’t their own. Parents’ reliance on food, material goods, and folk legends ultimately formed the basis of what Chinese culture meant to many young adoptees like Claire.

Wrapped up in complicated relationships with Chineseness were issues of what China, the birth country, meant to adoptees. Eleven-year-old Rosa wrote in the 2007 Kids Issue, “My homeland is China because I was born there.” 44 Despite only living in China for nine months, Rosa accepted the notion of an intrinsic stake in or significance of her place of birth – a value that is heavily constructed, rather than innate.

Overall, young adoptees tended to reflect the positive self-esteem and lack of embarrassment about difference initiated by their parents. Specifically, nine- and eleven-year-olds Ruby and Alexandria explicitly refer to themselves as “special” for being adopted, an attitude reminiscent of the FCC mission. 45 As older adoptees grew into new developmental stages dominated by questioning and redefining identity, they took new approaches to these cultural narratives. Fifteen-year-old Madeleine, for example, understood that her eyes are “the first thing that people see,” and that they “define” her as Chinese. However, she also pushed back against the dominance of this ethnic identity, wanting to be defined in other ways too – as “a dancer, a friend, a cheerleader, a student, a daughter and much much more” – traits that have nothing to do with Chineseness or adoption. 46 Despite parents’ efforts to normalize difference, many adoptees, as they grew older, came to understand the ways in which race was inevitably perceived by others, and some, like Madeleine, wished to transcend this external racial identity because it did not adequately align with their internal identities.

Although ostensibly “somewhere between,” many adolescent and young adult Chinese American adoptees wrote about feeling “whitewashed.” 47 At sixteen, Abigail published an essay called “Racial Identity” in the 2009 Kids Issue. Although Abigail never considered herself as “that different,” feeling white-washed by her family and community meant that she didn’t match the assumptions strangers made based on her race. Lia, age seventeen, wrote a reflection on her experiences living in China but unable to speak Mandarin as some locals assumed: “When I tell people I don’t understand or that I can only speak Chinese a little, I know they are disappointed. Heck, I’m often disappointed in myself for not being better in Chinese. This one man told me, ‘You’re Chinese so you should know Chinese.’ His words stung.” 48 Although

many adoptive parents enroll their children in Mandarin lessons, adoptees often don’t reach advanced, let alone fluent, proficiency, and Lia’s case speaks to the feeling of insufficiency with regards to the authenticity of her Chinese identity. Notably, Lia’s greater comfort with and pride in her “heritage” only came after living in China, suggesting that perhaps her first-hand experience provided a level of ownership unreachable through learning Chinese dance and characters. These stories demonstrate that identifying as Chinese has become a much more complex and fraught issue for many adoptees, tied in with their struggles with feeling like outsiders whether they are in the racial minority or part of the racial majority. Chineseness is not always something that can be relegated to Chinese New Year and mooncake season – it can affect adoptees in their everyday interactions.

However, whether adoptees are affected by their Chineseness and whether they actively identify as Chinese – or even Chinese American – are two separate questions. Later in her reflection, Lia states, “I categorize myself as Chinese-American but sometimes I feel like I can’t even rightfully call myself that. Yes I am Chinese by birth but I don’t really have any direct connection with my Asian heritage apart from the occasions when my family goes to Boston's Chinatown with friends for the Spring Festival.”49 While adoptees may have been ascribed the Chinese American identity by their parents, they also felt excluded from or lacking in affinity towards the broader Chinese American population.

The complicated emotions and questions surrounding adoptees’ racial and cultural identities, however, should not necessarily be interpreted as evidence that adoptive parents have failed in their efforts to nurture their children’s multifaceted identities. Chinese American adoptees would have likely felt much greater otherness and internal confusion if they had not had a chance to practice, even if in rudimentary form, talking about their heritage and multicultural lives. Such was the case for many Korean American adoptees, for whom robust and organized efforts to collectively explore identity and, especially, race did not exist until many were already adults.50 Because parents had varied approaches to multicultural childrearing, not all Chinese American adoptees will relate to their racial and cultural identities in the same way, but their interrogation of how race and Chineseness affect their lives is shared.

Crafting the adoption story

Parents of Chinese adoptees drew on a large body of existing resources (such as social workers, books on transracial and transnational adoption, and adult Korean adoptee advocates) in an endeavor to create a new culture of Chinese American adoption. Since not all parents were intrinsically cognizant of how to achieve this, however, part of this culture building involved the large-scale production and proliferation of new resources designed primarily to support parents’ efforts. In line with the new adoptive family tradition of story-telling, Our Chinese Daughters

49 Lia P., 20.
Foundation (OCDF), an organization like FCC, published an anthology of stories in 1997 written by single mothers who had adopted one or two daughters from China.\(^{51}\) For many adoptive parents – and especially single mothers who were challenging multiple societal norms at once – having their own experiences, doubts, and worries reflected back at them from the stories of others was likely a source of strength and affirmation.

Other books and parenting aids were produced for a joint audience of parents and children that celebrated and canonized the adoption story itself.\(^{52}\) These books were frequently publicized on the websites of groups like OCDF, along with exhaustive lists of Chinatowns, Chinese holidays, and Chinese language learning materials.\(^{53}\) These types of resources were in high demand by parents seeking to immerse their young children in created Chinese culture right from the start. Similarly, books like *Let’s Talk About It: Adoption* by Fred Rogers and *Beginnings: How Families Come to Be* by Virginia Kroll, both published in 1994, alongside allegories of animals that adopt animals of a different type, like *Stellaluna* and *The Mulberry Bird*, contributed to children’s normalization of nontraditional families.\(^{54}\)

The growing Chinese American adoption community fueled the production of books that replicated an increasingly archetypal version of the specific stories of Chinese American adoptees – a story that was, at least at first, heavily idealized, politicized, and gendered. Between 1999 and 2018, 85% of the children adopted from China were girls, a percentage that would be even higher for adoptions between 1992 and 2005.\(^{55}\) This overwhelming trend is paralleled in the books written about American adoption of Chinese babies, which feature almost exclusively female adoptees. Moreover, these books were heavily geared towards an audience of children in preschool-kindergarten, who could read these books with their parents as their first stories about adoption, a framing that significantly affected their tone and content.\(^{56}\)

A basic formula for the adoption story was established. First, most children’s books about Chinese American adoption focused on the events immediately surrounding the adoption event – the decision to adopt, the process of waiting, the first encounter, and the short-term readjustment upon return to the U.S. – while periods of conflict in the family or turmoil (and later resolution) were left out.\(^{57}\) Also, children’s adoption books tended to portray “uniformly positive” reactions of family and friends to the adoption event, which is consistent with the larger aim to boost children’s self-esteem with respect to their adoption.\(^{58}\)

*I Love You Like Crazy Cakes*, the story of a single mother who adopts a baby girl from China, does just this: upon arrival back in the U.S., the adoptee’s new family is all waiting “with lots of hugs and

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\(^{55}\) U.S. Department of State, “Adoption Statistics.”


\(^{57}\) Fitzpatrick and Kostina-Ritchey, 65.

\(^{58}\) Fitzpatrick and Kostina-Ritchey, 66.
kisses. Everyone wanted to look at you.” One of the powerful tools employed in *I Love You Like Crazy Cakes* is the use of the first and second person to tell the adoptive mother’s and adoptee’s stories, respectively. This strategy makes the book’s audience and purpose clear: for an adoptive mother to tell her daughter her story – their story.

While books geared towards younger children were centered around positivity and the love of the adoptive parents, more difficult and complex issues surrounding adoption also had a place in books geared towards slightly older adoptees for whom such issues are salient. “Mommy far, Mommy near: An Adoption Story,” for example, portrays a young adopted daughter asking questions about her adoption – such as why there wasn’t room for her in China, and whether her birth mom loved her. While these children’s books might be subject to critiques of oversimplification or a focus on a parent-created narrative, they are also representative of adoptive parents’ efforts to actively and openly discuss adoption with their children, which is important in and of itself.

The conversations started by parents and supplemented by children’s books and other resources like children’s workshops were absorbed and processed by adoptees, who later replicated these interpretations of their adoption narrative in their own writing. Juju was twelve when her piece “Before/During/After my Birth” was published in the 2008 Kids Issue. Juju clearly distinguished between the terms “birth mom” and “mom,” and imbued each of her two sets of parents with characteristics and identities common to adoptee narratives (and some that are unusual). The birth mother was acknowledged as carrying the adoptee (“I was being made in my birthmother’s stomach”), while the adoptive mother was depicted as having “worked hard” (presumably to apply for adoption, or even to simply afford becoming a parent) and made “happy” by the birth of her eventual daughter.

The parallel narratives of the birth mom having a child and the adoptive mom waiting for a child were assimilated directly from children’s books to adoptees’ own storytelling. For example, *I Love You Like Crazy Cakes* begins, “Once upon a time in China there was a baby girl who lived in a big room with lots of other babies… each one was missing something – a mother. Far across the ocean was a woman who also had many friends, but she was missing something too – a baby.” This language evokes the narrative of longing that many single mothers used in describing their motives for pursuing single parenthood, and applies that emotional context to the adoptee, by stating that the adoptee was also missing something. Thirteen-year-old Melody practically replicates *I Love You Like Crazy Cakes* in her story called “My Adoption:” “My Mom was working then but she felt someone was missing in her life. She

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62 Social worker Jane Brown created and ran “Playshops” designed to engage children of all ages in reflection on their adoption through a series of age-appropriate activities and exercises, and to empower them with positive understandings of their lives as adoptees. Volkman, “Embodying Chinese Culture,” 105; Volkman, “Introduction,” 16.
wanted a child.”\textsuperscript{64} By translating this type of storytelling to their own writing, Juju and Melody crafted their own adoption narratives within the frameworks of the communal stories they had read and heard.

The One Child Policy was often part of mainstream media narratives surrounding Chinese adoption as a leading explanation for why the adoption was necessitated in the first place and was therefore incorporated into adoptees’ understandings of their stories. In the decade following China’s legalization of international adoption, writing on adoption often included reference to the One Child Policy and infant abandonment. \textit{New York Magazine} published an article in 2000 called “Red Diaper Brigade” profiling New York families with children from China. The article explained why Chinese babies were abundantly available by invoking the familiar refrain that “Chinese families preferred boys.” “The Baby We Can’t Ignore,” \textit{a} 2001 article published in the women’s magazine \textit{Marie Claire}, included a shocking and disturbing image of a baby girl’s dead body lying in a road, ignored by those who passed by.\textsuperscript{65} Calling the baby “unwanted” and “dumped” is partly framed as a critique against the government’s policy, but inevitably places blame with individual families and a stereotyped conception of Chinese culture as well. Very few children’s books mentioned the policy by name, preferring the softer narrative that birth parents couldn’t keep the adoptee because of poverty, but it was widely discussed among parents, who sought to transmit the politically and emotionally charged reality to their children in more accessible and age-appropriate ways.\textsuperscript{66} This popular narrative would not be substantively challenged, even after work done by Kay Johnson in the 1990s revealed the domestic realities faced by many Chinese families who wanted a daughter but needed a son, or wanted to adopt but were legally prohibited from doing so.\textsuperscript{67}

American presumptions of widespread sexism in Chinese culture caused the dialogue surrounding China’s family planning policies – and adoption itself – to be highly gendered. For example, the figure of the birth mother significantly overshadows that of the birth father in storytelling. In \textit{I Love You Like Crazy Cakes}, the adoptive mother describes a moment with her baby after the whirlwind of attention: “I held you tightly, kissed you softly and cried. The tears were for your Chinese mother who could not keep you.”\textsuperscript{68} Although no background is provided (and likely no information is known) about the circumstances of the baby’s birth, it is assumed by default that the primary figure who bore the burden of giving up a beloved child for lack of better options is the birth \textit{mother}.

Tales such as these construe birth mothers as protagonists in painful stories of loss – a version of the narrative often told to adoptees because it removes blame from both the birth

\textsuperscript{64} Melody H., “My Adoption,” \textit{FCC Kids Issue}, Fall 2011, 38.
\textsuperscript{65} Abigail Haworth, “The Baby We Can’t Ignore,” \textit{Marie Claire}, June 2001, 72-73.
\textsuperscript{66} Lois Mellina, “Parents advised of ways to explain abandonment to children,” \textit{Adopted Child} 15, no. 2 (February 1996).
\textsuperscript{68} Lewis, “Crazy Cakes,” 30.
mother and the child, and instead places it on the government and society. Emma wrote a poem at age eight that begins, “When I lived in China there was a rule. / You were only allowed to have 1 baby. / So my 1 mom took me to the orphanage… / My 2nd mom wanted a child so much… / So she took a plane to China and when she got me she swung me in the air.” Emma displayed a clear understanding of the One Child Policy as the main reason for her adoption, and of the assumed prominence of the birth mother (her “1 mom”). While she did not express any sadness, blame, or hurt at having been taken to the orphanage, Emma used the word “happy” three times in her short poem to describe the feelings of her adoptive mom and herself in relation to the adoption. The other socially sanctioned way that adoptees understood abandonment was that the birthparents had no choice – the phrase “My birth mother couldn’t keep me” is widely employed in narratives and has a similar function in diverting blame.

Juju reflects a transition towards added emotional complexity in her expression of mixed positive and negative feelings about her story. Contrary to conventional narratives centered around the struggle of the birth family in the face of the One Child Policy, Juju wrote more optimistically that her birth mother “couldn’t wait” for her, and that her birth family “cheered” when she was born. In addition to repeatedly expressing that her birth mom “took good care” of her, Juju also wrote: “during my birth I was a burden.” This brief statement suggests that Juju was able to hold two competing versions of the story in her heart at once – the one in which she was wanted by her birth mother, and the one that wasn’t so simple. Although subtle, the implicit responsibility Juju directly assumes upon herself in the statement “I was a burden” runs counter to the teachings of countless parents, social workers, psychologists, and Chinese adoption experts that emphasize the blamelessness of the child. Despite these efforts, Juju and many adoptees like her could not so easily shake the guilt and feeling of having been a “burden,” which sometimes remained tucked away until the adoptee reached the developmental stage at which these underlying feelings resurfaced.

Adoptees frequently expressed a strong sense of missing what they never knew – their birth parents – and voiced the fundamentally unanswerable questions that children wish they could ask their birth parents: “I may never know you but I wonder who you are, and what you look like. Do you wonder too? … Why did you leave me? … Do you think of me?” Elizabeth, age twelve, wrote a poem addressed to her birth mother that concludes, “I pray someday we shall meet / Forever / Then my life will be complete.” With these three lines, Elizabeth took the language used by adoptive parents to describe the incompleteness of their lives without the adoptee, and repurposed it to apply to her feeling that her birth mother is the thing missing from

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69 Message from an Unknown Chinese Mother: Stories of Love and Loss is a collection of stories about Chinese women who gave up daughters, based on accounts told personally to the author. Some were abandoned by boyfriends, some were cornered by China’s land allocation laws that only recognized male heirs, and many were trapped by poverty. Xinran, Message from an Unknown Chinese Mother (New York: Scribner, 2011): 13, 52.
72 Carrie Kitze, We See the Moon (Warren, NJ: EMK Press, 2003), 8-23.
her life. This sense of longing is so strong that many teenaged and young adult adoptees are now actively searching for their birth parents.

The stories adoptees told about themselves and their adoptions thus reveal complex and fluctuating attitudes towards adoption and their identities. Despite the significant level of active engagement with and celebration of adoption undertaken by many families, some adoptees saw themselves as normal American kids and did not identify strongly with their pasts. This is evident in a number of “Where I’m From”-style poems in which adoptees claim to be from “mismatched socks and Converse shoes,” “Dad’s fried rice and Mom’s baby back ribs dripping with barbecue sauce,”74 “mezuzahs, an American Girl doll,”75 and a host of other quintessential symbols of their American lives. However, although young adoptees may not fully understand how their lives were changed by adoption until they are older or return to China, the sense of being lucky already exists. Juju knew she was put into a “fantastic home,” even if the process of understanding the significance of this was still in nascent stages and would continue throughout her life. Young children relied heavily on perspectives and information relayed to them by their parents, and constructed personal narratives built on details they could not possibly remember themselves.

Remaking the adoptive community

While the created culture of Chinese American adoption had certain persistent motifs, it was not as static as it is often portrayed – as certain parenting issues rose and fell in salience, so did efforts to address them within the adoption community. Attempts to understand how to adopt a baby were followed by struggles to adjust, which were issues distinct from learning to engage a young child in Chinese culture, and later handling questions of identity in the teen years. Professionals recognized that adoptees’ needs were constantly evolving, and advised parents on how to navigate emotionally charged conversations with their children at different stages of development through workshops and articles, such as Lois Mellina’s “Talking With Children About Adoption.”76

Recently, an even larger change in the culture of Chinese American adoption has taken place as adoptees have transitioned into a new phase marked by significant and novel independence from parental involvement. Just as their parents before them found themselves situationally aligned within a community of international adopters, Chinese American adoptees have also formed a generational cohort. And just as their parents shared many experiences related to the adoption process, so do many adoptees share an upbringing shaped by their parents’ vision of adoptee culture. The first instances in which the adoptee herself can be heard are the documented results of parents’ efforts to encourage their children’s engagement in

adoption, such as in the FCC Kids Issues. Since then, Chinese American adoptees, no longer children, have created new spaces for dialogue amongst themselves. With the transition into young adulthood, many have continued to actively engage with their identities, building upon the deliberate efforts of their parents to foster community. Even though communities of parents were not originally organized to listen to the voices of their very young children, the values that guided their parenting have ultimately enabled the vibrant communities and independent voices of adoptees today. The voice and agency of the Chinese adoptee has been largely absent from institutional and academic interpretations of adoption issues in the past, but that is beginning to change.

In some ways, these new adoptee communities have been created directly upon and within the foundations laid by adoptive parents. The idea of coming together in a community based on shared experience has been a common motif among many marginalized groups in American society (such as immigrants, religious groups, feminists, or single parents) seeking solidarity throughout history. Just as parents adopting from China built on the foundations laid by overlapping affinity groups for single parents and especially single mothers, so are adoptees now utilizing the institutional frameworks created by their parents to construct their own, connected but distinct, formal networks. The FCCNY Adoptee Board is a strong example of an established organization run by and for adoptees, building on a model developed by parents. Founded in 2017, the Adoptee Board includes sub-committees focused on specific projects (such as journalism and social media) and organizes regional events to bring adoptees together.77 While the members of the Adoptee Board collaborate chiefly amongst themselves and are responsible for brainstorming and planning, the activities of the Adoptee Board are ultimately subject to the approval of the broader FCCNY Board.78

FCC as an organization, however, seems to be working towards more directly representing the voices of adoptees themselves. In fact, the current director of the Adoptee Board, Lisa Gibson, is also president of FCCNY, a break from the organization’s history of being founded and run by parents. To explain why she is involved in FCC and Adoptee Board leadership, Lisa has stated she wants FCC “to remain relevant and to provide a platform for other Chinese adoptees to lead, create community, and be represented.”79 More adoptees are reaching young adulthood and new adoptions are declining, and Lisa suggests that this maturation of the Chinese American adoptee population has implications for the continued relevance of FCC.

The Adoptee Board strives to create a community geared towards adoptees’ specific needs. According to their website, “The mission of the FCCNY Adoptee Board is to advocate

77 “Families with Children from China Greater New York – Adoptee Board,” Families with Children from China, accessed October 1, 2019, https://fccny.org/AdopteeBoard; Families with Children from China Adoptee Board, Minutes from First Meeting of the FCC Journalism Committee, October 27, 2019; Families with Children from China Adoptee Board, Minutes from Journalism Committee, 2017-2018; Families with Children from China Adoptee Board, Adoptee Board First Meeting Agenda, October 16, 2019.
78 Mary Child and Gary Matles, Mary Child and Gary Matles (Co-Presidents, FCCNY) to Adoptee Board, 2017, Letter.
79 Families with Children from China, “Adoptee Board.”
for Chinese adoptees. Guided by our own experiences, we aim to explore the evolving intersection of our Chinese, American, adoptee, and other personal identities. Through this lens we will bring representation to, and strengthen our relationship with, the wider adoption community." The goals of the Adoptee Board are, while similar in some regards, notably distinct from the mission of FCCNY as a whole. While FCCNY has sought to connect families formed through adoption from China, the Adoptee Board is more concerned with connecting adoptees with each other – this is reflected in events organized specifically by the Adoptee Board, such as the monthly Young Adult Eat Ups for “Adoptees and Friends 18+. “ Even the use of Facebook and Instagram as primary forms of publicity (as opposed to mailed newsletters, for example) demonstrate the novel focus on engaging adoptees themselves. Adoptees are also looking to individually and collectively engage with their identities in new ways. Two key aspects of the FCCNY mission are omitted in the Adoptee Board’s mission statement: “to celebrate and educate” (Chinese culture, heritage, and the adoptee identity). These ambitions represent some of the most controversial issues in the literature on adoptive parenting – the criticism that white adoptive parents cannot authentically understand or transmit “Chinese culture,” perhaps due to the inherent need to construct it as something visible and different. Despite inundation throughout childhood with efforts to celebrate Chinese culture and the adoption narrative, adoptees are choosing to break out of the “celebrate and educate” model and instead explore a multiplicity of identities. This paradigm shift can be viewed as a direct response to the sometimes essentializing efforts of parents to instill “Chineseness” in adoptees, in favor of a new model based around dialogue among adoptees and continued growth and development of the “adoptee identity.” While parents involved in FCC took their children to Culture Day or Chinese painting workshops, teens and young adults are attending conferences with other Asian American and adoptee organizations and creating video projects documenting one another’s stories.

Reflections and short biographies of each of the twelve adoptees on the 2018-2019 Adoptee Board on the FCCNY website speak to their motivations for joining the board. Of the twelve biographies, ten explicitly mention the importance of creating a community of, or connections among, Chinese adoptees, and the other two reference sharing “stories of other

80 Families with Children from China, “Adoptee Board.”
82 FCCNY Young Adults 18+, Private Facebook Group, https://www.facebook.com/groups/fccny.ya/; Families with Children from China (@fccny), Instagram page, https://www.instagram.com/fccny/.
83 Families with Children from China, “About Us.”
adoptees” and creating a “space” for “fellow adoptees.” These adoptees are fundamentally interested in the value they can derive from contact with one another and the ability to pursue the common goal of exploring an “evolving intersection” of identities. Meanwhile, a shared Chinese culture is not among the adoptee’s priorities. In contrast to the priorities of the larger FCC parent organization, only one of the twelve adoptee biographies mentions “culture,” and even then, only in the context of fostering discussion about “adoption, culture, and identity.” The overwhelming consensus about the importance of the adoptee experience as a nexus, rather than Chineseness, represents a key shift in organized community building.

The concept of the “adoptee experience” encompasses a wide array of complex issues surrounding how adoptees relate to themselves and society, and adoptees are increasingly turning to one another to unravel them. Maya Delaney, another adoptee on both the Adoptee Board and FCCNY Board, wrote about importance of the Adoptee Board in addressing issues of erasure from Asian American communities and desire for representation in society and everyday life. Other Adoptee Board members shared similar sentiments. Lucy Murray discussed grappling with the reality that her biological relatives are somewhere out there, and stated that this curiosity led her to become active in “online groups revolving around adoption, transracial adoption, and specifically, Chinese adoption.” One such group is China’s Children International (CCI), “one of the first international support, networking, and community organizations created by and for Chinese adoptees.” The altered identity of the group is clear merely from its chosen name, which highlights the centrality of adopted “children” as opposed to adoptive “families.”

CCI runs an adoptee-only Facebook group designed for adoptees to ask each other questions and share their experiences in a safe space of solely other adoptees. Many of the posts are simply adoptees introducing themselves to the group and inviting others born in the same province or living in the same area to make contact or even meet in person. Often, adoptees share anecdotes of incidents related to race or adoption when they felt stereotyped, outcast, uncomfortable, or conflicted. Posts can be about racially insensitive comments, controversial news about Chinese policies, or simply broader questions about how adoption affects others’ dating lives or mental health. These are the kinds of complex questions that adoptive parents were poorly poised to answer – questions that are now driving adoptees together in a search for resolution.

To some extent, adoptees’ new reflections on their personal identities are still descendants of the habits and practices of their parents. The very existence of the FCC Kids Issues demonstrates the importance many adoptive parents placed on encouraging their children

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87 Families with Children from China, “Adoptee Board.”
88 Families with Children from China, “Adoptee Board.”
89 Families with Children from China, “Adoptee Board.”
91 China’s Children International Adoptee-Only Group, Private Facebook Group, https://www.facebook.com/groups/CCIadopteeonly/
92 China’s Children International Adoptee-Only Group, Private Facebook Group.
to engage with their stories and their adoption.\textsuperscript{93} Although the approaches young adults are taking to engage with their identity might be distinct from the forms of exploration that were available to them as children, the underlying goal of striving to engage with the meaning of adoption has remained constant.

Adoptees have also been able to benefit from these communities even if their families did not participate in them throughout childhood. Jin, another member of the Adoptee Board, felt that she lacked a strong sense of community growing up, but the existence of FCC’s organized efforts meant that she could participate once she had the resources and agency to do so.\textsuperscript{94} This suggests that, on the whole, adoptive parents endowed their children with a set of tools that are remaining useful even as adoptees go on to challenge and further explore the meaning that adoption has had for them. Bonding with fellow adoptees at events organized by parents and openly talking about adoption throughout childhood enabled some adoptees to build and lead the new communities that are emerging today.\textsuperscript{95}

### Conclusion

At age fifteen, Jenna Cook was featured in the documentary “Somewhere Between,” in which she discusses the effects of being adopted on her everyday life.\textsuperscript{96} In her sophomore year of college Jenna founded Adopted Yalies, Yale University’s first student group for adoptees, and today she is pursuing a PhD in sociology at Harvard with a research emphasis on kinship, adoption, and gender in China.\textsuperscript{97} Jenna is one remarkable representative of a growing generation of Chinese American adoptees who are expanding and reinventing the culture of adoption created by their parents. Jenna has directly contributed to the rise of adoptee-founded communities, and she is one of a cohort of adoptees who are engaging in critical scholarship of the social phenomena that have shaped their lives.\textsuperscript{98}

The birth of these communities can be traced to the rise of support groups for those building nontraditional families. Once adoption from China was made accessible in 1992, families adopting from China created their own communities, like FCC, centered around sharing resources and strategies for parenting adoptees. However, the discrepancies between

\textsuperscript{93} The FCC Kids Issue was renamed \textit{VIEW} in 2015 in order to reflect the growth of adoptee “kids” into young adults, and the magazine’s goal of sharing their “views.”
\textsuperscript{94} Families with Children from China, “Adoptee Board.”
\textsuperscript{96} “Somewhere Between – About the Cast,” Somewhere Between, accessed December 20, 2019, \url{https://somewherebetweenmovie.com/about-cast}.
\textsuperscript{97} Jenna Cook, “Adopted Yalies”; “Jenna Cook – Doctoral Student in Sociology,” Harvard University Department of Sociology, accessed December 20, 2019, \url{https://sociology.fas.harvard.edu/people/jenna-cook}.
\textsuperscript{98} LiLi Johnson, daughter of Kay Ann Johnson, is one such adoptee. Her dissertation studies the role of technology and non-biological kinship in Asian American family formation. LiLi is currently an Assistant Professor of Gender and Women’s Studies and Asian American Studies at the University of Wisconsin-Madison. “Research – LiLi Johnson,” LiLi Johnson, accessed February 16, 2020, \url{https://lilijohnson.com/research/}; LiLi Johnson, “Searching in Photographs: Photography and the Chinese Birth Parent Search,” Adoption & Culture 6, no. 1 (2018): 116-134.
parents’ intentions and adoptees’ own realities – especially regarding the navigation of racial difference and the complexity of the adoptee identity – have prompted Chinese American adoptees to form their own communities and contribute to the growing scholarship on the adoptee experience, thereby giving voice to the adoptee herself.

As with other attributes such as gender or religion, individuals who share an identity as adoptees still have highly diverse lived experiences and perspectives. However, although their answers may be different, adoptees share many of the same questions about their pasts and how their pasts affect their lives now. Today, some are creating and others are joining communities that enable them to start conversations about these issues with their peers. The growth of these forums and resulting amplification of the adoptee voice is a cycle of positive feedback that will, going forward, empower adoptees to reflect on their evolving needs and connect with others to collectively fulfill those needs. The well-studied resources established by parents constitute the foundation of what adoptees are now making their own – an identity and community that, perhaps five or ten years from now, will be the subject of another history paper, written by another adoptee.
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Attitude Towards Cross-Culture Exchange in the 1685 French Embassy to the Kingdom of Siam

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On 3 March 1685, six Jesuit priests launched from Brest, France aboard the sailing ship Oiseau with the goal of landing in the Kingdom of Siam seven months later.¹ The Oiseau was loaded with astronomical charts, telescopes, books on natural history, quadrants, pendulums, other scientific instruments, and instructions from the Academy Royal for observations to make while abroad.² The frigate Maligne accompanied the Oiseau, carrying an ambassador, the Chevalier de Chaumont; presents from King Louis XIV of France, and “the great many Bales of all sorts of Curiosities which the King of Siam had sent for, both from France and England.”³ This expedition was inspired by a Siamese embassy received by Louis XIV in 1684.⁴ Louis XIV hoped that King Narai of Siam (r. 1656-1688) “might turn Christian, if there were an Ambassador sent to him.”⁵ The Siamese ambassadors were given a tour of the Paris Observatory

¹ Tachard, 4–7.
² Tachard, 11–12.
⁴ Tachard, Voyage de Siam, 5.
by famed Italian Astronomer Giovanni Cassini. Meanwhile, Louis XIV recruited a group of Jesuits “who might be capable of labouring in consort with the Academy Royal, in the Improvement of Arts and Sciences, and at the same time employ themselves . . . in advancing the Christian religion”. One of these priests, Guy Tachard, would record the events of the following year in his book *A Voyage to Siam*.

Traditional schools of history would have seen this exchange as relatively unimportant. It had little lasting impact on the French or Siamese. Recent developments in the history of early modern science and diplomacy have encouraged historical approaches that emphasize the micro-interactions between global actors in exchanges like this one. This paper will use such an approach to demonstrate how these interactions engendered subtle tensions which determined the outcome of this exchange. In doing so, this paper will show how much a historical analysis can break out of Eurocentric representations of global exchange. Furthermore, it more accurately reflects the agency of non-European actors in the success and development of these early modern interactions.

Global exchanges were complex affairs that intertwined religious evangelism, political agendas, and scientific investigation. Recent trends in the histories of science and diplomacy have aimed to highlight those complexities in opposition to earlier, Eurocentric narratives. Traditional historians of science Joseph Needham and George Basalla both argued that modern science was a uniquely western invention that was spread across the world through European exploration and imperialism. More recently, postpositive thinkers have suggested that modern science was not a uniquely logical system but one of many context-dependent, local systems of knowledge. This model acknowledges the agency of non-European actors in interacting with and transforming knowledge that they came into contact with. Nevertheless, historian Kapil Raj has argued that both positivists (like Needham and Basalla) and post-positivists have operated under the belief that modern science originated in Europe and was subsequently spread to the ‘peripheral,’ non-European world. In order to actually break out of this eurocentrism, Raj proposed a model that focuses on the global circulation and transformation of early modern knowledge. Such an approach emphasizes the ways in which knowledge was created and transformed via cross-cultural intellectual exchanges. This provincializes European science.

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7 Tachard, *Voyage de Siam*, 4.

8 Published in English translation in 1688 in London. Tachard’s descriptions of Siam and the Siamese were often suspect and cannot be entirely trusted by historians. This leaves an ambiguous picture of 17th century Siamese society. Nonetheless, Narai’s actions imply certain attitudes towards his encounters with the French. One can compare these attitudes to those of the French to better understand the interactions that took place. This essay will use Tachard’s account for that purpose, recognizing its limitations as a source. Further study using Thai-language is needed to better understand the dynamics that took place in early modern exchanges in Siam. Unfortunately, English translations of these sources are not currently available, requiring this paper to rely more heavily on Tachard’s account than preferable.


reflecting its role as a knowledge system which received knowledge from other areas of the world in similar ways that other cultures were exposed to European science. Such an approach balances its representation of European and non-European actors so that the actual inequalities present at the moment of the exchange are not enhanced by Eurocentric perspectives of the historian. This allows for a more accurate analysis of the exchanges that took place.

Similar developments have taken place in the history of diplomacy. Since Garrett Mattingly’s 1955 book Renaissance Diplomacy, early modern foreign relations have focused on the establishment of modern, professional diplomacy after the Peace of Lodi in 1454. More recent historiography has critiqued that model, noting, for instance, that formalized “ambassadors” did not exist in Europe until the mid-17th century or that the term diplomatique did not appear in the Dictionnaire de l’Académie Française until 1762. “New Diplomatic History” has focused on the complex actions of the individuals who facilitated international relations before modern diplomacy was fully established. Lucien Bély notably described early modern Europe as a “société des princes” which relied on interpersonal relationships between princes to overcome (or fail to overcome) cultural differences. International relations were developed on personal, professional, and international levels simultaneously. Historians Maartje van Gelder and Tijana Krstić have emphasized the need to recognize early modern foreign relations as a normative process of renegotiating often-times tense cultural divides. Thus foreign relations at this time were heavily influenced by relatively small gestures and attitudes brought to an exchange. This “New Diplomatic History” approach gives greater emphasis to these smaller elements of an exchange. This more granular approach to the attitudes and actions that comprised an international exchange provides a more detailed picture of the dynamics of that interaction. This includes the actions of non-European actors and their consequences. Thus this approach, like post-postpositive approach proposed by Raj above, allows the historian to look closer at the active role of non-European actors.

The developments in both the histories of science and diplomacy show that exchanges were dynamic interactions that operated simultaneously on multiple levels. Both of these approaches make it easier to see the contributions of non-European actors to cross-cultural

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exchanges with Europe in the early modern period. This paper will combine these two approaches, showing how the respective attitudes of the Siamese and the French towards the 1685 French-Siamese exchange led to very different levels of success for each side. The French’s attitude of superiority led them to behave in ways that obstructed their goals of conversion and political influence. Meanwhile, the Siamese attitude of curiosity and pluralism enabled them to benefit from the French’s visit while preserving their own culture.

This was not Siam’s first interaction with Europe. The then-capital city of Ayutthaya (since 1351) sat at the strategic confluence of the Chao Phraya and several other major rivers. Easy access to the sea attracted merchants from across Eurasia. Contact with Europe had been increasing since the 1569 Burmese invasion required the Siamese to raise funds for reconstruction of their capital city.\(^\text{17}\) King Narai likely had a sense for the cultural divide to expect from his European guests when the French embassy arrived on 22 September 1685.

The French had less experience with the Siamese and therefore may have been less prepared for this exchange. As this paper will show, the French approached their relations with Siam with an attitude of cultural superiority. Their judgements of the Siamese prevented the French from learning from the Siamese, limiting the benefit which the French could reap from this exchange.

**Political Exchange**

The French and Siamese attitudes towards political exchange were evident in King Narai’s initial reception of Chaumont. According to Tachard, Narai treated Chaumont “with marks of distinction from all others, . . . even from those of the Emperor of China.” Whether Narai would agree with Tachard that Emperor Kangxi of China was “all over the East . . . reckoned the greatest Monarch of the Universe” is debatable.\(^\text{18}\) Nonetheless, Narai certainly seemed ready to disregard precedent in order to welcome the French ambassador. Similarly, when Chaumont objected to the prostration customary in audiences with the King, Narai “said publicly, that he would not have the ancient Ceremonies observed . . . which were used at the Reception of the Ambassadors of the Mogul, Persia, and China\{sic\}.” Narai granted Chaumont as many audiences as Chaumont desired, among other allowances which “had never been before granted to any Ambassador.”\(^\text{19}\) Chaumont was less accommodating than his host. He considered the Siamese “ways of receiving Ambassadors below the Character which he bore” leading to his aforementioned objections.\(^\text{20}\) During his first audience, Chaumont was surprised “to see the King so high above him, and . . . troubled that he had not been told of it.” He was supposed to deliver Louis XIV’s letter to Narai via a tall, cup-like tray. Chaumont realized that “to reach up to him [Narai], he must have taken the Cup by the lower part of the Foot, and raised his Arm very high, [and] thought that that Distance suited not with his Dignity.” Chaumont improvised by holding

\(^{17}\) Hodges, “Western Science in Siam: A Tale of Two Kings,” 80–84.
\(^{18}\) Tachard, *Voyage de Siam*, 154.
\(^{19}\) Tachard, 158–59, 177.
\(^{20}\) Tachard, 158.
“the Bowl [of the cup], and [stretching] his Arm but half out” to which Narai “rose up smiling, and stooping with his Body over the Throne, met him half way to receive the Letter.”21 The tension in this episode is palpable. King Narai, who by custom received ambassadors “crawling along upon his hands” was forced to stretch down to accommodate the French ambassador’s hesitation to stretch his arm more than halfway out.22

Narai’s accommodation in all these instances showed his commitment to the success of the exchange. Chaumont, in contrast, was preoccupied with establishing an appropriately dignified tone. Ceremony was highly regarded in early modern European politics. Relations between states depended on the location, gifts, and details of an official audience.23 When a Russian embassy landed in England in 1662, for example, they were immediately greeted by several Englishmen to negotiate the embassy’s ceremonial entrance into London and other preferential treatment. That exchange failed when a Russian official tricked an English diplomat into dismounting his horse first, by a fraction of a second.24 While this behavior can seem insignificant, much work has been done to show its importance in establishing and maintaining social and international hierarchies.25 This punctilious ceremonial language was the backbone of international relations within Europe and an obstacle to it outside of Europe.26 Despite this, Narai capably navigated his audience with Chaumont. He allowed the audience to be negotiated to Chaumont’s pleasing and suffered Chaumont’s faux pas, recognizing the significance of such small actions. Narai’s patience with European practices demonstrated his commitment to establishing political ties with the French.

The French returned this favor when they received Narai’s third embassy in 1686. They went to great lengths to match the pomp of the Siamese reception in Versailles’ Hall of Mirrors.27 These were among the “Testimonies of a sincere Friendship” which Chaumont had promised Narai during his first audience. In addition, Chaumont told Narai that the French desired to “entertain and increase Commerce.”28 This was possibly signaled by the large amounts of timepieces, globes, and other scientific equipment which Louis XIV sent for Narai.29 In Europe, gift giving was an established and highly symbolic part of political exchanges. Gifts of goods, such as tin and hemp from Russia or cloth from Genoa, were sometimes used to

21 Tachard, 171.
22 Tachard, 156.
25 See Christian Windler and Sanjay Subrahmanyam’s works on the role of diplomatic ceremonies to maintain cross-cultural relations between France and Tunisia and across the Moghul, Ottoman, and Safavid empires respectively in Hennings, 245–48; See also Barbara Stolberg-Rilinger’s work on the actualization of power dynamics “in actu” in diplomatic ceremonies in Windler, “Afterward: From Social Status to Sovereignty—Practices of Foreign Relations from the Renaissance to the Sattelzeit,” 256–57.
28 Tachard, Voyage de Siam, 169.
encourage trade in those commodities.\textsuperscript{30} The French gifts of scientific instruments may have suggested their desire to open a trade in European knowledge. If this were the case, it would suggest that the French believed their knowledge to be superior to that of the Siamese. This attitude of superiority characterized the French’s scientific and religious exchanges as well, as will be shown below.

In contrast, Narai’s gifts of vests and “lighter clothes” were given so that the French might “suffer with less inconvenience the great heats of a Climate to which they were not accustomed.” Upon receiving these gifts, Chaumont immediately “caused a great deal of Money to be thrown out at the Windows, to the Servants of the Mandarins who brought” them. If this gesture was intended to display French opulence, it certainly had that effect: “There was no other talk for a long time but of that rich shower of Gold and Silver, which fell in the Court of the Ambassador of France.”\textsuperscript{31} Narai’s gifts demonstrated a concern for the Frenchmen’s comfort whereas Chaumont’s actions demonstrated a concern for their reputation.

The French seemed to approach the reception with Narai in terms of their self-perception. Chaumont worked to represent France as dignified, intellectually advanced, and opulent. Narai’s approach, in contrast, was characterized by patience and compromise. He was unwilling to let Siamese customs impede the success of the exchange. Narai saw across the exchange to accommodate the French. Chaumont looked away from the Siamese and towards the concerns of France.

These conflicting attitudes can only be seen when one considers the importance of ceremony and gift-giving in early modern political relations. Narai actively invested in the exchange by trying to make his guests comfortable. Chaumont, in contrast, allowed his belief in French superiority to become an obstacle to his success. Thus individual actions, even those as brief as Chaumont’s hesitation to hold out his arm or as informal as Chaumont throwing money outside of his window, are important clues as to the dynamics in this exchange. Through these actions, one can see the attitudes which Narai and Chaumont brought to this exchange. Thus, it is by examining these small and informal actions that “New Diplomatic History” brings more nuance to the examination of early modern exchanges.

Scientific Exchange

While in the political realm, King Narai and the French envoi were working at cross-purposes, both parties had similar interests when it came to the exchange of knowledge. During his reign, Narai ordered clocks, telescopes, cannons, models of the earth and stars, watches, other

\textsuperscript{31} Tachard, Voyage de Siam, 175; Chaumont could have been warding off (real or imagined) insinuations of French dependence on Narai. The Mamuk, Safavid, Ottoman, and Mughal courts were all known to gift coats or robes as symbols of patronage or vassalage. See Hennings and Sowerby, “Introduction: Practices of Diplomacy,” 16.
pieces of scientific equipment and “other rarities” from Dutch traders. In contrast, his predecessors usually received jewelry, cloth, or spices. The French knew about Narai’s interest in western items. Tachard lists both “the King’s Presents” and “a great many Bales of all sorts of Curiosities which the King of Siam had sent for” among the cargo of the Maligne. If France was looking for an eager market for European science, they found one in King Narai.

The Thai Chronicles remember Narai as a gifted poet, a member of a prominent literary community, and the creator of the first Thai Language textbook. As his requests for European scientific instruments show, he was also interested in the sciences. Astrology, in particular, played an important role in Siamese society. Dates, including the date of Chaumont’s first audience with Narai, were chosen based on astrological calculations. Hundreds of years of astronomical data, including calculations of the rotation of the sun, earth, and moon, were stored in the official archives. The Siamese were particularly exact; the length of their calendar year averaged only twenty-four minutes different from today’s western standard. This had political ramifications. Calendars were symbols of sovereignty in early modern southeast Asia. Knowledge of the stars was considered an important, royal virtue. Although, as Historian Ian Hodges argued, the Siamese astronomical tradition was so old and revered that western science did not pose a practical threat to them, Narai was clearly interested in European astronomy. It is not surprising, then, that a central event of Tachard’s account was Narai’s observation of a lunar eclipse with the Jesuit mathematicians.

Scientific research had been a part of Jesuit missions since the inception of their order. Jesuit scientific observations were initially encouraged in response to public interest but gradually took on greater and greater importance within the European scientific community. European intellectuals had been turning away from medieval scholasticism and towards “open-air research.” The Jesuit José Acosta’s late 16th century publication Natural and Moral History of the Indies set a standard for Jesuit missionary science. Over half of Tachard’s account consisted of details about the flora, fauna, medicine, peoples, histories, religions, cultures, and astronomical events that he encountered. The priests’ astronomical observations were

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33 Tachard, Voyage de Siam, 12. Emphasis Mine.
35 Tachard, Voyage de Siam, 142.
37 Hodges, 90.
38 Tachard, Voyage de Siam, 191.
41 Findlen, Empires of Knowledge, 60.
particularly important because of their relevance to European cartography. Tachard and his colleagues were members of the French Académie Royal des Sciences, which was known for excellent cartography and was one of the many European institutions which collaborated with the Jesuit order. As such, they were constantly correcting charts, making astronomical observations, and building observatories. Scientific investigation was a primary concern for the French Jesuits on this mission.

The priests’ scientific mission was enacted in concert with their religious agenda. Early on, the Society of Jesus discovered that knowledge of European science helped missionaries gain the confidence of locals. Matteo Ricci, a 16th century Jesuit missionary to China, made inroads in intellectual circles by teaching Euclidean geometry, Mercator cartography, and Tychonian astronomy. He dressed like Chinese literati and closely studied Confucianism and the Chinese language. He insisted that more mathematicians should be sent to China to aid his mission. Tachard and his colleagues likely hoped to recreate Ricci’s success in Siam, especially given Narai’s special inclination towards western science. The priests must have seen Narai’s desire to share the lunar eclipse observation as a positive step towards his conversion. A commitment to western science was a key element in the Jesuit’s religious agenda.

Narai provided a house outside the city for the observations to take place. “A more convenient place could not have been chosen” according to Tachard. They “saw the heavens on all hands, and had room enough to place [their] Instruments.” The night of the eclipse, the priests “prepared a very good Telescope for [the King] . . . in the Window” When the moment was ripe, “notice was sent to the King, who immediately came to that Window . . . We saluted his Majesty with a profound inclination of Body, and then began to observe.” Narai quizzed the priests with questions like “Why did the Moon appear reversed in the Telescope? . . . What a Clock was it at Paris? . . . For what could Observations made by concert in remote Countries be useful?” A local, “Bramen [sic] Astrologer” had asked the priests similar questions, such as “how many fixed stars [the priests] reckoned” there were. These are similar to the questions which European scientists had been grappling with for the previous century. Narai and the Astrologer

45 See Tachard, Voyage de Siam, 24–25, 49–53, 59, and 117 for a criticism of Father Perdies’ map of the southern stars, the establishment of an observatory at the Cape of Good Hope, a criticism of the maps of the Cape of Good Hope, and an attempt to make observations near Batavia, respectively.
46 Findlen, Empires of Knowledge: Scientific Networks in the Early modern World, 61.
47 Findlen, 64.
49 Findlen, Empires of Knowledge: Scientific Networks in the Early modern World, 64.
50 In fact, Tachard was meant to continue with his colleagues on to China had his plans not changed during his stay in Siam. Tachard, Voyage de Siam, 5.
51 Tachard, 232–42.
52 Cf. Kepler’s Mysterium Cosmographicum published in 1597, for instance. A principal argument in that work tried to preserve the medieval concept of planetary “spheres” via a theory of nestled platonic solids. See J. V. Field,
saw the potential to increase their knowledge by tapping into that of the European priests. Although it is hard to tell what exactly Narai had hoped to accomplish during this observation, Tachard noted that Narai “expressed a particular Satisfaction” with it.\(^5\) Narai arranged for an observatory to be built, with French help, to rival those in Paris and Beijing.\(^4\) He asked Tachard, who was returning to France to arrange for the observatory, to help his ambassadors bring back twelve French mathematicians as well. Narai promised that “before their Arrival, there would be an Observatory, a House and a Church for them” in Siam’s two principal cities.\(^5\) From Narai’s perspective, the observation was a successful exchange of scientific practices, one he was eager to encourage.

That perspective was not necessarily shared. Curiosity in the lunar eclipse united Narai and the priests. Yet, they were divided by their two very different agendas. The French priests were concerned with the data that they were collecting for Europe and not with Narai’s curiosity. After the King retired, Tachard remarked that his “many Favors to which it behoved us to answer . . . hindered us from observing the immersion of several Spots.”\(^5\)\(^6\) It is not difficult to imagine that the priests suffered Narai’s questioning as one suffers the questions of a child, with patience and frustration. Tachard’s published data tables, totaling two and a half pages long, show that the priests were making observations every few minutes.\(^5\)\(^7\) Publishing this empirical data raw suggests that Tachard believed it would be used by scientists in Europe. The priests were absorbed in their task. Narai’s questions were likely seen as interruptions of important, European work. Narai and the priests’ different agendas separated them even while they shared the eclipse observation.

In any case, Tachard had only a marginal interest in Siamese knowledge traditions. Tachard noted that the aforementioned Brahmin astrologer, “had foretold this Eclipse to a quarter of an hour almost; but he was mightily mistaken as to the duration of it.”\(^5\)\(^8\) This recognition of the Astrologer’s skills was qualified with terms like “almost” and “mightily mistaken.” Tachard’s patronization implies that the French considered their skills superior. This, despite the fact that the priests admittedly failed to understand the Astrologer’s calculations due to the language barrier. This is the only point in Tachard’s account where a language barrier prevented communication. The fact that this communication broke down could be because of the technical nature of the topic or it could be that there was not enough effort to engage a suitable translator.

It seems that the priests did not take the Brahmin seriously as a scholar. Later, he assured his readers that “I will say nothing but what I have seen myself, or what I have learned from . . . some other very intelligent Persons, that I may not impose upon the public by false or uncertain reports . . . as to the Orientals, all know that they tell things not really as they are, but as they

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\(^{5}\) Tachard, *Voyage de Siam*, 238.
\(^{5}4\) Tachard, 202–3.
\(^{5}5\) Tachard, 238–39.
\(^{5}6\) Tachard, 240.
\(^{5}7\) Tachard, 237–42.
\(^{5}8\) Tachard, 242.

fancy you could wish they were.” 59 This shows that Tachard placed a high value on his direct observations and a low value on reports from locals. His preoccupation with his own investigations led him to dismiss Siamese knowledge.

In contrast to traditional histories of science, more recent approaches have emphasized the “often violent imposition of ‘rationality’ on cultures originally endowed with ‘another reason’.” 60 Tachard’s dismissal of Siamese knowledge, although not literally violent, demonstrated how early European scientists focused on empirical data collection and not the exchange of knowledge. Within the traditional model of European ‘rationality’ spread to the non-European world, this exchange could be described as European astronomy being imposed on the Siamese. Yet, one can see that King Narai and the Siamese were active agents in the success of their knowledge exchange, not passive recipients of European science. Raj’s model, in which knowledge was created and transformed at moments of exchange, better represents the dynamics that were at play in this exchange. The Siamese body of knowledge was expanded via Narai’s actions to accumulate European science. In a sense, this acculturated European science into a wider body of Siamese knowledge. The exchange was an adoption (or at least, introduction) of European knowledge to Siam, not an imposition. On the French side, there was no exchange of knowledge. The Jesuits were collecting data while actively distrusting the knowledge provided to them by the local Siamese. This contrast is epitomized in the image of King Narai, using a European telescope, being ignored by the Jesuit priests sitting a few feet away. The French gained knowledge in the form of their empirical data, but those data were not the result of cross-cultural interaction. This exchange was not an instance of European ‘rationality’ being brought to or imposed on the non-European Siamese. Rather, this exchange demonstrated how knowledge creation was dependent upon Narai’s active investment in cross-cultural exchange.

**Religious Exchange**

King Narai’s investment in this exchange, and the French’s’ sense of superiority, was most blatant when it came to religious differences. There is little ambiguity in how Tachard and his peers viewed the Siamese religion. Tachard repeatedly referred to the “blindness” of the local Buddhists which “made us [the French] pity them.” 61 When the French were not talking about the Siamese “blindness,” they commented on how “addicted” they were to their religion. 62 When Ambassador Chaumont mentioned his desire to convert King Narai to one of Narai’s ministers, the minister “seemed astonished at it, and told the Ambassador . . . that there was no appearance of effecting it; that the King was extremely addicted to the Religion of his Ancestors.” 63 Chaumont, in return, said that he would consider this “but that he could hardly suppress the most

59 Tachard, 263–64.
61 Tachard, *Voyage de Siam*, 145, 187.
62 Tachard, 192.
63 Tachard, 159.
considerable, and almost Sole Reason for his Voyage.”

Even though Chaumont was not a Jesuit himself, his admission that conversion was the primary purpose of this embassy shows how important the question of religion was for the French. The (secular) French desire to convert Narai may have been motivated by a desire, conscious or unconscious, to bring Narai’s Siam under the intellectual-religious influence of King Louis XIV. The French held a proto-imperialist belief that they were justified in directing the religion of the Siamese. Chaumont counselled Narai that “To submit Your Grandeur to this [Christian] God who governs Heaven and Earth, is much more Rational, Sir, than . . . to the other Deities that are worshiped in the East.” As in the intellectual exchanges, the French looked down on the local, Siamese traditions while promoting their own views.

The French were not devoid of interested in the Siamese religion. In one instance, Chaumont “had been told so much of [the Temple of the Palace], and of the Idols that are in it, that he had a great mind to see them.” Tachard’s lengthy descriptions of what Chaumont saw suggests a genuine interest in the contents of these temples. The “most precious . . . Idol of the Kingdom,” Tachard described, “reaches up to the Roof. . . . but what is most surprising, it is all of Gold. Of the Bigness it . . . must needs contain above an hundred picks of that Metal, and be worth at least twelve Millions six hundred thousand Livers.” This description of what, according to Tachard, was the most sacred statue in the kingdom, starts at a place of curiosity, goes through a state of amazement (at the size and magnificence of the statue), and ends at a judgement of the monetary worth of the statue. The French failed to grasp the religious significance of these statues. Instead, they understood them via European standards of the value, e.g. of gold by weight. In doing so, they assumed Siamese culture could conform to European standards of value.

Tachard also attempted to understand the Siamese religion but he relied on ideas of Christianization to do so. In particular, he admired the morality of the Siamese Buddhists. “As to manners and the way of living,” he noted, “a Christian cannot enjoyn{sic} anything more perfect than what their [the Siamese] religion prescribes to them. It . . . not only prohibits them bad actions, but also every sinful desire, thought, and intention.” He further commented that King Narai was “already half a Christian, in the favourable dispositions of his mind and heart.”

Tachard equated morality with Christianity. Seeing Siamese morality, Tachard assumed this implied an affinity with Christianity. The Siamese resistance to fully embrace Christianity must have frustrated Tachard. He found some explanation for this resistance in his understanding of Thevathat, the brother of the Buddhist god Sommonokhodom. Thevathat was punished, according to Tachard’s description, by being nailed to a cross, given a crown of thorns, and

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64 Tachard, 8.
65 Tachard, 170.
66 The Siamese practiced a local form of Buddhism, although Tachard never used that term. My understanding of Thai Buddhism is too limited to correct Tachard’s inaccuracies. I have used the term “Siamese religion” to reflect this limitation.
67 A pick is a unit of weight Tachard, *Voyage de Siam*, 180–81.
68 Tachard, 302–8.
being sent to Hell. Tachard concluded that, “nothing makes them [the Siamese] more averse from [the Christian Law] than . . . the similitude that is to be found betwixt their Religion and ours, making them believe that Jesus Christ, is the very same with that Thevathat.” Tachard saw this coincidental misunderstanding as the obstacle preventing Siamese conversion. This misunderstanding had to be overcome to help the Siamese continue down the path towards conversion. Tachard’s understanding of the Siamese religion was based in a perception of their progress towards Christianization. Like Chaumont, Tachard’s approach to the Siamese religion revealed his desire to bring Siam into conformity with Europe.

Compare this to King Narai’s statements on religion. When one of his ministers delivered a final appeal sent by Chaumont, Narai expressed surprise that the French believed he would convert. “It is strange to me,” Narai said, according to Tachard, “that the King of France, my good Friend, should so much concern himself in an Affair that relates to God, wherein it would seem God does not at all interest himself, but leaves it wholly to our Discretion.” Narai held that “Unity in Religion [depends] absolutely on Divine Providence, who could as easily introduce it into the World, as [he could] the diversity of Sects.” Narai concluded, “ought not one to think that the true God takes as great pleasure to be honoured by different Worships and Ceremonies”? These beliefs were reflected in Narai’s government. A growing Muslim community, largely composed of Safavid traders, had been fostered in Siam since the 16th century. King Song Tham (1610-1628) established the position of Chularajmontri, or minister of Muslim affairs, to support this community. Tachard and his companions witnessed large Muslim celebrations during their stay. Muslims seem to have coexisted comfortably with the Siamese Buddhists. Similarly, Narai was said to have protected Christian missionaries, built churches, and given charity to priests in China. He was said to have had a “singular veneration” for the two images of the Virgin Mary and Jesus Christ given to him by the Pope. Out of respect, he “hath placed them in a very high place of his Chamber . . . and never speaks of them but with honour and respect.” Narai even had “two lovely Crucifixes” of gold and silver made for Tachard and a royal priest in France. Narai revered these objects because they were sacred to the European Christians, not out of his own estimation of their worth. Narai fostered a community which valued a religion through the eyes of its followers. He saw no need to force his views on the Christian or Muslim communities in Siam.

This religious exchange reflected how the attitudes of Narai and the French dictated the outcome of their encounter. The French’s self-perceived superiority, as established in the previous sections of this essay, demanded a complete conversion of King Narai. Narai’s
veneration of Christian imagery and treatment of Christian visitors still fell short of the French’s desire for him to renounce other religions and become a Christian. In contrast, Narai’s curiosity drove him to accept the French, to treat his Christian visitors well, and to venerate the images of Christ and the Virgin Mary that were given to him. In this way, Narai learned about the French and Christians without sacrificing the beliefs that he already held. The French left the exchange religiously empty-handed. They did not have the loyalty of a newly Christian monarch that they had set out to find. Thus one can see that the attitudes revealed in the political and scientific exchanges likewise determined the outcome of this religious exchange for each party.

Conclusion

This embassy never had a considerable impact on either party. The French received the Siamese in 1686 and the Siamese received the French once more in 1687. The French failed to convert Narai before he was killed in a coup in 1688. The new King Phetracha promptly ended relations with Europe. According to historian Ian Hodges, the interest and impact of Western knowledge in Siam died with King Narai.

French memories of Siam would linger into the 18th century social critiques of Voltaire and Dufresny. Perhaps Voltaire referenced Siam in his Treatise on Tolerance because he recognized the French attitudes of cultural superiority highlighted by this embassy to Siam. Although the influence of this exchange was politically and intellectually short lived, the attitudes which were present at that exchange lived on, in some sense, in Voltaire’s treatise.

A traditional approach to this exchange would have represented it as an instance of European intellectual aggression against a non-European country. The French were engaging in a form of proto-imperialist aggression. Although they were motivated by a desire to advance their knowledge of the world through religious and political relationships, they did so without the ability or willingness to imagine themselves in community with foreigners. They understood Siam in terms of its conformity, or lack thereof, with Europe. At the end of his account, Tachard considered Narai “now . . . wholly French.” The “great consequences of such a conquest,” he continued, “are visible enough, if we consider that the King of Siam hath no less Authority over the Princes his Neighbours . . . than he hath over his own Subjects.” Tachard believed that the French had subsumed Narai, his kingdom, and his vassal states, into a sphere of French influence. This passage demonstrated very clearly the aggression in the French’s attitude. They approached this encounter with Siam as one of conquest, desiring to draw Siam into a world

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80 Hodges, 80.
82 Tachard, 308.
centered around France and Europe. In this way, the French attitude in this exchange could be described as a form of proto-imperialism.

While such an interpretation would not be an inaccurate representation of the French, it would miss an important half of the narrative. Narai sent his embassies to France specifically in order to engage in a cultural exchange. His most overt desire was to attract European scientists and scientific equipment. This can be seen, symbolically and literally, as a desire to see the world through the eyes (and telescopes) of the Europeans. Yet, this was meant to enhance, not to replace, Siamese knowledge traditions. Additionally, Narai’s promise to build churches and houses shows his eagerness to invite Christian Europeans into Siamese society. Narai was intentionally bringing Europe into Siam to expand the Siamese understanding of the world. This exchange was not primary driven by French proto-imperialism but rather by Siamese curiosity.

Counter-intuitively, this proto-imperialist attitude demonstrates how early modern global exchanges cannot be simplified into Manichean models of European aggression against non-European peoples. Success in this exchange was founded in the actors’ attitudes, not in European power. Looking at this event through the attitudes of each actor prevents non-European actors from being reduced to European foils. Through the use of “New Diplomatic History” and Kapil Raj’s post-post-positive history of science, one can better understand the ways in which parties’ attitudes towards an exchange played an influential role in the exchange’s dynamics. Thus, this approach enables one to more accurately see that the 1685 French-Siamese was driven by King Narai’s active accommodation and curiosity. Applying a similar approach to other moments in early modern cross-cultural exchanges will surely revolutionize the way we understand the agency of non-European peoples in their encounters with Europe.


Playing with Fire:
The Medieval Judicial Ordeals and their Downfall

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Introduction

*The Dialogue on Miracles*, by Caesarius of Heisterbach, tells a story of a sinning fisherman who was known to have had sex out of wedlock multiple times with the same woman. The man knew his sin was well known across the town, and there were only two options; confess and marry the woman or go through a trial by ordeal and face God’s judgment. The fisherman decided to go to the nearest priest and confess his sins. The priest applauded him for confessing and said that as long as he never sinned again, he would be able to carry the red-hot iron fearlessly. God would not punish the man, as his sins had already been stated. The man was acquitted. After many days the man was back on the water fishing. At one point he passed the woman’s house with whom he had fornicated. He at once thought to get out of his boat and head over to the house. When he stuck his hand into the water with this thought in mind, the water immediately burned him, just as if he were holding the red-hot iron.¹

This sermon story is just one of many examples of people being subjected to the trials by ordeal in medieval Europe. With Biblical origins, these trials sought out God’s judgment in criminal matters.² The unilateral ordeals are split into two main uses. Trial by fire, which was depicted in the previous sermon story, and trial by water which was the oldest form of the ordeal used in Europe.³ There were two forms, the hot water ordeal and the cold-water ordeal.⁴

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² The word of God in the Bible set out many instances of trials by Ordeal; it is depicted in Numbers 5:11-14, Genesis books 6-8/18-9, The Flood, The Parting of the Red Sea, and The Fires of Sodom and Gomorrah.
⁴ *Translations and Reprints from the Original Sources of European History*, vol IV, no. 4 (Philadelphia: The Department of History of the University of Pennsylvania, 1897), 7-9. This prayer is from around the 12th or 13th century, so a little later in history than the Carolingian Empire, but the ideas are the same.
Deciding between the water or fire ordeal all depended on the class and gender of the accused individuals. Trial by fire was generally saved for freemen and nobles, while **villeins**, or serfs, went to the cold water.\(^5\) The majority of people sent to the ordeals were lower class, and therefore trial by cold water was the most popular form of judgment. One might argue that trial by fire was a form of punishment in itself, so most went to the cold water as the hot iron was reserved for extreme cases as a semi-punishment.\(^6\) Seventeen percent of cases involved the hot iron, while the other eighty-three percent of trials by ordeal came down to the water, usually that of cold water.\(^7\) Just under two-thirds of those who underwent the ordeal passed freely.\(^8\)

In modern times the ordeal seems to be irrational, but this was not actually the case. Laypeople in the Middle Ages thought the ordeals were rational, just like the idea of trial by jury is rational in the modern world. The trials were a way for the accused to have a second chance while standing trial with God. Ultimately, He would have the final say. Religion played an essential role in European’s lives, so it is an easy assumption that they would want to model their trials after those that God had set out in the Bible. There was a strong feeling that mere human testimony was not enough evidence to convict someone of a crime.\(^9\) Instead, it was easier to turn their judgments over to the omnipotent and omniscient God. Although judges and priests considered human testimony and evidence, trial by ordeal was put into place where evidence was lacking, or miniscule.

In order to induce God’s judgment, it was imperative that priests and judges practice the ordeals to the utmost perfection.\(^10\) If they did not, God would not be able to follow through with His ‘promises’ to the Europeans going through the trials.\(^11\) Although there were specific outlines for the procedures of the ordeals, it was hard to complete every small detail in the same way for each trial. Inaccuracies or missteps in the procedures of the ordeals could prove costly to the outcome. While God is omniscient, it was a major worry that he would not participate if the procedures were incorrect. This was a major worry of clerics in the Church. Was God ever really helping in the ordeals? Was it possible His judgment was not being induced with the best precision by lowly priests?

Trials by ordeal in medieval Europe provided a form of instruction for the laity. It was easy to see the trials as rational forms of justice in the Middle Ages, as it brought the word and judgments of God into play. God and religion had such a large impact on people’s lives, it is easy

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\(^8\) Ibid, 183.


\(^11\) Ibid.,” 956.
to see why there was support among the laypeople as they got to be as close to God’s judgment as ever before. The bigger question is, what impact did the medieval Church have on the ordeals in Europe? Disagreements within the clergy of the Church started as early as the ninth century and lasted through their final days. Although there were a few exceptions, the consensus was that the ordeals were bad for the Church’s reputation. The ordeals had Biblical origins, and people generally believed that the power of God was being displayed. Despite this the papacy and intellectuals were against the use of all ordeals in Europe.

By 1215 clerics in the Church had hit a breaking point. If the ordeals reinforced the authority of God and His Church within the Christian community, why were they so against them? Did the Church believe that God was being too easy on the accused and letting people go free? Did they believe He was being too harsh? Or did they believe God was not actually playing an impact in the ordeals at all? The culmination of the dislike and mistrust was finalized at the Fourth Lateran Council. It seemed like a sudden change in the medieval trials, but at the same time the decision was a buildup of centuries of discontent. Although it seems as if it was in the medieval clerics best interests to support the ordeals, they did not. Rather, what we discover is that a rift existed within the church over the function and viability of the ordeals. Although the ordeals had a basis in religion, ultimately it was religion that used its mistrust of the ordeals to tear down the basis of all early medieval legal tradition.

**Deeper Explanation of Ordeals**

The background of the trials by ordeal is simple; the workings behind them are not. Members of the medieval Church played a leading role in these trials, but they were not the only ones who partook in the long tradition. Ultimately, Church clerics were a minor part in the ordeals. A priest was the only requirement that the Church needed to supply for the ordeals to work efficiently. The rest would be executed by a script and God. Nonetheless, complications arise when trying to understand the ordeals in a simple sense. It was under the Carolingian Empire (c. 800-888) that the ordeals began to grow spontaneously. 12 Charlemagne, King of the Carolingian Empire, proclaimed that the ordeal was to be used with no doubt given to God’s abilities. 13 This backed the credibility of the ordeal through royal command. Despite their slow downfall, it was during this period that the ordeals become more well-rounded, and the circumstances surrounding them became better outlined.

Although they had great support throughout Europe, the ordeals had a lot of limitation. They were only applied in certain circumstances, and against certain people or crimes. The ordeal was used only when there was little to no evidence. 14 They acted as a buffer against immediate conviction of a crime. These trials were a defendant’s second chance to prove they

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13 *Ibid*.
were not guilty of the crime of which they were accused. The ordeals were the last chance given to those accused of a crime.  

Trial by water was used in two different instances: trial by hot water, and trial by cold water. Trials by hot water were the only ordeals mentioned in the written documents of the sixth, seventh, and eighth centuries. While this could just be a coincidence, it is apparent that the hot water, or cauldron, ordeal was the only form in existence during the Carolingian period. The idea was that a cauldron filled with water was placed on an open flame. The water would be brought to a boil, signaling that it was hot to the touch. A Church priest would then bless a piece of metal, usually a ring, and drop it into the hot water.

Believed to be an invention under Charlemagne’s reign, trial by cold water came into use in the early years of the ninth century. Around this same time, high ranking Church officials began to speak out about the use of the ordeals. Emperors and popes looked to start regulating the use of the ordeals as they started to become more popular. Hincmar of Rheims described the cold-water ordeal as, “[H]e who is to be examined by this judgment is cast into the water bound, and is drawn forth again bound.” The cold-water ordeals were more detailed than throwing the accused into water. Essentially the steps are the same as the trial by hot water, but the circumstances are changed. The accused was bound and blessed by a priest to induce God’s judgment. They were then thrown into a body of water and watched to see if they float or sink. The former resulted in a guilty verdict, and the latter a verdict of innocence.

Trial by fire, otherwise known as trial by hot iron, had similar origins to trial by hot water. The origins of the trial by fire ordeal come in 800 at the Council of Reisbach. Same as the other ordeals, a priest blessed the iron through prayer, essentially calling for God’s help in the ordeal. The accused would walk a set number of paces while holding the iron, and have their hand bound for three days. After those three days had expired the hand was unwrapped and examined by either a priest, or another member of the court. If the hand showed any signs of healing, the accused was deemed innocent, but if the hand was festering, then God had found the accused guilty of their crime.

There were a few instances in the Middle Ages in which the papacy or church councils attempted to restructure, or better outline the use of the ordeals. At the Assize of Clarendon in

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15 Bartlett, *Fire and Water*, 27. Although trials by battle are seen as another form of ordeal, they are considered bilateral, or having two parties in the civil suit. The unilateral only involve the accused, not the accuser.
16 Ibid.
17 Ibid.
18 Ibid., 9.
19 Ibid., 11.
22 Ibid.
1166, canons 2 and 12 set out rules for the use of the water ordeals.\textsuperscript{24} Both canons deal with the idea of theft. If one is to be accused of theft and there is no evidence, then they are automatically to be taken to the trial by cold-water (c. 2).\textsuperscript{25} On the other hand, if the accused was found to be in possession of stolen goods, and he denied it in testimony, then he shall also go to the trial by cold-water (c. 12).\textsuperscript{26} Ten years later, at the Assize of Northampton in 1176, the Church council again attempted to reform the ordeals. This time the council outlined who should go through the ordeal of water, and what shall happen if he fails.\textsuperscript{27}

In both cases, the King of England required the leading bishops in England to redraft the ideas surrounding English law. Both councils looked to reform the outline of the ordeals, as well as set strict punishments if the accused failed. The Assize of Northampton especially strengthened the English Church’s stance on the ordeal by saying that those convicted of a crime were subject to losing a foot, as well as a hand, for their actions.\textsuperscript{28} It is peculiar, though, that less than forty years later, the members of the Fourth Lateran Council convened and outlawed the use of the ordeals, even as countries like England were attempting to strengthen their use of them.

Many questions still remain following our deeper understanding of the ordeals. If the highest power in the Middle Ages was God’s judgment, then why did people not trust it to decide every trial? Why were there other forms of proof? These are some of the main questions that revolve around the ordeals and their eventual downfall. Priests of the medieval Church acted as some of the leading practitioners of the ordeals. They were required to be in attendance to bless the items being used and give a prayer. Despite this, the Church still spoke out against the use of the ordeals. The practice brought the priests and the Church fame and money.\textsuperscript{29} This still did not suffice to bring the Church to accept the ordeals for what they were. The overarching question is, why? Everything points to the Church accepting and perfecting the ordeals, but this was not the case. In the end, the ordeals fail because of the Church’s insistence that they fall.

\textbf{Historiography}

Many modern historians have written on the impact the ordeals had on criminal justice. Very few have looked at the impact the prelates and canon lawyers had on the trials. The main focus in writing about the ordeals is trying to explain that they were less problematic than first perceived. Many of the thoughts and writings of theologians pertaining to the ordeals have yet to be translated from Latin into English. Letters from the popes condemning the ordeals before the Fourth Lateran Council are sparse, and even harder to get considering the language barrier. Some of the biggest Church documents released have been from Hincmar of Rheims, and Agobard of

\textsuperscript{24} Assize of Clarendon in 1166.
\textsuperscript{25} Ibid., c. 2.
\textsuperscript{26} Ibid., c. 12.
\textsuperscript{27} Assize of Northampton in 1176, c. 1.
\textsuperscript{28} Ibid.
\textsuperscript{29} Bartlett, \textit{Fire and Water}, 70.
Lyons, yet they were just recently translated.\textsuperscript{30} Other major works are rarely cited as there is no modern interpretation of their meaning. One example of this is Peter the Chanter’s writings on the ordeals which have yet to be translated as they do not prove useful to modern historians.\textsuperscript{31} Despite this, many historians still have published great and interesting works on the practices of the trials.

Possibly the most comprehensive research on the ordeals is Robert Bartlett’s \textit{Trial by Fire and Water: The Medieval Judicial Ordeal}.\textsuperscript{32} Bartlett covers the entire history of the unilateral ordeals, from beginning to end. Although he does cite the major theologians and their writings, much of Bartlett’s book deals with the legal history. The ordeals played a significant impact in European society. Bartlett calls the end of the ordeals a “social change,” alluding to the fact that it was a work of the people, and not the Church officials, that brought in the era of trial by jury.\textsuperscript{33} The theologians in the medieval Church had to stumble around for centuries until they found a suitable replacement for the ordeals.

The subtitle of Bartlett’s book is the key to understanding his take on the ordeals. He calls it ‘the Medieval Judicial Ordeal,’ which excludes the theologians in the Church from all responsibility. Bartlett does look at clerical interests regarding the ordeals in his chapter, “The End of the Ordeal: Explanations in Terms of Belief.”\textsuperscript{34} Bartlett does not expand on the ideas as to why the papacy and church councils completely opposed the practice. While the ordeals were not ecclesiastical trials, Christianity influenced the practice of the ordeals without any action from the Church itself. Bartlett’s main argument throughout his book is that the downfall of the ordeals was a result of a call for social change outside the realms of the clerics. He takes a look at the Fourth Lateran Council, but holds the belief that the use of the ordeals was completely outdated by 1215.\textsuperscript{35} Although Bartlett is one of the leading scholars on the ordeals, he tends to omit, or speak very little on the ecclesiastical downfalls concerning the ordeals.

Another key scholar in this area of legal history is Charles Radding.\textsuperscript{36} Although he does introduce more arguments of the impact of God and the clerics, Radding tends to take some more controversial views. In a sense, the reader could see Radding’s views as anti-Catholic. The bulk of his writing deals with ‘superstition’ in the ordeals. Superstition is too weak of a word to describe the Church officials’ views of the ordeals. The papacy and church councils knew the ordeals were problematic. They were not at all superstitious of the practices.

\textsuperscript{30} Hincmar of Rheims, \textit{De Divortio}, was translated by two English researching professors, Rachel Stone and Charles West, in 2016. Agobard of Lyons, \textit{De Divinis Sententiis}, had a more amateur and ‘unpublished’ translation by University of British Columbia professor, Courtney M. Booker, in 2015.

\textsuperscript{31} Peter the Chanter’s, \textit{Verbum Abbreviatum}, is one of the widest ranging documents encompassing the faulty characteristics of the ordeals.

\textsuperscript{32} Bartlett, \textit{Fire and Water}.

\textsuperscript{33} \textit{Ibid.}, 34-62. The fourth chapter in the book, “The End of the Ordeal and Social Change” covers the topic of a transition away from trial by ordeal in a social manner.

\textsuperscript{34} \textit{Ibid.}, 70-103.

\textsuperscript{35} \textit{Ibid.}, 127.

\textsuperscript{36} Radding, “Superstition to Science”, 945-969.
Radding’s main argument throughout the paper is, as science became slightly more advanced in the Late Middle Ages, the ordeals had lost all their credibility. Laypeople in the Middle Ages believed in God, saw the ordeals as God’s justice, and did not look towards the increasing intellectual thought as the main downfall of the ordeal. The culture introduced by everyone in the Church played more of a factor in people’s lives than Radding realizes. Clerics may have been skeptical whether or not the ordeals were working how they believed, but they were not superstitious about the power of God.

Another book looking at the history of the criminal trial is *The Origins or Reasonable Doubt: Theological Roots of the Criminal Trial*, by James Q. Whitman. Whitman looks at the Church more than either of the previous historians, but speaks more on the transition into trial by jury and other forms of proof. Whitman sees one of the main problems of the ordeals as there being no evidence at all, and subjecting the innocent to possibly harsh judgment by God. While this is true, he is approaching it from a modern point of view. Evidence in criminal trials was sparse in Europe. There is also speculation as to the belief that human testimony was more valid than the participation of God. Due to limited clerical writings on the ordeals, it is hard to speculate if the Church supported trial by jury or some other form of proof more than the ordeals. Following the Fourth Lateran Council, it is clear that the main objective in the outlawing of the ordeals had everything to do with moving to a better form of proof, on top of taking away the liabilities of officials in the Church hierarchy.

Other key legal historians are Margaret Kerr and Elizabeth Papp Kamali. Kerr’s article looks into the science behind defeating the ordeals. Her argument revolves around the idea that the ordeals could be beaten, and most often were. The ordeals were in no way perfect, and Kerr shows this. Trial by fire was easily passed as the hand was covered for three days and had time to heal before it was displayed to a cleric or justice of the town. As long as there was no “disease discharge” at the end of the three days, the accused was cleared. Trials by cold water could easily be manipulated. Buoyancy was the main key to passing the ordeal. Kerr’s writing answers the major question that Church officials were asking; could the ordeals be manipulated?

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38 *Ibid.*, 51-90. Whitman’s third chapter deals with the ordeals and is called “The Decline of the Judicial Ordeals: From God as Witness to Man as Witness.”
41 Fourth Lateran Council, Canon 18.
44 Kerr, “Cold Water”, 588.
45 *Ibid*.
Papp Kamali’s article tends to depict the miracles that took place behind the ordeals. She looks at a specific trial and shows how the accused was originally found guilty by a jury of knights after undergoing the ordeal by hot iron. The accused was later healed by the patron saint William of York. Less of an article on the ordeals, and more on the healing properties of Saints, Papp Kamali also provided insight into the later years, and final downfall of the ordeals. She points out that there is a jury of knights, which could be a sign of the transition period away from the trials by ordeal. Along with Kerr’s article, Papp Kamali looks at issues relating to the ordeals that other historians seem to skim over.

It is quite odd that modern historians do not want to answer the question as to why theologians in the Church wanted nothing to do with the ordeals for many centuries. Even though there is sufficient primary writing to back up the significant views of the clerics, a single question remains. Is it possible to really know why the high-ranking officials wanted nothing to do with the ordeals apart from the writings of the Fourth Lateran Council? Yes. Very few historians attempt to link the papacy and church councils as the main, or even the sole, enemy of the medieval ordeal. Instead, they turn to a belief system that the trial by jury was more rational, and simply took over the trials by ordeal. In reality, at the time trial by jury was unheard of, and possibly even more irrational in the minds of lay Europeans.

Hincmar of Rheims

Through the time period of the ordeals not many people wrote in support of the trials. Much of the writing was devoted to the attacks on the ordeals. Everyone came to the general consensus, that if one was in support of the ordeals, it was not necessary to put it into writing. Nonetheless, one of the only theologians who supported the ordeals was Hincmar of Rheims (c. 806-882). Hincmar’s most famous writing, De Divortio (The Divorce of King Lothar and Queen Theutberga), proves to still be the leading argument in favor of the use of the ordeals.

In 855, King Lothar II inherited land north of the Frankish Alps from his father. This later became known as the Kingdom of Lotharingia. Throughout his time as King, Lothar II became close with his bishops. While he was becoming close with his bishops, so was his wife, Theutberga. Lothar II had been wanting to end his marriage with Theutberga for many years, and the chance finally came in 860. Theutberga allegedly confessed to multiple bishops that she was unworthy to be Lothar II’s wife. She had also confessed to at least one bishop that she had entered into an incestuous relationship with her brother, Hubert. Lothar began to restructure his

47 Although William of York was later canonized as a Saint in 1227, he was not a Saint at the time of the miracle c. 1215.
48 Especially in the Papal Interdict of 1208 against England, Pope Innocent III forced the Church officials to stay out of all business that did not pertain to the Church.
49 Hincmar of Rheims, De Divortio.
50 Ibid., 5.
51 Ibid., 5.
52 Hincmar of Rheims, De Divortio.
argument for divorce around the idea that his Christian rule was being corrupted by the sins his wife was engaging in.\textsuperscript{53} Clerics and bishops in Lotharingia were hostile towards Lothar and his plans to divorce Theutberga. They would not grant Lothar II the divorce unless Theutberga nominated a champion to go through the ordeal in her honor.\textsuperscript{54} After going through the trial of boiling water, Theutberga’s champion was deemed to have been unharmed. This proved Theutberga’s innocence, and Lothar II was forced to restore her as Queen of Lotharingia.\textsuperscript{55} Because Lothar’s followers believed his claims so thoroughly, this passing of the ordeal cast doubt on the validity of the ordeals as a tool for providing guilt or innocence.\textsuperscript{56} This is where Hincmar of Rheims came into play.

Hincmar had just recently been appointed to be the archbishop of Rheims. This provided him the opportunity to partake in the trial and write the most comprehensive argument towards the validity of the ordeals in the beginning centuries of the trials. Hincmar introduced many ideas not covered by other theologians in his time period. Much of Hincmar’s argument had a Biblical basis and goes to show that the ordeals as a whole were an interesting part of both ecclesiastical and secular traditions. Along with the trial of bitter waters in the Bible, Hincmar argues that the Flood, and the punishment of Sodom showed the Biblical trials of fire and water. As a result, Hincmar argues that the ordeal of boiling water was particularly useful as it combined both elements into one ordeal.\textsuperscript{57} These Biblical ordeals became the main arguments for supporters of the trials. If God was picturing the ordeals in His scripture, then He must want humans to use them as well. Europeans were supposed to follow God’s example, and one way they did this was modeling their trials after His.

The Flood pictured in the Bible set out the basis for the trial by cold water. God believed the world was corrupt, and full of violence. To rid the world of these evils He flooded the Earth for one hundred and fifty days. This was not before He told Noah and his family about the upcoming floods. Noah did all that God had commanded him to do and saved all the pure life forms that inhabited the Earth before the floods began. Noah’s family, and everything aboard the Ark were saved, while all other life forms were killed by God’s divine justice during the Flood.\textsuperscript{58} Hincmar of Rheims saw the Flood as the perfect example for the trials by cold water.\textsuperscript{59} From the earliest times of man, the ordeal had been used to administer God’s judgment. Authority was handed down to Church theologians through God’s word. The trial pictured by the Flood provided a prime example of God freeing the innocent and condemning the guilty.\textsuperscript{60}

Another example of the Biblical ordeals was the punishment of Sodom and Gomorrah. The flames of judgment that rained down upon Sodom and Gomorrah acted as the Biblical form

\textsuperscript{53} Hincmar of Rheims, \textit{De Divortio}.
\textsuperscript{54} Ibid., 36.
\textsuperscript{55} Ibid.
\textsuperscript{56} Ibid.
\textsuperscript{57} Ibid., Response 6: 163.
\textsuperscript{58} Bible KJV, Genesis 6:9-9:17.
\textsuperscript{59} Hincmar of Rheims, \textit{De Divortio}, 150-155.
\textsuperscript{60} Ibid.
of trial by fire. Lot, the only man who had escaped the fires of Sodom, was the only one who passed God’s judgment, and completed the ordeal.\(^{61}\) Hincmar pointed to this as the origins of the trial by fire.\(^{62}\) The fire burned up the wicked, and Lot, who was not a sinner, passed God’s judgment and escaped the fires. These Biblical forms of these trials shaped arguments in support of the ordeals for many centuries. Priests within the Catholic Church adopted these doctrines that Hincmar supplied. They used them as evidence that they were in all legality when practicing the ordeals. In essence, divine law, which was pictured in the Bible, was transformed in human law, and practiced in the form of trials by ordeal.

Hincmar of Rheims used the stories of the Flood, and the fires of Sodom and Gomorrah to back up the use of the ordeals. Could they still be trusted? Was it clear that God wanted mortals to practice His forms of trial? Could these stories even be translated into trials? Hincmar is in the affirmative for all these questions. The Book of Numbers provides all the evidence needed to answer the question of whether the ordeals should be trusted. If a man suspected his wife of being unfaithful to him, he shall go to the priest. This priest will then have her stand before the Lord and do an oath with the bitter waters. If she has been unfaithful, her abdomen will swell, and she will miscarry the child she was carrying, but if she is innocent then nothing will happen.\(^{63}\)

Although the Bible displays the use of ordeal-like trials, God did not specifically give humans confirmation to use the ordeals. This changes in the Book of Numbers, as Hincmar shows.\(^{64}\) The Lord gave priests the right to set humans before His divine judgment. This was the divine right that priests in the Church needed to continue the use of ordeals as a form of trial in the Middle Ages. Hincmar showed that the Bible alone passed down all the authority needed to practice the ordeals. They should be a practice that all theologians in Europe adopt, considering they were explicitly stated in the Bible. It was hard to deceive God, so therefore He will pass down His best judgment to those who went through the ordeals.

One major claim was that God had been tricked in the trial of Theutberga.\(^{65}\) This often became a common theme throughout the later history of the ordeals. Hincmar rejected the idea that God could be tricked. Lothar II convinced his people that Theutberga confessed her sins to a priest in Lotharingia. After going through the trial by hot water, her champion was deemed innocent because she had confessed her sins.\(^{66}\) Hincmar denied that this was the case. If Theutberga was going to perjure herself in the ordeal, the priest should have stepped in and stopped the trial from ever happening.\(^{67}\) Hincmar believed that breaking the seal of confession, on the part of the priest, is less serious than tempting or misleading God through the ordeals.\(^{68}\) If

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\(^{61}\) Bible KJV, Genesis 19.
\(^{62}\) Hincmar of Rheims, *De Divortio*, 150-153.
\(^{63}\) Bible KJV, Numbers 5: 11-22.
\(^{64}\) Hincmar, *De Divortio*, Response 6: 145.
\(^{65}\) Hincmar, *De Divortio*, 42-43.
\(^{68}\) Hincmar, *De Divortio*, 169-70.
it was the case that Theutberga and her champion were going to try and mislead God through the ordeals, then she would have been subjected to strict punishment in the afterlife. God sees everything and knew if the accused was trying to trick Him in their ordeal. Hincmar believed that if Theutberga had willingly confessed her sins to a priest, that priest should have stopped the ordeal, and broken the seal of confession, rather than let Theutberga perjure herself before God.

Hincmar also rejected the idea that God could be tricked during the actual act of the ordeal. Lothar II also claimed that Theutberga had to have been thinking of another Hubert while the ordeal was going on. Because of this, Theutberga’s brother, Hubert, was absolved of all legal responsibility. Had this been the case, God would have realized it because He is omnipotent. It was incorrect to believe that God, who knows all things before they come to pass, could be misled by a human. Those who try to lie and mislead God will be damned for eternity and subjected to harsher judgments in the afterlife.

In the trial by cold water, the one going through the ordeal was tied up for two reasons: (1) so he could not attempt to trick God in the final judgment, and (2) so he could be pulled out in time. Hincmar believed it was imperative to reduce the odds of trying to trick God, because it would ruin the true outcome of the ordeals. God already knew what the outcome of the ordeal was going to be. He would have known if there was any trickery going on during the process of the ordeal. If there was any possible chance of deception in the ordeal, then was it fair to stop using them as a form of judgment? Hincmar believed that those who were willing to try and deceive God deserved a “double vengeance of judgment.” If the accused was trying to evade His judgment through trickery, then they were undermining the integrity of the ordeals. They essentially deserved whatever God handed to them, both on Earth, and in the afterlife. Deceit in the ordeals was the Devil working against God’s divine justice, and He would have easily recognized this.

To further confirm the validity of the ordeals, Hincmar points to the sacrament of baptism as a form of the ordeal. The theologians in the medieval Church used baptism as a symbol of washing away the sins at the beginning of a new life. Hincmar believed that this was what was being done in the trial by cold water. The accused is bound and set into the water to be judged. He had all his sins washed away while also being judged by God. While this is not entirely the case, Hincmar showed comparisons between the two, and attempted to show that baptism was the earliest ordeal in life. The ordeals could have been thought of as a baptism for the innocent.

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69 Hincmar, *De Divortio*, 169-70.
70 Ibid.
71 Ibid., 37.
72 Ibid., Response 8: 170.
73 Ibid., Response 8: 172.
75 Ibid., Response 9: 176.
76 Ibid., Response 9: 172.
77 Ibid., 163.
The Holy Spirit was a part of the water and washed away all sin. The case was similar for the guilty. In the end, though, he was judged for the crime he had committed. Most theologians in Hincmar’s time argued that rebaptism should be avoided. The canons prescribed by the church councils forbid rebaptism. If trials by water were essentially a second baptism, they should not have been practiced. To Hincmar, as long as God’s power is invoked in the act of the ordeals, then it was alright to go through a rebaptism. The Book of Colossians states that “whatever you do, whether in word or deed, do it all in the name of the Lord Jesus, giving thanks to God the Father through him.” This should acquit all those who go through a rebaptism, as long as it is in the name of God.

The writings of Hincmar of Rheims prove to be some of the only written confirmations of the use of the ordeals in the Middle Ages. Rightfully, Hincmar uses the Bible as the basis for all argument. If it comes from the word of God, it must be true. Although the Bible has instances where the ordeals could be derived, Hincmar needed to back his assertions with other passages from the Bible. He does this through the Book of Numbers, which gives priests the right to put the accused in front of God for a complete judgment. The accounts from the case of King Lothar II and Queen Theutberga provide a lot of questions for Hincmar to answer. They are questions that arise all throughout the Middle Ages pertaining to trials by ordeal. Can God be tricked? No, He has divine powers. Is it possible to beat the ordeals through non-divine ways? Yes, but God will know and punish those who try. Authority in the ordeals was handed down to the Church, which the Ark of the Flood symbolizes, in the Bible. In essence, Hincmar argues that God will always know the outcomes of the ordeals before they even take place. He is omnipotent and was supposed to use His divine judgment in any way that was asked for in the process of the ordeals.

Agobard of Lyons

The key critic against the ordeals in the Carolingian period was Agobard of Lyons (c. 779-840). Agobard’s writings sharply contrasted with those of Hincmar of Rheims, even though they were writing in the same time period. It is interesting to see disagreement this early in the history of the ordeals, but by this point Agobard had the fullest and most complete record in arguing against the ordeals. His writing, *De Divinis Sententiis*, proved to be the sharpest attacks on ecclesiastical policies regarding the ordeals. Certainly, as the ordeals were continuously growing throughout his life, Agobard’s ideas were not well received. Nonetheless, what he

78 Hincmar, *De Divortio*, 151.
79 Ibid., Response 6: 163.
80 Ibid.
81 Bible KJV, Colossians 3:17.
82 Bible KJV, Numbers 5:11-22.
83 Agobard of Lyons, *De Divinis Sententiis* (*Book on Divine Statements, Enumerated with very Brief Annotations, Against the Injurious Opinion of those Believing that the Truth of Divine Judgment is Revealed by Fire or Water or by Battle of Arms*, c. 817-822), translated by Courtney M. Booker, University of British Colombia, 2015.
argued soon became the center of Church theologians’ arguments almost four centuries later. Although he mostly argued about the bilateral, trial by battle, Agobard also had key statements regarding the unilateral ordeals in his writing.

The main arguments of Agobard were either taken from the Bible, or assumptions made about God. One of his biggest arguments was that the priests conducting the ordeals were putting themselves in danger for their own judgment from God. The Bible says, “Thou Shalt not kill. And whosoever shall kill shall be in danger of the judgment.”84 The problem was that priests were being implicated in the killing of individuals when the accused was found guilty.85 Who was to say whether or not the members of the Church participating in the ordeals were actually implicating themselves in murder, and therefore leading to judgment in the afterlife? Agobard claims this to be a major problem with the ordeals.

Agobard argues that according to the will of God, instead of one killing a wicked man because of his sins, they should wait for the sinner to be punished in the afterlife.86 It is not up to the people to punish sinners. Agobard believes that the time for revenge is not in the present. Instead, the afterlife will be the perfect time for the guilty to be punished for their crimes. It is God who will punish one for their sins and crimes. One who does not “restrain the hand from murder, is also neither subject to the [Old Testament], nor is granted the freedom of the evangelical grace with the [New Testament].”87 The question was whether or not punishing a criminal by death was also a form of murder. Agobard thinks yes. It becomes hard for Agobard to justify killing in the ordeals when it is clear that God should be the one punishing for specific crimes.

To be a true patron of God, one must follow His example.88 In the ordeals, God did not punish the accused even if they were found guilty. Is this a sign that He has forgiven them of their sins? If God is not killing those in the ordeals, then why should His followers be punishing the guilty? The Bible again shows that those conducting the ordeals should forgive the accused of their crimes and let God have the final judgment. Agobard uses the Bible to argue, “For if you will forgive men their offences, your heavenly Father will forgive you also your offences. But if you will not forgive men, neither will your Father forgive you your offences.”89 The priests should not have been enforcing God’s judgment without His explicit approval. It is a “great evil not to forgive the heart of a sinning brother.”90 Instead of forgiving the accused for his sins, the clerics put him through the ordeals to see if he was guilty or not. If he was to be found guilty, then he was punished harshly. Agobard argued that if you forgive the guilty of their crimes, then you would not be punished in the afterlife. On the other hand, if you punish those who were deemed guilty of God’s judgment, then you were also subject to judgment in the afterlife.

84 Bible KJV, Matt 5: 21-22.
85 Agobard of Lyons, De Divinis, VI par. 7, 6.
86 Agobard of Lyons, De Divinis, VI par. 61, 7.
87 Ibid., VI par. 7, 6.
88 Ibid., VI par. 9, 7.
89 Matt. 6:14-15.
90 Agobard of Lyons, De Divinis, VI par. 15, 7.
It is known that “good men are killed by evil men, but never evil by good, unless in public wars.”

Those conducting the ordeals who participate in the killing of another individual were just as bad as those who commit murder against a good man. It is easier to forgive and let God pass down His judgments in the afterlife, than to implicate yourself in a murder and risk being judged for your actions. When one is prepared to take part in a mutual killing, there is no good will involved. God does not assist an individual in the killing of another. The clergy believed that they had the God given right to punish those who were found guilty in the ordeals. Agobard refuted all claims that it was alright to punish another through death. God does not really help either side in killing another. It is just believed that he helps one side because his judgment is invoked by the clergy. The question remains, though, was God’s judgment really being called upon in the trials by ordeal? This was one of the Agobard’s main arguments, and later became the basis for attacks from the high-ranking clerics. Both Agobard and Church theologians argued that one is unable to know if God ever acted in the ordeals.

The sole claim of the ordeals was that they were invoking the power of God. How was one supposed to know if this was ever happening? The ordeals became completely arbitrary, and their traditions could have easily been broken through normal means. It should be believed, that nothing happens in the world, unless through the dispensation or permission of God, since even all the hair on the head of the faithful are counted, and one out of two or five sparrows does not fall to the ground without God, and as one of the saints says, Not even a leaf of a tree falls without God’s consent.

The members of the clergy conducting the ordeals assumed that they were being passed the power to administer God’s judgment. God never really gave them His consent to punish individuals for their crimes though. In fact, Agobard goes against Hincmar and states that the Bible forbade these types of trials. Scripture says that one must not kill, yet the members of the clergy killing the guilty. Everything that happens on the Earth happens because of God’s will. Those who commit crimes are not punished by God for a purpose. Therefore, God’s judgment should not be invoked unless he explicitly says it must be practiced. If the omnipotent God wanted to punish sinners while they were on Earth, He would have done it Himself. Instead, if He is acting in the ordeals, it should have been apparent that He is a kind and forgiving God. He was waiting until the afterlife to punish the accused for their crimes. He was not doing it while they are still on Earth, and neither should the clergy. The wisdom of God should be sought with absolutely no doubt in its accuracy. It was a worry in the Middle Ages, and especially following the writings of Agobard, that God’s wisdom was not taking action in the ordeals. This

91 Agobard of Lyons, De Divinis, V par. 2, 4.
92 Matt. 10: 30.
93 Matt. 10: 29.
94 Agobard of Lyons, De Divinis, V par. 1, 4.
95 Agobard of Lyons, De Divinis, III par. 2, 3.
proves to be a big issue surrounding the outcomes of the ordeals. Could one count on the wisdom of God to protect himself? Or were they going through an arbitrary trial?

The Latin name for the trial by ordeal is *iudicium Dei*, or literally, “judgment of God.” This insinuates that God was taking part in the ordeals. There was to be no denying this claim. How can it “be proven that it [was] a judgment of God, which God never prescribed, never wanted, and never show[ed] as included in the examples of the Saints and of all the faithful?”

Human law set out the ideas and stipulations for the ordeals, not divine law. Although there were ordeals in the Bible, as Hincmar showed, God never explicitly allowed the use of ordeals. Agobard would argue that God never gave written consent in the Bible to practice the ordeals. Even if the Bible acted as a way to follow His wisdom, the ordeals in it were practiced almost a thousand years earlier. How could it be known if this form of divine law was still accepted by God? While Hincmar argued that God directly prescribed the ordeals, Agobard argued the opposite. God never wanted this form of judgment, and He never called for members of the clergy to practice it in His name. This, again, brings up the question of whether God was really taking part in the act of the ordeals. The trials are based around God’s participation. If He never wanted them, then did He ever pass down His judgment upon the accused?

Agobard went further and argued that “. . . the judgments of God are secret and impenetrable. It follows that it is foolish and arrogant presumption of those who believe they can make manifest unequivocally, through wars and massacres, the impenetrable judgments of God.” Even if God wanted to partake in the ordeals, He would not reveal His judgments to humans. The wisdom of God acts in secret, and only affected those in the afterlife. There was no way to know what He wanted or thought in regard to the ordeals because he was not subject to reveal His judgments. God wanted to wait until death to punish those who sinned. In another of his writings, Agobard claims that “the faithful should not believe that almighty God wishe[d] to reveal men’s secrets in the present life through hot water or iron.” The trials by ordeal should not be used to reveal the judgments of God, because this was not His main priority. Instead the judgments were to be revealed in secret, and in the afterlife. Mortals had no business trying to pry answers and wisdom out of Him. They had no proof that God was assisting in the outcomes of the ordeals.

The arguments of Agobard of Lyons prove to be some of the leading ideas in disputing the ordeals in the Carolingian period. His ideas became the basis of argument for the high-ranking theologians in the Church leading up to the Fourth Lateran Council. The papacy and church councils became increasingly worried that their clerics were heading into an afterlife where they will be punished for their help in the ordeals. God’s judgment should not have been revealed through simple human trials. The time for revenge was not up to members of the Church to decide. These arguments, while the earliest in the history of the ordeals, prove to be

96 Agobard of Lyons, *De Divinis*, II, 2.
some of the sharpest and most complete. Leading up to the Fourth Lateran Council, Agobard’s arguments were continuously cited by critics of the ordeals. Four centuries after the writings of Agobard of Lyons, the main arguments against the ordeals essentially stayed the same. They simply increased in volume and became the main downfall of the ordeals.

During the Carolingian period the ordeals continued to grow and solidify their place in European legal tradition. While it was still early in their existence, this ninth-century material from Agobard of Lyons proved that it was possible to be hostile towards the ordeals. It became apparent that the ordeals were subject to theological disputes. At this point in time the critics were the minority. While few voiced their support of the ordeals, even less rejected their use. The laity saw ordeals as a form of instruction, priests received gifts and fame for the completion of an ordeal, and very few Popes wrote out against their use before 1050.\textsuperscript{99} It is clear that Agobard led the way for theological attacks on the ordeals. He opened up new ideas that Church officials had never thought of before the turn of the millennium. Despite the impact Agobard had on twelfth and thirteenth century ecclesiastical philosophy regarding the ordeals, he is rarely cited.

**Attacks on the Ordeals from within the Church**

The attacks against the ordeals were compiled through the years by the high-ranking officials in the Church itself. Although theologians like Hincmar believed the ordeals had Biblical origins, this became one of the main disagreements laid out by medieval clerics. Instead, theologians working with the Church argued that “ordeals violated Biblical prohibitions against tempting God, particularly since many issues decided by ordeals could also be resolved by other, nonmiraculous means.”\textsuperscript{100} Yes there are ordeals in the Bible, but God initiated them, and they occurred almost a thousand years earlier. Who was to say this was the way God still wanted to decide His justice? The views on the ordeals changed when people on Earth began to practice them themselves. Is this what God wanted? This was a question that theologians began to ask themselves. It was one thing for people to follow the word of God in their everyday life, but when the legal system started to imitate God, and force His judgments in human matters, the leaders of the Church began to grow weary of European legal tradition.\textsuperscript{101}

In the Middle Ages, most Europeans believed that nature responded to the will of God, “these beliefs about the world invited reliance on the ordeals. . .if God’s justice did not determine who sank in water or escaped maiming by the hot iron, how else would such results be explained?”\textsuperscript{102} Indeed, without modern science, there were only a few other ways to explain what was happening in the ordeals. The ordeals revolved around the existence of God’s judgment here on earth. Because the ordeals were working on supernatural forces, it was good instruction for

\textsuperscript{99} Bartlett, *Fire and Water*, 75.
\textsuperscript{100} Radding, “Superstition”, 945.
\textsuperscript{101} Radding, “Superstition”, 945.
\textsuperscript{102} Radding, “Superstition”, 965.
laypeople watching them. For the Church officials it was a different story. How could the ordeals be explained if God was not acting in them? For the laity of Europe in the Middle Ages, the ordeals were directly tied to God and His judgment.

The goal of the ordeals was to reveal a specific fact of whether or not the accused was guilty or innocent. The intellectuals within the Church worried that this was not working in the way they envisioned. The function of the ordeal was “diluted by the belief that God might be using the ordeal to show mercy, justify the good at heart, or punish the sinner whether he happened to be guilty in the case at issue.” While God was supposed to be merciful, still too many defendants were coming out of the ordeals innocent. To Church clerics, these uses for the ordeal went against what they intended them to depict. God was supposed to reveal the guilty and allow for them to be punished. If the accused was being punished, though, another question arose. Was the punishment for the crime they were accused, or for another set of sins? Although the idea of the ordeals was practical in a religious sense, they bring up many questions as to if God’s judgments were being used in the manner that people intended them to. The secular courts intended to control God’s judgments and be able to use them for their own purposes. The laity in Europe rarely noticed any of these discrepancies. It was the Church intellectuals who began to question the legitimacy of ecclesiastical involvement in the ordeals. Could the ordeal still be considered a valid use of God’s justice? Ultimately, another question arises. Why use the ordeal when God can just punish the accused in the afterlife? Medieval priests preached on sin consistently through the Middle Ages, and the wrath of God scared people. Those people who sinned would be harshly punished in Hell for eternity, not in the middle of a European town. Why is it priests assumed this was how the ordeals would work?

A common theological attack on the ordeals was that the ordeals violated Biblical prohibitions against tempting the power and judgment of God. God’s power could easily be called upon, but there was no way to know if He was playing a role, or if He was absent. Although God could intervene in the sermons through the Eucharist, it was still worried that He would not do the same in the trials. Instead this is not quite what happens. The theologians in the Church began to notice that the ordeals were just a coincidence in procedure early on, even though they had no other way to describe them other than by calling it God’s judgment. Every stage of the ordeals was to be done with the utmost precision. After going through these long processes for low conviction rates, theologians began to realize the ordeals had lost their social utility and had run their course. This lengthy process allowed for the accused to go through their thoughts and try to make a last-minute compromise with the priest, or with God Himself.

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103 Bartlett, Fire and Water, 79.
104 Caesarius of Heisterbach gives different sermon stories from the Middle Ages in The Dialogue of Miracles. They picture all different topics, but many of them deal with sins by Church members, and how they are punished by the wrath of God. A few of the sermon stories deal with the ideas of trials by ordeal and show the traditional views of God’s justice being put to work.
105 Radding, “Superstition”, 945.
106 Ibid., 956.
107 Ibid.
While this did not occur often, it is still a point that can be expanded upon. A compromise, just like a plea bargain in modern standards, allow for the accused to escape the wrath of God, at least until the afterlife. The accused could instead confess their sins and lead a life of penance. If the accused chose to go through with the ordeal, the entire process must have been taken seriously by the priest. The scripts had to be followed as closely as possible, or risk losing the judgment of God in the process. Who was to say that the clerics were practicing the ordeals right and fully invoking the power of God? One of the biggest worries of the Church clerics was whether their priests were performing the ordeals correctly. Were they putting laymen through these harsh ordeals, and God not acting as they wished? Priests believed that God was playing a role in the ordeals, but high-ranking theologians began to grow more skeptical. If they believed God was not having an impact, though, they would not have publicly stated it. This would have made the laity wonder if God was an essential part of their lives at all, or if their lives were just one long, enduring ordeal.

The Church never introduced the ordeals into their ecclesiastical trials. There is dispute among early theologians, especially Hincmar of Rheims, whether baptism was a form of a trial by ordeal. Even though they were secular trials, the ordeals heavily relied on the involvement of priests. The papacy never gave explicit consent to their clergy members to assist in the ordeals. Instead, it was “an invention of men” a ‘proof which God never ordered and never wished and which, as can be demonstrated, was not introduced through the example of any of the saints or any of the faithful.” Mankind believed that God was handing the trials down to them through Biblical events. High-ranking Church officials thought the opposite of this. The existence of material against the ordeals as early as the ninth century showed that objections were raised against the ordeals very early in its history. Critics towards the ordeals were the minority in the early years. Most laymen, clerics, and popes, up until 1050, did not publicly express outrage against the use of the ordeals. While this was the case, in reality people in the Middle Ages did not have to speak their ideas publicly. It was well known who supported, and who opposed the ordeals. Laymen supported the ordeals because they were coming into close contact with the omnipotent God. Priests supported the ordeals because it brought them into a closer connection with God. Priests now had the power to determine God’s judgment. The Popes and high-ranking theologians very often wrote out against the use of ordeals. No Pope or Church council, though, ever attempted to end European use of the ordeals.

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109 Hincmar of Rheims gives this view of baptism in his writing De Divortio. He believes it is the earliest ordeal that can happen in life as a trial by water, and that through it, God is cleansing the soul and ridding it of the original sins that mankind is believed to have made.
110 Ibid., 73.
111 Ibid., 75.
112 Ibid., 42-43.
113 Ibid., 41.
114 Ibid., 74-76.
lifespan. Critics of the ordeals were quiet in the early years, but as the ordeals lost their social utility, they became more outspoken. The attacks began from the top and started to trickle down the hierarchy as the years passed. Critics of the ordeals soon became the majority of the Church’s clergy.

It was not until 1215 that any form of ecclesiastical council began to regulate the use of the ordeals. While there was major animosity towards the use of the ordeals in Europe, there was little inclination that all the attacks waged against the ordeals would culminate in such a swift downfall. The attacks coming out of the Church became the basis of ecclesiastical views on the ordeals for over three centuries. Despite this, the canons compiled by the ecclesiastical lawyers at the Fourth Lateran Council were still significant. Very few Popes wrote in opposition to the ordeals. The Popes Leo IV (r. 847-855), Stephen V (r. 885-891), Sylvester II (r. 999-1003), Alexander II (r. 1061-1073), and Alexander III (r. 1159-1181) all publicly wrote out against the use of the ordeals with their high power. Despite this, they were all disregarded. Many high-ranking theologians expressed their mistrust, yet over three centuries of writing still was not enough to overshadow the approval that medieval priests had for the ordeals. What was it that made Pope Innocent III and the members of the Fourth Lateran Council finally withdraw ecclesiastical support from the ordeals in 1215?

**Fourth Lateran Council, 1215**

Many historians claim that the years of the Fourth Lateran Council were an intellectual preparation leading to a more modern criminal procedure. Robert Bartlett finds that abandoning the ordeals was an intellectual commitment, giving more control to the Church hierarchy, and explicitly placing the power of the Church into Pope Innocent III’s hands.\(^{115}\) John Baldwin claims the end of the ordeals was the beginning of a new era in criminal trial.\(^{116}\) These ideas prove to be true for secular trials, but the ecclesiastical tradition never had a form of trial similar to the ordeals. The ordeals were simply a secular trial, that brought in the aid of local priests. Did the papacy and high-ranking theologians ever really condone ecclesiastical involvement? Early on, yes, but as the trials became more pronounced in Europe the outrage became more apparent. What must first be understood about the Fourth Lateran Council is that their goal was to outlaw ecclesiastical involvement in the ordeals, and mandate new provisions for the Church courts. While the Council played a large impact on secular use of the ordeals, their jurisdiction was only for the Church courts. While the Fourth Lateran Council could not completely outlaw European use of the ordeals, the restriction of priest involvement paved the way for their eventual downfall.

Pope Innocent III is widely known as having been one of the most powerful popes coming out of the Middle Ages. He brought major reform to the Church, and attempted to

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\(^{115}\) Bartlett, *Fire and Water*, 100.

consolidate his, as well as clerical power. A few popes before that time wrote against the use of the ordeals, but no one took as big of a step on outlawing them as did Pope Innocent III. Pope Stephen V (r. 886-9) proved to be the earliest critic of the ordeals of fire and water in the papacy.\footnote{Bartlett, *Fire and Water*, 74.} In his essay, *Consuluiisti*, Stephen V called the ordeals a “superstitious invention,” and condemned the practicing of the trials because they were not sanctioned by the holy fathers.\footnote{Ibid., 74.} Despite this, Pope Stephen V’s ideas were not taken seriously, and the ordeals only got stronger during his period of rule. During his rule (1198-1216), Pope Innocent III showed no signs of animosity towards the ordeals. In his written letters, Innocent III never once mentioned the ordeals. Why did this change in 1215 with the Fourth Lateran Council? The Council was a way for high-ranking members in the Church to consolidate ecclesiastical power in many areas. There was an increasing pressure from theologians to reform ecclesiastical policies relating to the ordeals. The members of the council saw this as a perfect opportunity to condemn the practice.

The overwhelming majority of historians who cover the ordeals only look at Canon 18, *Sententiam sanguinis*, (“Judgments of Blood”). This is a grave understatement of the impact that the Fourth Lateran Council had on reforming ecclesiastical participation in the secular ordeals. Theologians at the Fourth Lateran Council condemned the participation of all Church officials in the ordeals. While the secular courts could still practice this form of trial in Europe, they would no longer have the help of the Church priests. This would prove to be a problem when attempting to invoke God’s participation.

Theologians also reformed the future use of ecclesiastical trials with the hopes these canons would forever end priestly involvement in secular trials. There are a total of three canons which apply to the ecclesiastical downfall of the ordeals coming out of the Fourth Lateran Council. Canon 8, *Inquisitio* (“On Inquisition”), and Canon 38, *Quoniam contra falsam* (“Written Records of Trials to be Kept”), along with Canon 18 provide all everything that pertains to the future of ecclesiastical trials.\footnote{Fourth Lateran Council, c. 8, c. 18, c. 38.} While Canons 8 and 38 do not explicitly state anything about the ordeals, they still provide key testimony to the animosity held towards the trials.

In order to understand why the council members set out multiple provisions in the Fourth Lateran Council, we much understand what the clerics stood to gain. Criminal procedures were largely the responsibility of the countries, not the Church itself. Although it seems like the Church and clergy had special control over the ordeals, they essentially never had any sort of ecclesiastical control. Pope Innocent III looked to rearrange the hierarchical standing over Church criminal procedure and enhance the efficiency of the new trials themselves.\footnote{Richard M. Fraher, “IV Lateran’s Revolution in Criminal Procedure; The Birth of Inquisitio, the End of the Ordeals, and Innocent III’s Vision of Ecclesiastical Politi”, in *Studia in Honorem Eminentissimi Cardinæ Alphonsi M. Stickler*, Roma: LAS, (1992), 99.} As the
priests had become corrupted by the power they gained in their practice of the ordeals, the high ranked clergy members looked to bring order back to the medieval Church.

In order to impose introduce the use of new ecclesiastical trials, Pope Innocent III and the rest of the Church leaders laid out a series of ideas on what a correct Church procedure should look like. While these ideas did not explicitly pertain to the downfall of the ordeals, they are important to understanding why theologians had lost trust in the use of the secular ordeal. First, there must be a quality of fairness to trials. They must not be arbitrary but also cannot go entirely in the favor of the accused. Legitimacy was a key factor in the downfall of the ordeals. Who was to say that God was actually being an impartial judge? Although the ordeals are fair in favor of the defendant standing trial, the legitimacy factor had a big effect on the leaders of the Church. Second, trials in Europe were supposed to be reasonably efficient at producing convictions. In this aspect, the ordeals were not ideal. Considering two-thirds of the accused who went through the ordeals came out innocent, the ordeals had an overall problem with producing convictions. Now, if God were making the decisions, then ideally this grouping for trials would be arbitrary. When combined with the first criteria, if the ordeals were not legitimate, then they would not have been considered to have produced efficient convictions during the trials. The last criteria concerning medieval trials would have been that the high-ranking clerics had to have a sense of control over the trials. There had to be a direction that the trials were going. The Council had to be able to enforce a systematic, and permanent institutional reform. During the latter years of the ordeals the Church had lost control over their priests’ involvement. Members of the clergy were practicing the ordeals all over Europe, and there were not many ways that the Church could have a sense of control over their clerics.

As far as the ordeals went, they did not follow any of these criteria. It could be argued that in a sense they had a legitimacy to them. Ordeals were very popular among lay people. Many plays were written that contained a form of the ordeal, and people often congregated to use the ordeals as a learning experience. If this was the case, then there must have been people all over Europe who believed that the ordeals had a sense of fairness and originality. The second and third criteria, as shown, did not apply to the ordeals. The rates of conviction are Arbitrary if there is no legitimacy to the trials, and the ordeals could not be controlled by the Church as they were never ecclesiastical. The ordeals were key for people looking to promote the omnipotence of God, but by the thirteenth century they had lost all their ecclesiastical function. Lawyers and theologians had finally lost all confidence in the results of the ordeals. Because of this, the Fourth Lateran Council looked to consolidate the power of the Church clerics, and attempt to force the ordeals out of Europe.

122 Ibid.
123 Ibid.
124 See fns. 152 and 153.
125 Bartlett, Fire and Water, 89.
The eighteenth canon coming out of the Fourth Lateran Council is one of the most cited ideas leading to the complete destruction of the ordeals. Appropriately called the “Judgments of Blood,” modern historians often over explain what this canon meant for the use of ordeals. High-ranking officials in the Church were worried that their priests would be subjected to God’s judgment in the afterlife. As the ordeals gained more power, priests became more implicated in their use and were essentially sentencing the guilty to death. Theologians did not want to be associated with killing possibly innocent people.\textsuperscript{126} Canon 18 applies to more than just the ordeals. Members of the Fourth Lateran Council did not want the blood of anybody on the hands of their priests. This would shape the form of a new age of ecclesiastical trial. A form of trial in which priests were not tasked with finding out guilt or innocence and determining a punishment. This is the only canon that explicitly states reforms on the ordeals, and that is why it is the only canon cited among historians. The main objective of a priest in the ordeals was to bless the items being touched by the accused, so as to invoke God’s judgement. The Fourth Lateran Council noticed this and stated, “. . .nor may anyone confer a rite of blessing or consecration on a purgation of ordeal. . .”\textsuperscript{127} This took all responsibility away from the clerics. Canon 18 is easy to interpret as a decree against the ordeals because it explicitly states that the ordeals can no longer be practiced by Church officials. Priests were told they could no longer participate in the secular ordeals, and officials in the Church looked to enforce this through new ecclesiastical trials.

Canon 8 (“Of Inquest”) of the Fourth Lateran Council was the first attempt for the canon lawyers to establish a new form of Church trial. If applied in conjunction with canon 18, it would seem that the eighteenth canon repealed priest involvement in the ordeals, and the eighth canon established what the priests should actually be focusing their attention on.\textsuperscript{128} Pope Innocent III believed that the inquisitorial process had more scriptural foundation than the ordeals.\textsuperscript{129} The more scriptural foundation there was, the more chance that God would support the outcomes of the trials. The Fourth Lateran Council looked to have cases proceed in three areas: by accusation, denunciation, and inquest.

Canon 8 looked to go forward with the idea that if one were to accuse another of a crime, there must be a thorough investigation, or inquest, into the facts, or lack thereof concerning the case.\textsuperscript{130} Innocent III and the Fourth Lateran Council looked to perform trials where there was evidence present. This did away with the trials where there was an accusation with little belief in the claim, but this was the goal of Innocent III and the members of the Council. They were looking to increase the legitimacy of ecclesiastical trials, make them more efficient at producing convictions, and take away the responsibility of the clerics performing the ordeals. As far as enforcing this canon went, clerics were threatened with removal from office if they were caught practicing any other form of medieval trial, not consistent with church policy.

\textsuperscript{126} Fourth Lateran Council, c. 8
\textsuperscript{127} Ibid., c. 18
\textsuperscript{128} Ibid., c. 8
\textsuperscript{129} Fraher, “IV Lateran,” 106.
\textsuperscript{130} Ibid., 99-100.
The last canon concerning reform for trials in the Middle Ages was canon 38 ("Written Records of Trials to be Kept") of the Fourth Lateran Council. While it may sound self-explanatory from the title, this idea put forth by the Council is more complex. The canon discusses many topics concerning the future of ecclesiastical trials. The Fourth Lateran Council noted that a simple denial in a criminal trial was not enough evidence to make a decision.\textsuperscript{131} Even with a lack of evidence, there must be an ecclesiastical inquest. Direct proof in medieval trials was hard to come by, but just because there was no proof, and a denial by the accused, it did not mean the trial was over.

Furthermore, the Catholic Church looked to limit the corrupt nature of priests in the Middle Ages. Theologians noticed this and decided that "falsehood, prejudice[d] truth, or wickedness [should not] prevail over justice."\textsuperscript{132} They did this through forcing the priests and justices to employ a scribe at every trial. This provided a witness to the events and provide a written record for Church officials to review if there was a claim that the trial was unfair. Scribes were tasked with faithfully writing out all judicial acts that went forth in the trial.\textsuperscript{133} This provided evidence to all parties of the correct outcomes of cases and provided a written account for all ecclesiastical trials that occurred in Europe. This canon provided faith that justice for the innocent would not be harmed by wicked or corrupt judges across Europe. As in canon 8, the Catholic Church looked to enforce this canon through threat of removal and punishment of the judge presiding over a case. How does this canon pertain to priestly involvement in the ordeals? If written records of trials were to be kept, Church officials could closely monitor how priests and Church justices were conducting ecclesiastical trials. If they were not applying new ecclesiastical policies, they would be subject to punishment.

Theologians were looking to further legitimate ecclesiastical trials in the years following the Fourth Lateran Council. Pope Innocent III and the Church realized they had lost control over their priests in Europe, and the ecclesiastical mistrust of the ordeals had been going on for centuries. This culminated in the downfall of the ordeals in 1215. While the Fourth Lateran Council could not explicitly outlaw the use of secular ordeals in Europe, they acted as the trend setter. Theologians wanted ecclesiastical trials to have prestige over the secular trials. Because of this they withdrew all support for the use of the ordeals. While the secular ordeals could have sufficed for a few years following 1215, the inability to effectively call for God’s judgment impaired the use of the trials. If the laity had seen someone who was not a cleric invoking God’s help in the ordeals, would they believe the trials were legitimate? The ordeals never had an ecclesiastical basis, and further lost support when the Fourth Lateran Council looked to reform and enforce a new era of Church trial. Church courts had a limited jurisdiction on European crime, yet they wished to show all of Europe how they should be established new trials and leaving the medieval ordeals in the past. As Robert Bartlett argues, the ordeals had lost all their social function following the convening of the Fourth Lateran Council in 1215. While this is

\textsuperscript{131} Fraher, “IV Lateran,” 108-109.
\textsuperscript{132} Fourth Lateran Council, c. 38.
\textsuperscript{133} Fraher, “IV Lateran,” 109.
true, the ordeals had lost their ecclesiastical function centuries earlier. For many years high-ranking theologians fought with the use of the ordeals yet could not do much as they were secular in nature. The only ecclesiastical basis was the invoking of God’s judgment through priestly incantations. As the canon lawyers of the Fourth Lateran Council outlawed participation of Church officials in the ordeals, their final downfall was complete.

Conclusion

The overarching question of this project was to examine why the ordeals lasted so long if there was such a large theological dispute within the Church. Only one key theologian gave such broad support to the use of the ordeals, and that was Hincmar of Rheims. Hincmar laid out the basis of the Biblical arguments surrounding the ordeals and pushed for the Church to fully accept them. The rest of the learned community within the Church blatantly disagreed with the use, as well as the execution of the ordeals. Agobard of Lyons was one of the earliest refuters of the ordeals for many reasons. His main arguments against the trials were the ones that Church theologians adopted leading up until 1215, and the complete downfall of the ordeals. How can the ordeals be a judgment of God, when He never wanted, and never agreed to help in the ordeals? Hincmar attempted to prove that God called for use of the ordeals through His word. The Flood, and fires of Sodom and Gomorrah provided for the basis of the medieval ordeals, and the Book of Numbers provided the key Biblical support. Theologians opposing the use of the ordeals added the worry that clerics would be punished in the afterlife for participating in the death of a loser in the ordeals.

The ordeals supplied a means of awing the laity through divine justice, the priest became a special instrument of the trials, and the decisions of life and death fell into the hands of everyday clerics. During the period of the ordeals, priests found power, profit, and prestige. Naturally, they were unwilling to abandon the use of the ordeals for a completely different ecclesiastical system. They were especially weary following the canons set out in the Fourth Lateran Council of 1215. Following the complete outlaw of the ordeals, clerics had a hard time completely abandoning their use. The only immediate abolition of the ordeals came in England, where the monarch replaced the ordeals with the now popular trial by jury. This is a rough claim though considering England had a head start following the Papal Interdict of 1208, in which Pope Innocent III prohibited clergy members from taking part in government trials.

Considering the clergy were an integral part of the ordeals, this Interdict led to the complete downfall of the ordeals even before the Fourth Lateran Council met. Other areas on the

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134 Bartlett, *Fire and Water*, 41.
136 Ibid., 53.
continent, including those in the Germanic world practiced the ordeals for many years following their outlaw.\textsuperscript{137}

On top of being popular with lower clerics in European society, the ordeals provided a sense of instruction for the laity. Although God was not striking anybody down at the conclusion, His presence was felt in every ordeal. High ranking members in the Church wondered if God was actually making judgments in the ordeals, but if the laypeople in European society did not believe God was playing a factor, they faced a different form of judgment amongst their peers.\textsuperscript{138} Many medieval writers also used the ordeal to their advantage. Gottfried von Strassburg’s popular play, \textit{Tristan}, utilized the ordeal in the same way that it is pictured in the trials of King Lothar II and Queen Theutberga.\textsuperscript{139} In England, a poet wrote \textit{Athelston}, which also pictured the ordeal in major fashion.\textsuperscript{140} The ordeals were not just a trial that laypeople were forced to watch on occasion. Instead, the ordeals surrounded the everyday lives of Europeans in the Middle Ages. Although ordeals were not the main form of criminal trial used, lower clergy members were enveloped in their use.

The loss of control over the ordeals scared Church theologians the most in the Middle Ages. Through the process of the Fourth Lateran Council, canon lawyers laid out three basic requirements for the future of the medieval trials. Future ecclesiastical trials had to be legitimate, produce convictions efficiently, and be susceptible to control from the higher powers in the Church. Was it possible that the Council could have reformed trials by ordeal? Highly unlikely. The goal of the Fourth Lateran Council was to show its mistrust in the ordeals, finally outlaw them, and implement new policies for Catholic Europe to implement. These new policies were laid out in canons 8, 18, and 38 coming out of the provisions of the Fourth Lateran Council. The canon lawyers looked to implement a new system of inquisition, forbid clerics from participating in trials that resulted in death, and forced judges to hire scribes to document the outcomes of trials. This gave the theologians complete control over the future of all ecclesiastical trials in Europe. The biggest requirement was the factor of control for Pope Innocent III and other canon lawyers in 1215. Without a sense of control, could the Church utilize its full utility and power? Probably not, and Pope Innocent III recognized this.

Modern historians have given an incomplete review of Church policies regarding the ordeals leading up to 1215. While they lay out all the arguments against the use of the ordeals, they refuse to give a complete account on the downfall of the ordeals. Canon 18 of the Fourth Lateran Council, often referred to as the “Judgments of Blood”, is one of the most cited ideas coming out of the Fourth Lateran Council. While clerics playing a role in the death of the laity was a big deal to Church officials, overall it was the loss of control that provided the basis for

\textsuperscript{137} Wilfried Hartmann and Kenneth Pennington, \textit{The History of Medieval Canon Law in the Classical Period, 1140-1234}, (The Catholic University of America Press, 2008), 347.

\textsuperscript{138} Hincmar, \textit{De Divortio}, Response 9: 176.


outlawing ecclesiastical participation in the ordeals. Is the lack of academic work on the downfall of the ordeals incomplete? Yes. Is it because Church policies regarding the ordeals are tough to interpret? No. Everything needed to understand the ordeals, and the trials replacing them, are in the writings of Agobard of Lyons and Hincmar of Rheims. These arguments provided both the leading supports and arguments against trials by ordeal in the Middle Ages.

Agobard of Lyons writings helped lay the basis for the attacks from within the Church and left the writings of Hincmar of Rheims in the ninth century. Arguments were compiled in the years leading up to 1215, and finally culminated in the Fourth Lateran Council. Pope Innocent III and canon lawyers took away all clerical support in the ordeals and attempted to implement new forms of ecclesiastical trials. The downfall of the ordeals was not an abrupt decision by the canon lawyers in the Church hierarchy. Instead, it was a fiery culmination of many centuries of disgust, and the need for the theologians to have a sense of control over Church trials in medieval Europe.
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The Bodies of the Condemned:
The Return of the Body as the Object of State Power

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Note: This paper was composed in advance of the events of the summer of 2020 which were largely motivated by the murder of George Floyd. In light of the ever-present police violence against Black Americans, this paper is dedicated to those who have lost their lives at the hands of police and hopes to offer a modest contribution toward scholarship which aims to confront racism in all of its forms. The author hopes that this small work will help to meet our academic responsibility to reject racism.

“Where there is power, there is resistance.”
- Michel Foucault

In 1757 Robert-François Damiens was brought before the people of Paris to make the amende honorable for attempted regicide. Damiens was a domestic servant born in Tieuloy who, by all accounts, was a “fairly unremarkable man.” The motivation for his crime remains unclear, but records state that on 5 January 1757, Damiens stabbed King Louis XV as he returned to Versailles. Upon the scaffold which awaited him, Damiens faced a most gruesome execution. The amende honorable was a ritual of public humiliation as punishment for a crime with roots in Roman antiquity. The practice persisted through the Middle Ages, and Damiens was to be the

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3 Pièces Originales et Procédures Du Procès Fait à Robert-François Damiens, xx ; see also : Mooney, “A Tale of Two Regicides,” 234.
victim of among the most gratuitously violent of its iterations. Foucault describes how Damiens was to have the flesh “torn from his breasts, arms, thighs and calves with red-hot pincers” and a potion of molten lead and oil poured over the wounds before being drawn and quartered. In 2016, Philando Castile was driving with his girlfriend and daughter when he was pulled over by police. He informed the officer who had stopped him that he was carrying a firearm, and the officer instructed him not to reach for it. The officer then came under the impression that Castile was, in fact, reaching for the weapon and discharged seven rounds into the vehicle striking Castile five times. As the confusion subsided, Castile’s girlfriend told the officer that he was reaching for his wallet, as the officer had requested his driver’s license. To interpolate Foucault's own words of comparison, each execution does not punish the same crime, “but they each define a certain penal style.”

The events are separated by hundreds of years, yet each style of punishment is defined by its focus on the body, its domination, and its destruction. Foucault’s analysis, however, held that a few decades after the execution of Damiens, “the body as the major target of penal repression disappeared.” Panoptic practices replaced the old exercise of power in the form of outright sovereignty over individual bodies and turned its focus to the social body as a whole. The panoptic exercise of power requires techniques which entail “total and detailed surveillance.” Such surveillance has certainly proliferated into contemporary policing and state control in such iterations as the National Security Agency’s PRISM and UPSTREAM programs which collect personal data from such services as Gmail, Outlook, SkyDrive, Facebook, Amazon, and Netflix. These programs characterize one form of contemporary police power. Nikhil Singh, however, indicates that policing today manifests itself as “a force that reaffirms rightlessness as a shadow law written with violence upon the body.” What then of this return to the body? The inherent criminalization of non-white bodies in the United States, especially Black bodies, creates a target group upon which state power must be projected. Though Damiens was sentenced to death and Castille was not, analyzing the construction of policing in the United States reveals that, in a way, a sentence has been conferred on Black Americans. Through the

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5 Moeglin, “Pénitence Publique et Amende Honorable au Moyen Age,” 225.
9 Foucault, Discipline & Punish, 8.
10 Foucault’s analysis here descends from Jeremy Bentham’s Panopticon. Bentham envisioned the Panopticon as a prison where guards could see into each cell, but the prisoners could not see the guards in the tower or tell when they were being observed. This surveillance was intended to produce good behavior. See: Foucault, Discipline & Punish, 197.
11 Foucault, Discipline & Punish, 220.
importation of counterinsurgency strategy, policing has redirected the projection of state power to be once again wrought upon the bodies of the condemned.

Due to the history of American slavery and racial discrimination, Black bodies are seen as inherently criminal in the United States. Bryan Stevenson describes how the ideology of white supremacy persists and finds material iteration as “people of color in the United States, particularly young black men, are burdened with a presumption of guilt and dangerousness.” The modern association of Blackness with criminality have deep roots in the United States. In The Condemnation of Blackness, Khalil Muhammed describes how since the end of the Civil War “notions about blacks as criminals materialized in national debates about the fundamental racial and cultural differences between African Americans and native-born whites.” This discourse continued into the twentieth century which marked “the founding moment for the emergence of an enduring statistical discourse of black dysfunctionality.” This discourse has endured and “binds race to crime today as in the past.” Nowhere is this connection more clearly demonstrated than in the discourse surrounding the murder of Trayvon Martin, an innocent, unarmed Black teenager, by George Zimmerman. Geraldo Rivera, a commentator for Fox News, remarked: “when you see a kid walking down the street, particularly a dark-skinned kid...what do [you] think? What’s the instant identification, what’s the instant association?” Rivera went on to contend that the instant association is with criminals and gangsters and that people will view the person in question as a “menace.” Non-white bodies in the United States have thus come to be viewed as inherently criminal, an association which persists to this day.

Genealogical analysis of police practice itself reveals that policing is based on the assumption of the inherent criminality of non-white bodies. To Foucault, genealogy is a method of historical inquiry which is from pure history. Because, in his view, the historian is inclined to reduce events to “the lowest common denominator,” a historian’s history ignores certain knowledges in order to construct a seemingly necessary progression toward truth. Genealogical analysis rejects the essential progression toward a necessary end and takes into account “the false appraisals, and the faulty calculations that gave birth to those things which continue to exist and have value for us.” Furthermore, insofar as “humanity instills in each of its violences a system of rules and proceeds from domination to domination,” the value of this analysis “resides in

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16 Muhammed, The Condemnation of Blackness, 7.
17 Muhammed, The Condemnation of Blackness, 1.
19 Fung, “Geraldo Rivera: Trayvon Martin’s ‘Hoodie Is As Much Responsible For [His] Death As George Zimmerman’ (VIDEO).”
challenging established practices of remembering and forgetting by excavating subjugated bodies of experiences and memories, bringing to the fore the perspectives that culturally hegemonic practices have foreclosed.”

Genealogy may reveal how dominant forms of knowledge production have sanitized and constructed practices and institutions as necessary despite their unpalatable legacies which continue to define them.

Police are one institutional feature of governance often assumed to be a constant feature of civil society and necessary in its development. Foucault challenged this view through a genealogical analysis in his lectures at the College De France. He contends that the uniformed police we see today has not always been necessary and that they do not find origin in the intent to protect individuals in society. Rather, they descend from the concept of police as “the set of intentions and means that ensure that living, better than just living, coexisting will be effectively useful to the constitution and development of the state’s forces.” The police were not intended to protect citizens, but to maximize the forces of the state. This prerogative licensed the criminalization of non-whiteness in the United States. Singh elaborates upon this investigation describing how non-white people in the early United States were considered “constitutively outside and incapable of participating in civil society.”

As police practice is meant to defend civil society, those outside of it and otherwise seen as unproductive and dangerous to the power of the state would be condemned as criminals as “criminality is the name given to a type of violence that threatens the social and civic order.” The very state which is under police protection and has been sanitized as providing liberty and freedom for all also warrants genealogical analysis. In American Slavery, American Freedom, Edmund S. Morgan argued that the birth of the United States as a republic founded on liberty and equality was only possible through the knowledge of freedom’s Manichean opposite: slavery. Indeed, “racism became an essential, if unacknowledged, ingredient of the republican ideology that enabled Virginians to lead the nation.” Morgan concludes his genealogical analysis by wondering if America today is still colonial Virginia writ large.

In a more localized analysis, Robin D.G. Kelley wrote that Blackness is that “against which normality, whiteness, and functionality have been defined.” As such, it was foundational to constructing modern urban America. Upon reviewing the genealogy of police practice and that of the United States, it is no surprise that the criminalization of Black bodies persists to this day.

24 Singh, “Race, War, Police,” 43.
25 Singh, “Race, War, Police,” 73.
27 Morgan, American Slavery, 387.
29 Muhammed, The Condemnation of Blackness, 7.
How, then, has this inherent criminalization come to be focused on Black bodies? It was
the influence of French counterinsurgency strategy on modern American police forces which
revived a dated punitive regime whose focus and object was the body. The writings of the central
thinkers who produced this strategy, Roger Trinquier, David Galula, and Paul Aussaresses, were
imported and annexed by the military and heavily influence contemporary police forces. In
Counterinsurgency Warfare: Theory and Practice, David Gaula asserted that victory in modern
warfare relies on identifying an active minority of a population who is organized in resistance.30
More than mere identification, theorists of counterinsurgency strategy also emphasized
punishment. Trinquier, in Modern Warfare: A French View of Counterinsurgency, emphasized
the necessity of “the complete destruction” of this minority.31 Paul Aussaresses defended the use
of summary execution as he argued in his memoir, The Battle of the Casbah, that “by asking the
military to reestablish law and order inside the city of Algiers, the civilian authorities had
implicitly approved of having summary executions.”32 In The Counterrevolution, Bernard
Harcourt delineates how “French counterinsurgency theory made [its] way across the Atlantic
rapidly.”33 This exchange began as early as the 1950s when Trinquier “was invited to visit US
counterinsurgency training facilities in Korea and Japan, and was enlisted to train American
commandos.”34 Aussaresses also “traveled to the United States…to teach counterinsurgency
practices to elite American Special Forces.”35 Galula became an influential figure in the United
States as he “lectured at Fort Bragg, spent six months at the Armed Forces Staff College at
Norfolk, Virginia, and spent two years at Harvard University’s Center for International Affairs as
a research associate.”36 Beyond these roles, Galula’s work became extremely popular among
military experts. This influence is today evident in the work of General David Petraeus. Harcourt
describes how Petraeus’s field manual “reads like an ode to early French counterinsurgency
strategy” and that “the influence of Galula is everywhere evident.”37 In short, Harcourt finds that
“general David Petraeus picked up right where Galula...left off.”38

Galula’s impact on the military has migrated into police practices through the
militarization of police forces. Today, police officers are becoming more and more like the
military in the way they operate, think, and equip themselves.39 Radley Balko emphasizes this
trend in The Rise of The Warrior Cop as “declaring war on abstractions like crime, drug use, and
terrorism” have created policy which “have made those war metaphors increasingly real.”40
implications of this French connection, however, span beyond mere military strategy. Harcourt explains that counterinsurgency strategy “is a political theory, not simply a military strategy. It is a worldview, a way of dealing with all situations—whether on the field of battle or off it.”41 As a military strategy and as a political theory, counterinsurgency has become ingrained in police practice in the United States. Indeed, “a counterinsurgency mindset has begun to dominate ordinary policing” insofar as there is increasingly “an active minority that needs to be identified and eliminated.”42 Harcourt describes how such identification has been used with respect to “African Americans in the context of social movements against police killings of unarmed civilians.”43 The dominance of counterinsurgency strategy in the United States, however, is apparent in more than Harcourt’s analysis of the identification of the active minority.

The importation of a counterinsurgency strategy and mindset in policing has licensed practices which reaffirm the expression of power upon the bodies of those Black citizens considered inherently criminal. Though this claim does not deny that instances of police brutality against Black and non-white people have been endemic in the United States since its inception, it does offer an interpretation of how this practice has been systematized and refined. Harcourt indicates that Black Americans protesting police brutality have been identified as an active minority to be eliminated.44 More than simply identification, however, was imported with counterinsurgency strategy. The positioning of non-white citizens as an active minority licenses, recalling Trinquier’s words, their “complete destruction.”45 Indeed, the emphasis placed on punishment in counterinsurgency theory also made its way into contemporary policing. Galula’s work demanded that “the rebels’ flagrant crimes must be punished immediately, mercilessly, and on the very spot where they took place.”46 This practice bears a striking similarity to the practices Foucault described of 18th century executions which were “often carried out at the very place where the crime had been committed.”47 The crime and the body were intertwined by place and the spectacle showed that “the body of the condemned man was once again an essential element in the ceremonial of public punishment.”48 In other words, counterinsurgency strategy held that the body would once again be the place at which power should be focused. There is then no more immediate or direct punishment wrought upon the body than Aussaresses’ practice of summary execution. The case of Philando Castile illustrates the annexation of these practices by police in the United States. As a Black man, Castile was identified as a criminal

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44 Harcourt, *The Counterrevolution*, 141. Though accurate, this conclusion appears limited in light of the assertion that police view all non-white citizens as inherently criminal. Non-white bodies then themselves represent an active minority positioned outside of and in contention with civil society.
47 Foucault, *Discipline & Punish*, 44.
48 Foucault, *Discipline & Punish*, 43.
which resulted in as many as 49 traffic stops over the course of 13 years.\(^{49}\) Eventually, he was shot where he stood, summarily executed for the inescapable criminality which accompanied the color of his skin. He was punished at the very location of his crime: anywhere and everywhere he went.

The United States and its police practices are steeped in a lineage of racism which originated in the identification of certain bodies as detrimental to civil society and thus criminal. The later importation of French counterinsurgency strategy necessitated the complete destruction of criminals and licensed practices to punish them, which refocused the expression of state power upon the body. Understanding the practice of power, its apparatuses, its technologies, and its objects are essential to resistance. Foucault wrote that “just as the network of power relations ends by forming a dense web that passes through apparatuses and institutions...so too the swarm of points of resistance,” and “it is doubtless the strategic codification of these points of resistance that makes a revolution possible.”\(^{50}\) As we see a renewed focus on the body, we also see reflections of the past which rendered this practice obsolete. Foucault notes in *Discipline & Punish* that the danger of making a public example of the body was “the risk of being rejected by the very people it addressed.”\(^{51}\) This bred a “political fear of the effects of these ambiguous rituals,” which resulted in their eventual elimination.\(^{52}\) Today, the murder of unarmed non-white people faces the same problem. This is not to say that the summary executions derived from counterinsurgency practice are meant to be the spectacle which Foucault describes. Indeed, Aussaresses describes how his summary executions were secret and “never held in the same spot twice.”\(^{53}\) However, smartphones and social media which have captured incidents of police shootings render these executions public. In 2015, officer Michael Slager was filmed as he shot Walter Scott, an unarmed Black man, in the back as he ran away. The video which was posted online sparked outrage and demands by groups such as Black Lives Matter for civilian oversight of police.\(^{54}\) Once again, civilians are called upon to intervene in unjust punishment, just as the people of Avignon stopped the execution of a man who they deemed had suffered too much at the hands of his executioner during the seventeenth century.\(^{55}\) Can such intervention once again eradicate the practice of power on the body? If so, how will power refine its projection? Only by being vigilant of these transitions can appropriate resistance to racist and oppressive state practices be achieved.


\(^{50}\) Foucault, *The History of Sexuality*, vol. 1, *The Will to Knowledge*, 96.

\(^{51}\) Foucault, *Discipline & Punish*, 63.

\(^{52}\) Foucault, *Discipline & Punish*, 65.

\(^{53}\) Aussaresses, *The Battle of the Casbah*, 114.


\(^{55}\) Foucault, *Discipline & Punish*, 64.
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Empire In-the-Round:
The Tiered Stages of Naqsh-I Jahan Square in Isfahan

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“They say Isfahan is ‘Half the World’
By saying this, they only describe half of Isfahan”
- Iskandar Munshi (Translated by Stephen P. Blake)

Introduction

Scholars have identified an iconographic connection between the Safavid maydan (city square) and the theater,¹ the Safavid coffeehouse and the theater,² and the caravanserai (inn for travelers) as an origin point for Safavid theater architecture.³ It is noteworthy that all of these types of theatrical structures are present within Naqsh-i Jahan Square in the Safavid’s capital city of Isfahan, a building complex known for its architectural unity (Fig.1),⁴ and all

began construction at the same time, circa 1590/1.5 Historian Babak Rahimi has convincingly established the square as a "huge arena in which an imperial identity was performed."\textsuperscript{5} However, Rahimi limits his scope to the central square, and does not explore the implications of a unified and interconnected architectural complex of buildings with theater iconography. By contrast, this paper will holistically analyze the parallel theater iconography of the architecture at the Naqsh-i Jahan Square and argue that it lives up to the square’s Persian meaning as an ‘image of the world.’ By building a space of intersecting and layered theater spaces from the central square and palace to the caravanserai and coffeehouses, Shah ‘Abbas rendered legible in the cityscape the image of empire as layered and performative. The architectural unity of the open, parallel stage spaces invites the pedestrian to both view and participate in multi-level Empire in-the-round, while still operating within the Shah’s ‘stage set’ and acknowledging the dominance of the elevated palace stage. Taken as a whole, the tiered theater spaces of the Naqsh-i Jahan Square physically embody the imperial ideology of the centralizing Safavid state at the turn of the 17th century.

![Figure 1: View of Naqsh-i Jahan square. Source: Amir Pashaei, Creative Commons 4.0 license](image)

\textsuperscript{5} Sussan Babaie, \textit{Isfahan and Its Palaces: Statecraft, Shi’ism and the Architecture of Conviviality in Early Modern Iran}, (Edinburgh University Press, 2018), xvii.

\textsuperscript{6} Rahimi, “Maydān-I Naqsh-I Jahān,” 43.
Caravanserai, Coffeehouse and Maydan as Places of Theater, Commerce, and Hospitality

Before analyzing how the buildings fit together in the specific context of Naqsh-i Jahan, it is necessary to explore their general similarities. Safavid caravanserais, coffeehouses, and maydans—hereafter referred to collectively as ‘theater-type buildings’—were all theatrical spaces, both in iconography and in function. Caravanserais had a standard layout with a courtyard in the middle surrounded by a ring of rooms to provide hospitality and resting places for guests. Caravanserai inn-yards often hosted ritualistic Ta’ziyeh performances and other travelling performers, during which spectators gathered around the yard’s platform or water feature, which was converted into an in-the-round stage.\(^7\) In-the-round theater is when the audience is seated around at least three sides of the stage. When permanent theater spaces (takiyehs) spread across Safavid Iran, they were based on these caravanserai performances, with a central platform, enclosing walls with arches, and an in-the-round stage (Fig. 2).\(^8\) As sites of performance, caravanserai inn-yards set the visual language of the Safavid theatrical space beyond just the takiyeh. For example, Safavid coffeehouses hosted performances such as storytellers, musicians, and travelling Dervishes,\(^9\) and they too had a central water feature, enclosing walls with arches, and in-the-round seating

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\(^7\) Malekpour, vii.

\(^8\) Malekpour, 111.

\(^9\) Emami, 204; Matthee, Rudolph P. The Pursuit of Pleasure: Drugs and Stimulants in Iranian History, 1500-1900. The Pursuit of Pleasure: Drugs and Stimulants in Iranian History, 1500-1900, 167.
The Naqsh-i Jahan Maydan itself was also a theatrical space, and held events such as ceremonies, festivals, games and dramatic performances. Like the coffeehouse, the visual iconography of the square reflects its theatrical function, and like Safavid theaters it heavily resembles the inn-yard of a caravanserai, with its two-story squared portico and water feature (Fig. 5 and 6). Thus all of these buildings were united by their theatrical architecture and function. In addition to this similarity, Safavid theater-type buildings shared a social setting.

Safavid theater-type buildings were all state-sponsored public institutions, and they were all inherently public spaces. Even drinking coffee at a coffeehouse was an explicitly public rather than private act during the era of Naqsh-i Jahan’s construction. Additionally, these public buildings would have seen similar clientele: craftsmen, merchants, men of letters of diverse backgrounds, such as Turks, Jews, Armenians, Georgians, English, Dutch, French, Italian, Spanish, Hindu Indian, Arab, and Chinese. One of the reasons theater-type buildings drew such an expansive clientele is because they could be places for businessmen or patrons and clients to meet and engage in commercial exchanges. The building institutions acted as commercial entities themselves, and much like Safavid travelling performers changed and developed to meet the demands of the audience. This created somewhat of an arms race, especially among coffeehouses and caravanserai, for providing better accommodation and hospitality than their competitors. The public space of these buildings thus became a space not just for literal performance but also the performance of hospitality, competing to attract a diverse group of patrons.

This sense of hospitality blended well with the established Islamic practice of building charitable institutions, or waqf s. Islam places a strong value on providing hospitality, and so all of the theater-type buildings fit well within the religious worldview of Safavid Iran. This sense of religious hospitality combined with the ritualistic nature of Safavid folk performances brought a religiosity to the structures, and just like a Safavid shrine, these structures embodied the overlap of imperial ideology and popular piety in architecture.

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10 Emami, 191.
12 The Cambridge History of Iran, 779. Note: the modern water feature is different from what the square had in the 17th century, which was a long channel running around the square parallel to the walls, delineating the center space. Emami, 210.
15 Emami, 197.
16 Emami, 204.
17 Malekpour, 75.
18 Bryce et al.
Theater-type buildings all align perfectly with “the dynastic priorities of the Safavids in terms of aesthetic consumption, religious patronage and display” that Rizvi Kishwar identifies in Safavid shrines.21 The majority religion of the populace met the public buildings of the state. Thus, in addition to theater-type buildings’ public, commercial, hospitable, and ritualistic parallels, they had an additional parallel in their religious connotations. And in the Naqsh-i Jahan Maydan, these hyper-similar buildings are spatially parallel as well.

Figure 3 (Left): The upper levels of an Isfahan coffeehouse. Notice arches in the second level, which are like those of the Takiyeh of figure 2 and the caravanserai of figure 5.22

Figure 4 (Right): Diagram of Naqsh-i Jahan coffeehouses. They are in-the-round spaces like a theater, with water in the middle. There were many coffeehouses built next to each other.23

Figure 5: Caravanserai of Madar-e Shah adjacent to Naqsh-i Jahan Square, drawn in 1841 by French traveler Pascal Coste.

21 Rizvi. The Safavid Dynastic Shrine, 3.
22 Emami 187.
23 Emami 194.
Parallel Theater Iconographies in the Unified Space of Naqsh-i Jahan

The architecture of Naqsh-i Jahan’s theater-type buildings follows the Safavid ‘introversive order,’ an architectural style with high enclosing walls around the edge of a building or complex and an inward-looking design.\textsuperscript{24} The introversive order can also place a heavy emphasis on a structure’s entrance, the one break in the enclosing walls. The fact that Naqsh-i Jahan is packed with introversive theater-type buildings creates a unifying effect, because the buildings and their entrances are introverted towards the central maydan in visual dialogue. The square’s coffeehouses open onto the square.\textsuperscript{25} A stately entrance portal on the North end of the square leads directly to the Qaysariyya with its many caravanserais (Fig. 7 and 8).\textsuperscript{26} These public, ritualistic, commercial, and performative spaces were thus literally intersecting and overlapping as they are introverted towards each other, from the vast stage of the central maydan to the more modest stages of the caravanseri and coffeehouse. Even the entrance portal from the Qaysariyya was a performance space itself, the naqqara-khana (hall for royal musicians).\textsuperscript{27}

The large number of caravanserais and especially coffeehouses positioned directly next to each other present a further parallelization of theatrical space (Fig. 4). In fact, even these smaller coffeehouse stage spaces could be broken up into multiple different theaters of performance. As the contemporary travel-author Jean Chardin writes, “It often happens that two or three people talk at the same time, one on one side, the other on the opposite, and sometimes one will be a preacher and the other a storyteller.”\textsuperscript{28} Given the established performative nature of these buildings, and their physical relationship to each other, the

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\textsuperscript{25} Emami, 191.
\textsuperscript{26} This was at a critical point in which the Safavid conception of caravanserais was changing from an “impregnable structure” to more “integrated into the surrounding landscape.” See Emami, 202.
\textsuperscript{27} The Cambridge History of Iran, 782. A performance space for royal musicians. See also Gürkan Anar, Ayşegül Damla. “Safevi Şuhlarının,” 132.
\textsuperscript{28} Chardin, Voyages, translation by Matthee, The Pursuit of Pleasure, 166.
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Naqsh-i Jahan maydan can be recontextualized as a central stage space orbited by and intersecting with numerous smaller stage spaces. However, there is one more stage in the Naqsh-i Jahan maydan that is unlike the others, but is critical to piecing together the full picture of the square’s multi-tiered theatricality: the Ali Qapu palace.

Figure 7: Engraving from Jean Chardin’s *Voyages du Chevalier Chardin, en Perse*. The center showcases Naqsh-i Jahan’s impressive portal to the caravanserais and the arcades on the right side contained coffeehouses.  

Figure 8: Diagram of Naqsh-i Jahan Square in the 17th century, with the Qaysariyya and its caravanserai complex attached to the square outlined.

The Ali Qapu palace stands out vertically from the rest of the buildings on the square; only the minarets of the Shah Mosque reach its height. The palace’s third and fourth floors were originally the two upper levels of the palace, and these were used as a platform for performances of royal ceremonies. ‘Abbas I increased the physical impact of the palace by adding a fifth floor in 1615, and ‘Abbas II entrenched the palace’s significance as a

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29 Emami, 196.
30 Kevin O’Gorman, from Bryce et al. Page 215.
performative venue in 1644 with the addition of the terrace. This palatial stage (Fig. 9 and 10) dominates and thrusts itself into the square, and its architectural supremacy is cemented by two key differences between it and the other theatrical spaces on the square: the palace is elevated, and it is not in-the-round. This is significant, because the in-the-round structure of Safavid theaters allowed performers to go around and behind the spectators, positioning the audience in the middle of the action. By contrast, the palace stage’s frontality and elevation does not cast the audience as participants in the performance; only the Shah and his entourage have control of the palace stage. Paralleling the palace, the royal naqqara-khana which hosted music whenever the Shah was present in the palace, was also an exclusive space as it was elevated and not in-the-round. The scholarship has yet to explore the implications of Naqsh-i Jahan square’s unified architecture of tiered, in-the-round stage spaces dominated by an exclusive and supreme palace stage space.

Figure 9: The dominating Ali Qapu palace ‘stage’ space.

Source: Amir Pashaei, Creative Commons 4.0 license

32 Even before the terrace was constructed in 1644, it was the exterior of the upper two levels of the palace that were used as the stage space, and this, like the terrace, was elevated and not in-the-round.
34 The Cambridge History of Iran, 782; Gürkan Anar, Aységül Damla. “Safevi Şahlarının,” 132.
Implications

When one holistically examines Naqsh-i Jahan’s multi-tiered theater spaces, ‘Abbas’s ideology of centralization shines through in a heretofore unenumerated way. Shah ‘Abbas had a systematic vision for Naqsh-i Jahan square, and to understand his intent for the project one need only see its name, ‘image of the world.’ The square acts as a microcosm for the world of the Safavid Empire, an Empire which Shah ‘Abbas sought to centralize. The multi-tiered stages embody an image of empire as a collection of many small spheres of influence, some interacting directly with each other but all connected to the central imperial square, dominated ultimately by the palace, the “exemplary center” as Clifford Geertz would have it. The square, the palace, the coffeehouses, and the caravanserai were a unified space for the performance of empire in microcosm, whose palace-centric spatial relationships supported Shah ‘Abbas’s drive to centralize the Safavid state.

37 Geertz, Clifford. *Negara: The Theatre State in Nineteenth-Century Bali*, (Princeton, N.J: Princeton University Press, 1980), 16. This research intersects with Geertz’s idea of the “theater state” from his analysis of Bali. The design intention of the centralizing Naqsh-i Jahan Square acts as a counter to horizontal and vertical decay in imperial structure (which Geertz identities in Bali, and scholars have applied to the Safavids; I am far from the first to apply Geertz to the Safavid state, see Babak Rahimi, *Theater State and the Formation of Early Modern Public Sphere in Iran*, Leidan The Netherlands: Brill, 2011).
The square additionally acts as a macrocosm of the royal feast, a ritual that was another form of centralization. The Safavid royal feast had a three-tier hierarchy of guests, and a three-tier architectural space to match. This paralleled the tripartite spatial organization of Naqsh-i Jahan: the palace and its square, the Shah Mosque, and the more everyday shops and caravanserai. As aforementioned, all of the square’s stage spaces had associations of hospitality, and the feast was the ultimate display of royal hospitality. The connection between the royal feast and Naqsh-i Jahan is supported by the Shah’s behavior. ‘Abbas held great public feasts in the square on important occasions such as the New Year festival of Nawrūz. Shah ‘Abbas, with Naqsh-i Jahan’s structural and symbolic parallels, brought the hospitality and performance of a royal feast-hall out to the urban landscape.

Shah ‘Abbas’s centralizing vision for his empire extends beyond the micro/macrocosmic layout of its stage spaces, and it is also evident in the lived experience of a pedestrian in Naqsh-i Jahan square. Rahimi notes that the evolving Safavid “urban scheme” established “an integrated relationship between urban denizens and royal authority,” and the integrated relationship of the square’s stage spaces perfectly parallels this goal, as the modest coffeehouse stage is spatially integrated with the royal palace stage. The architecture thus supports the Shah’s goal of “urban sociability in which all [...] could feel a sense of belonging as a member of an imperial order.” Furthermore, the ease of movement between the theater-type buildings facilitated the flow of Isfahan’s diverse urban crowd in and out of these different theatrical spaces, mixing together and generating a shared experience. The hospitality of these spaces further encouraged their social function. This architecturally generated consolidation of Safavid urban society, created by the interwoven tiered stages of the Naqsh-i Jahan square, further aligns with and supports Shah ‘Abbas’s push for centralization.

In addition to this integration of a diverse Safavid society, the theatrical nature of the square’s many performance spaces cast the pedestrian themselves as an actor on the imperial stage. As aforementioned, Safavid in-the-round theater architecture placed the audience member in the middle of the action. The space further involves the pedestrian in that it physically invites them to become actors themselves. In order to traverse a caravanserai, one enters through the inn-yard, passing through the stage space. In order to get to a coffeehouse, one first passed through the maydan performance space. The architectural structure of the

38 Babaie, Isfahan and Its Palaces, 225.
40 Babaie, Isfahan and Its Palaces, 225.
42 It is, to use a compelling phrase coined by Babaie, an ‘urban enunciation of kingship,’ Isfahan and Its Palaces, 39.
interlocked stages thus creates these ‘moments’ in which the pedestrian is on a stage. The theater-type buildings were places of meeting and social interaction, and as the buildings thrust socializers onto stages, they were invited to become a part of the imperial performance. Members of the crowd filling Naqsh-i Jahan played out their own individual dramas as they engaged in rituals, commerce, conversation, and culture. The multilayered architecture was an invitation to participate in the multilayered imperial project, an invitation again reflective of Shah ‘Abbas’s goal of centralization as well as his extension of royal hospitality out beyond the palace.

It is important to note that these individual ‘performances’ by Safavid subjects were not always favorable to the Shah. There was religious and political tension as wandering dervishes performed folk tales, mullahs gave sermons in the coffeehouses, and patrons sometimes discussed dissenting politics. Indeed, Rudolph Matthee establishes that coffeehouses could be a “forum for a sufi-dominated counter culture.” However, the architecture of Naqsh-i Jahan has an answer to this as well. The coffeehouse performance spaces are contained within the iconographic structure of the maydan complex, ensuring that the ‘set’ of the performance was always an imperial one, and so even performance against authority happened on imperial terms. The Naqsh-i Jahan stages are also visually subordinate to that of the Ali Qapu palace, whose supremacy is enforced through its height and that it is the only stage not in-the-round, exclusive to the Shah. It is clear who owns the performative space. The unified imperial construction dominated by the palace stage thus constantly reminded the pedestrian who was ultimately in charge; the architecture itself works to contain dissent. This is the crystallization of one of the key aspects of ‘Abbas’s image of empire in the Naqsh-i Jahan square, the message being: wherever one is in the empire, one is always on the Shah’s imperial stage. This is the final and perhaps the most potent way in which the architecture of the ‘image of the world’ works to achieve the Shah’s goal of centralization.

Conclusion

Naqsh-i Jahan and its tiered stages act as a microcosm of the empire and a macrocosm of performative kingship, an idealization in line with Shah ‘Abbas’s political goal of centralization. Its overlapping theater architecture orbits around the commanding and

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45 Social interaction, naturally, can be another form of performative behavior, which fits this paper’s performative conception of Naqsh-i Jahan and its buildings.
49 Indeed, Natanzi describes the maydan as the “colored mirror of the heavens.” He interprets the square as a portrait of a divine ordering of urban space and empire. Translation from Blake, Stephen P. Half the World, 18.
exclusive stage of the Shah. Its structures facilitate ease of movement and consolidate urban society. Its in-the-round stages invite the Safavid subject to become an actor in the imperial project and a guest at the royal feast, while containing dissent through the visual supremacy and exclusivity of the palace stage, the only stage not in-the-round. While there has been fantastic scholarship analyzing each of these stage spaces separately, to examine these spaces separately does not do the square justice. The ‘image of the world’ must be examined holistically as a world, as a unified architectural statement. With the unified view of the stage spaces that this paper forwards, one can see more completely the Shah’s drive towards centralization, consolidation, and suppression of dissent, all made legible in the performative urban landscape of Naqsh-i Jahan.\(^{50}\)

There is much room for further research. This paper has alluded to the similarity between Safavid shrines and the performance spaces of Safavid theater-type buildings. Shrines too could be places of the performance of imperial authority, and be integrated into larger architectural complexes. \(^{51}\) If one is to read the theater-spaces of Naqsh-i Jahan as shrine-like, then they are thrust in parallel with the mosques that act as the other standout structures in the square. They are indeed already in spatial parallel: the public Shah Mosque to the south stands directly across the square from the performative spaces of the caravanserais and coffeehouses, and the Sheikh Lotfollah Mosque exclusive to the royal court stands directly across from the royal palace stage space to the west. \(^{52}\) This paper’s unified view of the theatrical iconography of Naqsh-i Jahan could support the broader reading of Naqsh-i Jahan as a sort of giant, interconnected dynastic shrine, and future research could explore that symbolism and how it interacts with the conception of the square as a microcosm/macrocosm of empire as well as the lived experience of the square and its layered stage spaces.

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\(^{50}\) Naqsh-i Jahan is an interlocking and overlapping cultural, religious, political, and social statement. This paper addresses a very specific aspect of the square that has not been addressed before: the through-line of stage spaces. It does not focus upon the mosques of the square, nor delve too deeply into the religious symbolism or the spatial integration of the three main power groups, the religious hierarchy, the merchants, and the palace, because these and many other aspects of the Naqsh-i Jahan maydan have been comprehensively addressed elsewhere. See Melville, Charles. "New Light on Shah 'Abbas and the Construction of Isfahan."; Babaie, Sussan. *Isfahan and Its Palaces: Statecraft, Shi’ism and the Architecture of Conviviality in Early Modern Iran*; Blair, Sheila S. "Inscribing the Square: The Inscriptions on the Maidān-i Šāh in Isfahān."; Blake, Stephen P. *Half the World: the Social Architecture of Safavid Isfahan, 1590-1722; The Cambridge History of Iran, Volume 6: The Timurid and Safavid Periods*; Gürkan Anar, Aységül Damla. “Safevi Şahların”ın banılığı üzerine bir değerlendirme.” *İran Çalışmaları Dergisi* 1, no. 1 (2017): 117–143, see pages 129-136.

\(^{51}\) Rizvi, 128, 159.

\(^{52}\) The *Cambridge History of Iran*, 785; Gürkan Anar, Aységül Damla. “Safevi Şahların,” 134.
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The abolitionist movement in antebellum America provoked a frenzy of pro-slavery reaction. With the very foundation of their society under assault from the 1830s onward, Southern planters, intellectuals and ministers penned countless speeches, essays, letters, and even poems in defense of bondage. Previously, the lack of a movement for immediate abolition gave slaveholders little reason to forcefully argue for the coerced labor of Black people, but the rise of an energized opposition in Britain and America required ever more sophisticated justifications for the “peculiar institution.”¹ The result was that Southern intellectuals began to justify slavery not only in terms of racial hierarchy or practical necessity, but also by critiquing the model of free labor offered by Northern abolitionists as an alternative.

This paper examines pro-slavery arguments against free labor published in prominent Southern periodicals like DuBow’s Review. It does not attempt a cohesive examination of the idea of free labor as it developed in antebellum America or try to uncover the lived experiences of either the wage-laborers or slaves discussed.² Rather, it is an examination of southern discourses on free labor with the aim of uncovering what they can tell us about slave owners’ conception of themselves as a class and their relationship to a developing industrial capitalism. Specifically, I argue that pro-slavery critiques of free labor did not translate into an antagonism towards capitalism as a whole. Instead, through critiquing free labor, Southerners articulated an alternative vision of capitalism, one based on ostensibly more humane bound labor and the racial and social stability it maintained. However, this vision was fundamentally reactionary and

situational. It was only articulated in response to attacks from British and Northern abolitionists and, with a few notable exceptions, Southerners never called for its universal implementation.

The scholarly consensus on slavery’s relationship to capitalism has evolved significantly over the past several decades. In the late 19th century, the dominant historiographical reading of the Civil War explained it as a conflict between a modernizing, industrial north and a backwards, agricultural south. Proponents of this theory emphasized the South’s lack of a developed industrial infrastructure and planters’ critiques of northern wage labor in order to establish fundamental economic and cultural differences between the regions which made their respective systems incompatible. Recent historians however have challenged this model. Instead of emphasizing how the slave-owning South was backwards compared to the industrial north, they have instead presented the South as deeply enmeshed in the development of a global capitalist economy. In *The Half Has Never Been Told* for example, Edward Baptist tries to expose this long-neglected half of slavery’s history: “how the commodification and suffering and forced labor of Africans Americans is what made the United States powerful and rich.” Far from viewing the planter class as ideological enemies of capitalism, Baptist emphasizes the need to understand them as capitalists, devoted to a “modernist, capitalist, entrepreneurial...course of expansion.”

However, while this new wave of historiography has produced an extensive corpus of literature detailing slavery’s relationship with capitalism and modernity, comparatively little attention has been paid to the question of free labor. How are we to reconcile slaveholders’ entrenchment in a capitalist economy with their regular critique of something that seems so fundamental to capitalism: the idea of the worker as an autonomous individual freely selling his own labor? The solution thus far has been two-fold. On one hand, scholars have pointed out capitalism’s historic dependence on the coerced labor of non-white people to argue that Southerners were hardly unique in their use of Black slaves. Slavery was no less capitalist than free labor. On the other, scholars have tried to minimize the importance of pro-slavery critiques of free labor by pointing out that the South had its own free labor ideology. Far from attempting

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4 One example of this more conservative approach is Elizabeth Fox-Genovese and Eugune D. Genovese, *The Mind of the Master Class: History and Faith in the Southern Slaveholders’ Worldview*, (New York: Cambridge University Press, 2005). The Genoveses examine the public and private writings of slave-owners out of an earnest “admiration for much in their characters and achievements” and come to the conclusion that they were cautious about the rise of market capitalism, viewing it as a dangerous “erosion of binding human relations”. (3-5)
6 Ibid., 390-1.
7 For instance, see Matthew Karp, *This Vast Southern Empire: Slaveholders at the Helm of US Foreign Policy* (Cambridge: Harvard University Press, 2016), 1150-172. Karp emphasizes that slaveholders actually recognized the relationship between bound, non-white labor and capitalism at the time. He argues that Southerners constantly stressed the idea that the global capitalist economy was based on the coerced labor of non-whites and in so doing began “to sketch a theory of global modernity that named racial coercion as its single indispensable feature.” (153)
to discredit free labor, many Southerners argued that slaves were free laborers in the sense that they were morally and spiritually uplifted by their work.\(^8\)

Neither explanation however fully engages with pro-slavery discourse on free labor so much as tries to ignore it. Emphasizing capitalism’s reliance on racialized, coerced labor for instance does little to explain the southern critique of free white labor. Furthermore, emphasizing the South’s own free labor ideology ignores how widespread pro-slavery criticisms of northern free labor were, especially in elite circles. Consequently, instead of trying to work around southern critiques of free labor, a more substantive engagement with pro-slavery discourses is necessary to fully unearth slavery’s relationship to capitalism.

Probably the biggest reason why recent scholars have paid relatively little attention to southern critiques of free labor is that on the surface they do imply an antagonism towards capitalism that is difficult to incorporate into the dominant model of slaveholders as capitalists. This is especially evident in Southerners’ most common argument: that free labor is excessively exploitative and results in the economic destitution of workers. Core to this claim was a rejection of a quintessentially capitalist proposition that profitability is an unqualified good.

For example, in his widely read Memoir on Slavery, South Carolinian planter Judge William Harper compared free and slave labor as part of a larger defense of slavery. First, he described wage labor as it was practiced in England, emphasizing how as population increases, “the remuneration of the laborer becomes gradually less and less; a larger and larger proportion of the product of his labor goes to swell the fortune of the capitalist; inequality becomes still greater and more invidious.” The result was that “men will labor for a bare subsistence, and less than a competent subsistence.” By contrast, he claimed that under slavery, slaves’ “wages” cannot change, such that even “if the income of every planter of the Southern states, were permanently reduced one half, or even much more than that, it would not take one jot from the support and comforts of slaves.” Furthermore, unlike wage labor, slaves were provided for their whole lives and not just “during their time of their health and vigor,” meaning they were exempt from “the principal source of misery—the wants and sufferings of infancy, sickness, and old age.” Harper concluded by claiming that “the accumulation of individual wealth will never be carried to quite so great an extent in a Slave-Holding country, as in one of free labor; but a consequence will be, that there will be less inequality and less suffering.”\(^9\) In other words, Harper used wage labor’s greater profitability as a sign of its immorality. The only reason it is more profitable is that it is more brutally extractive.

This argument that while slavery is less profitable than free labor, it is more moral, was constantly reiterated by pro-slavery idealogues during the ante-bellum period. Almost twenty

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years later after Harper wrote, the same defense of slavery would be made by an editorial in the *Southern Quarterly Review* titled “Slavery and Freedom”: “Look into [abolitionists’] declamations...and it will be manifest that the real argument is simply that free labour is cheaper and more productive or profitable than slave labour. This we do not doubt, if the maximum of profit is wrested from the labourer; but are government, and society, and the human family, created and ordered singly for the production, augmentation, and accumulation of wealth?”

While this is just one of the more explicit attacks on capitalist ideology made in defense of slavery, every argument premised on the idea that wage workers were materially worse off than slaves implied the same critique.

This attack on an English and northern concern with profitability did constitute a significant critique of capitalism as we commonly understand it, but we should be hesitant in reading too much into this. A disregard for profitability did not preclude a deep economic investment in slavery. For example, several scholars have emphasized the importance of property rather than profitability to slave owners. Specifically, they have pointed out that the total value of slaves in 1860 was $3 billion, or 50% more than the combined value of northern railroads, banks, and manufactures and a desire to protect that investment motivated much of pro-slavery discourse. Planthers were also deeply concerned with the nation’s trade and frequently argued that slavery was the source of America’s commercial wealth. This politically manifested itself in a sustained commitment to free trade and opposition to northern attempts to establish protective tariffs.

In other words, a willingness to forgo the profits that came with free labor was fully compatible with a deeply capitalist desire to accumulate wealth and promote free trade. That southern critiques of free labor did not translate into an opposition to capitalism in general is perhaps best demonstrated in southern responses to socialism. Anti-wage labor discourses emerged in response to abolitionist attacks on slavery, yet many abolitionists shared Southerners’ critique of northern capitalism. In fact, many prominent abolitionists like Horace Greeley were socialists, specifically of the Fourierist tradition. While Fourrier is often dismissed as “utopian socialist,” the popularity of his thought in abolitionist circles meant Southerners not only had to defend themselves against an emerging industrial capitalism based on free labor, but an emerging...
socialist tradition as well. A good example of how this impelled pro-slavery intellectuals to more fully develop their thoughts on capitalism is an editorial written in DuBois’s Review, one of the most prominent outlets for pro-slavery thought, in 1857: “The War Upon Society - Socialism.” The editorial began by decrying the rise of “the Black Republicans, or Socialists, of the North, under the lead of Seward, Greeley, Garrison, Gerrit Smith, and others” and their assault on the “old and established institutions of the North and South.” It then proceeded to make a rigorous defense of those institutions, including both slavery and wage labor.

While the editorial did make the standard critiques of wage labor, claiming “rapid immigration is...crowding the poor out of employment, or reducing their wages to the starving point,” it turned the criticism on its head by claiming this was actually positive. Unlike slaves, poor free laborers had the opportunity to go west and establish themselves as free proprietors. Their destitution therefore is not a permanent state, but a powerful stimulus for westward expansion. As a result, “the despotism of Northern capital...becomes a potent agent for the advancement of human good.” The editorial even went so far as to claim that free, white agriculture labor would be preferable to slave labor, but that slavery was necessary to prevent the South from becoming “useless to the world and infested by semi-barbarians.” However, the editorial’s praise of capitalism was contingent upon its relationship to westward expansion and America’s manifest destiny. Indeed, it made a clear distinction between free labor as it existed in America and free labor as it existed in Europe, claiming “universal liberty and free competition, are unmitigated evils in old and populous countries, the more active and effective agencies for good in new ones.”

Few Southerners went quite so far as claiming slavery’s only benefit was keeping “semi-barbarians” in check, but the numerous responses to socialism penned by southern intellectuals similarly argued that wage labor was circumstantially positive. Another editorial in DeBow’s Review for example defends the exploitation of workers by “capital owned by others” as the root of civilizational progress, although it does criticize Northern and British capitalists for taking this exploitation too far. Much more unequivocal is an article published in the pro-slavery Southern Quarterly Review which attacked socialism by arguing for laissez-faire capitalism.

It would consequently be wrong to see in pro-slavery critiques of free labor a blanket denouncement of Northern capitalism, much less capitalism in general. What then can we see in these arguments? The simplest answer is a response to the most common abolitionist attack on slavery: that free labor is superior. This undoubtably was the impetus for much of pro-slavery

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16 Ibid., 689-692.
discourse, but in critiquing free labor, Southerners went beyond just narrowly defending the value of slave labor. A closer reading of pro-slavery discourse reveals that not only was slavery compatible with Northern capitalism, but that through critiquing free labor, Southerners constructed a vision of Southern slavery as a superior form of capitalism.

This model of slave-based capitalism was articulated on two, ultimately contradictory levels: as an ideal economic system universal in its applicability and as a structure of racial and social hierarchy grounded in the particularity of the American South. The first is most visible in Southern attempts to discredit free labor in principle. We have already seen how Southerners frequently argued that wage work was more exploitative than bondage, but they often went even further in asserting the inherent superiority of slavery as a system of labor. Specifically, southern intellectuals claimed that slavery was the basis of capital accumulation and therefore the basis of civilization. Judge Harper for instance in his Memoir on Slavery argued “that slavery anticipates the benefits of civilization, and retards the evils of civilization.” He justified this by asserting that “Property-the accumulation of capital, as it is commonly called, is the first element of civilization. But to accumulate, or to use capital to any considerable extent, the combination of labor is necessary.” Ordinary, this “combination of labor” is made impossible by men’s independence from one another. If all men were free landowners for example, no one “submit to be employed in the service of his neighbor,” leaving everyone with only what they and their families can produce on their own. In such a world, people would not “have an income much beyond the necessaries of life,” nor time for “intellectual pursuits, or means of acquiring the comforts of elegancies of life.” To prevent this grim reality, Harper claimed, some degree of bound labor was necessary, for “if a man has the command of slaves, he may combine labor, and use capital to any required extent, and therefore accumulate wealth.”

Harper thus saw capital accumulation as an inherently exploitative process requiring the submission of one man to another. Rather than take that exploitation as a sign of its immorality however, he instead argued its necessity to civilization. An 1862 editorial in DeBow’s Review titled “Society, Labor, Capital, Etc,” made a similar argument. It claimed “slavery to skill and capital” was “the price which man pays for civilization” and that only through exploitation and oppression can society progress. By contrast, it argued that “if all lands were in common, and consequently, all men free, all would dress in skins, and live in caves, or hollow trees, or in some equally simple way.”

It is important to note that in making this argument, Southerners made a distinction between free labor as an ideal and free labor as it was practiced in the North and Britain. Northern free labor, they claimed, was not really free, but rather another type of slavery. Slaveholders argued that while free laborers were not enslaved in the sense of being owned by their bosses, their dire economic straits left them with little practical freedom: “The master says: ‘Work, or I will whip you.’ The capitalist, ‘Work, or I will starve you.’”

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20 “Society, Labor, Capital, Etc.,”
21 Ibid., 138.
assertion that they were free, they were just another type of slave. Indeed, according to pro-
slavery discourse which linked slavery, capital accumulation, and civilization, a functioning
economy based on free labor was impossible.

In short, Southerners argued that civilization was contingent on capital accumulation and
therefore on the slave-labor which was the basis of all capital. The Northern and Southern
economies then were both fundamentally the same in that they were both based on the
accumulation of capital through the exploitation of slave labor. The primary difference between
them was that the South materially provided for its slaves whereas the North did not.

Although Southerners often made a distinction between southern “masters” and Northern
“capitalists,” this model of slavery was capitalist in its emphasis on capital accumulation.
However, from an ideological standpoint, it was clearly a different from the form of capitalism
developing in the North and Great Britain. For example, if we examine capitalist ideology as a
means of legitimizing a system of economic exploitation, then the vision of slave-based
capitalism articulated by Southerners like Dew relied on a distinct set of values. Northern
capitalism justified itself by drawing on “bourgeois liberal notions of ‘possessive individualism’”
to argue that the autonomy and “legal self-ownership” of the individual wage-worker made up
for his condition. In other words, Northern capitalists claimed that even if laborers owned
nothing materially, they were still better off than slaves or serfs in the fact that they owned
themselves and their own labor.22 The South, however, because it depended on slavery, could not
use the same argument to legitimize its form of capitalist exploitation. To compensate for this
then, slaveholders invented their own fiction: that slaves, even though they were exploited, were
taken care of. In responding to abolitionist attacks on slavery, they shifted the justification for
capitalism’s obvious inequalities away from a discourse of individual freedom and towards one
of workers’ material well-being.

This is how Southerners used critiques of free labor to construct a capitalist, pro-slavery
ideology, but it is only part of the picture. For example, one of the notable aspects of this attack
on the principle of free labor is that it was not racialized. In the previously described arguments,
Southerners asserted the necessity of slavery as a universal system of labor, but not as a
racialized system of domination. However, American slavery fundamentally was Black slavery,
and none of its defenders denied that reality. Articulating the benefits and necessity of Black
slavery in particular, and not just slavery in general, thus constituted the second level on which
Southerners constructed a model of slave-based capitalism. This mode of argumentation is
distinct in that it moved past justifying slavery in the abstract and instead discussed slavery’s
benefits as a particular system of racial stratification. In doing so, however, Southerners
implicitly rejected the universality of their attempts to defend slavery in principle by grounding
slavery in the specific racial and social hierarchies of the American South.

22 Jonathan A. Glickstein, Concepts of Free Labor in Antebellum America (New Haven: Yale University Press,
1991), 12.
It goes without saying that a sense of racial superiority pervaded every defense of bondage. To give just one example, in a widely published speech made to the South Carolinian legislature in 1831, future president of William and Mary College Thomas Roderick Dew, justified slavery on the ground that Black people were naturally indolent and that they would only work when forced to by bondage. Pointing to Haiti as an example, he claimed that free Blacks inevitably descend into idleness which will in turn “produce want and worthlessness, and [their] very worthlessness and degradation will stimulate [them] to deeds of rapine and vengeance.”

Simply put, slave-owners like Dew did not believe slaves were fit for freedom and that, if they were emancipated, the result would be violent crime and social chaos. Slavery was consequently essential as a means of disciplining a simultaneously indolent and dangerous race.

However, racism was hardly unique to the South. Northern states extensively regulated their Black populations and Northern visions of free labor were also racialized. What then did Southerners see as the major benefits of slavery in particular as a system of racial stratification? The key contrast pro-slavery writers maintained was that slavery allowed for the creation of an ideal, white capitalist society free from the disruptions of Northern industrial capitalism.

Again, while Southerners maintained a distinction between southern “masters” or “slaveholders” and Northern “capitalists,” they discussed slavery’s benefits as a system of racial stratification in distinctly capitalist terms. For example, in defending slavery, southern intellectuals frequently employed a racialized language of capital accumulation to argue that slavery facilitated social mobility for non-slaveholding whites. This is evident in an article in DuBow’s Review written by J. D. B. De Bow entitled “The Non-Slaveholders of the South: Their Interest in the Present Sectional Controversy Identical With That of the Slaveholders.” Published in 1861, the article's purpose was to convince non-slaveholders that abolitionism was a severe enough threat to their interests that they should support the burgeoning Confederacy. Du Bow explained that one of the greatest benefits of slavery was that it allowed poor whites to easily improve their material condition. If a non-slaveholder saved enough, DuBow argued, “he can become a slaveholder, and thus relieve his wife from the necessities of the kitchen and the laundry, and his children from the labors of the field.” The promise of social mobility through slavery was not just a distant hope, however; it was a tangible reality. According to Du Bow, in 1861, “twice the number of poor men in the South own a slave, to what owned a slave ten years ago” while “all over the new States of the Southwest enormous estates are in the hands of men who began life as oversees or city clerks, traders and merchants.” Furthermore, because they reproduce themselves, slaves were a form of capital with natural gains: “If a woman, her children become heirlooms, and make the nucleus of an estate,” then “a plantation of fifty or sixty persons has been established from the descendants of a single female, in the course of the lifetime of the

24 See Roediger, The Wages of Whiteness.
original purchaser.”

Du Bow did not explicitly state it, but by defending slavery’s unique ability to facilitate upward mobility in the face of abolitionist pressure, he made an implicit contrast with the North. Both the North and South might promise a better future for poor whites, but only the Southern slavery realistically delivered on that promise. While this article is just one example, slaveholders frequently echoed Du Bow’s claim that slavery was the basis for white social mobility in order to gain the support of non-slaveholding whites during the Civil War.

However, on top of arguing that Black slavery better delivered on capitalism’s promise of social mobility, Southern intellectuals also asserted that slavery prevented the worst evils of capitalism that were then visible in the North. For example, pro-slavery writers argued that unlike in the North where capitalism was producing heightened class tensions, slavery preserved a sense of racial and social solidarity among the white population. In his defense of slavery for instance, Thomas Roderick Dew claimed that because “the menial and low offices” were all occupied by Black people, “the greatest cause of distinction and separation of the ranks of society” among whites was removed. As a result, Dew argued, in the South “you [could] find that no white man feels such inferiority of rank as to be unworthy of association with those around him.” He concluded by asserting: “it is this spirit of equality which is both the generator and preserver of the genuine spirit of liberty.”

J. D. B. Du Bow made a similar argument in emphasizing social inequality produced by Northern free labor. Du Bow claimed that unlike “the poor white laborer at the North” who sat “at the bottom of the social ladder” and was looked down upon, “no white man at the South serve[d] as a body-servant.” Instead, even when in the employ of another white, Southerners were always “a companion and an equal”: “if a distinction exists, it is only that which education and refinement may give, and this is so courteously exhibited as scarcely to strike attention.” In other words, Southerners argued that unlike in the North, where free labor-based capitalism was producing ever-greater social inequality and tension, slavery preserved egalitarianism and mutual respect among the white community by creating a permanent underclass of Black slaves.

However, slavery did not produce a more stable society just by creating a sense of racial solidarity and equality among whites. It also did so by preserving a homogenous white population. Returning to De Bow’s editorial again, another positive aspect of slavery he stressed was that it did not facilitate immigration. Whereas in the North, the need for a surplus of laborers attracted an influx of immigrants looking for work, immigrants’ inability to economically compete with slaves discouraged them from entering the South. As a result, the South was able to “maintain a more homogenous population, and show a less admixture of races, than the North.” This was positive in the long run because it maintained social stability. In the North, Du

28 De Bow, “Art. VI-The Non-Slaveholders of the South,” 73.
Bow argued, “the competition between native and foreign labor” had “already begotten rivalry, and heart-burning, and riots, which have been marked by a degree of hostility and proscription to which the present age has not afforded another parallel.” The South, however, by preventing an influx of foreign populations, continued to “partake of the true American character” and existed in a state of social harmony. Instead of entertaining disruptive foreign importations and becoming Owenites, Socialists, or Freelovers, Southerners adhered “to the simple truths of the Gospel” and held faith in “law, order, and existing institutions.”

The idea that slavery prevented an influx of immigrants and the social ills that accompanied them again appeared in “The Prospects and Policy Of the South, As They Appear to the Eyes of a Planter,” an article published in the Southern Quarterly Review in 1854 and written by South Carolinian planter Frederick Porcher. In the article, Porcher contrasted the prospects of the North and South. One of the main points of comparison he made was the relative increase in population. Whereas in the South, the abolition of the slave trade prevented an influx of new laborers, the North’s laboring population was constantly growing with new arrivals from Europe. The result was a growing demographic and economic inequality between the regions. On the surface, this inequality disadvantaged the South, but Porcher argued that in the long run, the wealth immigration created came at the cost of America’s “patrimony.” Specifically, Porcher claimed the influx of poor Europeans had eroded republican tradition in the North. What had once been a “republic, born and fostered under Anglo-Saxon institutions,” had all but disappeared as foreigners and foreign ideas entered the country: “the old conservative elements of Anglo-Saxon freedom have given way to the wild notions of democracy entertained by every people of Europe who have never enjoyed and are unable to conceive the blessings of true liberty.” Porcher concluded by calling for the legalization of the slave trade, arguing that it would be better to allow in slaves “who never could affect [America’s] political state” rather than open the country to “others who threaten to destroy [it],” i.e. immigrants.

If on an abstract level then, Southerners articulated a model of slavery as a more humane, transparent form of capitalism, they also argued slavery and the racial hierarchy it maintained prevented capitalism’s most socially disruptive effects. Unlike in the free North, the slaveholding South had no class anxieties, no disruptive immigrants, and thus no conflicts among the white population. However, these two lines of argument subtly contradicted one another. Asserting that slavery was in principle superior to “free labor,” either as an ideal or a specific practice, implied a universality that was directly challenged by Southerners’ model of slavery as an actual system grounded in racial hierarchy and social homogeneity. In other words, while slaveholders were arguing that all workers, even white workers, are slaves or would be better taken care of if enslaved, they could only understand slavery to mean Black slavery.

29 Du Bow, “Art. VI-The Non-Slaveholders of the South,” 73.
This contradiction was recognized by George Fitzhugh, one of the more controversial southern ideologues. In “Southern Thought,” an article published in *DuBow’s Review* in 1857 for example, Fitzhugh chided his fellow Southerners for being too timid in their defense of slavery. Rather than justify simply “negro slavery,” Fitzhugh argued the South needed to justify “the slavery principle, justify slavery as natural, normal, and necessitous.” Specifically, he argued that intellectuals need to press for the enslavement of whites, claiming “emancipation of the white serfs or villains was a far more cruel failure, so far as those serfs were concerned, than West Indian emancipation.”

What is perhaps most notable about Fitzhugh’s work is that despite being one of the most widely read pro-slavery writers of the 1850s, almost no one was willing to endorse his radical prescriptions. This was despite almost every Southern intellectual agreeing with the premise of his argument. As we have seen, Fitzhugh was not entirely correct in claiming that Southerners refused to justify slavery in principle. They did. The key difference between them was that most simply failed to follow Fitzhugh in taking the logical next step: they never called for the abolition of free labor.

This contradiction between slaveholders’ argument that slavery was superior in principle to free labor and their unwillingness to advocate for slavery as anything other than a specific, racialized system of power highlights the fundamentally reactionary nature of southern thought. By reactionary, I do not mean that it was backward or anti-modern, but rather that Southerners articulated their unique model of a slave-based capitalism not as a proactive, positive vision of how the world should be, but as a defensive maneuver in a battle against abolitionism. Southerners almost always framed pro-slavery critiques of free labor as a response to particular abolitionist criticisms. As a result, no matter how bold their claims could be, pro-slavery writers were primarily defending the status quo. It is thus not surprising that slaveholders almost never went so far as to call for the enslavement of whites or a return to serfdom even though it was the logical conclusion of many of their arguments. To do so would have required calling for a radical transformation of the society that was far outside the purview of what they were trying to accomplish: namely the preservation of slavery where it existed.

Emphasizing the reactionary nature of pro-slavery discourse is important as it requires scholars to qualify their attempts at historical revisionism. Certainly, the South was neither materially nor ideologically opposed to capitalism as historians in the late 20th century claimed. Even in southern critiques of as quintessentially capitalist a concept as free labor, we can see a project of articulating a model of slave-based capitalism distinct from the type of capitalism developing contemporaneously in the North. However, all the intellectual energy, so to speak, originated on the northern side of the Mason-Dixon line. The South was only responding to the discourses of the North, specifically to an abolitionist discourse based on a mix of socialism, laissez-faire capitalism, and free labor ideology. Consequently, it is questionable whether we can

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say there was no difference in the capitalist orientation or “progressiveness” of the North and South as recent historiography suggests. To do so not only ignores the defensive posture assumed by the South, but also the reality that while free labor ideology still exists, no one would turn to slavery as the ideal basis for an economy.
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